



SPECIAL MEETING AGENDA

Date: 5/26/2020

Time: 5:00 p.m.

Special Meeting Location: [Joinwebinar.com](https://www.joinwebinar.com) – ID# 964-426-187

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

On March 19, 2020, the Governor ordered a statewide stay-at-home order calling on all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act. For the duration of the shelter in place order, the following public meeting protocols will apply.

Teleconference meeting: All members of the City Council, city staff, applicants, and members of the public will be participating by teleconference. To promote social distancing while allowing essential governmental functions to continue, the Governor has temporarily waived portions of the open meetings act and rules pertaining to teleconference meetings. This meeting is conducted in compliance with the Governor Executive Order N-25-20 issued March 12, 2020, and supplemental Executive Order N-29-20 issued March 17, 2020.

- How to participate in the meeting
 - Submit a written comment online: menlopark.org/publiccommentMay26*
 - Record a comment or request a call-back when an agenda topic is under consideration: Dial 650-474-5071*
 - Access the special meeting real-time online at: [joinwebinar.com](https://www.joinwebinar.com) – Special Meeting ID 964-426-187
*Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the City Council at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.
- Watch special meeting:
 - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto: Channel 26
 - Online: menlopark.org/streaming

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Closed Session (Teleconference)

- A. Call To Order**
- B. Roll Call**
- C. Closed Session**

Public Comment on these items will be taken before adjourning to Closed Session.

- C1. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the American Federation of State, County, and Municipal Employees Local 829 (AFSCME) and Confidential employees; Service Employees International Union Local 521 (SEIU); Menlo Park Police Sergeants Association (PSA); Menlo Park Police Officers' Association (POA); and Unrepresented Management.

Attendees: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Deputy City Manager Justin Murphy, Interim City Attorney Cara Silver, Interim Administrative Services Director Dan Jacobson, Human Resources Manager Theresa DellaSanta, Labor Negotiator Charles Sakai

Special Session ([Joinwebinar.com](https://www.joinwebinar.com) – ID# 964-426-187)

- D. Call To Order**
- E. Roll Call**
- F. Report from Closed Session**
- G. Consent Calendar**

- G1. Accept the City Council meeting minutes for March 24, April 2, 7, 14, 17, 28, May 1, 5 and 6, 2020 ([Attachment](#))
- G2. Approve a one-year extension to the agreement with the County of San Mateo for animal control services and authorize the city manager to execute the amendment ([Staff Report #20-108-CC](#))
- G3. Receive and file the quarterly financial review of General Fund operations as of March 31, 2020 ([Staff Report #20-109-CC](#))
- G4. Adopt Resolution No. 6558, preliminary approval of the engineer's report for the Menlo Park Landscaping Assessment District, and Resolution No. 6559, intention to order the levy and collection of assessments for the Landscaping Assessment District for fiscal year 2020-21 ([Staff Report #20-110-CC](#))

H. Regular Business

- H1. Update the City Council and public on COVID-19 health emergency and the City's response ([Attachment](#))
- H2. Approve Resolution No. 6554 amending the City's records retention schedule ([Staff Report #20-096-CC](#)) – **continued from May 12, 2020 meeting**
- H3. Direction on the reactivation of advisory bodies ([Staff Report #20-105-CC](#))
- H4. Provide direction on budget balancing measures including program and service reductions for the city manager's proposed fiscal year 2020-21 budget and authorize issuance of notice of intent to layoff affected positions ([Staff Report #20-106-CC](#)) – **continued from May 22, 2020 meeting**

I. Informational Items

- I1. City Council agenda topics: June 2020 to July 2020 ([Staff Report #20-107-CC](#))

J. City Manager's Report

K. City Councilmember Reports

L. Adjournment

At every regular meeting of the City Council, in addition to the public comment period where the public shall have the right to address the City Council on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Council on any item listed on the agenda at a time designated by the chair, either before or during the City Council's consideration of the item.

At every special meeting of the City Council, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available by request by emailing the city clerk at jaherren@menlopark.org. Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 5/22/2020)



SPECIAL MEETING MINUTES – DRAFT

Date: 3/24/2020
Time: 5:00 p.m.
Teleconference

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

On March 19, 2020, the Governor ordered a statewide stay-at-home order calling on all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act. For the duration of the shelter in place order, the following public meeting protocols will apply.

Legislative body teleconference participation: This meeting will be conducted in compliance with the Governor’s Executive Order N-25-20 issued March 12, 2020, and supplemental Executive Order N-29-20 issued March 17, 2020, temporarily waiving portions of the Brown Act and modifying teleconference requirements. All members of the legislative body will be participating by teleconference.

How to Submit Remote Public Comments: In light of the stay-at-home order, the City encourages public members to participate by providing remote public comments. To provide the safest environment for members of the public to participate in public meetings during the COVID-19 emergency, public comment can be submitted in writing via: menlopark.org/publiccomment up to one hour before the scheduled meeting time.

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Public Comment on these items will be taken before adjourning to closed session.
(see also “How to Submit Remote Public Comments” above)

Closed Session (City Hall - “Downtown” Conference Room, 1st Floor)

A. Call To Order

Mayor Taylor called the meeting to order.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Interim City Attorney Cara Silver, Administrative Services Director Lenka Diaz, Human Resources Manager Theresa DellaSanta

C. Closed Session

C1. Closed session conference with legal counsel pursuant to Government Code section 54956.9 (a) regarding existing litigation: 1 case

Case Name: Rosas v. City of Menlo Park
Case Number: Workers Compensation Case Number ADJ11198724

- C2. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the American Federation of State, County, and Municipal Employees Local 829 (AFSCME) and Confidential employees; Service Employees International Union Local 521 (SEIU); Menlo Park Police Sergeants Association (PSA); Menlo Park Police Officers' Association (POA); and Unrepresented Management.

Attendees: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Interim City Attorney Cara Silver, Administrative Services Director Lenka Diaz, Human Resources Manager Theresa DellaSanta

No reportable actions.

- C3. Threat to Public Services or Facilities (Government Code § 54957)

Consultation with: City of Menlo Park Director of Emergency Services and Interim City Attorney

No reportable actions.

~~D. Regular Business~~

- ~~D1. Consideration of policy issues for an urgency ordinance on sheltering the homeless~~

E. Adjournment

Mayor Taylor adjourned the meeting.

Judi A. Herren



SPECIAL MEETING MINUTES – DRAFT

Date: 4/2/2020
Time: 5:00 p.m.
Location: Via Teleconference (Details below)

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

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- How to participate in the meeting
 - Submit a written comment online:
menlopark.org/publiccommentApril2 *
 - Record a comment or request a call-back when an agenda topic is under consideration:
 Dial 650-474-4071 *

*Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the City Council at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.

Note on closed session items: City Council closed sessions are not broadcast online or on television and public participation is limited to the beginning of closed session.

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Closed Session (Teleconference)

A. Call To Order

Mayor Taylor called the meeting to order.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor

Absent: None
Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Deputy City Manager Justin Murphy, Interim City Attorney Cara Silver, Administrative Services Director Lenka Diaz, Human Resources Manager Theresa DellaSanta, Labor Negotiator Charles Sakai

C. Closed Session

Public Comment on these items will be taken before adjourning to Closed Session.

CL1. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the American Federation of State, County, and Municipal Employees Local 829 (AFSCME) and Confidential employees; Service Employees International Union Local 521 (SEIU); Menlo Park Police Sergeants Association (PSA); Menlo Park Police Officers' Association (POA); and Unrepresented Management

Attendees: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Deputy City Manager Justin Murphy, Interim City Attorney Cara Silver, Administrative Services Director Lenka Diaz, Human Resources Manager Theresa DellaSanta, Charles Sakai, Labor Negotiator

No reportable actions.

D. Adjournment

Mayor Taylor adjourned the meeting.

Judi A. Herren, City Clerk



SPECIAL MEETING MINUTES – DRAFT

Date: 4/7/2020

Time: 6:00 p.m.

Closed Session Location: Teleconference

Special Session Location: GoToWebinar.com – ID# 684-078-371

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

On March 19, 2020, the Governor ordered a statewide stay-at-home order calling on all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act. For the duration of the shelter in place order, the following public meeting protocols will apply.

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- How to participate in the meeting
 - Submit a written comment online: [menlopark.org/publiccommentApril7](https://www.menlopark.org/publiccommentApril7) *
 - Record a comment or request a call-back when an agenda topic is under consideration: Dial 650-474-4071 *
 - Access the meeting real-time online at: [joinwebinar.com](https://www.joinwebinar.com) – Meeting ID 684-078-371*Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the City Council at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.
- Watch special meeting:
 - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto: Channel 26
 - Online: [menlopark.org/streaming](https://www.menlopark.org/streaming)

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Closed Session (Teleconference)

A. Call To Order

Mayor Taylor called the meeting to order.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros,
Deputy City Manager Justin Murphy

C. Closed Session

Public Comment on these items will be taken before adjourning to Closed Session.

- C1. Public employment (Gov. Code section 54957.)
City attorney recruitment

The City Council deferred recruitment to Summer 2020.

Mayor Taylor adjourned the meeting.

Special Meeting ([GoToWebinar.com](https://www.gotowebinar.com) – ID# 684-078-371)

D. Call To Order

Mayor Taylor called the meeting to order at 6:50 p.m.

E. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, City Attorney William McClure, City Clerk Judi A. Herren

G. Consent Calendar

- G1. Accept the City Council meeting minutes for March 11, 2020 ([Attachment](#))

ACTION: Motion and second (Nash/ Combs) to approve the consent calendar, passed unanimously.

Mayor Taylor reordered the agenda.

H. Regular Business

- H1. Update and consideration of resources available to small businesses impacted by COVID-19 ([Staff Report #20-070-CC](#))

Management Analyst II, Housing and Economic Development John Passmann made the presentation (Attachment).

The City Council received information about the programs available to small business and requested data on how many businesses have taken advantage of the programs.

- Pamela Jones spoke in support of providing the program information to small businesses.
- Jen Wolosin, on behalf for Kathleen Daley, spoke in support of the planning department allowing restaurants to use outdoor parking areas to allow for social distancing.

Mayor Taylor combined items SS1. And H2.

F. Study Session

- SS1. City Council priorities and status of City operations ([Staff Report #20-072-CC](#))

- H2. Consideration and discussion of COVID-19 City responses ([Staff Report #20-071-CC](#))

Assistant City Manager Nick Pegueros, Interim City Attorney Cara Silver, and Deputy City Manager Justin Murphy made the presentation (Attachment)

- Lynn Bramlett spoke in favor of the City utilizing volunteers to integrate with emergency situations (e.g., COVID-19) and requested they be included in policy, procedure, and processes.
- Rebecca Grant spoke in support of the City utilizing volunteers (Attachment).
- Peter Carpenter made suggestions for next steps (Attachment).

The City Council took a break at 9:52 p.m.

The City Council reconvened at 9:58 p.m.

ACTION: Motion and second (Mueller/ Carlton) to support the priorities as stated in the staff report and 1) direct staff to meet with the Menlo Park Fire Protection district to discuss utilization of volunteers; 2) continue hold of construction activities and return to the City Council in two weeks; 3) Taylor to define “equity” with staff; 4) increase community outreach with equity at a top level, and; 5) community outreach to be provided in English and Spanish, passed unanimously.

- H3. Consider Resolution No. 6553 affirming Menlo Park’s commitment to values of equity, fairness, and justice in responding to COVID-19 ([Staff Report #20-069-CC](#))

Interim City Attorney Cara Silver introduced the item and Mayor Taylor made the presentation.

The City Council discussed extending resolution to all aspects of equity and aspirational goal of providing medical services to all areas of city with emphasis on those most in need.

ACTION: Motion and second (Carlton/ Nash) to Resolution No. 6553 affirming Menlo Park’s commitment to values of equity, fairness, and justice in responding to COVID-19 including updated language, passed unanimously.

I. City Manager’s Report

City Manager Starla Jerome-Robinson reported on the farmer’s markets, Gina Sudaria recent appointment as superintendent to Ravenswood School District, and two autonomous vehicles coming to San Mateo County.

J. City Councilmember Reports

City Councilmember Carlton reported on the donation of 100 COVID-19 test kits.

Mayor Taylor reported on the upcoming 2020 Census.

K. Adjournment

Mayor Taylor adjourned the meeting to order at 10:29 p.m.

Judi A. Herren, City Clerk



SPECIAL MEETING AGENDA MINUTES – DRAFT

Date: 4/14/2020

Time: 6:15 p.m.

Closed Session Location: Teleconference

Special Session Location: [GoToWebinar.com](https://www.gotowebinar.com) – ID# 493-198-731

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

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 - Submit a written comment online:
[menlopark.org/publiccommentApril14](https://www.menlopark.org/publiccommentApril14) *
 - Record a comment or request a call-back when an agenda topic is under consideration:
Dial 650-474-4071 *
 - Access the special meeting real-time online at:
[joinwebinar.com](https://www.joinwebinar.com) – Special Session Meeting ID 493-198-731

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A. Call To Order

Mayor Taylor called the meeting to order at 6:20 p.m.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Deputy City Manager Justin Murphy, Interim City Attorney Cara Silver, Interim Administrative Services Director Dan Jacobson, Human Resources Manager Theresa DellaSanta, Labor Negotiator Charles Sakai

C. Closed Session

- C1. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the American Federation of State, County, and Municipal Employees Local 829 (AFSCME) and Confidential employees; Service Employees International Union Local 521 (SEIU); Menlo Park Police Sergeants Association (PSA); Menlo Park Police Officers' Association (POA); and Unrepresented Management.

No reportable actions.

Mayor Taylor adjourned the meeting at 7:50 p.m.

Special Session ([GoToWebinar.com](https://www.gotowebinar.com) – ID# 493-198-731)

D. Call To Order

Mayor Taylor called the meeting to order at 8:06 p.m.

E. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, Interim City Attorney Cara Silver, City Clerk Judi A. Herren, Deputy City Clerk Neetu Salwan

F. Presentations and Proclamations

- F1. Proclamation: Recognizing Executive Director of the San Francisquito Creek Joint Powers Authority Len Materman

Mayor Taylor read the proclamation.

F2. Presentation: San Francisquito Creek Joint Powers Authority (SFCJPA) projects

Executive Director of the San Francisquito Creek Joint Powers Authority Len Materman made the presentation (Attachment).

The City Council received updates on the SFCJPA infrastructure projects underway related to sea level rise and flood wall project statuses.

G. Regular Business

G1. Consider options to amend the tenant assistance program administered by Samaritan House ([Staff Report #20-074-CC](#)).

Deputy Community Development Director – Housing Rhonda Coffman made the presentation (Attachment).

ACTION: Motion and second (Carlton/ Nash) to retain the tenant assistance program guidelines administered by Samaritan House as amended on March 26, 2020, passed unanimously.

G2. Adoption of uncodified urgency Ordinance No. 1068 imposing temporary moratorium on eviction for non-payment of rent by small business commercial tenants directly impacted by the COVID-19 pandemic ([Staff Report #20-076-CC](#))

Management Analyst II John Passmann made the presentation (Attachment).

- Adina Levin spoke in support of protecting small businesses and requested clarification on hardship waivers.

The City Council received clarification on hardship waivers and requested a report and guidelines.

ACTION: Motion and second (Combs/Carlton) to adopt urgency Ordinance No. 1068 imposing temporary moratorium on eviction for non-payment of rent by small business commercial tenants directly impacted by the COVID-19 pandemic with the following amendments, 1) Section E3. to include 501 organizations with less than \$2.5 million in gross receipts; 2) direct the city manager to adopt hardship waiver guidelines and define the required documents, and; 3) request the city manager to report back to City Council if any hardship waiver is granted, passed unanimously.

G3. Update the City Council and public on COVID-19 health emergency and the City's response ([Attachment](#))

Deputy City Manager Justin Murphy and Public Engagement Manager Clay Curtin made the presentation (Attachment).

- Adina Levin suggested paper communications in English and Spanish for the public.

The City Council discussed the reactivation of City advisory bodies. City Council also received clarification on facilities services, gardening activities and homelessness issues.

ACTION: By acclamation, the City Council extended the meeting past 11 p.m., passed 4-1 (Taylor

H. Informational Items

- H1. San Francisquito Creek upstream of Highway 101/Pope-Chaucer Bridge project update (Staff Report #20-075-CC)
- H2. Update on the water rate study for Menlo Park Municipal Water (Staff Report #20-073-CC)
- H3. Update on Belle Haven community center and library (Staff Report #20-077-CC)

I. City Manager's Report

None.

J. City Councilmember Reports

City Councilmember Carlton reported on a local online toy drive which helps Cheeky Monkey, a local small business where toys are purchased and then donated as unwrapped gifts which are provided to Ronald McDonald House Charities.

City Councilmember Mueller reported out on a meeting with the County.

Mayor Taylor reported out on the elected official daily briefing and the creation of a Council of Churches.

K. Adjournment

Mayor Taylor adjourned the meeting at 11:11 p.m.

Judi A. Herren, City Clerk



SPECIAL MEETING MINUTES – DRAFT

Date: 4/17/2020
Time: 3:00 p.m.
Closed Session Location: Teleconference

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

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Closed Session (Teleconference)

A. Call To Order

Mayor Taylor called the meeting to order.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor

Absent: None

Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Deputy City Manager Justin Murphy, Interim City Attorney Cara Silver, Human Resources Manager Theresa DellaSanta, and Labor negotiator Charles Sakai

C. Closed Session

Public Comment on these items will be taken before adjourning to Closed Session.

- C1. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the American Federation of State, County, and Municipal Employees Local 829 (AFSCME) and Confidential employees; Service Employees International Union Local 521 (SEIU); Menlo Park Police Sergeants Association (PSA); Menlo Park Police Officers' Association (POA); and Unrepresented Management.

Attendees: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Deputy City Manager Justin Murphy, Interim City Attorney Cara Silver, Human Resources Manager Theresa DellaSanta; Labor negotiator Charles Sakai

No reportable actions.

- C2. Threat to Public Services or Facilities (Government Code § 54957)

Consultation with: City of Menlo Park Director of Emergency Services and Interim City Attorney

No reportable actions.

D. Adjournment

Mayor Taylor adjourned the meeting.

Judi A. Herren, City Clerk



SPECIAL MEETING AGENDA MINUTES – DRAFT

Date: 4/28/2020

Time: 4:30 p.m.

Closed Session Location: Teleconference

Special Meeting Location: Joinwebinar.com – ID# 455-111-155

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

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- How to participate in the meeting
 - Submit a written comment online:
menlopark.org/publiccommentApril28 *
 - Record a comment or request a call-back when an agenda topic is under consideration:
Dial 650-474-4071 *
 - Access the special meeting real-time online at:
joinwebinar.com – Regular Meeting ID 455-111-155
*Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the City Council at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.
- Watch special meeting:
 - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto:
Channel 26
 - Online:
menlopark.org/streaming

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According to City Council policy, all regular meetings of the City Council are to end by midnight unless there is a super majority vote taken by 11:00 p.m. to extend the meeting and identify the items to be considered after 11:00 p.m.

A. Call to Order

Mayor Taylor called the meeting to order at 4:41 p.m.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, Interim City Attorney Cara Silver, Police Chief Dave Bertini, Deputy Community Development Director Rhonda Coffman

C. Closed Session

C1. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to § 54956.9(b)
Number of cases – 1

C2. Threat to Public Services or Facilities (Government Code § 54957)
Consultation with: City of Menlo Park Director of Emergency Services and Interim City Attorney

No reportable actions.

Mayor Taylor adjourned the meeting at 5:45 p.m.

Special Session ([Joinwebinar.com](https://www.joinwebinar.com) – ID# 455-111-155)

D. Call To Order

Mayor Taylor called the meeting to order at 6:10 p.m.

E. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, Interim City Attorney Cara Silver, City Clerk Judi A. Herren, Deputy City Clerk Neetu Salwan

F. Report from Closed Session

None.

G. Presentations and Proclamations

G1. San Mateo County Economic Development Association (SAMCEDA) presentation

President and CEO San Mateo County Economic Development Association (SAMCEDA) Rosanne Foust made the presentation (Attachment).

- Deanna Chung requested that childcare providers be included in the program.
- Jen Wolosin spoke in support of allocating capital improvement project funds to small business assistance.

The City Council received clarification on how Menlo Park City funds would be allocated to Menlo Park small businesses. City Council also discussed the communications SAMCEDA uses to alert small businesses to the San Mateo County Strong funding opportunities. City Council requested that staff discuss budget allocations to this program during item I2.

I. Regular Business

Mayor Taylor reordered the agenda.

- I2. Review projected revenue shortfalls resulting from the COVID-19 emergency, adopt Resolution No. 6556 amending the City Council adopted fiscal year 2019-20 general fund budget, and approve a budget strategy for fiscal year 2020-2021 (Staff Report #20-093-CC)

Assistant City Manager Nick Pegueros and Assistant Administrative Services Director Dan Jacobson made the presentation (Attachment).

- Pamela Jones suggested allocating funds for 2020 Census, retention and training for long term employees, and support of an independent redistricting committee (Attachment).
- Fran Dehn spoke in support of grants to fund to small businesses.
- Karen Grove requested that the consideration to the most vulnerable be taken into account during budget discussions and spoke in support of continuing the climate action plan and the use of reserve funds.
- Josie Gaillard spoke in support of the use of stabilization funds to balance the budget.
- Heather Hopkins spoke in support of prioritizing the needs of childcare assistance.

The City Council supported the use of reserve funds for fiscal year 2019/20 but directed staff to review alternatives for fiscal year 2020/21.

City Council took a break at 8:04 p.m.

City Council reconvened at 8:16 p.m.

The City Council had consensus to fund the small business grant program offered by SAMCEDA and discussed the amount to be allocated.

ACTION: Motion and second (Carlton/ Nash) to: 1) adopt 2019-20 budget amendment Resolution No. 6556 attached to staff report with additional appropriation of \$70,000 from reserves to SAMCEDA; 2) directed to staff to return with options for additional cuts to 2020-21 personnel, operations and capital improvement projects budgets in amount of \$3,765,377 to eliminate need for using reserve funds in fiscal year 2020-21; 3) recommend that the Chamber of Commerce seek additional SAMCEDA contributions from local businesses who are fiscally capable.

H. Study Session

- H1. Provide direction on capital improvement plan projects and funding proposals (Staff Report #20-092-CC)

Public Works Director Nikki Nagaya made the presentation (Attachment).

- Tom Kabat spoke in support of using bonds to fund projects and to consider reallocating funds for the hydration station project.
- Adina Levin spoke in support of retaining funds for climate action plan efforts, take advantage of strategies to advance projects that help meet climate goals, to continue advancing Middle Avenue pedestrian and bicycle crossing of Caltrain tracks, and to consider prioritizing support for childcare, housing support programs, and programs that support local businesses.

The City Council received clarification on projects in the capital improvement plan (CIP) including welcome to Menlo Park monument signs, Caltrain grade separation, the Gate House fence repair, and inquired about available budgets for each project and using bond funds to advance projects. The City Council discussed future use of rubberized asphalt and requested staff return in the future to provide policy direction on paving projects before they are awarded next fiscal year.

Staff was directed to return the capital improvement plan as part of the 2020/21 budget item after exploring alternatives to repurpose additional projects that are not categorized as requisite or no progress is anticipated next year. Staff would return with general information about the water system as part of the water rate setting process, currently anticipated for a May 2020 City Council meeting.

I. Regular Business

- I1. Update the City Council and public on COVID-19 health emergency and the City's response (Attachment)

Management Analyst II Michael Noce, Police Chief Dave Bertini and Library Services Director Sean Reinhart made the presentation (Attachment).

- Jennifer Baskin spoke in support of lifting the shelter in place order (Attachment).

ACTION: By acclamation, the City Council extended the meeting past 11 p.m.

The City Council discussed the draft reactivation plan and the providing San Mateo County with a list of high contact areas within Menlo Park city limits. The City Council also clarified that the shelter in place order is issued and governed by the County and State.

J. Adjournment

Mayor Taylor adjourned the meeting at 11:12 p.m.

Judi A. Herren, City Clerk



SPECIAL MEETING AGENDA MINUTES – DRAFT

Date: 5/1/2020

Time: 3:30 pm

Meeting Location: [JoinWebinar.com](https://www.joinwebinar.com) – ID# 336-758-411

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

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- How to participate in the meeting
 - Submit a written comment online: menlopark.org/publiccommentMay1 *
 - Record a comment or request a call-back when an agenda topic is under consideration: Dial 650-474-4071 *
 - Access the special meeting real-time online at: [joinwebinar.com](https://www.joinwebinar.com) – Regular Meeting ID 336-758-411
- *Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the City Council at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.
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Special Session ([JoinWebinar.com](https://www.joinwebinar.com) – ID# 336-758-411)

A. Call To Order

Mayor Taylor called the meeting to order at 3:38 p.m.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor
Absent: None
Staff: City Manager Starla Jerome-Robinson, Interim City Attorney Cara Silver, City Clerk Judi A. Herren, Deputy City Clerk Neetu Salwan

C. Consent Calendar

C1. Review and confirm the need for continuing the local emergency ([Staff Report #20-097-CC](#))

ACTION: Motion and second (Nash/ Carlton) to approve the consent calendar, passed unanimously.

D. Regular Business

D1. Provide direction on re-activating construction work and related inspections ([Staff Report #20-098-CC](#))

Web form public comment on item D1 (Attachment).

Deputy City Manager Justin Murphy made the presentation (Attachment).

- Jacqueline Cort requested information on construction permit issuance.
- Mallory Crawford requested information on resuming pending construction inspections.

The City Council directed staff to respond to the public comments.

The City Council received clarification on prioritizing construction permit issuance process, new safety guidelines for the City inspectors and had consensus to align with County safety guidelines.

ACTION: Motion and second (Carlton/ Nash) to the approval on re-activating construction work and related inspection, and directed staff to add the priority list to the City's website, passed unanimously.

E. Adjournment

Mayor Taylor adjourned the meeting at 4:22 p.m.

Judi A. Herren, City Clerk



SPECIAL MEETING MINUTES – DRAFT

Date: 5/5/2020

Time: 5:00 pm

Meeting Location: JoinWebinar.com – ID# 749-916-475

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

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- How to participate in the meeting
 - Submit a written comment online: menlopark.org/publiccommentMay5 *
 - Record a comment or request a call-back when an agenda topic is under consideration: Dial 650-474-4071 *
 - Access the special meeting real-time online at: joinwebinar.com – Regular Meeting ID 749-916-475
- *Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the City Council at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.
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Regular Session ([JoinWebinar.com](https://www.joinwebinar.com) – ID# 749-916-475)

A. Call To Order

Mayor Taylor called the meeting to order at 5:13 p.m.

B. Roll Call

Present: Carlton, Mueller, Nash, Taylor

Absent: Combs

Staff: City Manager Starla Jerome-Robinson, City Clerk Judi A. Herren

Applicants: Andrew Barnes, Theo Keet, Henry Riggs, John Pimentel, Jeff Schmidt

C. Special Business

C1. Interviews of Planning Commission applicants ([Attachment](#))

(Note: No action will be taken at this meeting. Appointments are scheduled for the May 12, 2020, City Council meeting.)

The City Council interviewed five applicants for two vacancies on the Planning Commission.

C. Adjournment

Mayor Taylor adjourned the meeting at 6:27 p.m.

Judi A. Herren



SPECIAL MEETING MINUTES – DRAFT

Date: 5/6/2020
Time: 3:00 p.m.
Closed Session Location: Teleconference

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

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- How to participate in the meeting
 - Submit a written comment online:
menlopark.org/publiccommentMay6 *
 - Record a comment or request a call-back when an agenda topic is under consideration:
 Dial 650-474-4071 *

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Closed Session (Teleconference)

A. Call To Order

Mayor Taylor called the meeting to order at 3:05 p.m.

B. Roll Call

Present: Carlton, Combs, Nash, Mueller, Taylor

Absent: None

Staff: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Deputy City Manager Justin Murphy, Interim City Attorney Cara Silver, Administrative Services Director Lenka Diaz, Human Resources Manager Theresa DellaSanta, Labor Negotiator Charles Sakai

C. Closed Session

Public Comment on these items will be taken before adjourning to Closed Session.

- C1. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the American Federation of State, County, and Municipal Employees Local 829 (AFSCME) and Confidential employees; Service Employees International Union Local 521 (SEIU); Menlo Park Police Sergeants Association (PSA); Menlo Park Police Officers' Association (POA); and Unrepresented Management.

Attendees: City Manager Starla Jerome-Robinson, Assistant City Manager Nick Pegueros, Deputy City Manager Justin Murphy, Interim City Attorney Cara Silver, Interim Administrative Services Director Dan Jacobson, Human Resources Manager Theresa DellaSanta, Labor Negotiator Charles Sakai

No reportable actions.

D. Adjournment

Mayor Taylor adjourned the meeting at 5:15 p.m.



STAFF REPORT

City Council

Meeting Date: 5/26/2020
Staff Report Number: 20-108-CC

Consent Calendar: **Approve a one-year extension to the agreement with the County of San Mateo for animal control services and authorize the city manager to execute the amendment**

Recommendation

Staff recommends that the City Council approve Amendment No. 1 to the agreement with the County of San Mateo for facilitation and coordination of animal control and licensing services for an additional one-year term beginning July 1, and authorize the city manager to execute the amendment.

Policy Issues

This maintains the current City Council policy of contracting with San Mateo County for animal control services.

Background

Animal control has been one of the longest running regional/shared services in San Mateo County. Since 1952, the County has contracted with the Peninsula Humane Society (PHS) for animal control field and sheltering service under the belief that PHS is the only viable provider of animal care and field services in the county. All 20 cities in the County have in turn contracted with the County for these services. Historically, cities have taken advantage of the economies of pooling resources in order to realize lower costs for services than each city could likely achieve by providing its own services. One limitation that existed in the past when considering service providers is that neither the County nor any member city owned or operated an animal control or adoption facility. Part of that has now been addressed by the new facility being constructed by the County (discussed below) and the separation of adoptive services by PHS into another facility.

The mandated animal control service functions are provided by PHS in a 45,000 square foot building at 12 Airport Boulevard in San Mateo. In 2011, PHS moved its charitable, mission-driven functions, such as animal adoption, to its own 57,000 square foot building on Rollins Road in Burlingame.

The mandated animal control service functions remain at the older Airport Boulevard shelter. Those functions include receiving and housing stray animals; serving as the location for the public when looking for lost pets or surrendering unwanted animals; sheltering animals; spay/neuter clinic; and, vaccination clinic. For public convenience, licensing, micro chipping, veterinary care and animal behavior work are performed at both locations.

Analysis

The current animal control services agreement between the County of San Mateo and the 20 San Mateo

County cities will expire June 30, 2020. This amendment will extend the contract term for one additional year while the County evaluates the existing agreement before making recommendations regarding a long-term contract.

The PHS has already approved a one-year extension to its agreement with the County of San Mateo.

Impact on City Resources

The City's cost for animal control services is approximately \$302,120 and included in the police department budget. The cost of the one-year extension remains flat. Sufficient funding for this one-year extension is planned for the fiscal year 2020-21 operating budget.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. Amendment No. 1 to the animal control agreement with the County of San Mateo

Report prepared by:
Clay J. Curtin, Public Engagement Manager

**AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND
THE CITIES OF ATHERTON, BELMONT, BRISBANE, BURLINGAME, COLMA,
DALY CITY, EAST PALO ALTO, FOSTER CITY, HALF MOON BAY,
HILLSBOROUGH, MENLO PARK, MILLBRAE, PACIFICA, PORTOLA VALLEY,
REDWOOD CITY, SAN BRUNO, SAN CARLOS, SAN MATEO, SOUTH SAN
FRANCISCO, AND WOODSIDE FOR FACILITATION AND COORDINATION OF
ANIMAL CONTROL SERVICES**

THIS AMENDMENT TO AGREEMENT is entered into this first day of July, 2020, by and between the County of San Mateo, hereinafter called "County," and Atherton, Belmont, Brisbane, Burlingame, Colma, Daly City, East Palo Alto, Foster City, Half Moon Bay, Hillsborough, Menlo Park, Millbrae, Pacifica, Portola Valley, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco, and Woodside, each hereinafter individually called a "City" and collectively called the "Cities," and, together with the County, the "Parties";

W I T N E S S E T H:

WHEREAS, the Parties previously entered into an Agreement for Facilitation and Coordination of Animal Control Services on or about July 1, 2015 ("Agreement"); and

WHEREAS, such agreements are authorized by Section 51300, et seq. of the California Government Code;

WHEREAS, the Parties wish to amend the Agreement to extend the term by one year, to June 30, 2021, and to make certain other amendments to the Agreement as set forth herein.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. The original Exhibit B (Proportionate Share of the Cost) in the Agreement is replaced in its entirety with a new Exhibit B (rev. July 1, 2020), attached hereto and incorporated by this reference.
2. A new Attachment 2 (Amendment to Agreement Between the County of San Mateo and Peninsula Humane Society, SPCA) is hereby added to the Agreement, and attached and incorporated by this reference.
3. A new Attachment 3 (Memorandum of Agreement Regarding Funding for Construction of Animal Control Shelter entered into by the Parties and dated September 9, 2014), is hereby added to the Agreement, and attached and incorporated by this reference.

4. Section 4.1 of the Agreement is replaced in its entirety by a new section 4.1, to read as follows:

“4.1 a. The County will pay Animal Control Contractor the following agreed-to amounts. These costs are to be reimbursed by the Cities as provided in Section 3.8 above.

Fiscal Year	Amount
2015-16	\$5,944,135
2016-17	\$6,122,459
2017-18	\$6,275,521
2018-19	\$6,463,786
2019-20	\$6,625,381
2020-21	\$6,625,381

b. The County will pay Animal Licensing Contractor the following agreed-to amounts. These costs are to be reimbursed by the Cities as provided in Section 3.8 above.

Contract	Amount	Current Contract
	2013-2016	2019-2022
One-year license	\$3.80 per license	\$4.28 per license
Multi-year license	\$3.80 for the first year and \$2 for each additional year	\$4.28 for the first year and \$2 for each additional year
Late fees collected	\$2.50 collection service fee for each license	\$2.50 collection service fee for each license
Replacement tags	\$3.80 per tag	\$4.28 per tag
Bank and supply fees	Actual cost	Actual cost

5. Section 4.2 of the Agreement is replaced in its entirety with a new Section 4.2 which shall read as follows:

4.2 The County shall provide the services as outlined in this Agreement for the following estimated amounts. Parties will only be invoiced for the actual costs to provide said

services as outlined in this Agreement and are to be reimbursed by the Cities as provided in Section 3.8 above.

Fiscal Year	Amount
2015-16	\$420,000
2016-17	\$433,000
2017-18	\$442,000
2018-19	\$455,000
2019-20	\$466,000

For FY 2020-21, the Cities will be billed for and pay actual costs based on each City's proportionate share of costs. In November 2020, the actual cost will be determined using the estimates provided to the Cities in March, and based on the contracted methodology set forth in section 3.8 of the Agreement, in which each City's annual contract costs are based on that City's 3-year rolling average of usage (shelter and field services) and offset by that City's share of the licensing revenue for the last calendar year. The licensing revenue is divided on a percentage basis determined by the number of licenses sold in each City.

6. Section 5.3 of the Agreement is hereby amended by the addition of a subsection c. which shall read as follows:

“c. The Parties acknowledge that the new Shelter has been constructed and PHS is occupying it in order to provide animal control services as set forth in Attachments 1 and 2. Further, the Parties have previously entered into a Memorandum of Agreement regarding Funding of Construction of an Animal Care Shelter, dated September 9, 2014 (“Memorandum”), attached and incorporated as Attachment 3. The Parties agree that the total cost of the shelter construction project is being updated as provided by Section 2 of the Memorandum, and the Parties agree that, when available, County will provide to Cities the final total cost of the Shelter construction which will be paid proportionately by each City as provided by the Memorandum. Further, the Parties acknowledge and agree that the proportionate share of each City will be amended as provided by section 3 of the Memorandum. The Parties acknowledge that continued animal control and shelter services to a City as provided herein is contingent on that City approving any amended cost and proportionate share, as previously agreed in the Memorandum.”

7. Section 5.8 of the Agreement is hereby replaced in its entirety with a new Section 5.8, to read as follows:

“Term and Termination. Subject to compliance with all terms and conditions, the term of this Agreement shall be from July 1, 2015 through June 30, 2021.

Except as otherwise provided by this section, this Agreement may not be terminated by any party during the effective period from July 1, 2015 through June 30, 2021. Each City is responsible for its annual percentage share under this Agreement for the entire term of this Agreement.

In the event any City fails to pay its percentage share as set forth in this Agreement and Exhibit B, every other City shall promptly pay its Proportionate Share of Cost of the non-payment, unless and until the County is able to recover the non-payment from the late or non-paying City.

This Agreement shall automatically terminate in the event of termination of the Animal Control Services Agreement. Upon termination, the County shall have no further obligation to provide, facilitate or coordinate services specified herein or in the Animal Control Services Agreement or Animal Licensing Services Agreement. Each City shall promptly pay its Proportionate Share of Cost as set forth in Exhibit B for all services rendered prior to termination.”

8. Section 5.15 of the Agreement is hereby replaced in its entirety with a new Section 5.15 to read as follows:

“5.15 Notices. Any notice, request, demand, or other communication required or permitted under this Agreement shall be deemed to be properly given when both: (1) transmitted via facsimile to the telephone number listed below or transmitted via email to the email address listed below; and (2) sent to the physical address listed below by either being deposited in the United States mail, postage prepaid, or deposited for overnight delivery, charges prepaid, with an established overnight courier that provides a tracking number showing confirmation of receipt.

Any notices required by or given pursuant to this Agreement to any City shall be in writing and shall be delivered to the Clerk of that City at the address of the principal business offices of the respective City listed in the introduction of this Agreement or at such other address as any City may specify in writing to the County.

In the case of County, to:

Name/Title: Louise F. Rogers, Chief of San Mateo County Health
Address: 225-37th Avenue San Mateo, CA 94403
Telephone: 650.573.2912
Facsimile: 650.573.2788
Email: LRogers@smcgov.org”

9. All other terms and conditions of the Agreement shall remain in full force and effect except as expressly amended herein.

10. This Amendment shall become effective upon execution by all Parties.

In witness of and in agreement with this Agreement's terms, the parties, by their duly authorized representatives, affix their respective signatures:

COUNTY OF SAN MATEO

By:

President, Board of Supervisors, San Mateo County

Date:

ATTEST:

By:

Clerk of Said Board

ATTEST:

TOWN OF ATHERTON

Town of Atherton, Clerk

By

Dated: _____

ATTEST:

CITY OF BELMONT

City of Belmont, Clerk

By

Dated: _____

ATTEST:

CITY OF BRISBANE

City of Brisbane, Clerk

By

Dated: _____

ATTEST:

CITY OF BURLINGAME

City of Burlingame, Clerk

By

Dated: _____

ATTEST:

TOWN OF COLMA

Town of Colma, Clerk

By

Dated: _____

ATTEST:

CITY OF DALY CITY

City of Daly City, Clerk

By

Dated: _____

ATTEST:

CITY OF EAST PALO ALTO

City of East Palo Alto, Clerk

By

Dated: _____

ATTEST:

CITY OF FOSTER CITY

City of Foster City, Clerk

By

Dated: _____

ATTEST:

CITY OF HALF MOON BAY

City of Half Moon Bay, Clerk

By

Dated: _____

ATTEST:

TOWN OF HILLSBOROUGH

Town of Hillsborough, Clerk

By

Dated: _____

ATTEST:

CITY OF MENLO PARK

City of Menlo Park, Clerk

By

Dated: _____

ATTEST:

CITY OF MILLBRAE

City of Millbrae, Clerk

By

Dated: _____

ATTEST:

CITY OF PACIFICA

City of Pacifica, Clerk

By

Dated: _____

ATTEST:

TOWN OF PORTOLA VALLEY

Town of Portola Valley, Clerk

By

Dated: _____

ATTEST:

CITY OF REDWOOD CITY

City of Redwood City, Clerk

By

Dated: _____

ATTEST:

CITY OF SAN BRUNO

City of San Bruno, Clerk

By

Dated: _____

ATTEST:

CITY OF SAN CARLOS

City of San Carlos, Clerk

By

Dated: _____

ATTEST:

CITY OF SAN MATEO

City of San Mateo, Clerk

By

Dated: _____

ATTEST:

CITY OF SOUTH SAN FRANCISCO

City of South San Francisco, Clerk

By

Dated: _____

ATTEST:

TOWN OF WOODSIDE

Town of Woodside, Clerk

EXHIBIT B

PROPORTIONATE SHARE OF COST

FY 2020-21 Proportionate Share of Cost:

Atherton	0.96%
Belmont	2.87%
Brisbane	0.83%
Burlingame	3.70%
Colma	0.52%
Daly City	10.35%
East Palo Alto	8.48%
Foster City	3.02%
Half Moon Bay	1.97%
Hillsborough	1.63%
Menlo Park	4.56%
Millbrae	2.26%
Pacifica	5.41%
Portola Valley	0.45%
Redwood City	12.99%
San Bruno	5.94%
San Carlos	3.14%
San Mateo	14.26%
South San Francisco	9.97%
Woodside	1.11%
County	5.59%

**AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND
THE PENINSULA HUMANE SOCIETY & SPCA, A CALIFORNIA NONPROFIT
CORPORATION**

THIS AMENDMENT TO THE AGREEMENT is entered into this 01 day of July 2020, by and between the County of San Mateo, hereinafter called "County," and Peninsula Humane Society, hereinafter called "Contractor".

W I T N E S S E T H:

WHEREAS, pursuant to state law including, but not limited to, Food and Agricultural Code Section 31106, Corporations Code Sections 14501 and 14503, and Government Code, Section 31000, County may contract for the furnishing of animal control and shelter services; and

WHEREAS, County and Contractor (collectively hereinafter, "Parties") on July 01, 2015 entered into a written Agreement for Animal Control and Shelter Services, which is set to expire on June 30, 2020, in which Contractor agreed to perform and County agreed to compensate Contractor for performance of certain specified animal care, animal control, and shelter services (hereinafter, "Services Agreement" or "Agreement"); and

WHEREAS, the Parties wish to amend the Services Agreement to extend the term by one year, increase the amount not to exceed contract amount by \$6,625,381, and other amendments as described herein;

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. Section 2.2 Facilities and Equipment of the Agreement is hereby deleted in its entirety.
2. Exhibit A Leased Areas of the Agreement is hereby replaced with a new Exhibit A, Animal Shelter Facility Use and Maintenance Agreement, attached and incorporated by this reference.

3. Section 4.1 of the Agreement is amended to read as follows:

In consideration of the services provided by Contractor in accordance with all terms, conditions, and specifications set forth herein and in Exhibit C, County shall make payment to Contractor based on the rates and in the manner specified in Exhibit E. In no event shall the County's fiscal obligation under this Services Agreement exceed the \$38,056,663, except as provided by 7.1 of this Services Agreement.

This not to exceed amount includes the \$6,625,381 added by this amendment for the period July 1, 2020 through June 30, 2021.

4. Section 9.3 Lease Agreement of the Agreement is hereby deleted and replaced in its entirety with a new Section 9.3 Shelter Facility to read as follows:

9.3 Shelter Facility. The Parties agree that, notwithstanding any reference to the prior Lease in Section 7.3 or elsewhere in the Agreement, the prior Lease of the Shelter grounds as referenced in the Agreement has terminated and Contractor has moved to and is occupying the new County owned Animal Shelter. Contractor shall occupy and use the newly constructed County owned Animal Shelter at 12 Airport Blvd, San Mateo, CA 94401 for the provision of services under this Agreement with the permission of County only for a term coterminous with this Agreement, under the terms of the Animal Shelter Facility Use and Maintenance Agreement, attached hereto and incorporated by this reference as Exhibit A.

5. Section 9.1 Services Agreement of the Agreement is hereby amended to read as follows:

9.1 Term of Services Agreement. Subject to compliance with all terms and conditions, the term of this Services Agreement shall be from July 1, 2015, through June 30, 2021.

In the event of termination, all finished or unfinished documents, data, studies, maps, photographs, reports, and materials (hereafter referred to as materials) prepared by Contractor under this Services Agreement shall become the property of County and shall be promptly delivered to County. Upon termination, Contractor may make and retain a copy of such materials. Contractor shall be entitled to receive payment for work/services provided prior to termination of this Services Agreement. Such payment shall be that portion of the full payment which is determined by comparing the work/services completed to the work/services required by this Services Agreement.

6. Section 23 Notices of the Agreement is amended to read as follows:

23. Notices Any notice, request, demand, or other communication required or permitted under this Services Agreement shall be deemed to be properly given when both: (1) transmitted via facsimile to the telephone number listed below or transmitted via email to the email address listed below; and (2) sent to the physical address listed below by either being deposited in the United States mail, postage prepaid, or deposited for overnight delivery, charges prepaid, with an established overnight courier that provides a tracking number showing confirmation of receipt.

In the case of County, to:

Name/Title: Louise Rogers, Chief of the Health System
Address: 225-37th Avenue, San Mateo, CA 94403
Telephone: 650.573.2532
Facsimile: 650.573.2788
Email: LRogers@smcgov.org

In the case of Contractor, to:

Name/Title: Ken White, President
Address: 1450 Rollins Road, Burlingame, CA 94010
Telephone: 650.685.8502
Facsimile: 650.348.7891
Email: kwhite@peninsulahumanesociety.org

7. Original Exhibit E Payments and Rates is replaced with Revised Exhibit E, Payments and Rates, attached and incorporated into this Agreement by this reference.
8. Original Attachment 1 Public Works Inspection, dated March 16, 2009, of the Agreement is deleted.
9. Original Attachment 2 Quarantine Algorithm of the Agreement is hereby replaced with a new Attachment 2 Quarantine Algorithm (revised and approved June 16, 2016), attached and incorporated as Attachment 2 by this reference.
10. All other terms and conditions of the Agreement between the County and Contractor shall remain in full force and effect except as expressly amended herein.
11. This Amendment shall become effective upon execution by the Parties, but only if the amendment also extending the term of the agreement between the County and the twenty

cities for animal control services to June 30, 2021 has been fully executed by County and the twenty cities.

Attachment 2
Page 4 of 60

In witness of and in agreement with this Agreement's terms, the Parties, by their duly authorized representatives, affix their respective signatures:

For Contractor: PENINSULA HUMANE SOCIETY

Contractor Signature

Date

Name of Signing Person
(please print)

COUNTY OF SAN MATEO

By:

President, Board of Supervisors, San Mateo County

Date:

ATTEST:

By:

Clerk of Said Board

Exhibit A

(Animal Shelter Facility Use and Maintenance Agreement between County and PHS to be inserted by each City as labeled as Exh. A to the PHS amendment)

Exhibit E

Payments and Rates

In consideration of the services provided by Contractor in Exhibit C & D and subject to the terms of this Services Agreement:

1. County shall pay Contractor in twelve (12) equal monthly installments the annual amount of:

Fiscal Year and Amount

2015-16 \$5,944,135

2016-17 \$6,122,459

2017-18 \$6,275,521

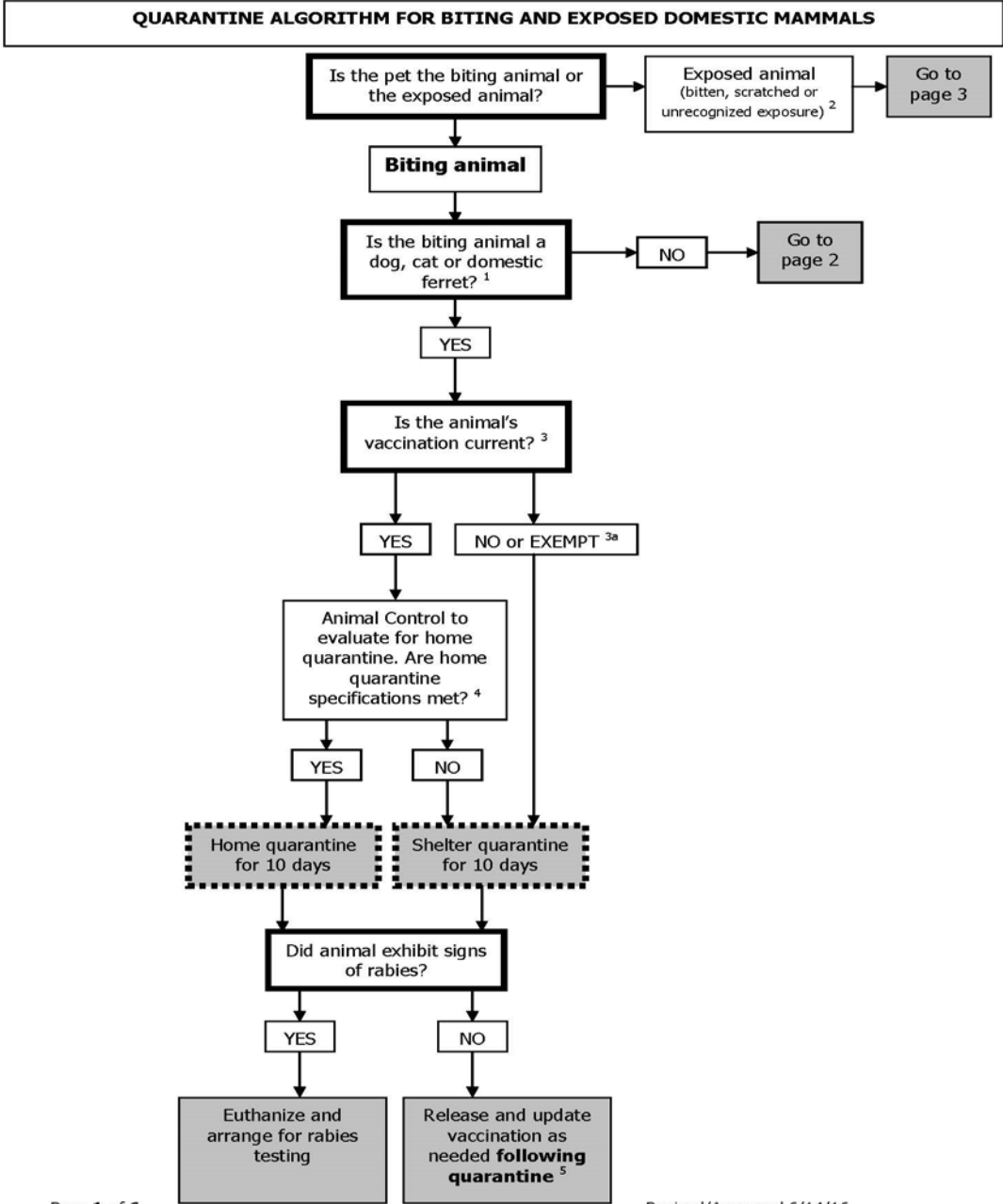
2018-19 \$6,463,786

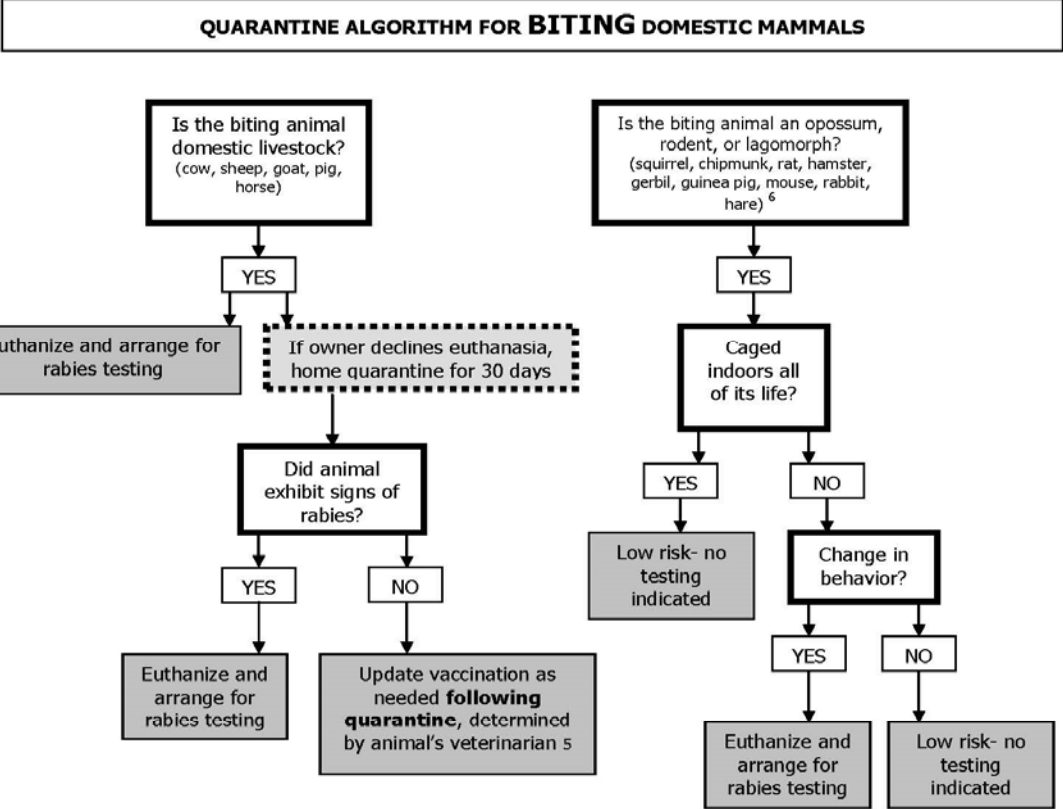
2019-20 \$6,625,381

2020-21 \$6,625,381

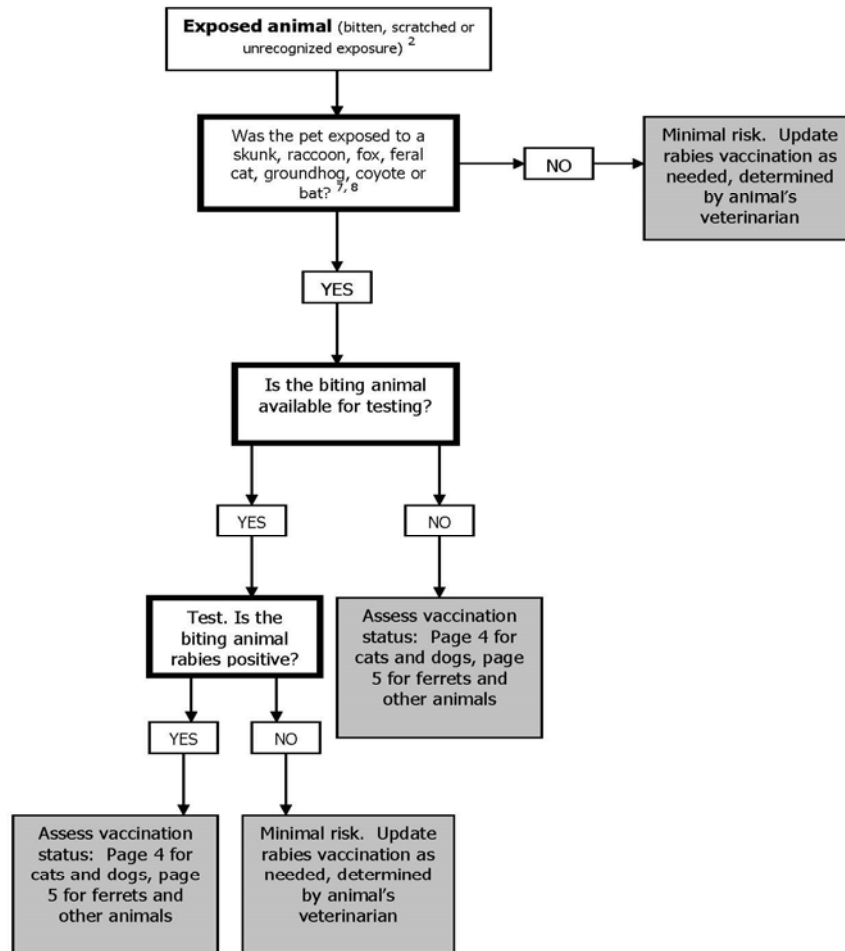
2. Contractor shall pay County in twelve (12) monthly payments all fees collected for services provided in Exhibit C and outlined in Exhibit D.

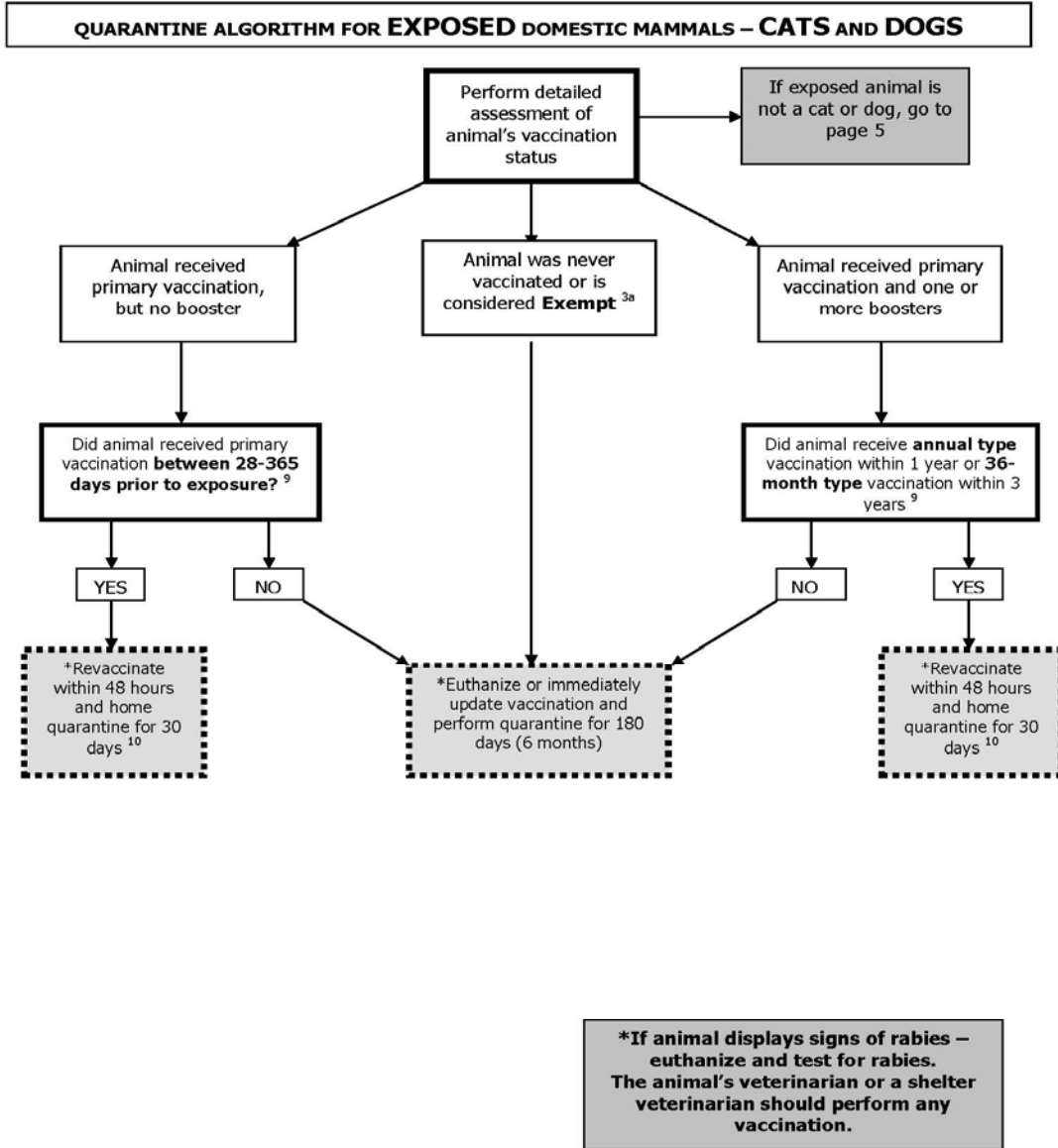
Attachment 2



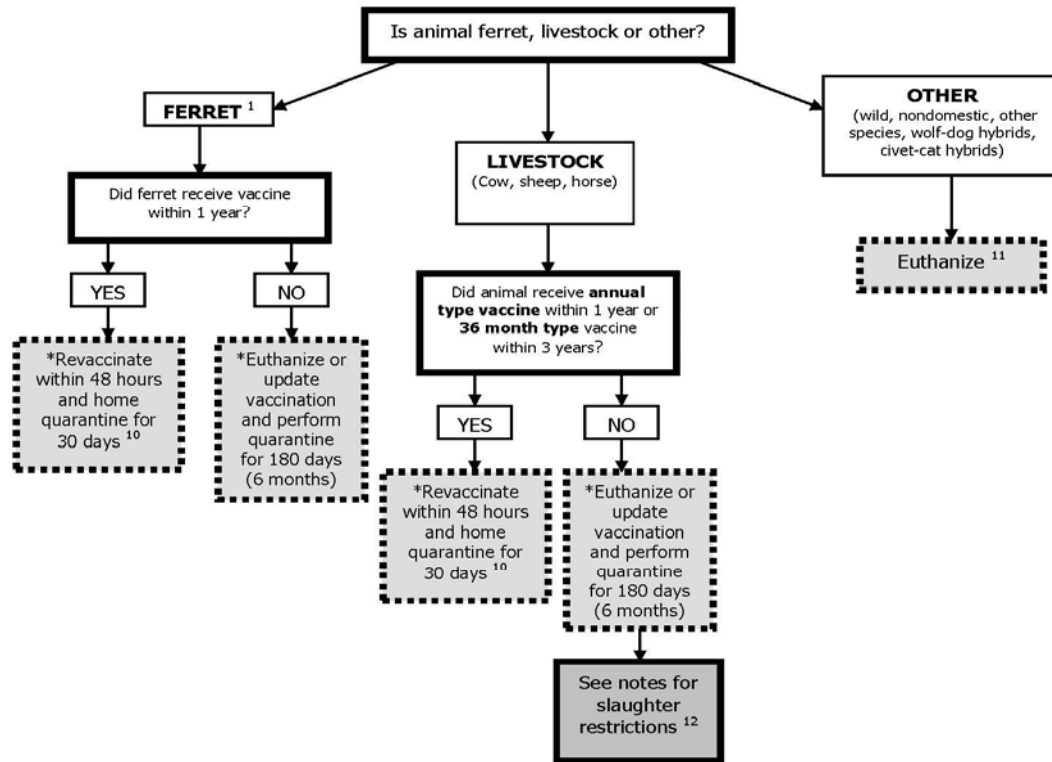


QUARANTINE ALGORITHM FOR EXPOSED DOMESTIC MAMMALS - GENERAL





QUARANTINE ALGORITHM FOR EXPOSED DOMESTIC MAMMALS –FERRETS, LIVESTOCK, AND OTHER ANIMALS



NOTES

- 1** Ferrets are illegal in the State of California. Biting ferrets must be confiscated by the animal control agency and isolation conducted under the direction of the local health officer in an animal control shelter or veterinary hospital. Any ferret isolated for a human bite must be reported to the California Department of Fish and Wildlife for disposition following the isolation.
- 2** Rabies is transmitted through bite wounds, open cuts in skin, and onto mucous membranes. Contamination of open wounds, mucous membranes, or scratches with saliva or nerve tissue from an infected animal constitutes a non-bite exposure.
- 3** Current rabies vaccination per California Health & Safety Code Section 121690.
- 3a** Exempt animals are animals that have been granted an exemption from rabies vaccination by the County of San Mateo's Health System on advice of the animal's veterinarian. Despite current exemption status, exempt animals are considered unvaccinated per California Health & Safety Code Section 121690.
- 4** The Peninsula Humane Society & SPCA's Animal Rescue and Control determines if an animal's home qualifies for home quarantine or shelter quarantine. Contact: (650) 340-7022
- 5** Vaccination in biting animals should be performed following quarantine as side effects secondary to vaccination (within 30 days) can mimic the symptoms of rabies.
- 6** Small rodents and lagomorphs have a low risk of rabies.
- 7** These are wild animals at high risk for infection with rabies.
- 8** Bat bites are small and may go unnoticed. If a pet is found alone with a bat, that pet should be treated as exposed. If the bat is available, animal control should be contacted to retrieve the bat for testing.
- 9** Dogs and cats are considered currently vaccinated 28 days after primary vaccination, and immediately after booster vaccination.
- 10** San Mateo County guidelines are based on Title 17 of the California Code of Regulations that states exposed, vaccinated animals should be quarantined for 30 days.
- 11** Wild, nondomestic, and other animal species bitten by or exposed to a rabid or suspect rabid animal should be euthanized immediately. There is little information on rabies incubation, clinical presentation, and viral shedding in domestic animal species other than dogs, cats, and ferrets.
- 12** Federal guidelines state that animals exposed to rabies within 8 months should be rejected for slaughter. USDA Food and Inspection Service (FSIS) and state meat inspectors should be notified of exposed animals prior to slaughter. If an exposed animal is to be custom or home slaughtered, it should be done immediately after exposure with appropriate barrier precautions and all tissues cooked thoroughly. Pasteurization and cooking inactivate the rabies virus.

Legend

	Quarantine action
	Other action
	Question
	Answer



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Health System



Date: July 8, 2014

Board Meeting Date: September 9, 2014

Special Notice / Hearing: None

Vote Required: Majority

To: Honorable Board of Supervisors

From: Jean S. Fraser, Chief, Health System
James C. Porter, Director, Public Works

Subject: Approve the Memorandum of Agreement with All Cities in San Mateo County to Build an Animal Care Shelter

RECOMMENDATION:

Adopt a resolution to approve the Memorandum of Agreement with all cities in San Mateo County to construct a new Animal Care Shelter at Airport Boulevard in the city of San Mateo and to provide a 30-year lease agreement for the use of the shelter by all cities, and the County.

BACKGROUND:

Since 1951, San Mateo County (County) has managed animal control field and sheltering services for all cities in the County, through a contract with the Peninsula Humane Society / Society for the Prevention of Cruelty to Animals (PHS/SPCA). PHS/SPCA provides animal sheltering services in a PHS/SPCA-owned building, located on County property at Airport Boulevard.

The PHS/SPCA building has been evaluated twice in recent years by the County Public Works Department. PHS/SPCA has informed the County that its building is inadequate to meet the current standards for animal care. The Public Works Department has further determined that it is not viable to significantly repair or upgrade the current building. PHS/SPCA has determined that it will not construct a new building for services provided exclusively to the County and cities.

On February 15, 2013, your Board requested a list of capital projects required to improve the condition of the County's existing buildings. The list was presented as the Five Year Facilities Capital Plan to your Board on August 6, 2013, and included was a new animal shelter building with a total estimated cost of \$20 million.

DISCUSSION:

The Public Works Department conducted an extensive review of mandated animal sheltering services, local utilization and similar Bay Area projects. Ultimately, the Public Works Department determined that the cost of constructing a new shelter would be between \$15.1 million and \$20.2 million. The Public Works Department also considered alternatives to constructing a new shelter

such as retrofitting County-owned buildings or using pre-fabricated building technologies. All of the alternatives were determined to be more expensive than building a new shelter from a life-cycle cost perspective.

A new shelter, similar to the current shelter, would house animals from all cities and unincorporated areas in the County. All participating entities would save money by sharing in this service agreement. The County would serve as the lead agency in managing the construction of the new building, and would be the sole owner of the completed building. All participating entities, including the County, would share the cost by repaying the County through a 30-year, interest-free lease agreement. As of May 6, 2014, all participating entities have approved the cost participation Memorandum of Agreement (Attachment A).

The terms of the Memorandum of Agreement dictate that the lease amount paid by each participating entity will be calculated each year using a combination of a 3-year average for shelter usage (weighted at 80%) and population (weighted at 20%) (Attachment B). The basis for this allocation is to attribute a larger cost share to level of shelter services used by each participating entity, and a smaller portion to potential use captured by population.

Construction is expected to begin in the fall of 2014 and be completed within 18 months. The current building would remain open during construction. The County also will be the lead agency in evaluating potential environmental impacts; each city will have an opportunity to comment at the time the County determines what environmental review process is appropriate.

The lease payments would commence once the new building receives its certificate of occupancy, projected to be in late 2015.

Approval of this Memorandum of Agreement contributes to the Shared Vision 2025 outcome of a Healthy Community by providing a facility to quarantine and shelter animals. It is anticipated that the completed facility will shelter 17,500 animals during FY 2015-16.

PERFORMANCE MEASURE(S):

Measure	FY 2013-14 Actual	FY 2015-16 Projected
Number of animals sheltered.	17,409	17,500

FISCAL IMPACT:

The County is willing to advance the funding – estimated to be between \$15.1 million and \$20.2 million - for the new building's construction, as all participating entities have approved the Memorandum of Agreement. Additionally, the County will participate in Attachment 3 page 3 of 35

the lease as a partner with the cities; the County's estimated share of lease payments, based on Memorandum of Agreement payment methodology, is expected to be \$19,611 to \$26,235 annually.

RESOLUTION NO. 073369

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

RESOLUTION TO APPROVE THE MEMORANDUM OF AGREEMENT WITH ALL CITIES IN SAN MATEO COUNTY TO CONSTRUCT A NEW ANIMAL CARE SHELTER AT AIRPORT BOULEVARD IN THE CITY OF SAN MATEO AND TO PROVIDE A 30-YEAR LEASE AGREEMENT FOR THE USE OF THE SHELTER BY ALL CITIES AND THE COUNTY.

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Health & Safety Code Section 121690 requires the governing body of each city and county to maintain or provide for the maintenance of a pound system and a rabies control program; and

WHEREAS, Food and Agricultural Code Section 31106 provides for the County authority to enter into a contract with any humane society or other organization to carry out the provisions of impounding, holding, and euthanizing dogs; and

WHEREAS, since 1951 all of the municipalities in San Mateo County have contracted with the County to manage animal control field and sheltering services, provided through a contract with the Peninsula Humane Society & SPCA (PHS) for the field and sheltering services; and

WHEREAS, animal sheltering services are currently provided in a building owned by PHS and located on County property at Airport Boulevard in the City of San Mateo, which PHS leases for a nominal fee; and

WHEREAS, the current shelter is over 50 years old and has been determined by the Department of Public Works to be inadequate to meet current animal sheltering standards, and that it is not viable to significantly repair or upgrade the shelter; and

WHEREAS, building a new animal care shelter at an estimated cost of \$20 million was included in the Five Year Facilities Capital Plan presented to your Board on August 6, 2013; and

WHEREAS, the County will serve as the lead agency in managing the construction of a new building, and once built would be the sole owner of the building; and

WHEREAS, as of May 6, 2014, all municipalities agreed to share the construction costs for a new animal care shelter by repaying the County through a 30-year, interest-free lease agreement; and

WHEREAS, the County is willing to advance the funding for construction and participate in the lease as a partner with the Cities, but there will be no additional fiscal impact to the County.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of this Board of Supervisors is hereby authorized and directed to authorize the President of the Board to execute the Memorandum of Agreement for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto.

* * * * *

RESOLUTION NUMBER: 073369

Regularly passed and adopted this 9th day of September 2014

AYES and in favor of said resolution:

Supervisors:

DAVE PINE

CAROLE GROOM

DON HORSLEY

WARREN SLOCUM

ADRIENNE J. TISSIER


NOES and against said resolution:

Supervisors:

NONE

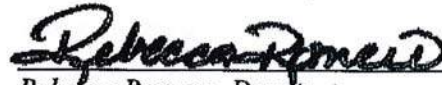
Absent Supervisors:

NONE


President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.


Rebecca Romero, Deputy
Clerk of the Board of Supervisors

ATTACHMENT A

MEMORANDUM OF AGREEMENT

REGARDING FUNDING FOR CONSTRUCTION OF AN ANIMAL CARE SHELTER ON AIRPORT BOULEVARD IN SAN MATEO, CALIFORNIA, AMONG THE CITIES OF ATHERTON, BELMONT, BRISBANE, BURLINGAME, COLMA, DALY CITY, EAST PALO ALTO, FOSTER CITY, HALF MOON BAY, HILLSBOROUGH, MENLO PARK, MILLBRAE, PACIFICA, PORTOLA VALLEY, REDWOOD CITY, SAN BRUNO, SAN CARLOS, SAN MATEO, SOUTH SAN FRANCISCO, AND WOODSIDE AND THE COUNTY OF SAN MATEO

THIS MEMORANDUM OF AGREEMENT, dated for reference as of September 9, 2014, (the "Agreement"), is by and among the COUNTY OF SAN MATEO (the "County"), and the cities of ATHERTON, BELMONT, BRISBANE, BURLINGAME, COLMA, DALY CITY, EAST PALO ALTO, FOSTER CITY, HALF MOON BAY, HILLSBOROUGH, MENLO PARK, MILLBRAE, PACIFICA, PORTOLA VALLEY, REDWOOD CITY, SAN BRUNO, SAN CARLOS, SAN MATEO, SOUTH SAN FRANCISCO, AND WOODSIDE (each, a "City," and collectively, the "Cities," and, together with the County, the "Parties").

RECITALS

The County and the Cities are parties to an Agreement for Animal Control Services dated as of April 26, 2011, pursuant to which the County provides animal control services in the unincorporated area of the County, as well as in the jurisdictional boundaries of the twenty Cities within the County, listed above, each of which is a party to the Agreement for Animal Control Services.

As set forth in the Agreement for Animal Control Services, the Peninsula Humane Society & SPCA ("PHS") presently serves as the County Contractor for the provision of certain animal control services to the County and the Cities. These services and the terms of PHS' performance of them are contained in an Animal Control Services Agreement between the County and PHS dated as of April 26, 2011.

In conjunction with and pursuant to the Animal Control Services Agreement, the County has leased to the PHS the land at 12 Airport Boulevard, in San Mateo, California, on which an Animal Care Shelter facility owned and operated by PHS is presently located.

The Parties agree that, owing to the obsolescence of the existing Animal Care Shelter facility, it is now necessary to construct a new facility and the Parties enter into this Agreement to set forth

the allocation of, and process for payment of, the construction cost for the new Animal Care Shelter facility among the Parties.

NOW, THEREFORE, the Parties agree as follows:

1. **Construction Cost Allocation Methodology:** The Parties agree that construction costs for the new Animal Care Shelter facility shall be allocated among the Parties based on the formula set forth in Exhibit A to this Agreement, which is incorporated herein by reference. This formula reflects each Party's actual use of the existing Animal Care Shelter facility in 2009, 2010, and 2011 as a percentage of all Parties' total use of the facility, as well as each Party's total population as of 2010, as a percentage of the County's total population as of that date. The formula is weighted 80% to a City's average facility use over the three years preceding the year in question and 20% to population. The Parties agree that each year, the County shall recalculate three year average facility usage for each City and that Exhibit A (and each Party's prospective Lease Payment obligations, as described in Section 3 of this Agreement) shall be amended to reflect such recalculations. The Parties further agree that the County shall, upon request of a City, promptly provide the requesting City with copies of the data and documents used to calculate each City's facilities usage.

2. **County Advancing Construction Costs:** The Parties agree that the County shall advance, on an interest free basis, all funds required to pay the construction costs for the new Animal Care Shelter facility. For purposes of this Agreement, "construction costs" include all expenses for architectural and inspector services, project management service, environmental review, planning and building fees and costs, and actual contractor construction services. The Parties understand and agree that construction costs for the Animal Care Shelter facility are anticipated at this time to be twenty million two hundred thousand dollars (\$20,200,000). The Parties will be provided with further information regarding the construction costs for the Animal Care Shelter facility within a reasonable period of time after such information becomes available or prior to the Certificate of Occupancy being issued. The Parties agree that if the County receives information indicating that the construction costs for the Animal Care Shelter facility will exceed \$20,200,000 by 10% or more, the County shall provide notice to each City of the revised estimated construction costs within a reasonable period of time before such additional construction costs are incurred. The Parties further agree that the County shall, upon request of a City, promptly confer with such City or Cities regarding the additional construction costs and any means by which such additional construction costs may be minimized.

3. **Parties' Payment of Proportional Share of Construction Costs:** Each Party agrees that, during the term of this Agreement for as long as the new Animal Care Shelter facility is occupied and used for animal care shelter purposes, the Party shall pay the County an annual Lease Payment beginning on the first July 1st after a certificate of occupancy is issued for the new Animal Care Shelter facility, and on each subsequent July 1st for the next twenty nine years thereafter. Each Party's Lease Payment shall be equal to the Party's proportional share of the construction cost of the new Animal Care Shelter facility amortized on a straight line basis over thirty years, as set

forth in Exhibit A to this Agreement, as Exhibit A may be amended from time to time as provided in Section 1 of this Agreement. Each Party's obligation to make a Lease Payment shall remain in place only for so long as the Party is a signatory to the Agreement for Animal Control Services, or any successor agreement addressing materially the same subject matter. In the event that a Party terminates its participation in this Agreement pursuant to Section 4 of this Agreement, the County shall, upon receiving notice of that Party's termination, recalculate the remaining Parties' Lease Payment obligations pursuant to the Construction Cost Allocation Methodology set forth in Section 1 of this Agreement. The County shall promptly provide all remaining Parties with notice of their recalculated Lease Payment obligations. Each remaining Party shall thereafter have the option to either (a) pay the recalculated increased annual Lease Payments during the remaining term of the Agreement; or (b) request that the County allow the remaining Party a period of up to 5 years after the end of the thirty year period set forth in this Section 3 of the Agreement to pay the County the remaining Party's additional allocated share of construction costs for the Animal Care Facility attributable to the departure of the terminating Party.

4. Term and Termination: Except as set forth above, this Agreement shall be effective for the period from September 9, 2014 until each Party has made the last payment required under Section 3 of this Agreement. Except as set forth in Section 3 of the Agreement (i.e., by terminating participation in the Agreement for Animal Control Services), no Party may terminate this Agreement during its term. A Party terminating its participation in this Agreement shall do so effective as of December 31 of a year during the term of this Agreement and shall provide each other Party to this Agreement with at least one full year's prior written notice of the Party's intent to terminate its participation in the Agreement.

5. Amendments/Entire Agreement: Amendments to this Agreement must be in writing and approved by the governing body of each Party. This is the entire agreement among the parties with respect to the construction of the new Animal Care Shelter facility and it supersedes any prior written or oral agreements with respect to the subject.

6. Hold Harmless: Each City shall hold harmless, indemnify, and defend County, its officers, employees, and agents from and against any and all claims, suits, or actions of every kind brought for or on account of injuries to or death of any person or damage to any property of any kind whatsoever and to whomsoever belonging which arise out of the performance or nonperformance of City's covenants and obligations under this Agreement and which result from the actively negligent or wrongful acts of City or its officers, employees, or agents.

County shall hold harmless, indemnify, and defend each City, its officers, employees, and agents from and against any and all claims, suits, or actions of every kind brought for or on account of injuries to or death of any person or damage to any property of any kind whatsoever and to whomsoever belonging which arise out of the performance or nonperformance of County's covenants and obligations under this Agreement and which result from the actively negligent or wrongful acts of County or its officers, employees, or agents.

This provision requiring County to hold harmless, indemnify, and defend each City shall expressly not apply to claims, losses, liabilities, or damages arising from actions or omissions, negligent or otherwise, of PHS or any other independent contractor providing animal control-related services pursuant to a contract with the County. Claims related to the planning and/or construction of the new Animal Care Shelter facility are not claims, losses, liabilities, or damages related to "animal control-related services" within the meaning of this Agreement.

In the event of concurrent negligence of the County, its officers, or employees, and any City, its officers and employees, then the liability for any and all claims for injuries or damages to persons and/or property or any other loss or cost which arises out of the terms, conditions, covenants or responsibilities of this Agreement shall be apportioned in any dispute or litigation according to the California theory of comparative negligence.

7. Assignability: Except as otherwise expressly provided for herein, no Party shall assign any of its obligations or rights hereunder without the consent of all other Parties.

8. Notices: Any notices required to be given pursuant to this Agreement shall be given in writing and shall be mailed to all Parties to the Agreement, as follows:

To City:

To County:

IN WITNESS WHEREOF, the Board of Supervisors of the COUNTY OF SAN MATEO has authorized and directed the President of the Board of Supervisors to execute this Agreement for and on behalf of the County, and the Cities of ATHERTON, BELMONT, BRISBANE, BURLINGAME, COLMA, DALY CITY, EAST PALO ALTO, FOSTER CITY, HALF MOON BAY, HILLSBOROUGH, MENLO PARK, MILLBRAE, PACIFICA, PORTOLA VALLEY, REDWOOD CITY, SAN BRUNO, SAN CARLOS, SAN MATEO, SOUTH SAN FRANCISCO, AND WOODSIDE have caused this Agreement to be subscribed by each of their duly authorized officers and attested by their Clerks.


Dated: September 9, 2014



Clerk of the Board

Resolution #073369

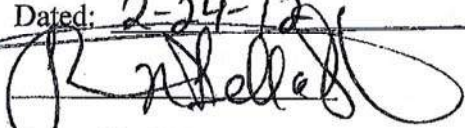
COUNTY OF SAN MATEO



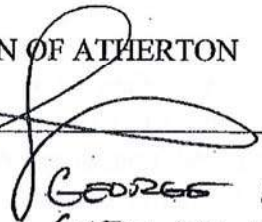
Dated: _____

COUNTY OF SAN MATEO

Clerk of the Board

Dated: ~~2-24-12~~

Town Clerk

TOWN OF ATHERTON

By: 
GEORGE RODERICKS
CITY MANAGER

Dated: _____

CITY OF BELMONT

City Clerk

By:

Dated: _____

CITY OF BRISBANE

City Clerk

By:

Dated: _____

CITY OF BURLINGAME

City Clerk

By:

Dated: _____

TOWN OF COLMA

Dated: _____

Town Clerk

TOWN OF ATHERTON

By:

Dated: 10/23/14

City Clerk

CITY OF BELMONT

By: _____
City Manager

Dated: _____

City Clerk

CITY OF BRISBANE

By:

Dated: _____

City Clerk

CITY OF BURLINGAME

By:

Dated: _____

Town Clerk

TOWN OF COLMA

By:

Dated: _____

City Clerk

CITY OF DALY CITY

By:

Clerk of the Board

Dated: _____

TOWN OF ATHERTON

Town Clerk

By:

Dated: _____

CITY OF BELMONT

City Clerk

By:

Dated: 3/3/14

CITY OF BRISBANE

Shen Marie Spedance

City Clerk

W. Clarke Conway

By: W. Clarke Conway, Mayor

Dated: _____

CITY OF BURLINGAME

City Clerk

By:

Dated: _____

TOWN OF COLMA

Town Clerk

By:

Clerk of the Board

Dated: _____

Town Clerk

Dated: _____

City Clerk

Dated: _____

City Clerk

TOWN OF ATHERTON

By:

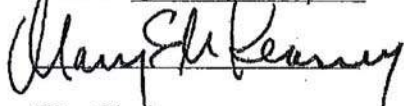
CITY OF BELMONT

By:

CITY OF BRISBANE

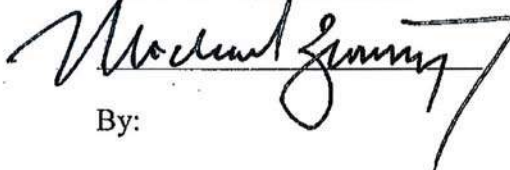
By:

Dated: 3-17-14



City Clerk

CITY OF BURLINGAME



By:

Dated: _____

Town Clerk

TOWN OF COLMA

By:

Clerk of the Board

Dated: _____

Town Clerk

Dated: _____

City Clerk

Dated: _____

City Clerk

Dated: _____

City Clerk

Dated: 3/12/14

Green DL

Town Clerk

TOWN OF ATHERTON

By:

CITY OF BELMONT

By:

CITY OF BRISBANE

By:

CITY OF BURLINGAME

By:

TOWN OF COLMA

Helen Escobar

By:

Town Clerk

By:

Dated: May 16, 2014
Annette Hipona

City Clerk

CITY OF DALY CITY

Patricia J. Nattel
By:

Dated: _____

CITY OF EAST PALO ALTO

City Clerk

By:

Dated: _____

CITY OF FOSTER CITY

City Clerk

By:

Dated: _____

CITY OF HALF MOON BAY

City Clerk

By:

Dated: _____

TOWN OF HILLSBOROUGH

Town Clerk

By:

Dated: _____

CITY OF MENLO PARK

Dated: _____

CITY OF DALY CITY

City Clerk

By:

Dated: _____

4-28-14
[Signature]

City Clerk

CITY OF EAST PALO ALTO

[Signature]

By:

Dated: _____

CITY OF FOSTER CITY

City Clerk

By:

Dated: _____

CITY OF HALF MOON BAY

City Clerk

By:

Dated: _____

TOWN OF HILLSBOROUGH

Town Clerk

By:

Dated: _____

CITY OF MENLO PARK

City Clerk

By:

Dated: _____

CITY OF DALY CITY

City Clerk

By:

Dated: _____

CITY OF EAST PALO ALTO

City Clerk

By:

Dated: 3.10.14

CITY OF FOSTER CITY

Doris L. Palmer
Doris L. Palmer
City Clerk

Charlie Bronitsky
Charlie Bronitsky
By:

Dated: _____

CITY OF HALF MOON BAY

City Clerk

By:

Dated: _____

TOWN OF HILLSBOROUGH

Town Clerk

By:

Dated: _____

CITY OF MENLO PARK

City Clerk

By:

City Clerk

By:

Dated: _____

CITY OF EAST PALO ALTO

City Clerk

By:

Dated: _____

CITY OF FOSTER CITY

City Clerk

By:

Dated: 07-22-2014

CITY OF HALF MOON BAY

Bridget Orr

[Signature]

City Clerk

By:

Dated: _____

TOWN OF HILLSBOROUGH

Town Clerk

By:

Dated: _____

CITY OF MENLO PARK

City Clerk

By:

Dated: _____

CITY OF MILLBRAE

Dated: _____

City Clerk

CITY OF DALY CITY

By:

Dated: _____

City Clerk

CITY OF EAST PALO ALTO

By:

Dated: _____

City Clerk

CITY OF FOSTER CITY

By:

Dated: _____

City Clerk

CITY OF HALF MOON BAY

By:

Dated: 5/1/14


Town Clerk

TOWN OF HILLSBOROUGH


By: Mayor

Dated: _____

City Clerk

CITY OF MENLO PARK

By:

Dated: _____

City Clerk

CITY OF DALY CITY

By:

Dated: _____

City Clerk

CITY OF EAST PALO ALTO

By:

Dated: _____

City Clerk

CITY OF FOSTER CITY

By:

Dated: _____

City Clerk

CITY OF HALF MOON BAY

By:

Dated: _____

Town Clerk

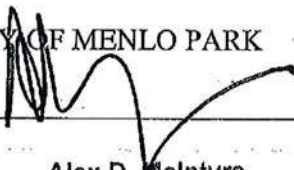
TOWN OF HILLSBOROUGH

By:

Dated: _____

City Clerk

CITY OF MENLO PARK

By: 
Alex D. McIntyre
City Manager

Dated: _____

City Clerk

Dated: _____

City Clerk

Dated: _____

City Clerk

Dated: _____

Town Clerk

Dated: _____

City Clerk

Dated: 4/8/14

Angela Lewis

City Clerk

CITY OF EAST PALO ALTO

By:

CITY OF FOSTER CITY

By:

CITY OF HALF MOON BAY

By:

TOWN OF HILLSBOROUGH

By:

CITY OF MENLO PARK

By:

CITY OF MILLBRAE

Walter

By: MAYOR

Dated: _____

City Clerk

CITY OF MILLBRAE

By:

Dated: 5-12-14
Kathy O'Connell
City Clerk

CITY OF PACIFICA

By: Margaret Abbott

Dated: _____

Town Clerk

TOWN OF PORTOLA VALLEY

By:

Dated: _____

City Clerk

CITY OF REDWOOD CITY

By:

Dated: _____

City Clerk

CITY OF SAN BRUNO

By:

Dated: _____

City Clerk

CITY OF SAN CARLOS

By:

Dated: _____

City Clerk

CITY OF MILLBRAE

By:

Dated: _____

City Clerk

CITY OF PACIFICA

By:

Dated: May 13, 2014

[Signature]

Town Clerk

TOWN OF PORTOLA VALLEY

[Signature]

By:

Dated: _____

City Clerk

CITY OF REDWOOD CITY

By:

Dated: _____

City Clerk

CITY OF SAN BRUNO

By:

Dated: _____

City Clerk

CITY OF SAN CARLOS

By:

Dated: _____

Town Clerk

TOWN OF HILLSBOROUGH

By:

Dated: _____

City Clerk

CITY OF MENLO PARK

By:

Dated: _____

City Clerk

CITY OF MILLBRAE

By:

Dated: _____

City Clerk

CITY OF PACIFICA

By:

Dated: _____

Town Clerk

TOWN OF PORTOLA VALLEY

By:

Dated: 03/28/14

City Clerk

CITY OF REDWOOD CITY

By:

Dated: _____

City Clerk

CITY OF MILLBRAE

By:

Dated: _____

City Clerk

CITY OF PACIFICA

By:

Dated: _____

Town Clerk

TOWN OF PORTOLA VALLEY

By:

Dated: _____

City Clerk

CITY OF REDWOOD CITY

By:

Dated: May 15, 2014

David Bonney

City Clerk

CITY OF SAN BRUNO

Constance Jackson

By: Constance C. Jackson
City Manager

APPROVED AS TO FORM:
Maureen J. ...
CITY ATTORNEY

Dated: _____

City Clerk

CITY OF SAN CARLOS

By:

Dated: _____

CITY OF MILLBRAE

City Clerk

By:

Dated: _____

CITY OF PACIFICA

City Clerk

By:

Dated: _____

TOWN OF PORTOLA VALLEY

Town Clerk

By:

Dated: _____

CITY OF REDWOOD CITY

City Clerk

By:

Dated: _____

CITY OF SAN BRUNO

City Clerk

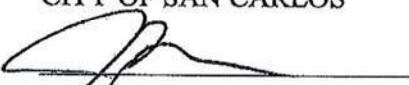
By:

Dated: 5.5.14

CITY OF SAN CARLOS



City Clerk



By:

Dated: 5/16/14

Patricia M. O'Connell

City Clerk



CITY OF SAN MATEO

Robert Ross

By: Robert Ross, Mayor

Dated: _____

City Clerk

CITY OF SOUTH SAN FRANCISCO

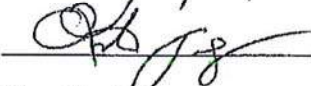
By:

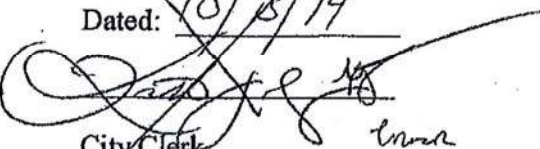
Dated: _____

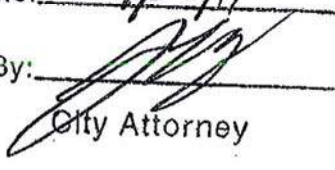
City Clerk

TOWN OF WOODSIDE

By:

Dated: 10/20/14

City Clerk

Dated: 10/15/14

City Clerk *lma*

Approved as to form
CITY OF SOUTH SAN FRANCISCO 9/30/14
Date: 9/30/14
By: 
By: 
City Attorney
By: Mike Farrell
City Manager

TOWN OF WOODSIDE

By:

Dated: _____

City Clerk

Dated: _____

City Clerk

Dated: March 21, 2014

Janet B. Koebel
City Clerk

CITY OF SAN MATEO

By:

CITY OF SOUTH SAN FRANCISCO

By:

TOWN OF WOODSIDE

[Signature]
By: Mayor

ATTACHMENT B

Methodology = Based on an 3-yr avg of shelter use (80%) and % of population (20%)

ANIMAL CONTROL COSTS PROPOSED COST DISTRIBUTION - ESTIMATED LEASE AMOUNTS TO RECOUP CONSTRUCTION COSTS

CITY	Shelter Use	Shelter Use	Shelter Use				\$15,100,000	\$20,200,000
	CALENDAR YEAR							
	Yr 1 2009 Actual	Yr 2 2010 Actual	Yr 3 2011 Actual	3 YR AVG OF SHELTER USE	POPULATION	% of Total Pop	EST ANNUAL LEASE AMT	EST ANNUAL LEASE AMT
Atherton	1.12%	1.00%	0.36%	0.83%	6,914	1.0%	\$4,297	\$5,749
Belmont	3.26%	3.54%	2.65%	3.15%	25,835	3.6%	\$16,304	\$21,811
Brisbane	0.99%	0.99%	0.71%	0.90%	4,282	0.6%	\$4,211	\$5,633
Burlingame	3.51%	3.48%	3.20%	3.40%	28,806	4.0%	\$17,713	\$23,696
Colma	0.61%	0.98%	0.60%	0.73%	1,792	0.2%	\$3,191	\$4,268
Daly City	8.52%	9.57%	10.16%	9.42%	101,123	14.1%	\$52,087	\$69,679
East Palo Alto	6.61%	6.75%	8.44%	7.27%	28,155	3.9%	\$33,205	\$44,420
Foster City	2.82%	2.39%	1.93%	2.38%	30,567	4.3%	\$13,866	\$18,550
Half Moon Bay	5.21%	5.04%	2.47%	4.24%	11,324	1.6%	\$18,660	\$24,962
Hillsborough	1.59%	1.29%	1.14%	1.34%	10,825	1.5%	\$6,912	\$9,247
Menlo Park	4.90%	4.95%	4.50%	4.78%	32,026	4.5%	\$23,748	\$31,769
Millbrae	1.90%	1.99%	1.98%	1.96%	21,532	3.0%	\$10,896	\$14,576
Pacifica	5.72%	6.38%	4.78%	5.63%	37,234	5.2%	\$27,874	\$37,288
Portola Valley	0.90%	0.76%	0.16%	0.61%	4,353	0.6%	\$3,053	\$4,084
Redwood City	12.91%	13.24%	13.25%	13.13%	76,815	10.7%	\$63,647	\$85,143
San Bruno	5.23%	5.19%	6.86%	5.76%	41,114	5.7%	\$28,954	\$38,734
San Carlos	3.35%	3.45%	3.00%	3.27%	28,406	4.0%	\$17,134	\$22,921
San Mateo	15.82%	14.67%	17.84%	16.11%	97,207	13.5%	\$78,490	\$105,000
S. San Francisco	9.08%	9.34%	11.99%	10.14%	63,632	8.9%	\$49,733	\$66,530
Woodside	4.41%	1.27%	1.07%	2.25%	5,287	0.7%	\$9,801	\$13,111
County	1.57%	3.73%	2.92%	2.74%	61,222	8.5%	\$19,611	\$26,235
Total	100.00%	100.00%	100.00%	100.00%	718,451	100.0%	\$503,387	\$673,405

COUNTY OF SAN MATEO
COUNTY MANAGER'S OFFICE

John L. Malthie
County Manager/
Clerk of the Board

County Government Center
400 County Center, 1st Floor
Redwood City, CA 94063
650-363-4121 T
650-363-1916 F
www.smcgov.org

July 10, 2018

City Manager Carlos Martinez
City of East Palo Alto
2415 University Avenue
East Palo Alto, CA 94303

Re: Notice of Revised Estimated Construction Costs for the Animal Care Shelter Facility

Dear City Manager Carlos Martinez,

On or about September 9, 2014, the cities and towns within San Mateo County entered into an agreement to share the construction costs of a new animal care shelter facility. The agreement provides that the County of San Mateo will advance the funds for construction to be repaid by the municipalities according to their share, through a 30-year, interest-free lease agreement. The agreement further provides that project costs were initially estimated to be \$20,200,000 and that if the County received information indicating that the construction costs for the animal care shelter facility will exceed the initial estimate by 10 percent or more, the County would provide notice to each City of the revised estimated construction costs.

The original bridging documents used as the basis of design in 2014 estimated the animal shelter would be 30,000 SF of interior space. To meet the needs of the animals, the new animal shelter increased the interior space and exterior kennel space to approximately 42,000 SF. In addition to the added square footage, additional enhancements were added. An upgraded heating ventilation air conditioning (HVAC) unit (\$600K) and a photovoltaic system (\$1.2M) were added to meet a required air exchange for the animals and to meet the County's Green Policy, both of which the County will not seek reimbursement from the cities.

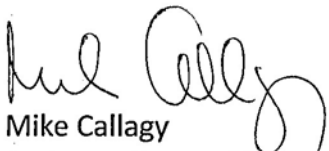
The County has received a revised estimated project cost for the animal care shelter facility in the amount of \$26,600,000. The new anticipated annual lease costs of \$826,843 are the result of cost escalation in the construction market and design and mechanical enhancements necessary to ensure proper and humane animal care. The last column on Attachment B addresses the new estimated annual lease amount for each city/town.



Not uncommon, the project also encountered some unforeseen conditions such as the need to replace a natural gas line, a failed storm drain and the need to monitor for asbestos during earthwork. The project construction started in May 2018 and is expected to be completed by November 2019. The animal care shelter facility is currently estimated to be \$26,600,000. The County will not seek reimbursement for \$1,800,000 of that cost, bringing the municipalities shared responsibility to \$24,800,000.

Should you have any questions regarding the revised estimated construction costs or the project, please contact Director Deborah Bazan of the Project Development Unit at 650-823-7083.

Sincerely,



Mike Callagy
Assistant County Manager

Enclosures: Resolution No. 073369
Attachment B - Animal Control Costs

ATTACHMENT B

Methodology = Based on an 3-yr avg of shelter use (80%) and % of population (20%)

ANIMAL CONTROL COSTS
PROPOSED COST DISTRIBUTION-ESTIMATED LEASE AMOUNTS TO RECOUP CONSTRUCTION COSTS

CITY	Shelter Use		Shelter Use Calendar Year		Shelter Use	3 YR AVG of Shelter Use	POPULATION	% of Total	\$15,100,000		\$20,200,000		Overall Total*
	Yr 1 2009 Actual	Yr 2 2010 Actual	Yr 3 2011 Actual	EST ANNUAL LEASE AMT					EST ANNUAL LEASE AMT	EST ANNUAL LEASE AMT	EST ANNUAL LEASE AMT		
Atherton	1.12%	1.00%	0.36%	0.83%	6,914	1.0%	\$4,297	\$5,749	\$7,059	\$7,059	\$26,600,000		
Belmont	3.26%	3.54%	2.65%	3.15%	25,835	3.6%	\$16,304	\$21,811	\$26,780	\$26,780	\$24,800,000		
Brisbane	0.99%	0.99%	0.71%	0.90%	4,282	0.6%	\$4,211	\$5,633	\$6,916	\$6,916			
Burlingame	3.51%	3.48%	3.20%	3.40%	28,806	4.0%	\$17,713	\$23,696	\$29,095	\$29,095			
Colma	0.61%	0.98%	0.60%	0.73%	1,792	2.0%	\$3,191	\$4,268	\$5,241	\$5,241			
Daly City	8.52%	9.57%	10.16%	9.42%	101,123	14.1%	\$52,087	\$69,679	\$85,556	\$85,556			
East Palo Alto	6.61%	6.75%	8.44%	7.27%	28,155	3.9%	\$33,205	\$44,420	\$54,542	\$54,542			
Foster City	2.82%	2.39%	1.93%	2.38%	30,567	4.3%	\$13,866	\$18,550	\$22,776	\$22,776			
Half Moon Bay	5.21%	5.04%	2.47%	4.24%	11,324	1.6%	\$18,660	\$24,962	\$30,650	\$30,650			
Hillsborough	1.59%	1.29%	1.14%	1.34%	10,825	1.5%	\$6,912	\$9,247	\$11,354	\$11,354			
Menlo Park	4.90%	4.95%	4.50%	4.78%	32,026	4.5%	\$23,748	\$31,769	\$39,008	\$39,008			
Millbrae	1.90%	1.99%	1.98%	1.96%	21,532	3.0%	\$10,896	\$14,576	\$17,897	\$17,897			
Pacifica	5.72%	6.38%	4.78%	5.63%	37,234	5.2%	\$27,874	\$37,288	\$45,784	\$45,784			
Portola Valley	0.90%	0.76%	0.16%	0.61%	4,353	0.6%	\$3,053	\$4,084	\$5,014	\$5,014			
Redwood City	12.91%	13.24%	13.25%	13.13%	76,815	10.7%	\$63,647	\$85,143	\$104,543	\$104,543			
San Bruno	5.23%	5.19%	6.86%	5.76%	41,114	5.7%	\$28,954	\$38,734	\$47,559	\$47,559			
San Carlos	3.35%	3.45%	3.00%	3.27%	28,406	4.0%	\$17,134	\$22,921	\$28,143	\$28,143			
San Mateo	15.82%	14.67%	17.84%	16.11%	97,207	13.5%	\$78,490	\$105,000	\$128,924	\$128,924			
S. San Francisco	9.08%	9.34%	11.99%	10.14%	63,632	8.9%	\$49,733	\$66,530	\$81,689	\$81,689			
Woodside	4.41%	1.27%	1.07%	2.25%	5,287	0.7%	\$9,801	\$13,111	\$16,098	\$16,098			
County	1.57%	3.73%	2.92%	2.74%	61,222	8.5%	\$19,611	\$26,235	\$32,213	\$32,213			
HVAC+Solar Costs*	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$1,800,000		
Total	100.00%	100.00%	100.00%	100.00%	718,451	100.00%	\$503,387	\$673,405	\$826,843	\$826,843			

* HVAC and Solar costs of \$1.8 million removed from cities portion of costs and paid for by County of San Mateo. Overall total project cost with HVAC and Solar is \$26.6 million.
Resolution #073369



STAFF REPORT

City Council
Meeting Date: 5/26/2020
Staff Report Number: 20-109-CC

Consent Calendar: Receive and file the quarterly financial review of general fund operations as of March 31, 2020

Recommendation

The staff recommendation is to receive and file the quarterly financial review of general fund operations as of March 31, 2020.

Policy Issues

The quarterly budget-to-actual report is presented to facilitate better understanding of general fund operations and the overall state of the City's current fiscal affairs by the public and the City Council.

Background

In order to provide timely information to City Council and the public, the administrative services department prepares a quarterly report on general fund operations. The report provides a review of general fund revenues and expenditures for the most recently completed quarter of the current fiscal year. These results are presented alongside results from the same time period for the previous year, with material differences being explained in the appropriate section of the staff report.

Analysis

The report, which is included as Table 1 on the following page, was developed to apprise City Council of the year-to-date status of the general fund. It provides year-to-date third quarter comparable data for fiscal years 2018-19 and 2019-20. Information included in this report is intended to highlight some of the critical elements of Table 1 and supplement that information with explanations of significant differences between fiscal years 2018-19 and 2019-20.

It is important to note that the substantial changes to the budget due to the COVID-19 event and subsequent impact on the City's finances will be largely reflected in the fiscal year's preliminary close report which includes the fourth quarter of the fiscal year and the impact will be fully known at the completion of the annual audit and with publication of the City's comprehensive annual financial report (CAFR), tentatively scheduled for December 2020. The operations report typically presents quarterly budgets using a straight-line method of dividing the annual budget; however, using that method when adjustments are so heavily concentrated in the final quarter of the fiscal year will misrepresent past performance throughout the fiscal year. As a result, the report for the third quarter of fiscal year 2019-20 will use the budget as it was known at the end of the period,

March 31, 2020. In addition, the transition to primarily remote financial operations have slowed some of the typical accounting and reporting processes and may result in changes prior to the closure of the full fiscal year, but there are no known material inaccuracies at this time.

Overall, revenues in the general fund for 2019-20 are four percent higher when compared to the same period in 2018-19. Year-to-date expenditures are lower on a percentage basis at 82 percent of the budget expended.

Table 1: March year-to-date (third quarter) budget to actual comparison						
	2018-19			2019-20		
	Amended Budget*	Actuals as of 3/31/19	% of Budget	Amended Budget*	Actuals as of 3/31/20	% of Budget
Revenues						
Property tax	19,893,544	16,127,858	81.07%	20,693,485	18,024,189	87.10%
Charges for services	9,381,436	9,620,315	102.55%	9,322,463	9,468,592	101.57%
Sales tax	4,488,789	4,090,473	91.13%	4,771,080	4,217,002	88.39%
Licenses and permits	4,596,060	4,286,852	93.27%	3,439,500	3,765,984	109.49%
Transient occupancy ax	7,537,616	4,836,364	64.16%	7,688,674	5,718,680	74.38%
Franchise fees	1,535,250	1,009,338	65.74%	1,550,600	836,424	53.94%
Fines	946,800	804,760	85.00%	637,500	551,291	86.48%
Utility users' tax	908,250	1,038,665	114.36%	908,250	980,309	107.93%
Intergovernmental revenue	796,751	989,103	124.14%	941,250	1,116,728	118.64%
Interest and rental income	1,075,242	939,765	87.40%	1,158,525	979,725	84.57%
Other	53,284	31,435	59.00%	49,535	69,353	140.01%
Use of assigned fund balance	866,414	-	0.00%	2,187,438	-	0.00%
Total revenues:	52,079,436	43,774,929	84.05%	53,348,299	45,728,279	85.72%
Expenditures						
Police	14,596,813	13,626,334	93.35%	16,093,605	14,219,457	88.35%
Public Works	8,960,602	8,001,870	89.30%	10,468,796	8,365,466	79.91%
Community Services	7,284,912	6,515,729	89.44%	7,675,964	6,685,690	87.10%
Community Development	6,254,634	4,492,672	71.83%	6,406,373	4,117,121	64.27%
Administrative Services	2,375,424	2,524,402	106.27%	2,720,314	2,365,077	86.94%
Library	2,668,790	2,481,061	92.97%	2,953,857	2,693,604	91.19%
City Manager's Office	2,045,064	1,330,317	65.05%	1,938,346	1,458,861	75.26%
City Council	522,759	514,781	98.47%	592,828	305,806	51.58%
City Attorney	563,038	347,524	61.72%	530,701	441,467	83.19%
Non-Departmental	655,837	99,714	15.20%	1,935,000	1,587,471	82.04%
Total expenditures:	45,927,875	39,934,404	86.95%	51,315,784	42,240,019	82.31%
Transfers						
Transfers in	395,325	374,807	94.81%	410,400	410,400	100.00%
Transfers out	6,222,375	5,468,332	87.88%	2,629,575	2,711,125	103.10%

*The Amended Budget is calculated as 75% of the total amended budget as of March 31, 2020.

Revenue

Table 2 below shows a summary of third quarter budget-to-actual revenues for fiscal years 2018-19 and 2019-20.

Table 2: Revenues						
Revenues	2018-19			2019-20		
	Amended Budget*	Actuals as of 3/31/19	% of Budget	Amended Budget*	Actuals as of 3/31/20	% of Budget
Property tax	19,893,544	16,127,858	81.07%	20,693,485	18,024,189	87.10%
Charges for services	9,381,436	9,620,315	102.55%	9,322,463	9,468,592	101.57%
Sales tax	4,488,789	4,090,473	91.13%	4,771,080	4,217,002	88.39%
Licenses and permits	4,596,060	4,286,852	93.27%	3,439,500	3,765,984	109.49%
Transient occupancy ax	7,537,616	4,836,364	64.16%	7,688,674	5,718,680	74.38%
Franchise fees	1,535,250	1,009,338	65.74%	1,550,600	836,424	53.94%
Fines	946,800	804,760	85.00%	637,500	551,291	86.48%
Utility users' tax	908,250	1,038,665	114.36%	908,250	980,309	107.93%
Intergovernmental revenue	796,751	989,103	124.14%	941,250	1,116,728	118.64%
Interest and rental income	1,075,242	939,765	87.40%	1,158,525	979,725	84.57%
Other	53,284	31,435	59.00%	49,535	69,353	140.01%
Use of assigned fund balance	866,414	-	0.00%	2,187,438	-	0.00%
Total revenues:	52,079,436	43,774,929	84.05%	53,348,299	45,728,279	85.72%

*The Amended Budget is calculated as 75% of the total amended budget as of March 31, 2020.

Through the third quarter of fiscal year 2019-20, general fund revenues are up \$1.95 million, which is a four percent increase over the same time period in 2018-19. Through the first part of the fiscal year, the City has also seen a sizable increase in property tax and transient occupancy tax revenues compared to the prior fiscal year. It is important to note that due to the timing of accounting practices, these revenues largely do not reflect the impacts of the COVID-19 stay at home order and its subsequent impact on revenues. These will be fully known by the end of the fiscal year.

Expenditures

The third quarter of the fiscal year's general fund expenditures budget demonstrated some savings when comparing budget to actual. Expenditures through the third quarter of 2019-20 are up \$2.31 million over the same period in 2018-19, but are lower as a percentage of the amended budget.

Table 3: Personnel Expenditures						
Departments	2018-19			2019-20		
	Amended Budget*	Actuals as of 3/31/19	% of Budget	Amended Budget*	Actuals as of 3/31/20	% of Budget
Police	11,957,974	11,022,106	92.17%	12,807,801	11,680,288	91.20%
Public Works	4,935,556	4,632,760	93.87%	5,276,300	4,504,042	85.36%
Community Services	4,953,406	4,454,042	89.92%	5,408,878	4,800,011	88.74%
Community Development	3,796,248	2,872,070	75.66%	3,709,278	2,708,149	73.01%
Administrative Services	1,513,682	1,762,351	116.43%	1,733,890	1,570,919	90.60%
Library	1,973,673	1,855,304	94.00%	2,201,069	1,995,202	90.65%
City Manager's Office	1,207,753	936,723	77.56%	1,495,965	1,145,857	76.60%
City Council	137,859	120,131	87.14%	133,626	116,673	87.31%
City Attorney	125,863	130,225	103.47%	131,547	132,571	100.78%
Non-Departmental	(450,694)	17,475	-3.88%	618,622	1,495,108	241.68%
Total expenditures:	30,151,319	27,803,187	92.21%	33,516,977	30,148,820	89.95%

*The amended budget is calculated as 75% of the total amended budget as of March 31, 2020.

The lower than budgeted personnel expenditures are driven largely by the City's vacancy rate for staff, which results in salary savings when comparing budgeted expenditures to actual expenditures. Of note as an exception, the non-departmental budget includes the City's vacancy factor as a negative expenditure as well as the additional payments to the California Public Employee Retirement System (CalPERS) in order to reduce the unfunded liability. Personnel expenditures were amended on April 28, 2020 to reallocate the vacancy factor to departments as well as to reduce the overall personnel budget, and those amendments will be shown in future periods to accurately portray the impact of the stay at home order and its timing within the fiscal year.

Table 4: Non-personnel Expenditures						
Departments	2018-19			2019-20		
	Amended Budget*	Actuals as of 3/31/19	% of Budget	Amended Budget*	Actuals as of 3/31/20	% of Budget
Police	2,638,840	2,604,228	98.69%	3,285,803	2,539,169	77.28%
Public Works	4,025,047	3,369,109	83.70%	5,192,496	3,861,424	74.37%
Community Services	2,331,506	2,061,688	88.43%	2,267,086	1,885,679	83.18%
Community Development	2,458,386	1,620,602	65.92%	2,697,095	1,408,971	52.24%
Administrative Services	861,743	762,050	88.43%	986,424	794,157	80.51%
Library	695,117	625,757	90.02%	752,787	698,402	92.78%
City Manager's Office	837,311	393,594	47.01%	442,381	313,004	70.75%
City Council	384,900	394,650	102.53%	459,202	189,133	41.19%
City Attorney	437,175	217,299	49.71%	399,155	308,896	77.39%
Non-Departmental	1,106,531	84,446	7.63%	1,316,378	92,364	7.02%
Transfers out	6,222,375	5,466,125	87.85%	2,629,575	2,711,125	103.10%
Total expenditures:	21,998,931	17,599,548	80.00%	20,428,382	14,802,323	72.46%

*The amended budget is calculated as 75% of the total amended budget as of March 31, 2020.

In non-personnel expenditures, the majority of departments spending levels are consistent with prior year percentages through mid-March and substantially reduced due to the stay at home order, resulting in a lower rate of spending when compared to prior periods.

Overall, when viewed only through March 31, 2020, the general fund’s performance is largely consistent with prior years. However, as noted before, these numbers reflect only a small impact of the COVID-19 pandemic and the stay at home order. The City Council has taken action to amend the budget and reduce revenue and expenditure expectations and maintain a balanced amended budget, but these changes will remain concentrated in the fourth quarter of the fiscal year and are therefore largely invisible in this retrospective report.

Impact on City Resources

There is no impact on City resources.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment

Public Notice

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting.

Attachments

None.

Report prepared by:
Dan Jacobson, Assistant Administrative Services Director



STAFF REPORT

City Council

Meeting Date:

5/26/2020

Staff Report Number:

20-110-CC

Consent Calendar:

Adopt Resolution No. 6558, preliminary approval of the engineer's report for the Menlo Park Landscaping Assessment District, and Resolution No. 6559, intention to order the levy and collection of assessments for the Landscaping Assessment District for fiscal year 2020-21

Recommendation

Staff recommends that the City Council:

1. Adopt Resolution No. 6558, the preliminary approval of the engineer's report for the Landscaping Assessment District for fiscal year 2020-21, which proposes an increase to the tree assessment by three percent, which results in \$83.64 per single family equivalent per year and an increase to the sidewalk assessment by three percent, which results in \$44.68 per single family equivalent per year (Attachment A;)
2. Adopt Resolution No. 6559, the intention to order the levy and collection of assessments for the Landscaping Assessment District for fiscal year 2020-21 pursuant to the Landscaping and Lighting Act of 1972 (Attachment B); and
3. Set the date for the public hearing for June 23.

Policy Issues

If the City Council does not order the levy and collection of assessments, the impact on City general fund resources would be \$1,058,996 (the total amount of the proposed tree and sidewalk assessments) or the programs to repair sidewalks, maintain street trees, and sweep streets would be suspended.

Background

The Landscaping Assessment District provides funding for the maintenance of street trees, street sweeping and sidewalk repairs due to street tree root damage throughout the City.

Tree maintenance

Between 1960 and 1982, the City had a three-person tree crew to care for City parks, medians and street trees. At that time, the tree crew trimmed street trees as requested by residents. There was no specific long-term plan in place to address tree maintenance. As the street trees grew, it took considerably more effort per tree to provide proper care and the City did not have the resources to keep up with the required maintenance needs.

The voters approved Measure N in 1982 as an advisory measure to the City Council regarding formation of the City Landscaping Assessment District. The Landscaping Assessment District was formalized in 1983 to provide proper street-tree maintenance. Programmatic changes have occurred over the past 37 years to address new regulations and maintain the existing tree canopy. Proper care of the tree canopy continues to

be identified as a priority by property owners, the Environmental Quality Commission and the City Council. In 1998, the City expressed concern regarding the declining health of the trees, of which 80 percent were classified as mature trees. Due to the lack of City resources to maintain older trees, there was a growing concern that most of the street trees would fail around the same time. Consequently, the City moved forward in adopting proactive measures to minimize the risk of failure by replacing mature unhealthy trees with younger healthier trees.

In 1998, the City went through a Proposition 218 ballot measure which was approved by voters. The approval of the ballot measure resulted in an increased assessment and reduction of the tree trimming/evaluation schedule to once every five years from once every seven years. In addition, the City implemented a reforestation program with a portion of the Landscaping Assessment District funds in fiscal year 2008-09.

Street sweeping

Street sweeping is performed throughout the City to remove debris for aesthetic, bicycle and pedestrian safety, and health reasons, as well as compliance with stormwater regulations to improve water quality. Street sweeping work has been performed by contract services since 1992.

City tree-damaged sidewalk repair

As trees mature, their extensive network of roots inevitably break through the sidewalk resulting in uplift. Without a proactive saw cutting and/or sidewalk removal and replacement program, the sidewalks will continue to deteriorate and become tripping hazards and more costly to repair over time.

Before 1990, property owners and the City split the cost of repairing damaged sidewalks by City street trees. Each year, the City entered into individual agreements with approximately 200 property owners to conduct these repairs. The annual cost was a financial burden to some residents on fixed incomes and burdensome for the City to administer; therefore, the City established an assessment for sidewalk repair in 1990 to make the program more cost-effective and efficient to operate.

Analysis

Each fiscal year, the City Council must direct the preparation of an engineer's report, budgets and proposed assessments before the assessments can be levied. The engineer's report establishes the foundation and justification for the continued collection of the landscape assessments for fiscal year 2020-21. On February 11, 2020, the City Council adopted resolution No. 6541 describing the improvements and directing the preparation of an engineer's report for the Landscaping Assessment District for fiscal year 2020-21. In developing the engineer's report, staff and the consultant reviewed the existing budget and operating needs to maintain street trees and sidewalk repair requirements at the current level of service. A reduction in service was considered in light of the City's response to COVID-19, but would reduce the capacity to repair sidewalk tripping hazards and proactively maintain the tree canopy which would lead to more hazardous tree limb or tree failures which could increase the City's liability for these issues. The proposed budgets and findings from the engineer's report are described below.

Approval of engineer's report

SCI Consulting Group has completed the preliminary engineer's report (Attachment C) for the Landscaping Assessment District, which includes the Landscaping Assessment District's proposed fiscal year 2020-21 budget. The budget covers tree maintenance, the City's street sweeping program, and the sidewalk repair program. The report describes in detail the method used for apportioning the total assessment among properties within the Landscaping Assessment District. This method involves identifying the benefit received by each property in relation to a single-family residence.

Tree maintenance assessment

Staff has contracted with West Coast Arborists since 2004 to perform tree grid trimming, planting and removal, and emergency services as necessary. The grid trimming, which consists of the majority of work performed by West Coast Arborists, involves the pruning of a set number of trees on an annual basis. Currently, the City performs tree grid pruning on a five-year cycle. The grid pruning strategy is common practice within municipal arboriculture, as it becomes cost effective to maintain the trees on a regular basis. When pruning is deferred for longer periods, fast growing trees can become prone to limb failure and hazards, requiring more expensive measures in the long run.

On September 10, 2014, the City Council approved a five-year contract with authorization to extend the contract term for up to five additional years with West Coast Arborists for tree maintenance. The contract with West Coast Arborists expires June 30, 2024. For fiscal year 2019-2020, West Coast Arborists requested a 3.9 percent increase, and for fiscal year 2020-2021, a 2.9 percent increase. These increases have been consistent with annual engineering news record cost escalation in the San Francisco-San Jose Bay Area each year. The Tree Maintenance Program expenditures include the contract for grid tree pruning services, debris removal (includes street sweeping), general operating expenses, vehicle and equipment maintenance and the salaries and benefits associated with the staff time required to manage the program and work on street trees.

The street sweeping contractor, Contract Sweeping Services Inc., is under a five-year contract expiring in June 30, 2023. The contract identifies rates for each fiscal year, and the identified increase for fiscal year 2020-21 is 2 percent. Currently, a combination of San Mateo County Measure M funds and the landscape assessment fund street sweeping contract services. Measure M is funded as part of a vehicle licensing fee, which may decrease with impacts to vehicle registrations from COVID-19. As the Measure M funding levels are still uncertain as of the publication of this report, the maximum possible tree assessment and general fund contributions needed to continue the tree program are shown in Table 1 below.

As shown in Table 1, the estimated expenses are greater than the revenue. However, a fund balance of approximately \$374,000 is projected to be carried over from fiscal year 2019-20. The fund balance is primarily the result of vacancies in the tree program in past years. However, the program is now fully staffed and has been progressively catching up on deferred tree maintenance, resulting in spending down the fund balance each fiscal year.

Table 1: Tree maintenance assessments Proposed fiscal year 2020-21 budget	
Projected beginning fund balance	\$374,097.47
Estimated revenues:	
Tree assessment revenue	\$753,157.23
General fund contribution	\$265,000.00
Measure M funds	\$143,000.00
Total	\$1,161,157.23
Estimated expenses:	
Street tree maintenance	\$817,369.33
Debris removal (including street sweeping services)	\$291,988.03
Administration and County assessment fees	\$107,150.00
Total	\$1,216,507.36

Table 1: Tree maintenance assessments Proposed fiscal year 2020-21 budget	
Projected ending fund balance	\$318,747.34

Table 2 below summarizes the proposed rates for parcels with and without street trees. The assessment for properties without street trees, but in close proximity to parcels with street trees, is 50 percent of the tree assessment due to the direct benefit of the nearby trees.

Table 2: Annual tree assessment rates Proposed fiscal year 2020-21 (3% increase)		
Property type	Properties with trees	Properties without trees
Single family	\$83.64 per parcel	\$41.82 per parcel
R-2 zone, in use as single family	\$83.64 per parcel	\$41.82 per parcel
Condominium/townhouse	\$75.28 per unit \$376.38 max. per project	\$37.64 per unit \$188.19 max per project
Other multifamily	\$66.91 per unit \$334.56 max per project	\$33.46 per unit \$167.28 max. per project
Commercial	\$83.64 per 1/5 acre \$418.20 max. per project	\$41.82 per 1/5 acre \$209.1 max. per project
Industrial	\$83.64 per 1/5 acre \$418.20 max. per project	\$41.82 per 1/5 acre \$209.1 max. per project
Parks, educational	\$83.64 per parcel	\$41.82 per parcel
Miscellaneous, other	\$0.00 per parcel	\$0.00 per parcel

Sidewalk assessment

The sidewalk repair program includes sidewalk, curb, gutter and parking strip repair and replacement due to damage cause by street trees. In fiscal year 2020-21, the program has a \$550,000 budget. The program is comprised of two separate contracts, one for sidewalk saw cutting (\$100,000) and the other for sidewalk replacement (\$450,000.) Under the saw cutting program, the City retains a contractor to address minor tripping hazards, which are fixed by performing horizontal saw cuts rather than removing the entire sidewalk section. Significant cost increases in this contract are not expected for fiscal year 2020-21. Since the City adopted this approach, it has reduced the need for complete concrete removal, which has resulted in significant cost savings over the years.

For the sidewalk replacement program, the City Council awarded a multi-year contract to Golden Bay Construction on November 11, 2015. Significant cost increases in this contract are not expected for fiscal year 2020-21. However, the annual sidewalk replacement need typically exceeds the budgeted amount and a backlog of requests has occurred. Staff is recommending a 3 percent increase to the sidewalk repair assessment to continue addressing the program backlog in fiscal year 2020-21. It is expected that the backlog would be completed in approximately two years at this funding level.

Table 3: Sidewalk, curb, gutter, parking strip assessment rates Proposed fiscal year 2020-21 (3% increase)			
Parcels with trees	Assessment rate	Parcels without trees	Assessment rate
Sidewalks, curbs, gutters	\$44.68 (per parcel)	Parcels with or without improvements	\$14.74 (per parcel)
Parking strips and gutters	\$44.68 (per parcel)		
Curbs and/ or gutters only	\$29.94 (per parcel)		
No improvements	\$14.74 per parcel)		
Miscellaneous, other	\$0.00 (per parcel)	Miscellaneous, other	\$0.00 (per parcel)

Table 4: Sidewalk assessments Proposed fiscal year 2020-21 budget	
Projected beginning fund balance	\$24,044.00
Estimated revenues:	
Sidewalk assessment revenue	\$305,838.37
General fund contribution	\$300,000.00
Total	\$629,882.37
Estimated expenses:	
Sidewalk, curb, gutter parking strip repair/replacement	\$550,000.00
Projected ending fund balance	\$79,882.37

Assessment

The assessments are subject to an annual adjustment based on the engineering news record construction cost index (CCI) for the San Francisco Bay Area. For this year, the maximum allowable adjustment is 5.35 percent. The maximum authorized assessment rate for fiscal year 2020-21, based on current and accumulated unused CCI increases reserved from prior years, are \$117.57 per SFE benefit unit for tree maintenance and \$52.49 per SFE benefit unit for sidewalk maintenance. These increases are legally permissible without additional ballot proceedings. The estimated budget in the engineer’s report proposes assessments for fiscal year 2020-21 to be levied at a rate below the allowable maximum described above: \$83.64 per SFE for tree maintenance and \$44.68 per SFE for sidewalk maintenance. The comparison assessments for single-family properties with City trees and sidewalks levied in fiscal year 2019-20 and the proposed rates for fiscal year 2020-21 are shown in Table 5.

Table 5: Assessment (annual, per SFE) Fiscal year 2020-21					
Assessment	Fiscal year 2019-20 rate	Percent increase	Fiscal year 2020-21 rate	Amount increase	Maximum allowable assessment
Tree assessment	\$81.20	3%	\$83.64	\$2.44	\$117.57
Sidewalk assessment	\$43.38	3%	\$44.68	\$1.30	\$52.49

While the ongoing cost of maintenance of trees and sidewalks has significantly increased since the inception of the Landscaping Assessment District, the City has tried to minimize rate increases. Incremental rate increases combined with monies allocated from the general fund ensures the maintenance program remains proactive while maintaining a balanced funding approach.

If the City Council approves the attached resolutions, staff will publish a legal notice of the assessment public hearing at least 10 days before the hearing, which is tentatively scheduled for June 23, 2020. Once the assessments are confirmed and approved, the levies will be submitted to the County Controller for inclusion onto the property tax roll for fiscal year 2020-21.

Impact on City Resources

Funding for the entire tree maintenance, street sweeping and sidewalk repair programs under the Landscaping Assessment District come from a variety of sources, including the carry-over of unspent funds from prior years, annual tax assessment revenues, and contributions from the general fund. If the City Council does not order the rate increase, levy and collection of assessments, the impact on City general fund resources would be \$1,058,996 (the total amount of the proposed tree and sidewalk assessments) or the program to repair sidewalks, maintain street trees, and sweep streets would be suspended.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it has no potential for resulting in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours before the meeting.

Attachments

- A. Resolution No. 6558, preliminary approval of the engineer’s report
- B. Resolution No. 6559, intention to order the levy and collection of assessments
- C. Engineer’s report dated May 2020

Report prepared by:
Rambod Hakhamaneshi, Associate Civil Engineer

Staff Report #: 20-110-CC

Reviewed by:
Nicole Nagaya, Public Works Director

RESOLUTION NO. 6558**RESOLUTION OF PRELIMINARY APPROVAL OF THE ENGINEER'S REPORT
FOR THE CITY OF MENLO PARK LANDSCAPING DISTRICT FOR FISCAL
YEAR 2020-2021**

WHEREAS, on the eleventh day of February, 2020, the Menlo Park City Council did adopt Resolution No. 6541, describing improvements and directing preparation of the Engineer's Report for the City of Menlo Park Landscaping District (District) for Fiscal Year 2020-21, pursuant to provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, in said City and did refer the proposed improvements to SCI Consulting Group and did therein direct SCI Consulting Group to prepare and file with the Clerk of said City a report, in writing, all as therein more particularly described, under and in accordance with Section 22565, *et. seq.*, of the Streets and Highways Code and Article XIID of the California Constitution; and

WHEREAS, said SCI Consulting Group prepared and filed with the City Clerk of said City a report in writing as called for in Resolution No. 6541 and under and pursuant to said Article and Act, which report has been presented to this City Council for consideration; and

WHEREAS, said City Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that neither said report, nor any part thereof, should be modified in any respect.

NOW, THEREFORE, BE IT RESOLVED THAT IT IS HEREBY FOUND, DETERMINED, and ORDERED, as follow:

1. That the plans and specifications for the existing improvements and the proposed new improvements to be made within the District contained in said report, be, and they are hereby, preliminarily approved;
2. That the Engineer's estimate of the itemized and total costs and expenses of said improvements, maintenance, and servicing thereof, and of the incidental expenses in connection therewith, contained in said report be, and each of them is hereby, preliminarily approved;
3. That the diagram (Exhibit A) showing the exterior boundaries of the District referred to and described in said Resolution No. 6541 and the lines and dimensions of each lot or parcel of land within said District as such lot or parcel of land is shown on the County Assessor's maps for the fiscal year to which the report applies, each of which lot or parcel of land has been given a separate number upon said diagram, as contained in said report be, and it is hereby, preliminarily approved;
4. That the proposed continued assessment of the total amount of the estimated costs and expenses of the proposed improvements upon the several lots or parcels of land in said District in proportion to the estimated benefits to be received by such lots or parcels, respectively, from said improvements including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto, as contained in said report be, and they are hereby, preliminarily approved; and

5. That said report shall stand as the Engineer's Report for the purpose of all subsequent proceedings to be had pursuant to said Resolution No. 6541.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-sixth of May, 2020, by the following votes:

AYES:

NOES:

ABSENT:

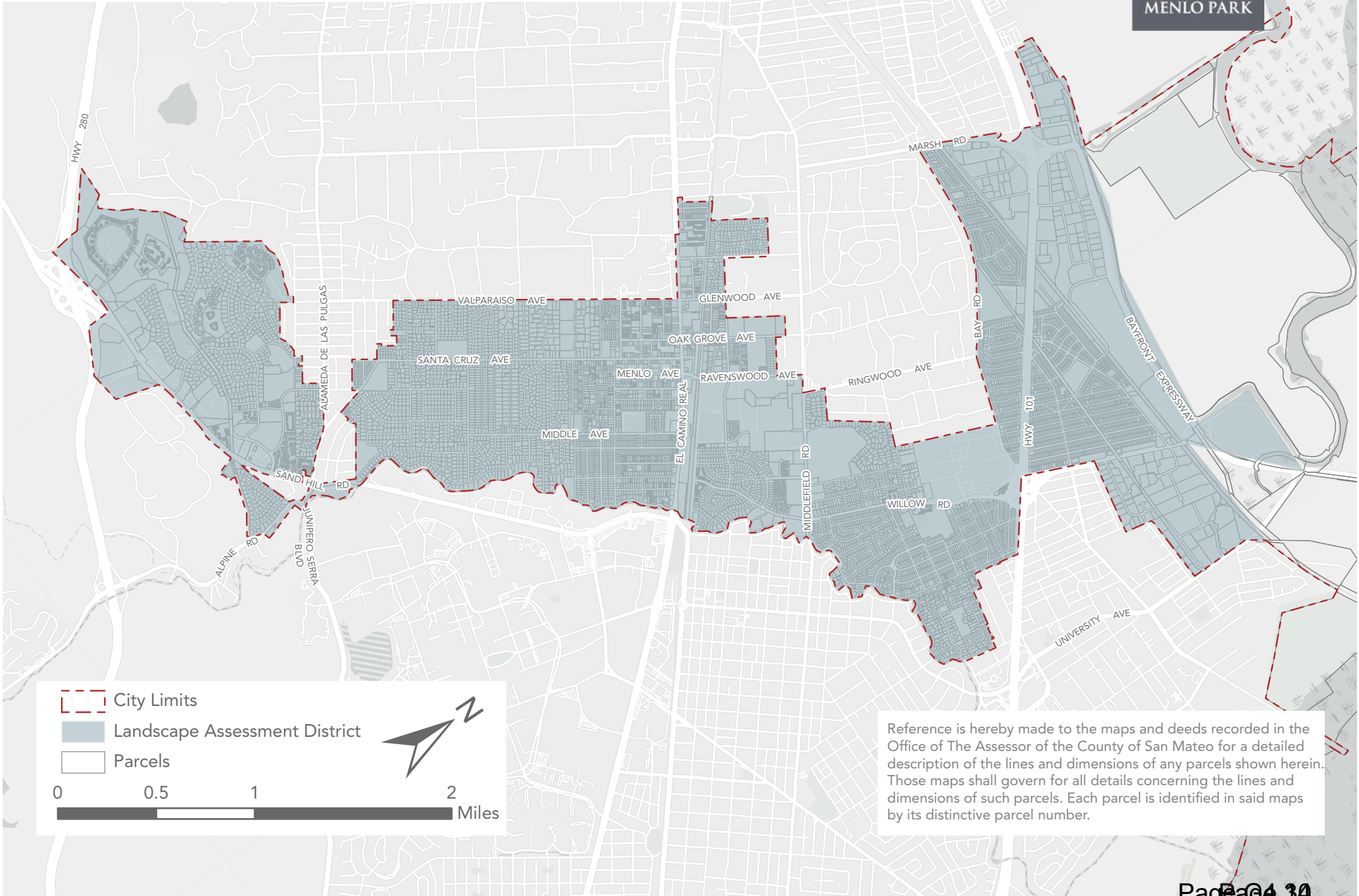
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-sixth of May, 2020.

Judi A. Herren, City Clerk



Landscape Assessment District



RESOLUTION NO. 6559**RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK TO ORDER THE CONTINUATION AND COLLECTION OF ASSESSMENTS FOR THE CITY OF MENLO PARK LANDSCAPING DISTRICT FOR FISCAL YEAR 2020-21 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972**

WHEREAS, pursuant to Resolution No. 6541 describing improvements and directing the preparation of the Engineer's Report for Fiscal Year 2020-21 for the City of Menlo Park Landscaping District, adopted on February 11, 2020, by the City Council of Menlo Park; and

WHEREAS pursuant to provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, SCI Consulting Group for said City has prepared and filed with the City Clerk of this City the written report called for under and in accordance with Section 22565, *et. seq.*, of the Streets and Highways Code and Article XIID of the California Constitution; and

WHEREAS, by said Resolution No. 6541, which said report has been submitted and preliminarily approved by this City Council in accordance with said Article and Act.

NOW, THEREFORE, BE IT RESOLVED, THAT IT IS HEREBY FOUND, DETERMINED, and ORDERED, as follows:

1. In its opinion, the public interest and convenience require, and it is the intention of this City Council, to order the continuation and collection of assessments for Fiscal Year 2020-21 pursuant to the provisions of Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, for the construction or installation of the improvements, including the maintenance or servicing, or both, thereof, more particularly described in Exhibit A hereto attached and by reference incorporated herein;
2. The cost and expense of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon the assessment district designated as "City of Menlo Park Landscaping District" (District) the exterior boundaries of which District are the composite and consolidated area as more particularly described on a map thereof on file in the office of the Clerk of said City, to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in the District and the general location of said District;
3. Said Engineer's Report prepared by SCI Consulting Group, preliminarily approved by this City Council, and on file with the Clerk of this City, is hereby referred to for a full and detailed description of the improvements, the boundaries of the assessment district and the proposed assessments upon assessable lots and parcels of land within the District;
4. The authorized maximum assessment rates for the District include an annual adjustment by an amount equal to the annual change in the Engineering News Record Index, not to exceed 3.00 percent per year, plus any uncaptured excesses. Assessment rates for the tree portion of the assessments are proposed to increase during Fiscal Year 2020-21 by 3.00%. Including the authorized annual adjustment, the maximum authorized assessment rate for street tree maintenance for Fiscal Year 2020-21 is \$117.57 per single family equivalent benefit unit, and the assessment rate per single family equivalent benefit unit for

Fiscal Year 2020-21 is \$83.64 which is less than the maximum authorized rate. Assessment rates for the sidewalk repairs portion of the assessments are proposed to increase during Fiscal Year 2020-21 by 3.00%. Including the authorized annual adjustment, the maximum authorized assessment rate for sidewalk maintenance for Fiscal Year 2020-21 is \$52.49 per single family equivalent benefit unit, and the assessment rate per single family equivalent benefit unit for Fiscal Year 2020-21 is \$44.68, which is less than the maximum authorized rate;

5. Notice is hereby given that Tuesday, the twenty-third day of June, 2020, at the hour of 6:00 p.m., or as soon thereafter as the matter may be heard, by virtual meeting available, at which time and place interested persons may participate and be heard on, and the same are hereby appointed and fixed as the time and place for a Public Hearing by this City Council on the question of the continuation and collection of the proposed assessment for the construction or installation of said improvements, including the maintenance and servicing, or both, thereof, and when and where it will consider all oral statements and all written protests made or filed by any interested person at or before the conclusion of said hearing, against said improvements, the boundaries of the assessment district and any zone therein, the proposed diagram or the proposed assessment, to the Engineer's estimate of the cost thereof, and when and where it will consider and finally act upon the Engineer's Report;
6. The Clerk of said City is hereby directed to give notice of said Public Hearing by causing a copy of this resolution to be published once in *The Examiner*, a newspaper circulated in said City, and by conspicuously posting a copy thereof upon the official bulletin board customarily used by the City for the posting of notices, said posting and publication to be had and completed at least ten (10) days prior to the date of public hearing specified herein; and
7. The Office of the Public Works Director of said City is hereby designated as the office to answer inquiries regarding any protest proceedings to be had herein, and may be contacted during regular office hours at the Civic Center, 701 Laurel Street, Menlo Park, California, 94025, or by calling (650) 330-6740.

I, Judi A. Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twenty-sixth day of May, 2020, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twenty-sixth of May, 2020.

Judi A. Herren, City Clerk

Exhibit A

City of Menlo Park Landscaping District

Maintaining and servicing of street trees, including the cost of repair, removal or replacement of all or any part thereof, providing for the life, growth, health, and beauty of landscaping, including cultivation, trimming, spraying, fertilizing, or treating for disease or injury, the removal of trimmings, rubbish, debris, and other solid waste, and water for the irrigation thereof, and the installation or construction, including the maintenance and servicing thereof, of curbs, gutters, sidewalks, and parking strips.



CITY OF MENLO PARK
LANDSCAPING ASSESSMENT DISTRICT

ENGINEER'S REPORT

FISCAL YEAR 2020-21

MAY 2020

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND
ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:
SCIConsultingGroup
4745 MANGELS BLVD.
FAIRFIELD, CALIFORNIA 94534
PHONE 707.430.4300
FAX 707.430.4319
WWW.SCI-CG.COM

CITY OF MENLO PARK

MENLO PARK CITY COUNCIL

Mayor Cecilia Taylor
Vice Mayor Drew Combs
Council Member Catherine Carlton
Council Member Ray Mueller
Council Member Betsy Nash

CITY MANAGER

Starla Jerome-Robinson

DEPUTY CITY MANAGER

Justin Murphy

CITY CLERK

Judi Herren

INTERIM CITY ATTORNEY

Cara Silver

ENGINEER OF WORK

SCI Consulting Group
Lead Assessment Engineer, John Bliss, M.Eng., P.E.

DRAFT

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INTRODUCTION

ASSESSMENT BACKGROUND

Between 1960 and 1982, the City of Menlo Park had one three-person crew to care for approximately 9,000 City trees. As the trees grew, it took considerably more time per tree to provide proper care. Consequently, one tree crew was unable to perform the necessary work to maintain all of the street trees in proper condition. The Landscape Assessment District was originally formed in 1983 for the purpose of levying annual special assessments in order to properly maintain street trees in the City of Menlo Park. Currently, there are approximately 11,000 street trees that are maintained by the assessments.

Prior to 1990, property owners and the City would split the cost of repairing sidewalks damaged by City trees. The City would annually enter into an agreement with approximately 200 individual property owners. The one-time cost was a financial burden to some residents on fixed incomes. In order to make the program more cost-effective and less of a financial burden for property owners, an assessment for repair of sidewalks/parking strips due to City street-tree related damages was established in 1990.

The increased cost of the necessary work made the assessment amounts levied in Fiscal Year 1997-98 insufficient for adequately maintaining the City's street trees, curbs, gutters and sidewalks. An increase in the assessments was required to provide funding for continued tree maintenance and sidewalk repairs. However, with the passage of Proposition 218 on November 6, 1996, assessments can only be raised after the City conducts an assessment ballot proceeding and the ballots submitted in opposition to the assessments do not exceed the ballots in favor of the assessments. (Each ballot is weighted by the amount of assessment for the property it represents.)

ASSESSMENT PROCESS

In 1998, the City conducted an assessment ballot proceeding for increased tree maintenance and sidewalk repair assessments pursuant to the requirements of Article XIID of the California Constitution (Proposition 218) and the Landscaping and Lighting Act of 1972. The proposed tree maintenance assessments for fiscal year 1998-99 were \$64.28 per single family equivalent unit and the proposed sidewalk repair assessments were \$28.70 per single family equivalent. The proposed maximum assessments also included an annual assessment cost escalator tied to the annual change in the Engineering News Record Construction Cost Index for the San Francisco Bay Area ("ENR Index"). These proposed assessments were supported by 73% of assessment ballots received from property owners (with each ballot weighted by the amount of assessments it represented). Therefore, on June 16, 1998 by its Resolution Number 4840-D, the City Council levied the new assessments.

ENGINEER'S REPORT AND CONTINUATION OF ASSESSMENTS

In each subsequent year for which the assessments will be continued, the City Council must direct the preparation of an Engineer's Report, budgets and proposed assessments for the

upcoming fiscal year. After the Engineer's Report is completed, the City Council may preliminarily approve the Engineer's Report and proposed assessments and establish the date for a public hearing on the continuation of the assessments. This Report was prepared pursuant to the direction of the Council.

The maximum authorized assessment rate, as increased each year by the change in the ENR Index, is the maximum assessment rate that can be levied in the given fiscal year without approval from property owners in another assessment ballot proceeding. In fiscal year 1998-99, the assessments were levied at the maximum rate for that fiscal year. Since this first fiscal year after the ballot proceeding, the assessments for tree maintenance have been levied below the maximum authorized rate, and the assessment rate for sidewalk repairs has not been increased above the original rate.

From December 2018 to December 2019, the ENR Index increased 5.35%. The maximum amount assessments can be increased annually is the ENR Index plus any uncaptured excess reserved from prior years, to a maximum increase to the ENR not to exceed 3%.

Based on accumulated excess reserves from prior years, the maximum authorized rates for fiscal year 2020-21 are \$117.57 for trees and \$52.49 for sidewalks without another ballot proceeding. (No additional ballot proceeding is required because the maximum authorized assessment rates, including the annual adjustments in these rates, were approved in the 1998 ballot proceeding. The actual rate levied in any given fiscal year can be revised up, with an annual maximum increase of 3%, or down, by any amount that does not cause the actual rates levied to exceed the maximum authorized assessment rates.)

The City reduced the assessment rate for tree maintenance in fiscal year 2000-01 and increased the assessment rate in fiscal years 2002-03, 2005-06 through 2009-10, 2014-15, and 2016-17 through 2019-20. In other fiscal years it was not necessary to increase the rate, due to sufficient reserve funds carried forward from prior fiscal years, combined with general benefit contributions. For fiscal year 2020-21 the proposed assessments for tree maintenance are proposed to increase 3.0% from fiscal year 2019-20, and the assessments for sidewalk maintenance are proposed to increase 3.0%. The proposed rates are \$83.64 per Single Family Equivalent (SFE) for tree maintenance and \$44.68 per SFE for sidewalk maintenance. The comparison of actual rates levied in fiscal year 2019-20 and the proposed rates for fiscal year 2020-21 are shown below.

Sidewalk Maintenance			
FY 2019-20 Rate	ENR Increase Applied	FY 2020-21 Rate	Increase
\$43.38	3.00%	\$44.68	\$1.30

Tree Maintenance			
FY 2019-20 Rate	ENR Increase Applied	FY 2020-21 Rate	Increase
\$81.20	3.00%	\$83.64	\$2.44

If the Council approves this Engineer's Report and the continuation of the assessments by resolution, a notice of assessment levies must be published in a local newspaper at least 10

days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is used for this notice.

Following the minimum 10-day time period after publishing the notice, a public hearing is held for the purpose of allowing public testimony about the proposed continuation of the assessments. This hearing is currently scheduled for June 23, 2020. At this hearing, the Council will consider approval of a resolution confirming the continuation of the assessments for fiscal year 2020-21. If so confirmed and approved, the assessments will be submitted to the County Controller for inclusion on the property tax roll for Fiscal Year 2020-21.

LEGAL ANALYSIS

PROPOSITION 218

This assessment is consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996 and is now Article XIII C and XIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

Proposition 218 describes a number of important requirements, including a property-owner balloting, for the formation and continuation of assessments, and these requirements are satisfied by the process used to establish this assessment.

The original assessment existed prior to the passage of Proposition 218. Although the original assessment is also consistent with Proposition 218, the California judiciary has generally referred to pre-Proposition 218 assessments as "grandfathered assessments" and held them to a lower standard than post Proposition 218 assessments.

SILICON VALLEY TAXPAYERS ASSOCIATION, INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("SVTA vs. SCCOSA"). This ruling is the most significant court case in further legally clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special, not general, benefit
- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the assessment district

DAHMS V. DOWNTOWN POMONA PROPERTY

On June 8, 2009, the 4th Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the Court upheld an assessment that was

100% special benefit (i.e., 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

BONANDER V. TOWN OF TIBURON

On December 31, 2009, the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments on the grounds that the assessments had been apportioned to assessed property based in part on relative costs within sub-areas of the assessment district instead of proportional special benefits.

BEUTZ V. COUNTY OF RIVERSIDE

On May 26, 2010 the 4th District Court of Appeal issued a decision on the Steven Beutz v. County of Riverside (“Beutz”) appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO

On September 22, 2011, the San Diego Court of Appeal issued a decision on the Golden Hill Neighborhood Association v. City of San Diego appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in *Beutz*, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

COMPLIANCE WITH CURRENT LAW

This Engineer’s Report is consistent with the requirements of Article XIII C and XIII D of the California Constitution and with the *SVTA* decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the Assessment District; and the Improvements provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer’s Report is consistent with *Beutz*, *Dahms* and *Greater Golden Hill* because the Improvements will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer’s Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property.

PLANS & SPECIFICATIONS

Following is a description of the Services that are provided for the benefit of property in the Assessment District. Prior to the residential development in Menlo Park, the Level of Service on these improvements was effectively zero. The formula below describes the relationship between the final level of improvements, the baseline level of service (pre-development) had the assessment not been instituted, and the enhanced level of improvements funded by the assessment.

Final Level of Service	=	Baseline Level of Service (≈zero, pre-development)	+	Enhanced Level of Service
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The City of Menlo Park maintains street trees, sidewalks, curbs, gutters, and parking strips throughout the City.

The proposed improvements to be undertaken by the City of Menlo Park and financed by the levy of the annual assessment provide special benefit to Assessor Parcels within the District as defined in the Method of Assessment herein. The said improvements consist of maintaining, trimming, disease treatment, and replacement of street trees; street sweeping to remove debris; and the repair and replacement of damaged sidewalks, curbs, gutters, and parking strips damaged by street trees throughout the City of Menlo Park.

METHOD OF ASSESSMENT

This section of the Engineer's Report includes an explanation of the benefits to be derived from the maintenance, repair, and replacement of street trees, sidewalks, curbs, gutters, and parking strips throughout the City, and the methodology used to apportion the total assessment to properties within the Landscaping Assessment District.

The Landscaping Assessment District consists of all Assessor Parcels within the boundaries of the City of Menlo Park as defined by the County of San Mateo tax code areas. The method used for apportioning the assessment is based upon the proportional special benefits to be derived by the properties in the Landscaping Assessment District over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the improvements and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

DISCUSSION OF BENEFIT

In summary, the assessments can only be levied based on the special benefit to properties. This benefit is received by property over and above any general benefits and such benefit is not based on any one property owner's use of the amenities or a property owner's specific demographic status. With reference to the requirements for assessment, Section 22573 of the Landscaping and Lighting Act of 1972 states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Article XIID, Section 4 of the California Constitution has confirmed that assessments must be based on the special benefit to property:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the installation, maintenance and servicing of landscaping and lighting improvements to be provided with the assessment proceeds. These categories of special benefit are derived from the statutes passed by the California Legislature and other studies which describe the types of special benefit received by property from maintenance and improvements such as those within by the District. These types of special benefit are summarized as follows:

- A. PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT.
- B. ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT.
- C. IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT.
- D. ENHANCED ENVIRONMENT BECAUSE OF THE VIGOROUS STREET TREE PROGRAM FOR OWNERS OF PROPERTY IN THE LANDSCAPING ASSESSMENT DISTRICT.
- E. INCREASED SAFETY AGAINST TRIPPING AND OTHER HAZARDS CAUSED BY CRACKED OR DAMAGED SIDEWALKS, CURBS AND GUTTERS.
- F. ENHANCED DESIRABILITY OF THE PROPERTY.
- G. REDUCED LIABILITY FOR LANDSCAPE MAINTENANCE.

In this case, the recent the SVTA v. SCCOSA decision provides enhanced clarity to the definitions of special benefits to properties in three distinct areas:

- Proximity
- Expanded or improved access
- Views

The SVTA v. SCCOSA decision also clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits. The SVTA v. SCCOSA decision also provides specific guidance that landscaping improvements are a direct advantage and special benefit to property that is proximate to landscaping that is improved by an assessment:

The characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g. proximity to a park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g. general enhancement of the district's property values).

Proximity, improved access and views, in addition to the other special benefits listed above further strengthen the basis of these assessments.

BENEFIT FACTORS

The special benefits from the Improvements are further detailed below:

PROXIMITY TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT

Only the specific properties within close proximity to the Improvements are included in the Assessment District. Therefore, property in the Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Assessment District do not share.

In absence of the assessments, the Improvements would not be provided and the landscaping areas in the Assessment District would be degraded due to insufficient funding

for maintenance, upkeep and repair. Therefore, the assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits, but when combined with the unique proximity and access enjoyed by parcels in the Assessment District, they provide a direct advantage and special benefit to property in the Assessment District.

ACCESS TO IMPROVED LANDSCAPED AREAS WITHIN THE ASSESSMENT DISTRICT

Since the parcels in the Assessment District are nearly the only parcels that enjoy close access to the Improvements, they directly benefit from the unique close access to improved landscaping areas that are provided by the Assessments. This is a direct advantage and special benefit to property in the Assessment District.

IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT

The City, by maintaining these landscaped areas, provides improved views to properties in the Assessment District. The properties in the Assessment District enjoy close and unique proximity, access and views of the Improvements; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Assessment District. The Landscaping Assessment District provides funding to maintain and protect these public resources and facilities of the City. For example, the assessments provide funding to trim and maintain the street trees to maintain them in a healthy condition. This benefits properties by maintaining and improving the public resources in the community.

In order to allocate the proposed assessments, the Engineer begins by identifying the types of special benefit arising from the maintenance, repair, and replacement of the aforementioned facilities and that would be provided to property within the District. These types of special benefit are as follows:

ENHANCED ENVIRONMENT BECAUSE OF THE VIGOROUS STREET TREE PROGRAM FOR OWNERS OF PROPERTY IN THE LANDSCAPING ASSESSMENT DISTRICT.

Residential properties benefit from the enhanced environment provided by a vigorous program to install and maintain the street trees at a level beyond that followed by other cities throughout the County. The increased use of street trees provides an atmosphere of beauty beyond the norm. The improvements to the trees will be available to residents and guests of properties within the District.

Non-residential properties also will benefit from these improvements in many ways. The use of street trees softens the environment making it more pleasant for employees during commute time and at breaks from their work. These improvements, therefore, enhance an employer's ability to attract and keep quality employees. The benefits to employers ultimately flow to the property because better employees improve the employment prospects for companies and enhanced economic conditions benefit the property by making it more valuable.

INCREASED SAFETY AGAINST TRIPPING AND OTHER HAZARDS CAUSED BY CRACKED OR DAMAGED SIDEWALKS, CURBS AND GUTTERS.

An aggressive inspection program identifies hazardous conditions in sidewalks, curbs and gutters caused by street trees and allows for these conditions to be repaired on a timely basis. Timely repair of hazardous conditions greatly improves the overall safety of the environment, thereby providing for safer use of property.

ENHANCED DESIRABILITY OF THE PROPERTY

The assessments will provide funding to improve the City's street tree program, raising the quality to a more desired level, and to ensure that the sidewalks, curbs, and gutters remain operable, safe, clean and well maintained. Such improved and well-maintained facilities enhance the overall desirability of property. This is a benefit to residential, commercial and industrial properties.

REDUCED LIABILITY FOR LANDSCAPE MAINTENANCE

The assessments will reduce the liability for landscape maintenance to street trees and other improvements. This is a benefit to residential, commercial and industrial properties.

GENERAL VS. SPECIAL BENEFIT

Article XIII D of the Constitution specifies that only special benefits are assessable, and that the City must separate the general benefits from the special benefits conferred on any parcel. The complete analysis of special benefits and their allocation are found elsewhere in this report. For the Landscaping Assessment District, the City has identified a general benefit and has separated it from the special assessments.

The City's maintenance of street trees and sidewalk facilities provides a general benefit to the community and to the general public to some degree. The measure of this general benefit is the enhancement of the environment and safety provided to the greater public at large. This general benefit can be measured by the proportionate amount of time that the City's sidewalks and street trees are used and enjoyed by the greater public at large¹. It is reasonable to assume that approximately 1/4 or 25% of the usage and enjoyment of the improvements is by the greater public. Therefore, approximately 25% of the benefits conferred by the improvements are general in nature.

The City's total budget for maintenance and improvement of its trees and sidewalk facilities is \$1,766,507. Of this total budget amount, the City will contribute \$300,000 from sources other than the assessments for sidewalk repair and \$265,000 for street tree maintenance. These contributions by the City, as well as \$143,000 in funds from Measure M, total

¹ . The greater public at large is generally defined as those who are not residents, property owners, customers or employees within the City, and residents who do not live in close proximity to the improvements.

\$708,000, equating to approximately 40.1% of the total budget for maintenance and more than offset the cost of the general benefits resulting from the improvements.

In the 2009 Dahms case, the court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments were directly provided within the assessment district. It is also important to note that the improvements and services funded by the assessments in Pomona are similar to the improvements and services funded by the Assessments described in this Engineer's Report and the Court found these improvements and services to be 100% special benefit. Also similar to the assessments in Pomona, the Assessments described in this Engineer's Report fund improvements and services directly provided within the Assessment District and every benefiting property in the Assessment District enjoys proximity and access to the Improvements. Therefore, Dahms establishes a basis for minimal or zero general benefits from the Assessments. However, in this Report, the general benefit is more conservatively estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

METHOD OF ASSESSMENT

The second step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a single-family home, or, in other words, on the basis of Single-Family Equivalents (SFE). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. For the purposes of this Engineer's Report, all properties are designated an SFE value, which is each property's relative benefit in relation to a single-family home on one parcel. The "benchmark" property is the single family detached dwelling, which is one Single Family Equivalent, or one SFE.

As stated previously, the special benefits derived from the assessments are conferred on property and are not based on a specific property owner's use of the improvements, on a specific property owner's occupancy of property, or the property owner's demographic status such as age or number of dependents. However, it is ultimately people who enjoy the special benefits described above, use and enjoy the City's trees and sidewalks, and control property values by placing a value on the special benefits to be provided by the improvements. In other words, the benefits derived to property are related the average number of people who could potentially live on, work at or otherwise could use a property, not how the property is currently used by the present owner. Therefore, the number of people who could or potentially live on, work at or otherwise use a property is an indicator of the relative level of benefit received by the property.

ASSESSMENT APPORTIONMENT - STREET TREES

PROPERTIES WITH STREET TREES

All improved residential properties that represent a single residential dwelling unit and have a street tree on or fronting the property are assigned 1.0 SFE. All single-family houses with tree(s) and those units in R-2 zones that are being used as single-family dwellings (with trees) are included in this category.

Properties with more than one residential unit are designated as multi-family residential properties. These properties benefit from the improvements in proportion to the number of dwelling units that occupy each property and the relative number of people who reside in multi-family residential units compared to the average number of people who reside in a single-family home. The population density factors for the County of San Mateo from the 1990 US Census (the most recent data available when the Assessment was established) are depicted below. The SFE factors for condominium, townhouse, and multi-family parcels, as derived from relative dwelling unit population density, are also shown below.

FIGURE 1 – RESIDENTIAL ASSESSMENT FACTORS

<i>Property Type</i>	<i>Total Population</i>	<i>Occupied Households</i>	<i>Persons per Household</i>	<i>SFE Factor*</i>
Single Family Residential	412,685	140,248	2.94	1.0
Condominium/Townhouse	54,284	19,331	2.81	0.9
Multi-Family Residential	158,004	65,981	2.39	0.8

Source: 1990 Census, San Mateo County

The SFE factor for condominium, townhouse, and multi-family parcels is based on the ratio of average persons per household for the property type versus the average persons per household for a single-family residential home. Multi-family units are assessed at 0.80 per unit up to a maximum of 4.0 SFE per parcel (maximum of 5 units multiplied by 0.80). Condominium and townhouse parcels are assessed at 0.90 per unit, up to a maximum of 4.5 SFEs per development (maximum of 5 units multiplied by 0.90).

SFE values for commercial and industrial land uses are based on the equivalence of special benefit on a land area basis between single-family residential property and the average commercial/industrial property. The average size of a parcel for a single-family home in the District is approximately 0.18 acres, and such single-family property has an SFE value of 1.0. Using the equivalence of benefit on a land area basis, improved commercial and industrial parcels of approximately 0.20 acres or less would also receive an SFE benefit factor of 1.0. Commercial and industrial parcels in excess of a fifth of an acre in size are assigned 1.0 SFE per 0.20 acre or portion thereof, and the maximum benefit factor for any commercial/industrial parcel is 5.0 SFE.

Vacant parcels are also benefited from the street tree improvement and maintenance program. An example of a benefit is enhancement of the visual appeal that will accrue to a vacant parcel from the presence or proximity of the community's street trees based on its future potential use. Undeveloped property also benefits from the installation and maintenance of street trees, because if the property is developed during the year, the street trees will be available to the developed property. The relative benefit to vacant property is determined to be generally equal to the benefit to a single-family home property. Therefore, vacant property with street tree(s) are assessed 1 SFE.

PROPERTIES WITHOUT STREET TREES

The special benefit factors conferred on property can be defined by the benefits conferred to properties with and without street trees. The types of benefits conferred to all property in the community include protection of views, screening, and resource values and enhanced desirability of the property. A higher level of special benefits is conferred directly on parcels with street trees because these parcels obtain additional benefits from well-maintained, healthy trees fronting the property. The types of special benefits that are increased for properties with street trees include enhanced levels of safety, desirability, unique proximity, access and views of resources and facilities from healthy trees on the property. Therefore, individual properties without street trees but in close proximity to parcels with street trees receive a direct benefit from the street trees and should pay 50% of the rate for a similar property with street trees. Such properties are assigned an SFE benefit factor that is 50% of that for a similar property with street trees.

ASSESSMENT APPORTIONMENT - SIDEWALK PROGRAM

The benefits to property for sidewalks, curbs, gutters and parking strips are closely related to a parcel's proximity to these improvements and the parcel's proximity to street trees. Street trees are the most common cause of sidewalk problems. Therefore, the highest benefit from the proposed sidewalk improvements is to properties with street trees and sidewalks, curbs and gutters, or street trees and parking strips and gutters, because without the maintenance work, these improvements would degrade more quickly, which would affect the parcel's appearance and safety. It is estimated that 1/3 of the special benefits are conferred to property with street trees and sidewalks or parking strips. Another 1/3 of the special benefits are conferred to property with street trees and curbs and gutters. Special benefit factors are also conferred on property without street trees or adjoining sidewalk, curb, gutter and/or parking strip improvements that are in close proximity to these types of improvements. It is estimated that the remaining 1/3 of the special benefit factors from the Sidewalk Program are conferred to these parcels that are in close proximity to the improvements but that do not have improvements directly adjacent to their property.

Consequently, properties with street trees and sidewalks or parking strips and curbs and gutters or valley gutters are assigned a benefit factor of 1 SFE. Properties with street trees, curbs and gutters are assigned a benefit factor of 0.67 SFE. If there are street trees but no improvements along the frontage of a parcel, or no street trees on a parcel, its benefit is 1/3 or 0.33 SFE.

ASSESSMENT APPORTIONMENT - OTHER PROPERTIES

Improved, publicly owned parcels that are used for residential, commercial or industrial purposes are assessed at the rates specified previously. Other improved public property; institutional property and properties used for educational purposes, typically generate employees on a less consistent basis than other non-residential parcels. Moreover, many of these parcels provide some degree of on-site amenities that serve to offset some of the benefits from the District. Therefore, these parcels, with or without street trees, receive minimal benefit and are assessed an SFE factor of 1 for street tree assessments and an SFE factor of 1 for sidewalks, curbs and gutter assessments.

All properties that are specially benefited have been assessed. Agricultural parcels without living units, public right-of-way parcels, well, reservoir or other water rights parcels, unimproved open space parcels, watershed parcels and common area parcels generally provide recreational, open space and/or scenic benefits to the community. As such, they tend to provide similar benefits as provided by the improvements in the District. Any benefits they would receive from the landscaping maintenance are generally offset by the equivalent benefits they provide. Moreover, these parcels typically do not generate employees, residents or customers. Such parcels are, therefore, not specially benefited and are not assessed.

APPEALS AND INTERPRETATION

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the Public Works Director of the City of Menlo Park or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the Public Works Director or his or her designee will promptly review the appeal and any information provided by the property owner. If the Public Works Director or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County of San Mateo for collection, the Public Works Director or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the Public Works Director or his or her designee shall be referred to the City Council of the City of Menlo Park and the decision of the City Council of the City of Menlo Park shall be final.

FIGURE 2 – TREE MAINTENANCE ASSESSMENTS

<i>Property Type</i>	<i>2020-21 Assessment Rates</i>	
<i>Parcels with Trees</i>	<i>Assessment Rate</i>	
Single Family	\$83.64	(per Parcel)
R-2 Zone, in use as single family	\$83.64	(per Parcel)
Condominium/Townhouse	\$75.28	(per Unit, \$376.38 max. per Project)
Other Multi-family	\$66.91	(per Unit, \$334.56 max. per Project)
Commercial	\$83.64	(per 1/5 acre, \$418.20 max. per Project)
Industrial	\$83.64	(per 1/5 acre, \$418.20 max. per Project)
Parks, Educational	\$83.64	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)
<i>Parcels without Trees</i>		
Single Family	\$41.82	(per Parcel)
R-2 Zone, in use as single family	\$41.82	(per Parcel)
Condominium/Townhouse	\$37.64	(per Unit, \$188.19 max. per Project)
Other Multi-family	\$33.46	(per Unit, \$167.28 max. per Project)
Commercial	\$41.82	(per 1/5 acre, \$209.1 max.)
Industrial	\$41.82	(per 1/5 acre, \$209.1 max.)
Parks, Educational	\$41.82	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)

FIGURE 3 – SIDEWALK, CURB, GUTTER, PARKING STRIP ASSESSMENTS

<i>Parcels with Trees</i>	<i>2020-21 Assessment Rates</i>	
Sidewalks, curbs, gutters	\$44.68	(per Parcel)
Parking strips and gutters	\$44.68	(per Parcel)
Curbs and/or gutters only	\$29.94	(per Parcel)
No improvements	\$14.74	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)
<i>Parcels without Trees</i>		
Parcels with or without improvements	\$14.74	(per Parcel)
Miscellaneous, Other	\$0.00	(per Parcel)

Note: All total combined tree and sidewalk assessment amounts are rounded to the lower even penny.

DRAFT

ASSESSMENT

WHEREAS, on February 20, 2020 the City Council of the City of Menlo Park, County of San Mateo, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIII D of the California Constitution (collectively "the Act"), adopted its Resolution Initiating Proceedings for the Levy of Assessments within the Landscaping Assessment District;

WHEREAS, said Resolution directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the assessment district and an assessment of the estimated costs of the improvements upon all assessable parcels within the assessment district, to which Resolution and the description of said proposed improvements therein contained, reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the City Council of said City of Menlo Park, hereby make the following assessment to cover the portion of the estimated cost of said improvements, and the costs and expenses incidental thereto to be paid by the assessment district.

The amount to be paid for said improvements and the expense incidental thereto, to be paid by the Landscaping Assessment District for the fiscal year 2020-21 is generally as follows:

FIGURE 4 – SUMMARY COST ESTIMATE

	<i>F. Y. 2020-21 Budget</i>
Street Tree Program	\$ 817,369.33
Street Sweeping	\$ 291,988.03
Sidewalk Program	\$ 550,000.00
Incidental Expenses	\$ 107,150.00
TOTAL BUDGET	\$1,766,507
Plus:	
Projected Fund Balance	\$ 374,097.47
Less:	
City Contribution for General Benefits	\$ (708,000.00)
Contribution from Carry-Over Fund Balances	\$ (373,609.22)
NET AMOUNT TO ASSESSMENTS	\$ 1,058,995.61

As required by the Act, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Landscaping Assessment District. The distinctive number of each parcel or lot of land in the said Landscaping Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

And I do hereby assess and apportion said net amount of the cost and expenses of said improvements, including the costs and expenses incidental thereto, upon the parcels and lots of land within said Landscaping Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The assessment is made upon the parcels or lots of land within the Landscaping Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from said improvements.

The assessment is subject to an annual adjustment tied to the Engineering News Record (ENR) Construction Cost Index for the San Francisco Bay Area, with a maximum annual adjustment not to exceed 3%. Any change in the ENR in excess of 3% shall be cumulatively reserved as the "Unused ENR" and shall be used to increase the maximum authorized assessment rate in years in which the ENR is less than 3%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the assessment was levied adjusted annually by the minimum of 1) 3% or 2) the change in the ENR plus any Unused ENR as described above. The initial, maximum assessment rate balloted and established in Fiscal Year 1998-99 was \$64.28 per single family equivalent benefit unit for tree maintenance, and \$28.70 per single family equivalent benefit unit for sidewalk maintenance.

Based on the preceding annual adjustments, the maximum assessment rate for Fiscal Year 2019-20 was \$81.20 for tree maintenance and \$43.38 for Sidewalk maintenance. The change in the ENR from December 2018 to December 2019 was 5.35%. Therefore, the maximum authorized assessment rate for Fiscal Year 2020-21 has been increased from \$114.15 to \$117.57 per single family equivalent benefit unit for tree maintenance, and from \$50.96 to \$52.49 per single family equivalent benefit unit for sidewalk maintenance. However, the estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2020-21 at the rate of \$83.64 per single family equivalent benefit unit for tree maintenance, which is less than the maximum authorized assessment rate and is a 3% increase over the rate assessed in the previous fiscal year. The proposed assessment rate for fiscal year 2020-21 for sidewalk maintenance is \$44.68 per single family equivalent benefit unit, which is also less than the maximum authorized assessment rate and is a 3% increase over the rate assessed in the previous fiscal year.

Property owners in the Assessment District, in an assessment ballot proceeding, approved the initial fiscal year benefit assessment for special benefits to their property including the ENR adjustment schedule. As a result, the assessment may continue to be levied annually and may be adjusted by up to the maximum annual ENR adjustment without any additional

assessment ballot proceeding. In the event that in future years the assessments are levied at a rate less than the maximum authorized assessment rate, the assessment rate in a subsequent year may be increased up to the maximum authorized assessment rate without any additional assessment ballot proceeding.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of San Mateo for the fiscal year 2020-21. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2020-21 for each parcel or lot of land within the said Landscaping Assessment District.

May 20, 2020

Engineer of Work

By _____
John W. Bliss, License No. C52091



FIGURE 5 – ENGINEER'S COST ESTIMATE, FISCAL YEAR 2020-21

Fiscal Year 2020-21
CITY OF MENLO PARK LANDSCAPING ASSESSMENT DISTRICT
ENGINEER'S COST ESTIMATE

A. Tree Maintenance		
Salaries & Benefits	\$	438,494.33
Operating Expense	\$	44,275.00
Fixed Assets & Capital Outlay	\$	4,500.00
Vehicle & Equipment Maintenance	\$	15,000.00
Professional Services (Tree Spraying, Tree Trimming, Misc.)	\$	315,100.00
Subtotal - Tree Maintenance	\$	<u>817,369.33</u>
B. Debris Removal		
Salaries & Benefits	\$	71,382.80
Operating Expense	\$	1,718.25
Street Sweeping Contract	\$	218,886.98
Subtotal - Debris Removal	\$	<u>291,988.03</u>
C. Sidewalk, Curb, Gutter, Parking Strip Repair/Replacement		
Construction Costs	\$	550,000.00
Design & Inspection	\$	-
Subtotal - S/W,C,G, & PS Repair/Replace	\$	<u>550,000.00</u>
Subtotal Tree/Debris/Reforestation/Sidewalk	\$	<u>1,659,357.36</u>
D. Incidentals		
Indirect Costs & Administration	\$	92,150.00
County Collection Fees	\$	15,000.00
Subtotal - Incidentals	\$	<u>107,150.00</u>
Total Cost	\$	<u>1,766,507.36</u>

Engineer's Cost Estimate, Fiscal Year 2020-21 (continued)

Projected Fund Balance	\$	374,097.47
Tree Maintenance Ending Fund Balance	\$	(349,565.00)
Less General Fund Contribution	\$	(265,000.00)
Measure M	\$	(143,000.00)
Sidewalk Fund Ending Balance	\$	(24,044.22)
Less General Fund CIP Contribution to Sidewalk Fund	\$	(300,000.00)
Net to Assessment	\$	1,058,995.61

Revenue		
Single Family Equivalent Benefit Units - Trees		9,005.18
Single Family Equivalent Benefit Units - Sidewalks		6,844.87
	2020-21	2019-20
Assessment Rate for Tree Fund/ SFE	\$83.64	\$81.20
Assessment Rate for Sidewalk Fund/ SFE	\$44.68	\$43.38
Revenue for Tree Fund		\$753,157.23
Revenue for Sidewalk Fund		\$305,838.37
Total Revenue *		\$1,058,995.61

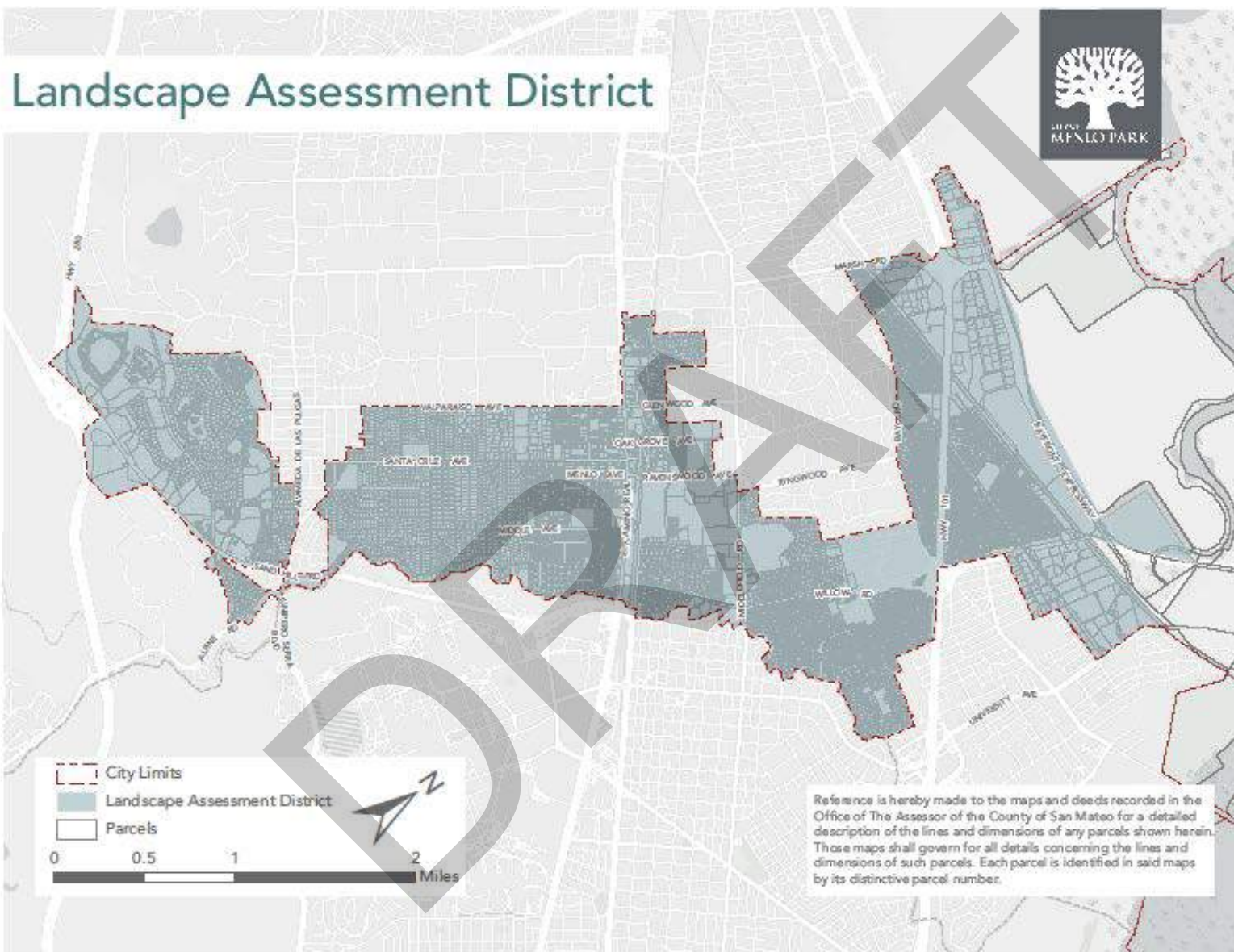
* Total revenue is slightly less than SFEs times the assessment rate because all combined assessments are rounded down to the even penny.

ASSESSMENT DIAGRAM

The Landscaping Assessment District includes all properties within the boundaries of the City of Menlo Park.

The boundaries of the Landscaping Assessment District are displayed on the following Assessment Diagram.

DRAFT



APPENDIX A – ASSESSMENT ROLL, FY 2020-21

Reference is hereby made to the Assessment Roll in and for the assessment proceedings on file in the office of the City Clerk of the City of Menlo Park, as the Assessment Roll is too voluminous to be bound with this Engineer's Report.

DRAFT

Recommendation

Councilmembers Mueller and Nash request the City Council direct the City Manager to exercise her grant of power as the Director of Emergency Services under Urgency Resolution 6550 (“URGENCY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK RATIFYING THE PROCLAMATION OF EXISTENCE OF LOCAL EMERGENCY ISSUED BY THE DIRECTOR OF EMERGENCY SERVICES AND FURTHER PROCLAIMING THE CONTINUED EXISTENCE OF THE EMERGENCY”) to issue an order:

- 1) Temporarily closing, as soon as is practicable, the following streets, while maintaining adequate provision for access by emergency services:
 - a) Santa Cruz Avenue

Alternative A: (not recommended)
Close both directions of Santa Cruz Ave. between Evelyn St. and El Camino Real;

Alternative B (not recommended):
Close both directions of Santa Cruz Ave. between University St. and El Camino Real;

Alternative C (hybrid - recommended):
Close Santa Cruz . Northeast from University St.to El Camino Real, and Southwest from El Camino Real to Evelyn St.
 - b) Crane Street
from Ryans Lane to Santa Cruz Avenue and
from Santa Cruz Avenue to the entrances of parking plazas 5 and 6
 - c) Chestnut Street
from Ryans Lane to Santa Cruz Avenue and
from Santa Cruz Avenue to the entrances of parking plazas 6 and 7
 - d) Curtis Street
from Santa Cruz Avenue to the entrances of parking plazas 7 and 8
 - e) Doyle Street:
from Santa Cruz Avenue to the entrance of parking plaza 8
- 2) Setting forth a streamlined permit process, consistent with the provisions and timing set forth by order of the San Mateo County Public Health Officer, to temporarily allow restaurants and retail stores to operate businesses, sell goods, and serve food and drink to customers, off the sidewalk, in the aforementioned closed street areas; and

- 3) Setting forth a streamlined permit process, consistent with the provisions and timing set forth by order of the San Mateo County Public Health Officer, to temporarily allow for restaurants located in the City of Menlo Park to utilize their designated off street parking spaces, off the sidewalk, to conduct business and serve food and drink to customers.

(See attached illustration.)

Policy Issues

City of Menlo Park

Chapter 2.44 of the City's Municipal Code authorizes the Director of Emergency Services ("Director") to proclaim a local emergency subject to ratification by the City Council within 24 hours. On March 11, the Director proclaimed a local emergency based on conditions of extreme peril to the safety of persons and property within the City resulting from COVID-19. On March 11, the City Council ratified the Director's proclamation. Thereafter on May 1, 2020 the City Council ratified the decision to continue the declaration of a local emergency. As a result of the local emergency, the City is empowered to take actions to preserve and protect the health and safety of the community.

Paragraph 2, of Emergency Resolution 6550 sets forth, "During the existence of this Local Emergency, the Director of Emergency Services shall have the authority to adopt emergency orders or regulations to ensure the health and well being of the public and mitigate the effects of the Local Emergency".

To date, the City of Menlo Park director of emergency services/city manager has issued four orders regulating various parameters affecting business activity in Menlo Park.

The proposed order is necessary and reasonable to mitigate the effects of the Local Emergency on Menlo Park's local business community. Using the street to increase the physical space and capacity of business to serve customers will mitigate the lost space in business district structures caused by social distancing safety precautions. The increase in space will also aid in ensuring the health and well being of the public.

Background

The Center for Disease Control and Prevention has stated that COVID-19 is a serious public health threat. The World Health Organization has declared COVID-19 constituted a world pandemic. In response, state and local governments have taken steps to slow the transmission of COVID-19.

State action

On March 4, the Governor of the State of California declared a state of emergency. On March 19, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State

of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors. On May 6th, Governor Newsom announced guidelines for the reopening of restaurants will be released on May 11th.

National Restaurant Association COVID-19 Reopening Guidance

To protect the health and well being of restaurant patrons and employees, the National Restaurant Association has created guidance for restaurants reopening in the Covid-19 Pandemic. The document sets forth that restaurants should “Update floor plans for common dining areas, redesigning seating arrangements to ensure at least six feet of separation between table setups. Limit party size at tables to no more than the established “maximums approved” as recommended by CDC or approved by local and state government.”

<https://restaurant.org/Downloads/PDFs/business/COVID19-Reopen-Guidance.pdf>

City Action

At the April 7th, Menlo Park City Council meeting (video 1:01:55 mark), public comment on behalf of Menlo Park business owner Kathleen Daly, requested a temporary variance to allow for street parking in front of Cafe Zoe to be used by the business to create a “socially distanced” space for the service of customers, upon the phased lifting of the Shelter in Place order and reopening of business. Thereafter, Councilmember Mueller expressed support for Cafe Zoe’s request, and further proposed the closure of Santa Cruz Ave in Downtown Menlo Park, at such time the Shelter in Place order started to be lifted in stages, to similarly allow local business and restaurants downtown to use the street to create a “socially distanced” space for the service of customers. Thereafter, over the period of the next four weeks Councilmember Nash and Councilmember Mueller met to discuss the proposal of closing Santa Cruz Ave. and began to prepare the proposal for consideration by the City Manager and City Council.

Community members have also brought forward and expressed support for the concept. On April 27, 2020, Menlo Park resident Michael DeMoss emailed the City Council with support for this concept. On May 5th, Menlo Park resident Curtis Mo posted on Nextdoor regarding the same concept. Mr. Mo’s Nextdoor Post received significant feedback and positive response.

Additionally, the nearby jurisdictions of the City of Palo Alto and the City of San Mateo have begun exploring similar concepts for business districts in their jurisdiction.

Analysis

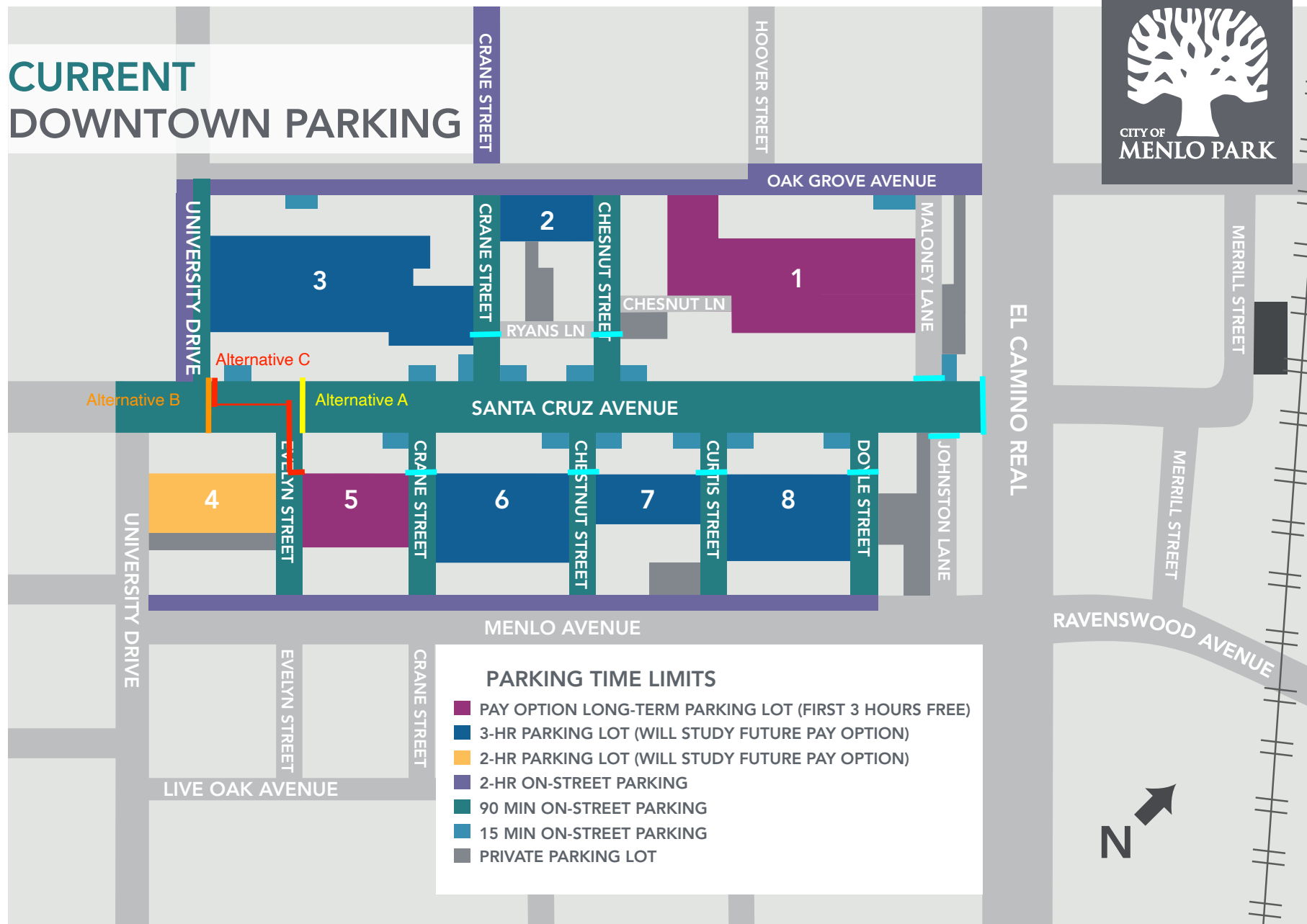
On May 6th, Governor Newsom announced guidelines for the reopening of restaurants will be released on May 11th.

The National Restaurant Association Guidance document sets forth that restaurants should “Update floor plans for common dining areas, redesigning seating arrangements to ensure at least six feet of separation between table setups. Limit party size at tables to no more than the established “maximums approved” as recommended by CDC or approved by local and state government.”

Paragraph 2, of City of Menlo Park Emergency Resolution 6550 sets forth, “During the existence of this Local Emergency, the Director of Emergency Services shall have the authority to adopt emergency orders or regulations to ensure the health and well being of the public and mitigate the effects of the Local Emergency”..

The proposed order is necessary and reasonable to mitigate the effects of the Local Emergency on Menlo Park’s local business community. Using the street to increase the physical space and capacity of business to serve customers will mitigate the lost space in business district structures caused by social distancing safety precautions. The increase in space will also aid in ensuring the health and well being of the public.

CURRENT DOWNTOWN PARKING



DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER EMERGENCY ORDER NO.1

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the “Health Officer”) declared a local health emergency throughout San Mateo County related to the novel coronavirus (“COVID-19”);

WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended this declaration of local health emergency;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the San Mateo County Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities,” Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place;

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors; and

WHEREAS, the Governor empowered local cities to take actions to preserve and protect the health and safety of their communities in light of their own circumstances;

WHEREAS, building construction requires regular inspection services to ensure that completed work complies with both issued permits and applicable building standards and waiving such inspections increases the risk of defective and unsafe construction;

WHEREAS, the City has extremely limited construction inspection services and protective gear to prevent inspectors from contaminated job sites and the Federal and State governments have requested that such protective gear be preserve for essential health workers;

WHEREAS, the Council desires to do what it can to help slow the spread of COVID-19, reduce the load on local hospitals and emergency rooms, prevent unnecessary deaths and preserve construction inspection services and the related administrative resources for the most critical projects;

WHEREAS, the Council also recognizes that housing is indeed a priority for our community and the region, but the immediacy of curbing the current health emergency must take precedence to prevent further spread of the virus;

WHEREAS, the Council desires to resume housing construction at the earliest opportunity; and

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

NOW, THEREFORE, the City Manager does hereby make the following order:

1. Effective immediately and until this order is terminated by the City Manager, all construction activity in the City of Menlo Park shall be temporarily suspended.
2. The City Manager will regularly review the need for this order to be in place and may elect to modify it should local circumstances or applicable law change.
3. Upon approval of the City Manager, construction activity in the government facilities and water and wastewater systems sector may be performed provided adequate social distancing mitigation measures can be achieved during both construction and inspection work.
4. The City Manager or designee may authorize limited exceptions to Section 1 of this order to protect life, health or safety provided they are consistent with Executive Order No. N-33-20 and/or subsequent applicable State or County orders.

Dated: 3/23/2020

DocuSigned by:
Starla Jerome Robinson
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City Manager

**CITY OF MENLO PARK DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER
EMERGENCY ORDER NO. 2**

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood, though it is highly contagious;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (“Health Officer”) declared a local health emergency throughout San Mateo County related to COVID-19;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County; WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended the declaration of a local health emergency;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic and empowered the Director of Emergency Services to take all necessary actions;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities”, “Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place Order;

WHEREAS, Government Code Section 8634 empowers the Director of Emergency Services to promulgate orders and regulations necessary to provide for the protection of life and property;

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to

make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors;

WHEREAS, the Governor empowered local cities to take actions to preserve and protect the health and safety of their communities in light of their own circumstances;

WHEREAS, the City Council desires to do what it can to help slow the spread of COVID-19, reduce the load on local hospitals and emergency rooms, prevent unnecessary deaths, and preserve limited resources in order to allocate them to the most critical projects; and

NOW, THEREFORE, the City Manager as the Director of Emergency Services does hereby make the following order:

1. Public Facilities Closures. For the duration of the local emergency, the following public facilities shall be closed to the public: City Hall; Arrillaga Family Recreation Center; Arrillaga Family Gymnasium; Arrillaga Family Gymnastics Center; Burgess Pool; Belle Haven Pool; Onetta Harris Community Center; Menlo Park Senior Center; Menlo Park Main Library and Belle Haven Branch Library; all public restrooms and playgrounds located in all public parks; Burgess Park skate park; all public tennis courts, and all public basketball courts.

2. Effective date. This order shall be effective immediately and shall terminate upon the earlier of (1) Director of Emergency Services order or (2) cessation of local emergency.

3. Enforcement. This order shall be enforceable as a misdemeanor as provided in Menlo Park Municipal Code Section 2.44.110.

Dated: 3/27/2020

DocuSigned by:

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 Director of Emergency Services

Approved as to form:

DocuSigned by:

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 Interim City Attorney

**CITY OF MENLO PARK DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER
EMERGENCY ORDER NO. 3**

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood, though it is highly contagious;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (“Health Officer”) declared a local health emergency throughout San Mateo County related to COVID-19;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County;
WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended the declaration of a local health emergency;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic and empowered the Director of Emergency Services to take all necessary actions;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities”, “Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place Order;

WHEREAS, Government Code Section 8634 empowers the Director of Emergency Services to promulgate orders and regulations necessary to provide for the protection of life and property;

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to

make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors;

WHEREAS, on March 31, the County Health Officer extended the Shelter in Place order to May 3 and issued additional restrictions regarding construction activity, recreational activity and other essential services;

WHEREAS, the Governor empowered local cities to take actions to preserve and protect the health and safety of their communities in light of their own circumstances;

WHEREAS, the City Council desires to do what it can to help slow the spread of COVID-19, reduce the load on local hospitals and emergency rooms, prevent unnecessary deaths, and preserve limited resources in order to allocate them to the most critical projects; and

NOW, THEREFORE, the City Manager as the Director of Emergency Services does hereby make the following order:

1. Public Facilities Closures. During the pendency of the local emergency, the following additional public facilities shall be closed to the public: Bedwell Bayfront Park (including trails, parking lot and other areas).
2. Effective date. This order shall be effective immediately and shall terminate upon the earlier of (1) Director of Emergency Services order or (2) cessation of local emergency.
3. Enforcement. This order shall be enforceable as a misdemeanor as provided in Menlo Park Municipal Code Section 2.44.110.

Dated: 4/17/2020

DocuSigned by:

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 Director of Emergency Services

Approved as to form:

DocuSigned by:

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 Interim City Attorney

DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER EMERGENCY ORDER NO.4

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the “Health Officer”) declared a local health emergency throughout San Mateo County related to the novel coronavirus (“COVID-19”);

WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended this declaration of local health emergency;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the San Mateo County Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities,” Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place;

WHEREAS, on March 19, 2020, Governor Newsom issue Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors;

WHEREAS, on March 23, 2020, the Director issued the City of Menlo Park Director of Emergency Services/City Manager Order (“Order”) No. 1 temporarily suspending all construction activity in the City of Menlo Park. The Order was based in part on the City’s lack of personal protective gear (PPE) to protect its employees from the spread of the COVID 19 virus, the lack of established construction project safety protocols and the inability of adequate supervision and deployment of building inspectors;

WHEREAS, recognizing the need to continue to limit the transmission of COVID-19, on April 29, 2020, the County Health Officer ordered the shelter-in-place to continue through May 31, 2020. However, the order also allows some businesses to open that could not operate under the

previous order and allows some low-risk activities to resume (e.g. outdoor businesses, landscapers and gardeners). Specifically, with regard to construction, the order allows for construction so long as the project complies with specific safety protocols;

WHEREAS, given the County of San Mateo’s recent publication of construction project safety protocols, to the extent the city is able to provide sufficient PPE and building inspector personnel, the City Manager would like to re-activate construction activity in the city with a phased in approach giving priority to projects that were already scheduled for an inspection the first week of the shut down (3/16 - 3/20), existing projects that have been granted emergency status, any project that effects the livability of the house (water heater, furnace, plumbing repair, sewer main, water piping, etc.) and other single family residential projects and public works projects. Thereafter providing the city has adequate PPE and inspector capacity it would begin scheduling inspections for multi-family and commercial projects starting; and

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.


NOW, THEREFORE, the Director of Emergency Services does hereby make the following order:

1. Effective 11:59 p.m. on May 3, 2020 Order Number 1 is hereby rescinded and superseded by this Order No. 4.
2. Construction activity in the City will be permitted to resume provided it complies with the applicable construction project safety protocol published in the County of San Mateo Health Officer Order dated April 29, 2020.
3. The City Manager reserves the right to modify this order if any of the following conditions occur:
 - a. The City is not able to secure adequate PPE for its building inspectors;
 - b. The City is not able to provide sufficient building inspectors to satisfy the demand;
 - c. Construction projects are not complying with the required safety protocols;
 - d. The number of COVID 19 cases increases significantly;
 - e. Other operational constraints make building inspection unsafe or infeasible.

Dated: 5/1/2020

DocuSigned by:

 6BD907BD261744C...
 City Manager

Approved as to Form:
 DocuSigned by:

 CD6C53C794F6491...
 Interim City Attorney

DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER EMERGENCY ORDER NO.5

WHEREAS, the Centers for Disease Control and Prevention has stated that based on current information a novel coronavirus named “COVID-19” is a serious public health threat;

WHEREAS, a complete clinical picture of this respiratory disease is not yet fully understood;

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the “Health Officer”) declared a local health emergency throughout San Mateo County related to the novel coronavirus (“COVID-19”);

WHEREAS, on March 10, 2020, the San Mateo County Board of Supervisors ratified and extended this declaration of local health emergency;

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to help the state prepare for the spread of COVID-19;

WHEREAS, the San Mateo County Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County;

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 constituted a world pandemic;

WHEREAS, on March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the current COVID-19 world pandemic;

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space;

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directs all individuals currently living within San Mateo County to shelter in their place of residence (“Shelter-in-Place Order”), and authorizes individuals to leave their residences only for certain “Essential Activities,” Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Shelter-in Place;

WHEREAS, on March 19, 2020, Governor Newsom issue Executive Order No. N-33-20 ordering all individuals in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors;

WHEREAS, on March 23, 2020, the Director issued the City of Menlo Park Director of Emergency Services/City Manager Order (“Order”) No. 1 temporarily suspending all construction activity in the City of Menlo Park. The Order was based in part on the City’s lack of personal protective gear (PPE) to protect its employees from the spread of the COVID 19 virus, the lack of established construction project safety protocols and the inability of adequate supervision and deployment of building inspectors;

WHEREAS, recognizing the need to continue to limit the transmission of COVID-19, on April 29, 2020, the County Health Officer ordered the shelter-in-place to continue through May 31, 2020. However, the order also allows some businesses to open that could not operate under the

previous order and allows some low-risk activities to resume (e.g. outdoor businesses, landscapers and gardeners). In addition, the April 29 order allows additional outdoor recreation activity to resume provided it conforms with the social distancing and health/safety protocols contained in the order and other restrictions established by the entity that manages such area to reduce crowding and risk of transmission of COVID-19; and

WHEREAS, during the existence of this local emergency, pursuant to Municipal Code Chapter 2.44, the City Manager as Director of Emergency Services is empowered to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency.

NOW, THEREFORE, the Director of Emergency Services does hereby make the following order:

1. Effective 7:00 a.m. on May 9, 2020, Order Number 3 is hereby rescinded and superseded by this Order No. 5.
2. Bedwell Bayfront Park shall be open to the public subject to social distancing and health/safety protocols established by the City Manager.
3. The City Manager reserves the right to modify this order if any of the following conditions occur:
 - a. Park users are not following the social distancing and health/safety protocols established by the City Manager;
 - b. The City is not able to provide sufficient monitors to ensure the safe use of the park;
 - c. The number of COVID 19 cases increases significantly; and
 - d. Other operational constraints make park opening unsafe or infeasible.

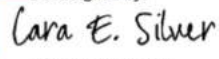
Dated: 5/8/2020

DocuSigned by:

 6BD907BD261744C

 City Manager

Approved as to Form:

DocuSigned by:

 CD66536794F8491

 Interim City Attorney



STAFF REPORT

City Council

Meeting Date:

~~5/12/2020~~ 5/26/2020

Staff Report Number:

20-096-CC

Regular Business:

Approve Resolution No. 6554 amending the City's records retention schedule

Recommendation

Staff recommends that the City Council approve Resolution No. 6554 amending the City's records retention schedule.

Policy Issues

The proposed action would modify the City's current policy and amend the records retention schedule.

Background

Records management provides efficient, effective and economical storage and retrieval of information. The guiding principles include ensuring that information is available when and where it is needed; that the information is organized for efficient retrieval and kept in a well-maintained environment. Efficient records management ensures that records are kept only as long as they have some administrative, fiscal or legal value.

Municipal records retention is regulated by the Municipal Code, the California Government Code, the California Department of Justice, and in some cases, federal regulations. The Secretary of State has established the local government records program which provides guidelines for local government retention and archival support to local agencies. These regulations require the City to have a retention schedule for all pertinent public records.

On April 12, 1977, the City Council adopted Ordinance No. 609 establishing the City's records management program. June 1994, the City Council adopted Resolution No. 4540-A, which updated the procedure for retention and destruction of City records. In 2001, the City Council hired a consultant who prepared a new comprehensive records retention schedule November 27, 2001. Since then, the records retention schedule has been updated three times; August 20, 2004, September 27, 2005 and November 15, 2011, to keep it current with the City's changing needs.

In November 2019, the City contracted with Gladwell Governmental Services, Inc. (Gladwell,) to assist the City with the records retention schedule update, as in past practice. In February, departments met with Gladwell to review their records retention schedule and determine if all relevant records are included in the current records retention schedule.

Analysis

The recommended records retention schedule was drafted by Gladwell and reviewed and approved by the

city attorney's office and city clerk (Attachment A.) The City Council had expressed interest in September 2019 of a detailed line review of the records retention schedule. If this is still the desire of the City Council, staff recommends the following action for this meeting:

1. Approve the proposed schedule
2. Create and appoint an ad hoc subcommittee

The ad hoc subcommittee would be charged with meeting with the city clerk and city attorney to review the approved records retention schedule in detail. Any changes to the schedule will be returned for City Council approval.

Impact on City Resources

There would be an impact on office organization with the consistent destruction of obsolete records both on- and off-site, which results in additional records storage space. If the City Council increases retention time, the cost for off-site storage would increase.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Proposed redline records retention schedule
- B. Resolution No. 6554

Report prepared by:
Judi A. Herren, City Clerk

Report reviewed by:
Cara Silver, Interim City Attorney

INDEX

RECORDS
RETENTION
SCHEDULE
KEY

HOW TO USE RETENTION SCHEDULES

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A legend explaining the information presented in the retention schedule has been printed on the back of each page for your easy reference; an index to locate records is also provided.

The specified retention period applies regardless of the media of the record: If a record is stored on paper and a computer file on a hard drive, both records should be destroyed (or erased) after the specified period of time has elapsed.

Copies or duplicates of records should never be retained longer than the prescribed period for the original record.

STRUCTURE: CITYWIDE, DEPARTMENTS & DIVISIONS

The City-wide retention schedule includes those records all departments have in common (letters, memorandums, purchase orders, etc.). These records are NOT repeated in the Department retention schedule, unless that department is the Office of Record, and therefore responsible for maintaining the original record for the prescribed length of time.

Each department has a separate retention schedule that describes the records that are unique to their department, or for which they are the Office of Record. Where appropriate, the department retention schedules are organized by Division within that Department. If a record is not listed in your department retention schedule, refer to the City-wide retention schedule. An index will be provided for your reference.

BENEFITS

This retention schedule has been developed by Diane R. Gladwell, MMC, an expert in Municipal Government records, and will provide the City with the following benefits:

- Reduce administrative expenses, expedite procedures
- Free filing cabinet and office space
- Reduce the cost of records storage
- Eliminate duplication of effort within the City
- Find records faster
- Easier purging of file folders
- Determine what media should be used to store records

For questions, please contact the City Clerk.

AUTHORIZATION TO DESTROY RECORDS:

Destruction of an original record that has exceeded its retention period must be authorized according to City Policies & Procedures prior to destroying it.

- If there is a **minimum** retention ("**Minimum 2 years**"), destruction of the document must be authorized before it is destroyed, as it is an original record.

Copies, drafts, notes and non-records do NOT require authorization, and can be destroyed "When No Longer Required."

- If there is **NOT** a minimum retention ("When No Longer Required"), it does NOT need to be authorized prior to destruction, as it is a preliminary draft / transitory record or a copy.

On every page of the schedules (near the top, just under the column headings) are important instructions, including instructions regarding holds on destroying records. "**Litigation, complaints, claims, public records act requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).**"

RECORDS RETENTION SCHEDULE LEGEND

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OFR (Office of Record): The department that keeps the original or “record copy.” Usually it is the department that originates the record, unless the item is for a City Council meeting (then it is the City Clerk.)

Records Description: The record series (a group of like records).

Transitory Records not retained in the ordinary course of business, that do NOT have substantive content: Preliminary drafts, notes, or interagency or intra-agency memoranda and records having only transitory value. Examples: Telephone messages, meeting room reservation schedules, logs, source records entered into a computer system that qualifies as a “trusted system”, etc.

Non-Record: Documents, studies, books and pamphlets produced by outside agencies, preliminary drafts not retained in the ordinary course of business.

Retention/Disposition:
Active: How long the file remains in the immediate office area (*guideline*)
Inactive: How long the file is in off-site storage, stored on Optical Disk or Microforms (*guideline*)
Total Retention: The total number of years the record will be retained

For file folders containing documents with different retention timeframes, use the document with the longest retention time.

P = Permanent

Indefinite = No fixed or specified retention period; used for databases, because the data fields are interrelated.

Vital? = Those records that are needed for basic operations in the event of a disaster.

Media Options (*guideline*) – the form of the record:
Mag = Computer Magnetic Media (hard drive, disks, tapes, USB Drives, thumb drives, etc.)
Mfr = Microforms (aperture cards, microfilm, microfiche, or jackets)
Ppr = Paper
OD = Optical Disk, CD-r, DVD-r, WORM, or other **media** which **does not allow changes**

Scan / Import (*guideline*):
“S” indicates the record should be scanned into the document imaging system;
“I” indicates the record should be electronically imported into the document imaging system;
“M” indicates the record should be microfilmed

Destroy Paper after Imaged & QC’d: “Yes” indicates the electronic record may serve as the OFFICIAL record (and the paper version may be destroyed) **IF** the document has been imaged (electronically generated, scanned or imported **and** placed on **Unalterable Media – DVD-R, CD-R, or WORM, or microfilmed**), and both the images and indexing Quality Checked (“QC’d”). The electronic record or image must contain all significant details from the original and be an adequate substitute for the original document for all purposes, and other legal mandates apply. Includes all electronic records which are to serve as the Official Record.

Legend for legal citations (§: Section)

CC: Civil Code (CA)

CFC: California Fire Code

EVC: Evidence Code (CA)

FTB: Franchise Tax Board (CA)

HUD: Housing & Urban Develop. (US)

PC: Penal Code (CA)

USC: United States Code (US)

B&P: Business & Professions Code (CA)

CCP: Code of Civil Procedure (CA)

CFR: Code of Federal Regulations (US)

FA: Food & Agriculture Code

GC: Government Code (CA)

LC: Labor Code (CA)

R&T: Revenue & Taxation Code (CA)

VC: Vehicle Code (CA)

CBC: California Building Code

CCR: California Code of Regulations (CA)

EC: Elections Code (CA)

FC: Family Code (CA)

H&S: Health & Safety Code (CA)

Ops. Cal. Atty. Gen.: Attorney General Opinions (CA)

UFC: Uniform Fire Code

W&I: Welfare & Institutions Code (CA)

RETENTION SCHEDULES

CITY
ATTORNEY

RECORDS RETENTION SCHEDULE: CITY ATTORNEY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?		
(OFR)											
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>											
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>											
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>											
CITY ATTORNEY											
City Attorney	CA-001	Legal Opinions (Formal)	5 years	P	P			Mag, Mfr, OD, Ppr	S	Yes: After Inactive	City Clerk also maintains copies; Statewide guidelines propose superseded + 2 years; GC §34090
City Attorney	CA-002	Litigation Files / Legal Case Files	Settlement or Final Judgment / Appeal Exhaustion + 1 year	4 years	Settlement or Final Judgment / Appeal Exhaustion + 5 years	Yes: Until Settlement		Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Statute of Limitations runs 6 months - 5 years; for contracts is 4 years; wrongful death for construction is completion + 5 years; Civil Courts retain their records for 10 years; CCP §§ 337 et seq.; GC §§ 945 , 34090, 34090.6, 68150; PC §832.5
City Attorney	CA-003	Subject Files	When No Longer Required - Minimum 2 years		When No Longer Required Minimum 2 years	Yes: Until Settlement		Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Statute of Limitations runs 6 months - 5 years; for contracts is 4 years; wrongful death for construction is completion + 5 years; Civil Courts retain their records for 10 years; CCP §§ 337 et seq.; GC §§ 945 , 34090, 34090.6, 68150; PC §832.5

CITY
CLERK

RECORDS RETENTION SCHEDULE: CITY CLERK

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
CITY CLERK										
City Clerk	HR-009	AB-1234 Ethics Training Certificates	5 years		5 years		Mag, Mfr, OD, Ppr	S/I	Yes: After 1 year	GC §53235.2(b); GC §34090
City Clerk	CC-001	Affidavits of Postings	2 years		2 years		Mag, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; GC §§34090, 54960.1(c)(1)
City Clerk	CC-020	Agenda Packets: City Council, Community Development Agency, (excluding petitions to City Council and speaker cards)	1 year	P	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Retained for administrative value; GC §34090
City Clerk	CC-003	Agreements & Contracts <u>ALL, whether</u> Approved by Council <u>or not</u> : INFRASTRUCTURE: Buildings, bridges, park improvements, reservoirs, sewers, sidewalks, street & alley improvements, utilities, water. Exceptions: Demolitions, landscaping, street paving	Completion + 2 years	P	P	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	All infrastructure, JPAs, & Mutual Aid contracts are permanent for emergency preparedness; Statute of Limitations is 4 years; 10 years for Errors & Omissions; CCP §§337, 337.1(a), 337.15, 343; GC §34090, Contractor has retention requirements in 48 CFR 4.703
City Clerk	CC-004	Agreements & Contracts Approved by Council: Mutual Aid, Joint Powers (JPAs)	Superseded + 2 years	P	P	Yes: Before Expiration	Mag, Mfr, OD, Ppr	S	No	Administrative & legal value (Emergency Preparedness), GC §34090

RECORDS RETENTION SCHEDULE: CITY CLERK

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
City Clerk	CC-005	Agreements & Contracts <u>ALL</u> , <u>whether</u> Approved by Council <u>or not</u> : NON-INFRASTRUCTURE: Consultants, Landscaping, Slurry Seals / Repaving, Tree Trimming, Leases, Professional Services, (Not Infrastructure projects)	Completion + 2 years	3 years	Completion + 5 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	See above. Statewide guidelines propose completion + 5 years for non-capital improvement contracts & completion + 4 years for transportation and concessionaire agreements.
City Clerk	CC-006	Agreements & Contracts Approved by Council: Retirement Agreements (PERS)	2 years	P	P	Yes: Before Expiration	Mag, Mfr, OD, Ppr	S	No	EEOC / ADEA (Age) requires 1 year after benefit plan termination; State Law requires 2 years after action; 29 CFR 1627.3(b)(2); GC §§12946, 34090
City Clerk	CC-007	Agreements & Contracts Approved by Council: Land Use, Subdivisions, etc.	2 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Land Records; GC §34090
City Clerk	CC-008	Agreements & Contracts Approved by Council: Title Insurance, Land Records	2 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §34090
City Clerk	CC-009	Annexations	2 years	P	P		Mag, Mfr, OD, Ppr	S/I	No	GC § 34090
Public Works	CC-010	Assessment Districts: Boundary Maps, Diagrams, District Folders	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S	Yes: 1-year	Engineering keeps originals; GC §34090.7

RECORDS RETENTION SCHEDULE: CITY CLERK

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
City Clerk	CC-013	Boards, Commissions & Committees - APPLICATIONS: APPOINTED	4 years Term of Office + 4 years		4 years Term of Office + 4 years			Mag, Ppr		Department preference: Statute of Limitations: Public official misconduct is discovery of offense + 4 years, Statewide guidelines propose Appointment + 5 years; GC §34090; PC §§801.5, 803©
City Clerk	CC-014	Boards, Commissions & Committees - APPLICATIONS: UNSUCCESSFUL	2 years		2 years			Mag, Ppr		GC §34090 et seq.
City Clerk	CC-015	Boards & Commission Maddy Act List	2 years		2 years			Mag. Ppr		GC §34090
City Clerk	CC-016	Bonds / Certificates of Participation (issued by the City)	2 years	Cancellat., Redemption or Maturity + 8 years	Cancellat., Redemption or Maturity + 10 years	Yes: Until Maturity		Ppr		Statute of Limitations for bonds, mortgages, trust deeds, notes or debentures is 6 years; Bonds issued by local governments are 10 years; There are specific requirements for disposal of unused bonds; CCP §§336(a)(1) & (2), 337.5(2); GC §43900 et seq.
Finance		Budget (Appropriations, Amendments, Mid-year Adjustments, Transfer of Funds from Various Accounts approved by Council)	When No Longer Required		When No Longer Required	Yes: Current Fiscal Year		Mag, Mfr, OD, Ppr	S	Yes: After Inactive Finance is OFR; GC §34090

RECORDS RETENTION SCHEDULE: CITY CLERK

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Engineering		Capital Improvements	When No Longer Required		When No Longer Required	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Engineering is OFR; Statute of Limitations is 4 years; 10 years for Errors & Omissions; CCP §§337-337.1(a), 337.15, 343; GC §34090, Contractor has retention requirements in 48 CFR 4.703
City Attorney	CC-018	City Attorney: Opinions	2 years	P	P		Mag, Mfr, OD, Ppr	S	No	Originals are maintained by City Attorney, copies by City Clerk Permanently; GC §34090
City Clerk		Claim Forms	5 years		5 years		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department preference (Risk Management and Third Party Administrator manage the claim); GC §34090
City Clerk	CC-019	Conflict of Interest Code	Superseded by Resolution P		Superseded by Resolution P		Mag, Mfr, OD, Ppr	S	No	GC §34090.7
AS / City Manag.	CC-021	Council Policies & Procedures	Superseded + 2 years	P	Superseded + 2 years P		Mag, Mfr, OD, Ppr	S	No	Historic and Administrative Value; GC §34090
City Clerk	CC-022	Deeds: Property owned by City (property acquisition & disposition / sale / auction)	2 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §34090
City Clerk	CC-023	Easements	2 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §34090

RECORDS RETENTION SCHEDULE: CITY CLERK

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
City Clerk	CC-024	Economic Interest Filings (FPPC Form 602 / 635) - Lobbyist Authorization / Reporting	7 years		7 years			Mag. Ppr		Department preference: 2 CCR 18615(d)
City Clerk	CC-025	FPPC Form 801 (Gift to Agency Report)	7 years		7 years			Mag. Ppr		Must post on website: FPPC Forms Retention Summary for Filing Officers; GC §81009(e)
City Clerk	CC-026	FPPC Form 802 (Event Ticket / Pass Distributions Agency Report)	7 years		7 years			Mag. Ppr		Should post on website for 4 years; FPPC Forms Retention Summary for Filing Officers; GC §81009(e)
City Clerk	CC-027	FPPC Form 803 (Behested Payment Report)	7 years		7 years			Mag. Ppr		FPPC Regulation 18734(c); FPPC Forms Retention Summary for Filing Officers; GC §81009e
City Clerk	CC-028	FPPC Form 804 (Agency Report of New Positions)	P		P			Mag. Ppr		FPPC Regulation 18734(c); FPPC Forms Retention Summary for Filing Officers; GC §81009e
City Clerk	CC-029	FPPC Form 805 (Agency Report of Consultants)	P		P			Mag. Ppr		FPPC Forms Retention Summary for Filing Officers; GC §34090; GC §81009(e)
City Clerk	CC-030	FPPC Form 806 (Agency Report of Public Official Appointments)	7 years		7 years			Mag. Ppr		Must post on website; 2 CCR 18702.5; GC §34090; GC §81009(e)
ELECTIONS - CONSOLIDATED										
City Clerk	CC-032	Elections - Campaign Reports (FPPC 400 Series Forms & Form 501): SUCCESSFUL CANDIDATES	2 years	P	P			Mfr, OD, Ppr	S	After 2 years Paper must be retained for at least 2 years; CCP§583.320(a)(3); GC §81009(b)(g)

RECORDS RETENTION SCHEDULE: CITY CLERK

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
City Clerk	CC-033	Elections - Campaign Reports (FPPC 400 Series Forms & Form 501): UNSUCCESSFUL CANDIDATES	5 years		5 years		Ppr			Paper must be retained for at least 2 years; GC §81009(b)(g)
City Clerk	CC-034	Elections - Campaign Reports (FPPC 400 Series Forms): OTHER COMMITTEES (PACS)	7 years		7 years		Mfr, OD, Ppr	S	After 2 years	Paper must be retained for at least 2 years; GC §81009(c)(g)
City Clerk	CC-035	Elections - Campaign Reports (FPPC 400 Series Forms): THOSE NOT REQUIRED TO FILE ORIGINAL WITH CITY CLERK (copies)	4 years		4 years		Mfr, OD, Ppr	S	After 2 years	Paper must be retained for at least 2 years; GC §81009(b)(g)
City Clerk	CC-035	Campaign Filings (FPPC 400 Series Forms – ALL – Successful, Unsuccessful, etc): ELECTRONICALLY FILED	10 years		10 years		Mfr, OD, Ppr	S	n/a	Per FPPC Retention requirements; Statements filed electronically are required for 10 years; GC §81009 et seq.; GC §84615
City Clerk	CC-036	Elections - Candidate Statements (to be printed in the sample ballot)	Duration of Office + 4 years		Duration of Office + 4 years		Ppr	S / M / I	After 2 years	Department Preference; No specific legal requirement; Statewide guidelines propose 4 years; recommend term + 4 years for administrative value; GC § 34090
City Clerk	CC-037	Elections - Certificates of Election	8 years	P	P		Ppr	S	Yes: After Inactive	Department Preference; No specific legal requirement; Statewide guidelines propose 4 years; GC § 34090

RECORDS RETENTION SCHEDULE: CITY CLERK

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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
City Clerk	CC-038	Elections - GENERAL, WORKING or ADMINISTRATION Files (Correspondence, Applications for Vacancies for City Council Precinct Workers , County Election Services, etc.)	2 years		2 years			Mag, Ppr		Used for a model for the next election, GC §34090
City Clerk	CC-039	Elections - HISTORICAL File (Sample ballot, copies of all Resolutions (calling the election, canvass, etc.), election summary)	8 years	P	P			Mag, Mfr, OD, Ppr	S	No Retained for Historical Value, GC §34090
City Clerk	CC-040	Elections - Nomination Papers: SUCCESSFUL CANDIDATES	Duration of Office + 4 years		Duration of Office + 4 years			Mag, Mfr, OD, Ppr		Department Preference; Statewide guidelines proposes 4 years for successful candidates, 2 years for unsuccessful; CA law states term of office and 4 years after the expiration of term and does not delineate between the two; EC §17100
City Clerk	CC-041	Elections - Nomination Papers: UNSUCCESSFUL CANDIDATES	Election + 4 years		Election + 4 years			Mag, Mfr, OD, Ppr		Statewide guidelines proposes 4 years for successful candidates, 2 years for unsuccessful; CA law states term of office and 4 years after the expiration of term and does not delineate between the two; EC §17100

RECORDS RETENTION SCHEDULE: CITY CLERK

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<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
City Clerk	CC-042	Elections - Petitions (Initiative, Recall or Referendum. Applies to successful or unsuccessful petitions)	Results + 8 months or Final Examination + 1 year after petition examination if insufficient 8 mo.		Results + 8 months or Final Examination + 1 year after petition examination if insufficient 8 mo.			Ppr		Not accessible to the public; The 8 month retention applies after election results, or final examination if no election, unless there is a legal or FPPC proceeding. EC §§17200(b)(3), 17400
City Clerk	CC-043	Elections - Precinct Maps	When No Longer Required		When No Longer Required			Mag, Ppr		No specific legal requirement; Statewide guidelines propose 2 years; County Clerk sends to Secretary of State; EC §17501, GC §34090
ELECTIONS – STAND-ALONE (use in conjunction with Consolidated elections ... records series are not repeated)										
City Clerk		Elections – Absentee Applications, Roster of Absentee Applications		6 mo.	6 mo.			Ppr		EC §17505
City Clerk		Elections – Absentee Identification Envelopes		6 mo.	6 mo.			Ppr		EC §17302
City Clerk		Elections – Ballots – After Election		6 mo.	6 mo.			Ppr		EC §17302
City Clerk		Elections – Ballots – After Recount		6 mo.	6 mo.			Ppr		EC §17306
City Clerk		Elections – Assessment District Ballots – Prop. 218 proceedings		6 mo.	6 mo.			Ppr		Consistent with retention for Election Ballots; Statewide guidelines propose permanent; EC §§ 17302, 17306; CA Constitution Art. XIII
City Clerk		Elections – Challenged & Assisted Voters List		6 mo.	6 mo.			Ppr		If uncontested, EC §17304

RECORDS RETENTION SCHEDULE: CITY CLERK

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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
City Clerk		Elections -- Inspector Receipts for Ballots		6 mo.	6 mo.			Ppr		EC-17302, 17306
City Clerk		Elections -- Precinct Officer Appointments		6 mo.	6 mo.			Ppr		EC-§17503
City Clerk		Elections -- Roster of Voters		5 years	5 years			Mag, Mfr, OD, Ppr		EC-§17300
City Clerk		Elections -- Tally Sheets		6 mo.	6 mo.			Ppr		EC-§17304
City Clerk		Elections -- Voter Index Copies used as the Voting Record at Polling Places		6 mo.	6 mo.			Ppr		EC-§17304
City Clerk		Elections -- Voter Index Original		5 years	5 years			Ppr		EC-§17001
(End of Elections - Consolidated Section)										
City Clerk	CC-044	Enterprise System Catalogue (posted online)	2 years		2 years			Mag, Ppr		GC §34090
City Clerk	CC-045	Ethics Training Certificates - All Required Filers	5 years		5 years			Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year GC §53235.2(b) GC §34090
City Clerk	CC-046	FPPC 700 Series Forms (Statement of Economic Interests): DESIGNATED EMPLOYEES & CONSULTANTS (specified in the City's Conflict of Interest code)	2 years	5 years	7 years			Mag, Mfr, OD, Ppr	S	Yes City maintains original statements; GC §81009(e)(g)

RECORDS RETENTION SCHEDULE: CITY CLERK

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
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<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
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City Clerk	CC-047	FPPC 700 Series Forms (Statement of Economic Interests): PUBLIC OFFICIALS / 87200 FILERS (elected & not elected. Includes City Council Members, Planning Commission Members, City Manager, City Treasurer & City Attorney)	2 years	2 years	4 years		Mfr, OD, Ppr	S	After 2 years	City maintains copies only; original statements are filed with FPPC; GC §81009(f)(g)
City Clerk	CC-035	FPPC 700 Series Forms (Statement of Economic Interests): ALL ELECTRONICALLY FILED	10 years		10 years		Mfr, OD, Ppr	S	n/a	Per FPPC Retention requirements; Statements filed electronically are required for 10 years; GC §81009 et seq.; GC §84615
City Clerk		FPPC Blank Forms, Lists, Manuals and Administration	5 years		5 years		Mag, Mfr, OD, Ppr	S	Yes	FPPC opinion
City Clerk	CC-048	Government Agencies (Outside -- e.g. LAFCo etc.)	2 years		2 years		Mag, Ppr			GC §34090
City Clerk	CC-049	Historical Records	P		P		Mag, Mfr, OD, Ppr	S	No	City Manager Determines Historical Significance; GC §34090
City Clerk	CC-050	Legislation (Proposed): County, State or Federal Governments	2 years		2 years		Mag, Ppr			GC §34090
City Clerk	CC-051	Minutes: City Council, Community Development Agency	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §34090

RECORDS RETENTION SCHEDULE: CITY CLERK

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
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HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).										
City Clerk	CC-052	Municipal Code Administration, Distribution, etc.	<u>When No Longer Required</u> 2 years		<u>When No Longer Required</u> 2 years			Mag, Ppr		Preliminary Drafts ; GC § 34090
City Clerk	CC-053	Municipal Code and History File (always retain 1 supplement)	P		P			Mag, Mfr, OD, Ppr	S	No GC §34090
City Clerk	CC-054	Newsletters of Historical Value (from Community Relations)	2 years	P	P	Yes: Until Project Completed		Mag, Mfr, OD, Ppr	S/I	Yes: 1 year Department Preference; GC-§34090.7
City Clerk	CC-055	Oaths of Office (required of all "City Officers")	Separation + 6 years		Separation + 6 years			Mag, Mfr, OD, Ppr	S	Yes: When Inactive Statute of Limitations: Public official misconduct is discovery of offense + 4 years, retirement benefits is 6 years from last action; statewide guidelines propose Termination + 6 years; GC §§36507, 34090; PC §§801.5, 803(c); 29 USC 1113
City Clerk	CC-056	Ordinances	P		P	Yes (all)		Mag, Mfr, OD, Ppr	S	No GC §34090 et. seq.
City Clerk		Ordinances: Unsuccessful (all material)	2 years		2 years			Mag, Ppr		GC §34090 et seq.
City Clerk		Organizations (e.g. League of California Cities, CCAC, IIMC)	2 years		2 years			Mag, Ppr		Correspondence & Non-records; GC §34090

RECORDS RETENTION SCHEDULE: CITY CLERK

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference	
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If the record is not listed here, refer to the Retention for City-Wide Standards											
Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.											
HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).											
City Clerk	CC-057	Petitions - Dog Parks, Traffic, etc. (submitted to Council on any subject. Also see Elections for Initiative, Recall or Referendum)	1 year		1 year			Ppr		Department Preference; Law requires 1 year for petitions; GC §50115	
City Clerk	CC-058	Presentations / Proclamations / Commendations / Memoriums	2 years		2 years			Mag, Ppr		GC § 34090	
City Clerk	CC-059	Proof of Publication, Public Hearing Notices (all subjects)	2 years		2 years			Mag, Mfr, OD, Ppr		The original is maintained with the subject file; Statute of Limitations for mailings for annexations, special districts, bonds is 60 days; Municipal Government actions is 3 - 6 months; CCP §§337 et seq, 349.4; GC §34090	
City Clerk	CC-060	Property owned by the City (includes Title Reports)	2 years	P	P			Mag, Mfr, OD, Ppr	S	No	GC §34090
City Clerk	CC-061	Recorded Documents: Deeds, Easements, Encroachments, etc.	2 years	P	P	Yes (all)		Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Land records; GC § 34090
City Clerk	CC-062	Records Management: Destruction Lists / Retention Schedules	2 years	P	P			Mag, Mfr, OD, Ppr	S	Yes: After Inactive	GC §34090 et. seq.
Finance	CC-064	Reports - Annual: Consolidated Annual Financial Report (CAFR), Treasurer Reports, etc.	When No Longer Required		When No Longer Required			Mag, Mfr, OD, Ppr	S/I	Yes: After Inactive	Department Preference; Statewide Guidelines propose Completion + 7 years; GC §§34090, 40802

RECORDS RETENTION SCHEDULE: CITY CLERK

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City Clerk	CC-051	Resolutions: City Council, Community Development Agency	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §34090
City Clerk	CC-065	Secretary of State Statement of Facts	2 years		2 years					GC §34090 et. seq.
City Clerk	CC-066	Speaker Slips (Requests to Speak at Council Meetings)	After Adoption of the Minutes		After Adoption of the Minutes		Mag, Ppr			Transitory records used to produce the minutes; GC §34090 et seq.
City Clerk	CC-067	Subpoenas, Requests for Public Records, Miscellaneous	2 years		2 years		Mag, Ppr			GC §34090
City Clerk	CC-068	Video Recordings tapes of Council meetings	Indefinite 6 months		Indefinite 4 years		Tape (Mag)			Department preference (stored in Granicus database); Video recordings tapes are only required for 90 days; GC §34090.7

CITY
MANAGER
&
COMMUNITY
RELATIONS

RECORDS RETENTION SCHEDULE: CITY MANAGER

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(OFR)										
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
CITY MANAGER, ADMINISTRATION										
City Manag.	CM-001	Administrative Polices	Superseded + 2 years		Superseded + 2 years			Mag., Ppr		Department preference; GC §34090
City- Manag.		Cable-TV Administration	2 years		2 years			Mag., Ppr		GC §34090
City- Manag.		City Manager Memorandums	2 years		2 years			Mag., Ppr		GC §34090
City Manag.	CM-002	Closed Session Materials and Memorandas	2 years		2 years			Mag, Ppr		Not accessible to the public; GC §34090
City Manag.	CM-003	Council Member Correspondence	2 years Length in-Office- (Minimum 2-years)		2 years Length in-Office- (Minimum 2-years)			Mag, Ppr		Administrative value to cover- terms of office; GC §34090
City- Manag.		Council Member Expenses	When No- Longer- Required		When No- Longer- Required			Mag., Ppr		Consistent with terms; GC-34090
City Manag.	CM-004	Council Report (Weekly)	2 years		2 years			Mag, Ppr		GC §34090
City Manag.	CM-005	Historical List (Roster) of Council Members	P		P			Mag, Mfr, OD, Ppr	S / I	Yes: When Inactive Historical value; GC 34090
City Manag.	CM-006	Historical Photographs, articles (Council Member Photographs are transferred to the Historical Society)	P		P			Ppr		Select those of historical significance for preservation; GC §34090
City Manag.	CM-007	Management Team Meetings (Agendas, Minutes)	2 years		2 years			Mag., Ppr		GC §34090

RECORDS RETENTION SCHEDULE: CITY MANAGER

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City Manag.	CM-008	Projects (Issues and/or projects will vary over time - e.g. Train Station, Solid Waste, etc.)	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years	Yes: While Active Issues	Mag, Ppr			Department preference; GC §34090

RECORDS RETENTION SCHEDULE: CITY MANAGER

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<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
COMMUNITY RELATIONS										
Comm-Relat.	CM-011	Press Releases, Informational Brochures, etc.	2 years		2 years			Mag-Ppr		GC §34090
City Clerk		Publications Issued by the City -- Historically significant (e.g. City Newsletters sent to Citizens)	When No Longer Required		When No Longer Required			Ppr		Transfer 1 copy to the City Clerk; City Clerk is OFR; GC §34090.7

CITY-WIDE

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
CITY-WIDE (Used by All Departments)										
City Clerk (Council-Approved) or Finance (Administratively-Approved)	CW-001	Agreements & Contracts - Forward ALL originals to City Clerk, a copy to Finance administratively-approved original agreements, successful bids & change orders to Finance	Upon Completion		Upon Completion	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD Completion	Finance maintains originals for non-council approved agreements, City Clerk is OFR for council approved agreements; all infrastructure improvements are permanent. Statute of Limitations for contracts is 4 years; CCP §§337., 337.1(a), 337.15 GC §34090.7, Contractor has retention requirements in 48-CFR-4.703
Lead Dept.	CW-002	Agreements & Contracts: ADMINISTRATIVE RECORDS (Correspondence, Insurance Certificates, Project Administration , RFPs , Schedules, etc.)	Completion	5 years	Completion + 5 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD Completion	Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §§336(a), 337 et. seq., GC §34090
Lead Dept.	CW-003	Agreements & Contracts: Unsuccessful bids	Bid Opening +2 years		Bid Opening +2 years		Ppr			City records are a minimum of 2 years; Special Districts are required to keep public works unaccepted bids for 2 years; GC §§34090, 34090.1

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

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(OFR)										
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Lead Dept.	CW-004	Boards & Commissions: Citizens Advisory Formed by CITY COUNCIL (AGENDAS, NOTICES, PROOF OF PUBLICATION , etc.)	2 years		2 years			Mag, Ppr		GC §34090
Lead Dept.	CW-005	Boards & Commissions: Citizens Advisory Formed by CITY COUNCIL (MINUTES)	P		P	Yes		Mag, Mfr, OD, Ppr	S	Yes: After 2 years GC §34090
Staffing Dept.	CW-006	Boards, Commissions, & Committees: AUDIO RECORDINGS TAPES of Meetings	6 months		6 months			Tape (Mag)		City preference; Only required for 30 days; GC §54953.5(b)
Staffing Dept.	CW-007	Boards, Commissions, & Committees: VIDEO RECORDINGS TAPES of meetings (ALL)	Indefinite 6-months		Indefinite 6-months			Tape (Mag)		City preference (stored in Granicus database) ; Video recordings tapes are only required for 90 days; GC §34090.7
Staffing Dept.	CW-008	City Council Subcommittees: (AGENDAS, ANNOTATED AGENDAS, MINUTES, NOTICES, CORRESPONDENCE, etc.)	2 years		2 years			Mag, Ppr		All recommendations are given to full Council for action; Brown Act challenges must be filed within 30 or 90 days of action; GC §§34090, 54960.1(c)(1)
Lead Dept.	CW-009	Committees: Internal attended by employees (e.g. Safety Committee)	2 years		2 years			Mag, Ppr		GC §34090
Lead Dept.	CW-010	Complaints / Service Orders (operational)	3 years		3 years			Mag Ppr		Statute of Limitations for personal property, fraud, etc. is 3 years; Claims must be filed in 6 months; CCP §§338 et seq., 340 et seq., 342, GC §§945.6, GC §34090

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

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<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
	CW-011	Copies or duplicates of any record	When No Longer Required		When No Longer Required			Mag Ppr		GC §34090.7
Dept. that Authors Document or Receives the City's Original Document Lead Dept.	CW-012	Correspondence - ROUTINE <u>(Content relates in a substantive way to the conduct of the public's business)</u> (e .g. Administrative, Chronological, General Files, Letters, Memorandums, Miscellaneous Reports, Reading, Working Files, etc.)	2 years		2 years			Mag, Ppr		GC §34090

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	
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<p>Dept. that Authors Document or Receives the City's Original Document</p>	CW-013	<p>Correspondence - TRANSITORY / PRELIMINARY DRAFTS, Interagency and Intraagency Memoranda not retained in the ordinary course of business</p> <p>Content NOT Substantive, or NOT made or retained for the purpose of preserving the informational content for future reference</p> <p>(e.g. calendars, checklists, e-mail or social media posting, invitations, instant messaging, logs, mailing lists, meeting room registrations, supply inventories, telephone messages, text messages, transmittal letters, thank yous, requests from other cities, undeliverable envelopes, visitors logs, voice mails, webpages, etc.)</p>	<p>When No Longer Required</p>		<p>When No Longer Required</p>	-	<p>Mag. Ppr</p>		<p>Electronic and paper records are filed and retained based upon their CONTENT. E-mails, electronic records, or social media postings where either the Content relates in a substantive way to the conduct of the public's business, or ARE made or retained for the purpose of preserving the informational content for future reference are saved outside the e-mail system by printing them out and placing them in a file folder, or saving them electronically, and retaining them for the retention period, based upon the content of the record. If not mentioned here, consult the Town Attorney to determine if a record is considered transitory / preliminary draft. GC §34090, GC §6252; 64 Ops. Cal. Atty. Gen. 317 (1981)); City of San Jose v. Superior Court (Smith). S218066. Supreme Court of California, 2017</p>

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

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Lead Dept.	CW-014	Drafts & Notes: Drafts that are revised (retain final version), Telephone messages, etc.	When No Longer Required		When No Longer Required			Mag, Ppr		As long as the drafts and notes are not retained in the "Regular Course of Business". Consult the City Clerk to determine if a record is considered a draft. GC §34090, GC §6252
Lead Dept.	CW-015	Grants / CDBG / Reimbursable Claims / FEMA or OES Reimbursement Claims (SUCCESSFUL Reports, and Financial Information) Send copy of application and award to Finance	2 years	After Funding Agency Audit, if Required - Minimum 5 4 years	After Funding Agency Audit, if required - Minimum 5 4 years			Mag, Mfr, OD, Ppr	S / I	Yes: When Inactive Meets auditing standards: Grants covered by a Consolidated Action Plan are required for 5 years: Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; statewide guidelines propose 4 years; 2 CFR 200.333 ; 7 CFR 3016.42 ; 21 CFR 1403.36 & 1403.42(b) ; 24 CFR 85.42 , 91.105(h), 92.505, & 570.502(a), 28 CFR 66.42 ; 29 CFR 97.42; 40 CFR 31.42 ; 44 CFR 13.42 ; 45 CFR 92.42 ; OMB Circular A-133; GC §34090; GC §8546.7
Lead Dept.	CW-016	Grants (UNSUCCESSFUL Applications, Correspondence)	2 years		2 years			Mag, Ppr		GC §34090

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Lead Dept.	CW-017	Insurance Certificates for Vendors / Agreements (e.g. A & C Insurance Certificates, General liability, workers compensation, errors and omissions, auto - required to do business with the City)	Expiration + 10 years		Expiration + 10 years	Yes: Before Expiration	Ppr			Departments are responsible for ensuring their contractors maintain appropriate insurance; Covers all statute of limitations; CCP §§337., 337.1(a), 337.15GC §34090
Staffing Depart.	CW-018	Notices: Public Hearing Notices (includes copies of undeliverable envelopes)	2 years		2 years		Mag, Ppr			Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP§337 et seq; GC §34090
Human Resources Personnel	CW-019	Personnel Files (Department-level: Only the Supervisor's Folder should be maintained in the Department)	Transfer to Human Resources Personnel When Separated		Transfer to Human Resources Personnel When Separated	Before Separation	Mag, Ppr			Ensure records kept in Department files comply with City policy; Originals are maintained by Personnel; State & Federal laws require 2 -3 years; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090
Lead Dept.	CW-020	Personnel Work Schedules	2 years		2 years		Mag, Ppr			GC §34090
Lead Dept.	CW-021	Press Releases	2 years		2 years		Mag, Ppr			GC §34090
Lead Dept.		Prop. 218 proceedings / Protest Letters, Mailing List, Notices		2 years	2 years		Ppr			GC §53753(e)(2)
Lead Dept.	CW-022	Real Estate Appraisal Reports: Property <u>NOT</u> purchased	2 years		2 years		Mag, Ppr			Statewide Guidelines show 2 years; GC §§34090, 6254(h)

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

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Lead Dept.	CW-023	Real Estate Appraisal Reports: Purchased Property	2 years	3 years	5 years			Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Consistent with other Financial records; time is sufficient to establish tax increment, if applicable; Statewide Guidelines show 2 years; GC §§34090, 6254(h)
Lead Dept.	CW-024	Reference Materials: Policies, Procedures, Brochures, Manuals, Newsletters & Reports: Produced by YOUR Department	Minimum of 2 -5 years		Minimum of 2 -5 years			Mag, Ppr			Statewide guidelines propose superseded + 2 or 5 years; GC §34090
Lead Dept.	CW-025	Reference Materials: Policies, Procedures, Brochures, Manuals, Newsletters & Reports: Produced by OTHER Departments	When Superseded or No Longer Required		When Superseded, or No Longer Required			Mag, Ppr			Copies; GC §34090.7
Lead Dept.	CW-026	Reports and Studies (other than Historically significant reports - e.g. Department Annual Reports, Customer Service Reports, etc.)	2 years		2 years			Mag, Ppr			Statewide guidelines propose 2 years; If historically significant, retain permanently; GC §34090
Lead Dept.	CW-027	Reports and Studies (Historically significant)	10 years	P	P			Mag, Mfr, OD, Ppr	S/I	Yes: After 10 years	Administratively and Historically significant, therefore retained permanently; GC §34090

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

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Lead Dept.	CW-028	Surveys / Questionnaires (that the City issues). <u>If a summary of the data is compiled, the survey forms are considered a draft or transitory record, and can be destroyed as drafts (When No Longer Required)</u>	2 years		2 years			Mag, Ppr		GC §34090
Lead Dept.	CW-029	<u>Training - ALL COURSE RECORDS</u> (Attendance Rosters, Outlines and Materials; includes Ethics Training, Harassment Prevention, Safety Training & Tailgate Training Meetings)	2 years	5 years	7 years			Mag, Mfr, OD, Ppr	S	Department preference; Ethics Training is 5 years; Statewide guidelines propose 7 years; Calif. Labor Division is required to keep their OSHA records 7 years; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 - 3 years for personnel actions; 8 CCR §3203 et seq., 29 CFR 16202.31; LC §6429(c); GC §§12946, 34090, 53235.2(b); 53237.2(b)
Lead Dept.	CW-030	<u>WORM / DVD-r / CD-r / Blue Ray-R or other unalterable media that does not permit additions, deletions, or changes</u>		P	P			OD		For legal compliance for Trustworthy Electronic Records (when the electronic record serves as the official record); GC 60200, 12168.7, EVC 1550, 2 CCR 22620 et seq.

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Lead Dept.	CW-031	Video Recordings - Department Activity (Employees Performing Work, Cashiering, Building Security, etc.) See City Clerk's schedule for City Council Video Recordings	1 year		1 year			Mag. Mfr, OD, Ppr	S	Yes: After QC & OD Does not record regular ongoing operations of the City; GC §34090.6 et seq.
Lead Dept.	CW-032	Video Recordings - Public Activity (Parks, Public Areas, etc.) See City Clerk's schedule for City Council Video Recordings	When No Longer Required		When No Longer Requires			Mag. Mfr, OD, Ppr	S	Yes: After QC & OD Does not record regular ongoing operations of the City; GC §34090.6 et seq.

COMMUNITY DEVELOPMENT

RECORDS RETENTION SCHEDULE - COMMUNITY DEVELOPMENT

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COMMUNITY DEVELOPMENT / BUILDING										
Comm. Dev. / Building	CD-001	Building Permit Database	Indefinite		Indefinite	Yes (all)	Mag			Department Preference - Data is interrelated: GC §34090, H&S §19850
Comm. Dev. / Building	CD-002	Building Permits (includes sub-permits - e.g. electrical, plumbing, mechanical, etc.)	1 year	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD 1-year	Department Preference; UBC & UAC requires plans be retained for 90 days from completion date; Statewide guidelines propose permanent; UBC §106.4.2, UAC §303.2, GC §34090, H&S §19850
Comm. Dev. / Building	CD-003	Building Plans - COMMERCIAL, BUILDINGS OF COMMON INTEREST / MULTI-UNIT DWELLINGS, POOLS, SPAS, ACCESSORY BUILDINGS	2 years	Life of Building	Life of Building	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD When Inactive	Department Preference; Law requires for the life of the building for commercial only; Statewide guidelines propose 2 years for blueprints & specifications; UAC §303.2; CBC 104.7 & 107.5 106.4.2; H&S§19850, GC §34090
Comm. Dev. / Building	CD-004	Building Plans - RESIDENTIAL, APPURTENANCES (e.g. Fences)	Completion + 180 90-days		Completion + 180 90-days	Yes: Until Completion	Mag, Ppr			Department preference; Law requires for the life of the building for commercial only; Statewide guidelines propose 2 years for blueprints & specifications; CBC and UAC require plans be retained 90-180 days from completion date for residential and appurtenances; UAC §303.2; CBC §104.7 & 107.5 106.4.2; H&S§19850, GC §34090

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Comm. Dev. / Building	CD-005	California Building Codes / Uniform Building Codes (CBC, UBC, UPC, UEC, etc.)	Current + 1 Prior		Current + 1 Prior			Mag. Ppr		GC §50022.6
Comm. Dev. / Building	CD-006	Certificates of Occupancy (Commercial only)	P		P	Yes (all)		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD 1 year Statewide guidelines propose life of building; GC §34090
Comm. Dev. / Building	CD-007	Code Enforcement (Only Substandard Housing Conditions - other cases are handled by Police)	Case Closure + 2 years		Case Closure + 2 years	Yes: Until Resolution		Mag, Ppr		Case is open until satisfactorily resolved; GC §34090
Comm. Dev. / Building	CD-008	Construction Notices / Inspection Notices (correction notices, compliance orders, stop work notices, etc.)	Until Cleared or Project Completion		Until Cleared or Project Completion			Mag. Ppr		Preliminary documents not retained in the ordinary course of business; GC §34090
Comm. Dev. / Building	CD-009	Grading Plans / Soil Reports	P		P	Yes (all)		Mag. Mfr. OD, Ppr	S	Yes: After QC & OD Department Preference; GC §34090
Comm. Dev. / Building	CD-010	Requests & Permissions to Receive Copies of Plans (to and from architects)	2 years		2 years			Mag. Mfr. OD, Ppr	S	Yes: After QC & OD GC §34090 et seq.
HOUSING & ECONOMIC DEVELOPMENT										
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-011	Agency NHS Portfolio Files / Portability Files (loans to others, emergency repair loans, appraisals, loans originating from other agencies, etc.)	Loan Pay-off + 5 years		Loan Pay-off + 5 years			Mag, Mfr, OD, Ppr		Required for 3-4 years from expenditure or performance report; 24 CFR 85-42 , 570.502, 29 CFR 97.42, HUD 2228.2 Rev 3
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-012	Annual Report (BMR Housing Program, etc.)	P		P			Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1 year Department preference; Required for 3-4 years from expenditure or performance report; 24 CFR 85-42 , 570.502, 29 CFR 97.42, HUD 2228.2 Rev 3

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Comm. Dev. / Hous. & Econ Dev. Redev.	CD-013	Applications for Loans: Rejected	5 years		5 years			Mag, Mfr, OD, Ppr		Required for 3-4 years from expenditure or performance report; 24 CFR 85.42 , 570.502, 29 CFR 97.42, HUD 2228.2 Rev 3
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-014	Below Market Rate Loans (BMR Purchase Program) <u>NO Recapture or Resale Restrictions</u>	Loan Pay-off + 5 years		Loan Pay-off + 5 years	Yes: Before Completion		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year Required for 3-4 years from expenditure or performance report; 24 CFR 85.42 , 570.502, 29 CFR 97.42, HUD 2228.2 Rev 3
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-015	Below Market Rate Rental Program (BMR Rental Program) <u>NO Recapture or Resale Restrictions</u>	Termination of Tenancy + 5 years		Termination of Tenancy + 5 years	Yes: Before Tenancy Terminates		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year Required for 3-4 years from expenditure or performance report; 24 CFR 85.42 , 570.502, 29 CFR 97.42, HUD 2228.2 Rev 3
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-016	Below Market Rate Waiting List (BMR Purchase or Rental Program)	10 years		10 years	Yes		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year Department Preference; GC 34090
Finance		Bond-Issues	Life-of Bond-Issue		Life-of Bond-Issue			Mag, Mfr, OD, Ppr		Department Preference; Originals are maintained by Finance; GC- §34090.7
City Clerk		Deeds	2 years	P	P	Yes		Mag, Mfr, OD, Ppr	S	No GC-§34090

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Comm. Dev. / Hous. & Econ Dev. Redev.	CD-017	Economic Development Projects and Programs	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years	Yes: While Active Issues	Mag, Ppr			Department preference: GC §34090
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-018	Esstoppel Certificate of Completion / Signed Agreements	2 years	P	P	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	No	GC §34090
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-019	Housing Programs: Homeownership Housing Projects BMR, CDBG & HOME, WITH Recapture or Resale Restrictions	5 years after the Affordability Period Terminates, or the Written Agreement Terminates, Whichever is Longer		5 years after the Affordability Period Terminates, or the Written Agreement Terminates, Whichever is Longer		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	HUD requires 5 years after the project completion; documents imposing recapture / resale restrictions are 5 years after the affordability period terminates; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report; statewide guidelines propose 4 years; 24 CFR 92.508(a)&(c) & 570.502(a), 29 CFR 97.42, GC §34090
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-020	Loans / Promissory Notes NO Recapture or Resale Restrictions	Loan Pay-off + 5 years		Loan Pay-off + 5 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Required for 3-4 years from expenditure or performance report; 24 CFR 85.42 , 570.502, 29 CFR 97.42, HUD 2228.2 Rev 3

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Comm. Dev. / Hous. & Econ Dev. Redev.	CD-021	Management Files: Reports, Surveys, Collections, etc.	<u>Minimum 2</u> years		<u>Minimum 2</u> years			Mag, Mfr, OD, Ppr			GC §34090
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-022	Minutes (Redevelopment Agency or Housing Authority)	2 years	P	P	Yes		Mag, Mfr, OD, Ppr	S	No	GC §34090
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-023	Plans (e.g. Affordable Housing, Redevelopment Implementation Plan)	P		p			Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & OD 1-year</u>	Department Preference; GC 34090
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-024	Program Information: Reports from Housing Assistance Agencies	5 years		5 years			Mag, Ppr			Required for 3-4 years from expenditure or performance report; 24 CFR 85.42 , 570.502, 29 CFR 97.42, HUD 2228.2 Rev 3
Comm. Dev. / Hous. & Econ Dev. Redev.	CD-025	Redevelopment Projects	2 years	P	P	Yes: Before Completion		Mag, Mfr, OD, Ppr	S	No	GC §34090
City Clerk		Resolutions (Redevelopment Agency or Housing Authority)	2 years	P	P	Yes		Mag, Mfr, OD, Ppr	S	No	GC §34090

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Comm. Dev. / Hous. & Econ Dev. Redev.	CD-026	Sale of Property by Private Parties (NOT City property) , Including BMR Units	P 5 years		P 5 years	Yes: Before Tenancy Terminates	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department preference ; Required for 3-4 years from expenditure or performance report; 24 CFR 85.42, 570.502, 29 CFR 97.42, HUD 2228.2 Rev 3
Finance		Statement of Indebtedness / Annual Report to State	2 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department preference to track past loans, improvements & applications; Required for 3-4 years from expenditure or performance report; 24 CFR 85.42, 570.502, 29 CFR 97.42, HUD 2228.2 Rev 3
PLANNING										
Comm. Dev. / Plann.	CD-027	Annexation / Deannexation Files	P		P		Mag, Mfr, OD, Ppr	S	No	GC §34090.7
Comm. Dev. / Plann.	CD-017	Assessor Parcel Information	When Superseded		When Superseded		Mag, Mfr, OD, Ppr			County record; GC §34090
Comm. Dev. / Plann.	CD-028	Census, Demographics - Selected Historical Information	10 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Department Preference; GC §34090.7
Comm. Dev. / Plann.	CD-029	Code Enforcement (all except Substandard Housing Conditions, which is Building Department)	Case Closure + 2 years		Case Closure + 2 years	Yes: Until Resolution	Mag, Ppr			Case is open and retained until satisfactorily resolved (2 years starts after all issues are resolved); GC §34090
Comm. Dev. / Plann.	CD-030	Environmental Determinations - Environmental Impact Reports (EIRs), Negative Declarations, etc. <u>Outside</u> City boundaries	When No Longer Required		When No Longer Required		Ppr			Non-records

RECORDS RETENTION SCHEDULE - COMMUNITY DEVELOPMENT

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
Comm. Dev. / Plann.	CD-031	Environmental Determinations - Environmental Impact Reports (EIRs), Negative Declarations, etc. <u>Within</u> City boundaries	5 years	P	P	Yes: Until Project Completed	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; Final EIRs are required to be kept a "reasonable period of time"; 14 Cal Code Regs §15095(c); GC §34090.7
Comm. Dev. / Plann.	CD-032	General Plan Elements and Amendments	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S / I	Yes: After Amended Yes.	GC §34090
Comm. Dev. / Plann.	CD-033	Historical Landmarks (Buildings on National or State Registers)	5 years	P	P		Mag, Mfr, OD, Ppr	S	After QC & OD 1-year	GC §34090
Comm. Dev. / Plann.	CD-034	Land Use and other Studies	5 years	P 5-years	P 10-years		Mag, Mfr, OD, Ppr	S or I	Yes: After QC & OD 1-year	Department Preference: Consistent with other studies; Statewide Guideline shows 2-years; GC §34090
Comm. Dev. / Plann.	CD-035	Property Address Files: Includes staff reports and environmental determinations (EIRs), Conditional Use Permits, Environmental Assessments and Determinations, Rezone, Tentative Maps, Variance, Zone Amendments, etc. (Including associated Plans & Maps)	P		P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD No	GC §34090.7
Comm. Dev. / Plann.	CD-036	Specific Plans	5 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Department Preference (Copies); City Clerk Maintains originals of all documents that were presented to Council; GC §34090
Comm. Dev. / Plann.	CD-037	Unclaimed Mailings (Returned Mail)	When No Longer Required		When No Longer Required		Ppr			GC §34090

RECORDS RETENTION SCHEDULE - COMMUNITY DEVELOPMENT

Office of Record (OFR)	Retention No.	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
Comm. Dev. / Plann.	CD-038	Zoning Maps	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Department Preference; City Clerk Maintains originals of all documents that were presented to Council; GC §34090.7
Comm. Dev. / Plann.	CD-039	Zoning Ordinance Amendments	2 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Department Preference; City Clerk Maintains originals of all documents that were presented to Council; GC §34090.7

COMMUNITY SERVICES

RECORDS RETENTION SCHEDULE: COMMUNITY SERVICES

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
COMMUNITY SERVICES / CHILDREN'S SERVICES										
Comm. Service	CS-011	Accident / Incident Reports (Child Care)	5 years		5 years			Mag. Ppr		Consistent with other State Licensing Requirements; GC §34090
Comm. Service	CS-001	Evaluations/Surveys (of programs)	2 years		2 years			Mag, Ppr		Department Preference (Transitory record); GC §34090
Comm. Service	CS-002	Licensed Child Care: Family File for Childcare Programs (includes registration forms and hold harmless, liability waiver agreements)	5 years		5 years	Yes: During Class or Program		Mag, Mfr, OD, Ppr		Meets State Licensing requirements; Statute of Limitations for personal property is 3-5 years; CCP §337, 338 et seq., GC §34090
Comm. Service	CS-005	Licensed Child Care: Registration Forms and Emergency Cards: Part of Program Files (Includes Hold Harmless, Liability, & Waiver Agreements)	5 years		5 years	Yes: During Class or Program		Mag, Mfr, OD, Ppr		Statute of Limitations for personal property is 3-5 years; CCP §337, 338 et seq., Meets State Licensing requirements; GC §34090; Education Code 8482.3(g)(1)(F) and (2); 22 CCR 101221
Comm. Service	CS-007	Licensed Child Care: Sign-in / Sign-out sheets	5 2 years		5 2 years			Mag		GC §34090
Comm. Service	CS-003	Licensed Child Care: Staff Files / Employee Certifications	Separation + 5 years		Separation + 5 years			Mag. Ppr		Meets State Licensing requirements; GC §34090; Education Code 8482.3(g)(1)(F) and (2); 22 CCR 101221
Comm. Service	CS-003	Permissions: Field Trip, Authorization to give Medicine, etc.	2 5 years		2 5 years	Yes: During Class or Program		Ppr		Meets State Licensing requirements; Covers all Statute of Limitations; GC §34090 -CCP- §337 et seq.

RECORDS RETENTION SCHEDULE: COMMUNITY SERVICES

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			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Finance	CS-004	Receipts, Refunds	1 year	Until State-Audit (if applicable), minimum 3 years	Until State-Audit (if applicable), minimum 4 years			Mag, Ppr		Retained for auditing purposes; Finance is Office of Record; GC §34090.7
Finance	CS-006	Registration Receipts, Deposit Slips, Register Tapes	≥ 1 year	3 years	≥ 4 years			Mag		Retained for auditing purposes; Finance is Office of Record; GC §34090.7
Comm. Service	CS-009	Volunteer Applications & Agreements (Child Care Only)	Separation + 5-10 years		Separation + 5-10 years			Mag, Mfr, OD, Ppr	S	Yes: 1 year Department preference: Consistent with employee personnel files (some Courts have treated volunteers as employees); 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090
Comm. Service	CS-010	Volunteer Applications & Agreements - Unsuccessful Applicants (Child Care Only)	3 years		3 years			Ppr		Consistent with employee personnel files (Courts treat volunteers as employees); 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090
COMMUNITY SERVICES / RECREATION SERVICES										
Comm. Service	CS-011	Accident / Incident Reports (medical and non-medical)	5 years		5 years			Mag, Ppr		Department preference: Recommended by State Fire-Marshal; Statute of Limitations for Health Providers is 3 years; Juveniles are required until patient becomes 18 years old; statewide guidelines propose 3 years; CCP §340.5, GC §34090

RECORDS RETENTION SCHEDULE: COMMUNITY SERVICES

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Comm. Service	CS-012	Class Instructor Agreements (all others go to Finance)	Completion + 2 years	3 years	Completion + 5 years	Yes: Until Completion	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Consistent with City-wide standards; Statewide guidelines propose completion + 5 years for non-capital improvement contracts & completion + 4 years for transportation and concessionaire agreements.
Finance	CS-013	Deposit Slips, Receipts	2-1 years	3 years	2-4 years		Mag, Ppr			Retained for auditing purposes; Finance is Office of Record; GC §34090.7
Comm. Service	CS-014	Evaluations/Surveys (of programs)	2 years		2 years		Mag, Ppr			Transitory record; GC §34090
Comm. Service	CS-015	Facility Use Applications (Room Reservations, Parks, Tennis Key Forms, etc.)	2-4 years	3 years	2-4 years		Mag, Ppr			Statute of Limitations any "...liability founded upon an instrument in writing" or not specifically provided for is 4 years; GC §34090, CCP §§337, 343
Comm. Service / City Clerk	CS-016	Insurance Certificates (e.g. Facility Rentals, etc)	5-4 years		5-4 years	Yes: Before Event	Ppr			Department Preference; Statute of Limitations any "...liability founded upon an instrument in writing" or not specifically provided for is 4 years; GC §34090, CCP §§337, 343
Comm. Service	CS-017	Medical Release Forms (Given to site provider - Coach, Instructor, etc.)	Upon Conclusion of Class or Program		Upon Conclusion of Class or Program	Yes: During Class or Program	Ppr			Transitory record used to contact relatives in the event of an emergency; GC §34090
Comm. Service		Newsletters of Historical Value	2 years	P	P	Yes: Until Project Completed	Mag, Mfr, OD, Ppr	S / I	Yes: 1 year	Department Preference; GC §34090.7

RECORDS RETENTION SCHEDULE: COMMUNITY SERVICES

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Comm. Service	CS-018	Program Files (e.g. Recreation)	2 years		2 years			Mag, Ppr		Department Preference; GC §34090
Finance	CS-019	Receipts, Refunds	2-1 years	3 years	2-4 years			Mag, Ppr		Retained for auditing purposes; Finance is Office of Record; GC §34090.7
Comm. Service	CS-019	Registration Database	Indefinite		Indefinite	Yes		Mag		Data Fields / Records are interrelated; GC §34090
Comm. Service	CS-020	Registration Forms and Emergency Cards: Part of Program Files (Includes Hold Harmless, Liability, & Waiver Agreements)	5 years		5 years	Yes: During Class or Program		Mag, Mfr, OD, Ppr		Department Preference; Stored with Program Files; Statute of Limitations for personal property is 3-5 years; CCP §337, 338 et seq.; GC §34090
Finance	CS-021	Registration Receipts, Deposit Slips	2-1 years	3 years	2-4 years			Mag		Retained for auditing purposes; Finance is Office of Record; GC §34090.7
Comm. Service	CS-022	School District Facility Use Forms	2-5 years		2-5 years			Mag, Ppr		Statute of Limitations for personal property is 3-5 years; CCP §337, 338 et seq.; GC §34090
Comm. Service	CS-024	Volunteer Applications & Agreements	Separation + 3-10 years		Separation + 3-10 years			Mag, Mfr, OD, Ppr	S	Yes: 1 year Department preference; Consistent with employee personnel files (some Courts have treated volunteers as employees); 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090

RECORDS RETENTION SCHEDULE: COMMUNITY SERVICES

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
Comm. Service	CS-025	Volunteer Applications & Agreements - Unsuccessful Applicants	3 years		3 years			Ppr		Consistent with employee personnel files (Courts treat volunteers as employees); 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090

FINANCE

Office of Record	Classification OR	Records Description	Retention / Disposition						Comments / Reference		
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?	
(OFR)											
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>											
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>											
FINANCE / ACCOUNTING											
Admin. Services / Finance	FIN-001	1099's Issued / W-9s / 1096, etc.	2 years	3 years	5 years			Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; IRS: 4 years after tax is due or paid (longer for auditing & contractor delinquency); Ca. FTB: 3 years; Published articles show permanent; Other city shows permanent; IRS Reg §31.6001-1(e)(2), R&T §19530, GC §34090
Admin. Services / Finance	FIN-002	Accounts Payable / Vendor Files (All Records and Reports - Includes Invoices, P.O.s, Travel Expense Reimbursements, Postage, Credit Card Transmittals, Redemption Records, etc.)	2 years	3 years	5 years	Yes: Until Paid		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Statewide guidelines propose audit + 4 years; Published articles show 3 - 7 years; other cities show 7 -10 years; GC §34090
Admin. Services / Finance	FIN-003	Accounts Receivable (All Records and Reports, including Housing loans, Utilities, Business Licenses, TOT, etc.)	2 years	3 years	5 years	Yes: Until Paid		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Statewide guidelines propose audit + 4 years; Published articles show 3 - 7 years; other cities show 7 -10 years; GC §34090
Admin. Services / Finance	FIN-006	Audit Management Letters (not CAFR)	P		P			Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; GC §34090
Admin. Services / Finance	FIN-007	Audits - Working Papers, Confirmation Letters, Schedules, Detail, Street Reports, Gas Tax Audits	5 years		5 years			Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; Longer than 2 years for auditing purposes; GC §34090
Admin. Services / Finance		Audits (Consolidated Annual Financial Report)	2 years	P	P			Mag, Mfr, OD, Ppr	S / I	Yes: After Inactive	GC §34090

RECORDS RETENTION SCHEDULE - ADMINISTRATIVE SERVICES / FINANCE

Office of Record	Classification OR	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
Admin. Services / Finance	FIN-008	Bank Reconciliation & Statements (includes housing and loan bond statements), Trustee Statements, Transaction Statements, Wire Transfers, Check Listing Audit Trail, Deposits, Returned Checks	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	For auditing purposes; Published articles show 3 - 4 years; Other cities show 7 - 10 years; GC §34090, 26 CFR 1.6001-1
Admin. Services / Finance	FIN-009	Bond Binders (issuing documents) See Bank Statements for statement retention.	Fully Defeased Cancellat., Redemption or Maturity	10 years	Fully Defeased + 10 years Cancellat., Redemption or Maturity + 10 years	Yes: Until Maturity	Mag, Ppr			Department Preference; Statute of Limitations for bonds, mortgages, trust deeds, notes or debentures is 6 years; Bonds issued by local governments are 10 years; There are specific requirements for disposal of unused bonds; CCP §§336(a)(1) & (2), 337.5(2); 26 CFR 1.6001-1(e) ; GC §43900 et seq.
Finance		Chart of Accounts (Print out when Rollover is Done)	10 years		10 years	Yes	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD -1 year	Department Preference to research Year-end General Ledgers--generated from software (for researching year-end general ledger); GC §34090
Admin. Services / Finance	FIN-011	Check Registers	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Statute of Limitations is 4 years; statewide guidelines propose Audit + 2 years; GC §34090, CCP § 337
Admin. Services / Finance	FIN-012	Checks - Canceled (Cashed) or Voided	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Statute of Limitations is 4 years; statewide guidelines propose Audit + 5 years; GC §34090, CCP § 337

RECORDS RETENTION SCHEDULE - ADMINISTRATIVE SERVICES / FINANCE

Office of Record	Classification OR	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
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Admin. Services / Finance	FIN-013	Comprehensive Annual Financial Report (CAFR)	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; City Clerk retains original permanently; statewide guidelines propose 7 years; Other city shows 7 years; GC §34090.7
Admin. Services / Finance	FIN-014	Deposits, Daily Cash Reports & Cash Receipts	2 years	3 years	5 years		Mag, Ppr			Department Preference; Published articles show 3 - 6 years; Other city shows permanent; GC §34090
Admin. Services / Finance	FIN-015	Depreciation Schedules	2 years	P	P		Mag, Ppr	S / I	Yes: After Inactive	Published articles show 7 years after disposal; GC §34090
Admin. Services / Finance	FIN-016	Escheat (Unclaimed property or money)	5 2 years		5 2 years		Mag, Ppr			Department preference: Meets municipal government auditing standards ; Statute of Limitations is 1 year for seized property; CCP §340(4); GC §34090
Admin. Services / Finance	FIN-017	FEMA Reimbursement Records	2 years	After Federal Audit, if required - Minimum 5 4 years	After Federal Audit, if required - Minimum 5 4 years		Mag, Mfr, OD, Ppr	S / I	Yes: When Inactive	Consistent with other grants; 2 CFR 200.333 ; 24 CFR 85.42 & 570.502(b), 29 CFR 97.42, GC §34090
Admin. Services / Finance	FIN-018	Financial Services Database	Indefinite		Indefinite	Yes	Mag			Data Fields / Records are interrelated ; GC §34090

RECORDS RETENTION SCHEDULE - ADMINISTRATIVE SERVICES / FINANCE

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Admin. Services / Finance	FIN-019	Fixed Assets - Auction / Disposal / Sales / Surplused	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Consistent with Accounts Receivable; Statute of limitations is 3 years; statewide guidelines propose 2 - 4 years; published articles show 3 - 6 years; GC §34090, CCP §337
Admin. Services / Finance	FIN-020	Fixed Assets - Inventory, Schedule of Infrastructure and Buildings	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Includes permanent assets; GC §34090
Finance		General Ledger - Final year-end	2-years	8-years	10-years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD -1 year	Published articles show 3-10 years; Other Cities have adopted 2 years-20 years; GC §34090
Admin. Services / Finance	FIN-021	Grants (Financial Reports) Send copy of application and award to Finance	2 years	After Federal Audit, if required - Minimum 5 4 years	After Federal Audit, if required - Minimum 5 4 years		Mag, Mfr, OD, Ppr	S / I	Yes: When Inactive	Meets auditing standards: Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; statewide guidelines propose 4 years; 2 CFR 200.333; 7 CFR 3016.42; 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), 92.505, & 570.502(a), 28 CFR 66.42; 29 CFR 97.42; 40 CFR 31.42; 44 CFR 13.42; 45 CFR 92.42 ; OMB Circular A-133; GC §34090
Admin. Services / Finance	FIN-022	Housing Loan Agreements and Documents (Rehab, BMR, etc.)	Loan Payoff + 4 years		Loan Payoff + 4 years	Yes: Until Paid	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Statewide guidelines propose audit + 4 years for accounts receivable; Published articles show 3 - 7 years; GC §34090

RECORDS RETENTION SCHEDULE - ADMINISTRATIVE SERVICES / FINANCE

Office of Record	Classification OR	Records Description	Retention / Disposition							Comments / Reference
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Admin. Services / Finance	FIN-023	Investments / Bonds / Arbitrage (Direct Investments)	2 years	Disposal + 7 years	Disposal + 7 years	Yes: Until Disposal	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Published articles show disposal + 7 years for security brokerage slips; other cities show audit + 7 - 10 years; statewide guidelines propose permanent; Bond destruction must be approved by Council; FTC Reg's rely on "self-enforcement"; GC §§ 34090, 43900
Admin. Services / Finance	FIN-025	Journal Entries	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; Statute of Limitations is 4 years; Published articles show 6-7 years; GC §34090, CCP §337
Admin. Services / Finance	FIN-026	Journals, Ledgers, Reconciliations, Registers, Treasurer's Reports, Transaction Histories, Balance Sheets, Budget Adjustments (MONTHLY OR PERIODIC) Does NOT include year-end General Ledger.	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; Published articles show 3 - 6 years; statewide guidelines propose 2 years; GC §34090
Admin. Services / Finance	FIN-027	Purchase Orders	2 years	3 years	5 years	Yes: Until Paid	Mag, Ppr			Consistent with Accounts Payable; Published articles show 3 years; Statute of Limitations is 4 years; Other city shows permanent; GC §34090, CCP §337
Admin. Services / Finance	FIN-028	State Board of Equalization (Sales tax reports)	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Not accessible to the Public; consistent with Accounts Payable; GC §34090

RECORDS RETENTION SCHEDULE - ADMINISTRATIVE SERVICES / FINANCE

Office of Record	Classification OR	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
Admin. Services / Finance	FIN-029	Reports: Annual State or Federal: State Controller's Report, <u>Street Report</u>, <u>Local Government Compensation Report</u>, <u>Property Management Plan</u>, <u>Obligation Payment Schedules</u>, <u>Due Diligence Reviews</u>, <u>Gas Tax, MOE (Maintenance of Effort) Report</u>, <u>Fixed Charge Special Assessment Report</u>, <u>Public Self Insurer Report (SIP Report)</u> <u>Housing Successor Agency Housing Assets Fund Report</u> etc.	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; Meets Auditing Standards; Consistent with periodic report / journal retention; GC §34090
Admin. Services / Finance	FIN-030	Vehicle & Equipment Ownership & Title (Pink Slips)	Until Disposal		Until Disposal	Yes	Mag, Mfr, OD, Ppr	S / I	No	Transfer to new owner; GC §34090
PAYROLL & HUMAN RESOURCES										
Admin. Services / Finance	FIN-031	DE-6, DE-7 , DE-9 , W-3 , & DE-166, 941 Forms, PERS / FICA & Medicare Adjustments - Quarterly Payroll Tax Returns / OASDI, Federal Tax Deposits, Adjustments , etc.	2 years	3 5 years	5 7-years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; IRS: 4 years after tax is due or paid (longer for auditing & contractor delinquency); Ca. FTB: 3 years; Published articles show permanent; Other city shows permanent; IRS Reg §31.6001-1(e)(2), R&T §19530, GC §34090
Admin. Services / Finance	FIN-032	Deferred Compensation Statements (Provider information, guides, prospectus, etc.)	2 years	3 5 years	5 7-years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Consistent with proposed statewide guidelines; published articles for bank statements show 4 -7 years; GC §34090, 26 CFR 16001.1

RECORDS RETENTION SCHEDULE - ADMINISTRATIVE SERVICES / FINANCE

Office of Record (OFR)	Classification OR	Records Description	Retention / Disposition						Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Finance		Deferred Compensation Employee-File	Separation + 2 years	50 years	50 years	Yes: Until Separation	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD -1 year Retained to document changes to cover retirement age; Plan must be kept termination + 1 year; Statewide guidelines propose Audit + 5 years; Other Cities have adopted termination + 1 year; GC §34090, 29 CFR 1627.3(b)(2)
Admin. Services / Payroll Finance	FIN-033	Payroll Checks (retained by ADP)	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1 year Department Preference; Statute of Limitations is 4 years; statewide guidelines propose Audit + 5 years; GC §34090, CCP § 337
Admin. Services / Payroll Finance	FIN-034	Payroll Registers	2 years	3 years	5 years		Mag, OD, Mfr, Ppr	S / I	Yes: After QC & OD 1 year Consistent with periodic journals & reports; Published articles show 3 - 10 years; Other Cities have adopted 8 - 20 years; statewide guidelines propose Permanent; 29CFR 516.5 - 516.6, GC §34090
Admin. Services / Payroll Finance	FIN-035	Time Sheets / Time Cards	2 years	3 years	5 years	Yes: Until Paid	Mag, OD, Mfr, Ppr	S / I	Yes: After QC & OD 1 year Department Preference; statewide guidelines propose audit + 7 years; IRS requires 4 years; Ca. requires 2 yr min.; FTB keeps 3 years; Published articles show 4 - 10 years; Other cities show 2 - 20 years; IRS Reg §31.6001-1(e)(2), R&T §19530; LC § 1174(d); GC §34090

RECORDS RETENTION SCHEDULE - ADMINISTRATIVE SERVICES / FINANCE

Office of Record	Classification OR	Records Description	Retention / Disposition						Comments / Reference		
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?	
(OFR)											
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>											
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>											
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>											
Admin. Services / Payroll	FIN-036	W-2's	5 years		5 years			Mag. Mfr, OD, Ppr	S/I	Yes: After QC & OD	Department Preference: IRS: 4 yrs after tax is due or paid; Ca. FTB: 3 years; Articles show 7 years; IRS Reg §31.6001-1(e)(2), R&T §19530; 29CFR 516.5 - 516.6, 29USC 436, GC §34090

RECORDS RETENTION SCHEDULE - ADMINISTRATIVE SERVICES / FINANCE

Office of Record	Classification OR	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
BUDGETING										
Admin. Services / Budgeting Finance	FIN-038	Budget Hearing and/or Review - Working Files (Development Documents & Proposed Budget)	When No Longer Required		When No Longer Required			Mag, Ppr		Drafts; GC §34090.7
Admin. Services / Budgeting Finance	FIN-039	Budget Transfer Requests & Journals	2 years	3 years	5 years	Yes: Current Fiscal Year	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; longer for administrative value; GC §34090.7
Admin. Services / Budgeting Finance	FIN-040	Budgets - Adopted	P		P	Yes: Current Fiscal Year	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; Must be filed with County Auditor; GC §34090, 40802, 53901
Admin. Services / Budgeting Finance	FIN-041	Treasurer's Reports	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD 1-year	Department Preference; Consistent with periodic reports; Published articles show 3 - 6 years; statewide guidelines propose 2 years; GC §34090
RISK MANAGEMENT										
Admin. Services / Risk Manage Finance	FIN-042	Accident / Incident Reports that Don't result in a Claim	2 5 years		2 5 years	Yes	Mag, Mfr, OD, Ppr	S	No	Longest Statute of Limitations (for wrongful death for construction) is completion + 5 years; CCP §§ 337 et seq.; GC §§ 945, 34090.6; PC §832.5

RECORDS RETENTION SCHEDULE - ADMINISTRATIVE SERVICES / FINANCE

Office of Record	Classification OR	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Admin. Services / Risk Manage Finance	FIN-043	Claims (See City Attorney for Litigation)	Settle + 5 years		Settle + 5 years	Yes: Until Settlement	Mag, Mfr, OD, Ppr	S	Yes: After Settled	Claim must be filed within 1 year, lawsuit within 2 years; complaints against peace officers within 5 years; Statute of Limitations for contracts is 4 years; wrongful death for construction is completion + 5 years; CCP §§ 337 et seq.; GC §§ 911.2, 945, 34090, 34090.6; PC §832.5
Admin. Services / Risk Manage Finance	FIN-044	Insurance Policies, Bonds & Certificates (City-owned): Liability (General & Public), Workers Compensation, Joint Powers Insurance Authority	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: After Expiration	For protection from litigation; GC §34090
Admin. Services / Risk Manage Finance	FIN-045	Insurance Policies, Bonds & Certificates (City-owned): Fire, Life, Marine, Glass, Damage, etc.	Expiration + 10 years		Expiration + 10 years	Yes: Until Expiration	Mag, Mfr, OD, Ppr	S	Yes: After Expiration	Department Preference for policies that do not involve liability; GC §34090
Admin. Services / Risk Manage Finance	FIN-046	Insurance: Loss Runs (from Insurance Carrier)	5 years		5 years		Mag, Ppr			Protection from litigation; GC §34090

Office of Record	Classification OR	Records Description	Retention / Disposition							Comments / Reference
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(OFR)										
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
TAX ENFORCEMENT										
Public Works Finance	FIN-047	Assessment District Projects (Maps, Diagrams, Spreadsheets, Improvement Plans - e.g. landscape, sidewalk) (Accounting / Payment Administration Records)	Payoff of District + 5 years		Payoff of District + 5 years	Yes: Until Payoff	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD 1-year	Department preference; Covers auditing standards; Public Works Maintains original Diagrams and Improvement Plans ; GC §34090.7
Admin. Services / Tax Enforce. Finance	FIN-048	Business License Applications, Renewals, Notices, Audits, Register and Certificates	2 years	3 years	5 years	Yes: Until Expiration	Ppr			Consistent with proposed statewide guidelines; Other cities show 5 - 7 years; GC §34090
Admin. Services / Tax Enforce. Finance	FIN-049	Permits: Home Occupation	P		P		Mag, Mfr, OD, Ppr	S / I	No	Difficult to determine when occupation ceases; GC §34090
Admin. Services / Tax Enforce. Finance	FIN-050	Permits: Taxicabs, Massage, Secondhand, Consignment, Solicitors, etc.	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	No	Sheriff maintains copy; consistent with Accounts Receivable; GC §34090
UTILITIES - Meter Reading, Billing and Collection is Contracted Out										
Admin. Services / Utilities Finance	FIN-051	Applications (Utility Connects / disconnects)	P		P		Mag, Ppr, Mfr, OD	<u>S</u>	Yes: After QC & OD	Department Preference; GC §34090
Admin. Services / Utilities Finance	FIN-052	Billing Records - Monthly (customer name, service address, meter reading, usage, payments, receipts)	2 years	3 years	5 years	Yes: When Account Open	Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD 1-year	Consistent with Accounts Receivable; GC §34090

RECORDS RETENTION SCHEDULE - ADMINISTRATIVE SERVICES / FINANCE

Office of Record	Classification OR	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Admin. Services / Utilities Finance	FIN-053	Customer Accounts (Closed)	3 years after terminated		3 years after terminated		Mag, Ppr, Mfr, OD	S	Yes: After QC & OD	Department preference; Published articles show 7 years for customer ledgers; GC §34090
Admin. Services / Utilities	FIN-054	Water Billing: Appeals - Payment Delinquency & Impending Discontinuation	Final Decision + 2 years		Final Decision + 2 years		Mag. Ppr, Mfr, OD	S	Yes: After QC & OD	Documented or attached to Customer Record in database GC §34090; H&S §116908
Admin. Services / Utilities	FIN-055	Water Billing: Non-payment Notices / Notice of Payment Delinquency & Impending Discontinuation (Initial, Final)	When No Longer Required		When No Longer Required		Mag. Ppr, Mfr, OD	S	Yes: After QC & OD	Documented or attached to Customer Record in database GC §34090; H&S §116908
Admin. Services / Utilities	FIN-056	Water Billing: NSF Checks / Adjustments to Customer accounts	When No Longer Required		When No Longer Required		Mag. Ppr, Mfr, OD	S	Yes: After QC & OD	Documented or attached to Customer Record in database GC §34090; H&S §116908
Admin. Services / Utilities	FIN-057	Water Billing: Payment Plans: Amortization, Alternative Payment Plans, Deferrals, etc.	Expiration or Completion of Payment Plan		Expiration or Completion of Payment Plan		Mag. Ppr, Mfr, OD	S	Yes: After QC & OD	Documented or attached to Customer Record in database GC §34090; H&S §116910
Admin. Services / Utilities	FIN-058	Water Billing: Policy on Discontinuation of Residential Service for Nonpayment	When Superseded - Minimum 2 years		When Superseded; Minimum 2 years		Mag. Ppr, Mfr, OD	S	Yes: After QC & OD	Must post to Website; H&S §116906; GC §34090
Admin. Services / Utilities	FIN-059	Water Billing: Report of Annual Discontinuations of Residential Service	Minimum 2 years		Minimum 2 years		Mag. Ppr, Mfr, OD	S	Yes: After QC & OD	Must post to Website; H&S §116918; GC §34090

HUMAN RESOURCES

RECORDS RETENTION SCHEDULE: ADMIN. SERVICES / HUMAN RESOURCES

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
HUMAN RESOURCES										
Admin. Services / Human Resources Personnel	HR-001	Applications for Employment: Solicited , but candidates not hired	6 months	2 1/2 years	3 years			Ppr		EEOC / FLSA / ADEA (Age) requires 3 years; State Law requires 2 - 3 years; 29 CFR 1627.3(a)(5) and (6), 8 CCR §11040.7(c), GC §§12946, 34090
Admin. Services / Human Resources Personnel	HR-001	Background Files - Employees, Volunteers & Reservists	Transferred from Police upon Termination	20-5 years. or Termination of Benefits + 5 years. Whichever is Longer	Separation + 30 5 years, or Termination of Benefits 5 years. Whichever is Longer			Mag, Mfr, OD, Ppr	S	Yes: When Inactive Department Preference to match the Personnel File Retention; EEOC / FLSA / ADEA (Age) requires 1-3 years; State Law requires 2 - 3 years; 29 CFR 1602 et seq & 1627.3(a)(5) and (6), 2 CCR 11013(c), 8 CCR §11040.7(C), GC §§12946, GC §34090
Admin. Services / Human Resources Personnel		Classification Studies and Salary Surveys	Minimum 2 years 10 years		Minimum 2 years 10 years			Mag, Ppr		Department preference; GC §34090
Admin. Services / Human Resources Personnel	HR-003	Department of Fair Employment & Housing (DFEH or EEOC) Claims	Final Disposition + 2 years		Final Disposition + 2 years			Mag, Ppr		All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after action is taken; GC §§12946, 34090

RECORDS RETENTION SCHEDULE: ADMIN. SERVICES / HUMAN RESOURCES

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Admin. Services / Human Resources	HR-004	DMV Pull Notices - WITH Suspension of a driver's license or DUI	When Superseded or Upon Separation		When Superseded or Upon Separation			Mag, Ppr		Transitory or source records not retained in the ordinary course of business; CHP audits every 2 years; Bureau of National Affairs recommends 2 years for all supplementary Personnel records: GC §34090
Admin. Services / Human Resources Personnel	HR-005	Drug & Alcohol Testing	3 years	2 years	5 years			Ppr		D.O.T. Requires 5 years for positive tests, 1 year for negative tests; EEOC/FLSA/ADEA (Age) requires 3 years physical examinations; State Law requires 2 years; 29 CFR 1672.3(b)(v), GC §§12946, 34090, 49 CFR 655.71 et seq. ; 49 CFR 382.401 et seq. ; 49 CFR 653.71 et seq.
Admin. Services / Human Resources Personnel	HR-006	EEO-4 Reports	2 years		2 years			Mag, Ppr		EEOC / FLSA has not adopted retention requirements; California allows substitution of EEO-4 reports for CEIR (2 year retention); 29 CFR 1602.12, 2 CCR §11013(c) 7287.0 , GC §34090
Admin. Services / Human Resources Personnel	HR-007	Employee Assistance Program (Annual Reports, etc.)	2 years		2 years			Mag, Ppr		GC § 34090

RECORDS RETENTION SCHEDULE: ADMIN. SERVICES / HUMAN RESOURCES

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			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
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<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
Admin. Services / Human Resources	HR-008	I-9s	Separation + 3 years		Separation + 3 years					Required for 1 year from termination or 3 years from hiring, whichever is later; EEOC / FLSA / ADEA (Age) requires 3 years for "any other forms of employment inquiry"; State Law requires 2 -3 years; 8 CFR 274a.2; 29 CFR 1627.3(b)(1); GC §§12946, 34090
Admin. Services / Human Resources	HR-009	Ethics Training & Harassment Prevention Training Certificates - All Required Filers	5 years		5 years			Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year GC §53235.2(b); GC §53237.2(b); GC §34090
Admin. Services / Human Resources Personnel	HR-010	Insurance Plans (Health, Dental, Vision, etc.)	Plan Termination + 2 years		Plan Termination + 2 years			Mag, Ppr		EEOC / FLSA requires 1 year after plan termination; State requires 2 years after action; 29 CFR 1627.3(b)(2), GC §§12946, 34090
Admin. Services / Human Resources Personnel	HR-011	Memorandas of Understanding	P		P	Yes: Until Superseded		Mag, Mfr, OD, Ppr	S/I	No Department Preference; EEOC / FLSA requires 3 years for MOUs; State requires 2 years; 29 CFR 516.5, GC §§12946, 34090
Admin. Services / Human Resources Personnel	HR-012	Military Leave Orders & Confirmations	2 years		2 years			Mag, Ppr		GC §34090

RECORDS RETENTION SCHEDULE: ADMIN. SERVICES / HUMAN RESOURCES

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
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Admin. Services / Human Resources Personnel	HR-013	Negotiations: Employee Associations	Superseded + 10 years	P	Superseded + 10 years P			Mag, Mfr, OD, Ppr	S/I	Yes: When Inactive Department Preference; For use in interpreting intent of MOU provisions; EEOC / FLSA requires 3 years for MOUs; State requires 2 years; statewide guidelines propose permanent; 29 CFR 516.5, GC §§12946, 34090
Admin. Services / Human Resources Personnel	HR-014	OSHA Logs, Inspections & Citations	5 2-years	5 years	5 7 years			Mag, Ppr		Department Preference ; OSHA requires 5 years; Calif. Labor Division is required to keep their records 7 years; State law requires 2 years; 8 CCR §3203(b)(1), GC §34090; LC §6429c; OMB 1220-029
Admin. Services / Human Resources Personnel		Payroll Reports (ADP)	2-years		2-years			Mag		Provided in Access Database from ADP; GC § 34090
Admin. Services / Human Resources Personnel		PERS Reports	2-years	23-years	5 25 years			Mag, Mfr, OD, Ppr	S	Yes: After Inactive Department Preference for convenience of former employees; GC § 34090

RECORDS RETENTION SCHEDULE: ADMIN. SERVICES / HUMAN RESOURCES

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
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<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
Admin. Services / Human Resources Personnel		Personnel Classification and Compensation Studies	2 years	8 years	10 years			Mag, Mfr, OD, Ppr	S	Yes: After Inactive Bureau of National Affairs recommends 2 years for all supplementary Personnel records; Wage rate tables are 1 or 2 years; State requires 2 years; 29 CFR 516.6(2), 29 CFR 1602.14, GC §§12946, 34090
<u>Admin. Services / Human Resources Personnel</u>	<u>HR-015</u>	Personnel "Green" Files (Medical Records, Workers Compensation , Grievances, DOJ clearances, backgrounds & fingerprints)	Separation + 1 year	<u>29 years, or Termination of Benefits + 5 years, Whichever is Longer</u>	<u>Separation + 30 years, or Termination of Benefits 5 years, Whichever is Longer</u>	Yes: Until Separation	Mag, Mfr, OD, Ppr	S	Yes: After Separation + 1 year	Department preference; Files maintained separately; Claims can be made for 30 years for toxic substance exposure; 8 CCR §3204(d)(1) et seq., GC §§12946, 34090; <u>29 CFR 1910.1020(d)(1)(i); 29 CFR 1627.3</u>
<u>Admin. Services / Human Resources Personnel</u>	<u>HR-016</u>	Personnel Files (Includes Appeals Findings, Employment Verifications , Personnel Action Forms, Retirement Subscriptions, <u>Form 1095-C (Employer-Provided Health Insurance Offer and Coverage) W-4 Forms</u> - Excludes Medical Records)	Separation + 1 year	<u>29 years, or Termination of Benefits + 5 years, Whichever is Longer</u>	<u>Separation + 30 40 years, or Termination of Benefits 5 years, Whichever is Longer</u>	Yes: Until Separation	Mag, Mfr, OD, Ppr	S	Yes: After Separation	Department Preference; retirement benefits is 6 years from last action; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; ; <u>29 CFR 1602.14; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090; 29 USC 1113, LC §1198.5; GC §3105</u>

RECORDS RETENTION SCHEDULE: ADMIN. SERVICES / HUMAN RESOURCES

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
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<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Admin. Services / Human Resources Personnel	HR-017	Personnel Rules & Regulations	Superseded + 10 years		Superseded + 10 years	Yes: Until Superseded	Mag, Ppr			Department Preference; GC §§ 12946, 34090
Admin. Services / Human Resources Personnel	HR-018	Recruitment Files / Cal Ops : Brochure, advertisement, unsuccessful applications, selection materials, tests, etc.	3 years		3 years		Mag, Ppr			Department preference; EEOC / FLSA / ADEA (Age) requires 1-3 years; State Law requires 2 - 3 years; 29 CFR 1602 et seq & 1627.3(a)(5) and (6), 2 CCR 11013(c) , 7287-0(e)(2) , 8 CCR §11040.7(c), GC §§12946, 34090
Admin. Services / Human Resources	HR-019	Safety Committee	5-years		5 years		Mag, Ppr			OSHA requires 5 years; 8 CCR §3203(b)(1), GC §34090; LC §6429c; OMB 1220-029
Admin. Services / Human Resources Personnel	HR-020	Training - includes Safety Training (Attendance Rosters, Outlines and Materials)	2 years	5 years	7 years		Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Department preference; Ethics Training is 5 years ; Statewide guidelines propose 7 years; Calif. Labor Division is required to keep their OSHA records 7 years; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years for personnel actions; 8 CCR §3203 et seq., 29 CFR 16202.31 ; LC §6429(c); GC §§12946, 34090, 53235.2(b); 53237.2(b)

RECORDS RETENTION SCHEDULE: ADMIN. SERVICES / HUMAN RESOURCES

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Admin. Services / Human Resources Personnel	HR-021	Training - Terminated Police Employees (Attendance Rosters, Outlines and Materials)	Transferred from Police upon Separation Termination	Separation + 7 years	Separation + 7 years			Mag, Mfr, OD, Ppr	S	Yes: When Inactive Department preference; Ethics Training is 5 years ; Statewide guidelines propose 7 years; Calif. Labor Division is required to keep their OSHA records 7 years; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years for personnel actions; 8 CCR §3203 et seq., 29 CFR 16202.31 ; LC §6429(c); GC §§12946, 34090, 53235.2(b) ; 53237.2(b)
Personnel		W-2's	5-years		5-years			Mag, Ppr		Department Preference; IRS- 4 yrs after tax is due or paid; Ca. FTB- 3 years; Articles show 7 years; Other Cities = 8 years; IRS Reg- §31.6001-1(e)(2), R&T §19530; 29CFR 516.5 - 516.6, 29USC 436, GC §34090
Admin. Services / Human Resources Personnel	HR-022	Workers Compensation Annual & Monthly Reports	2 years	3 years	5 years			Mag, Mfr, OD, Ppr	S/I	Yes: When Inactive Consistent with Accounts Payable; Published articles show 3 - 6 years; Other cities show 7 - 10 years; GC §34090

RECORDS RETENTION SCHEDULE: ADMIN. SERVICES / HUMAN RESOURCES

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<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
Admin. Services / Human Resources Personnel	HR-023	Workers Compensation Claims (Employee Accident Reports)	Close or Settlement + 2 years	28 years, <u>or Termination of Benefits, Whichever is Longer, or Death of Employee</u>	Separation + 30 years, <u>or Termination of Benefits, Whichever is Longer, or Death of Employee</u>	Yes: Until Separation	Mag, Mfr, OD, Ppr	S	Yes: After Separation + 1 year	Department preference; Files maintained separately; Claims can be made for 30 years for toxic substance exposure; 8 CCR §3204(d)(1) et seq., GC §§12946, 34090; 29 CFR 1910.1020(d)(1)(i) ; 29 CFR 1627.3
Admin. Services / Human Resources Personnel	HR-025	Workers Compensation Lifetime Medical Awards	2 years	73 years	75 years	Yes: Until Settlement	Mag, Mfr, OD, Ppr	S	Yes: When Inactive	GC §34090

~~PERSONNEL~~
&
INFORMATION
TECHNOLOGY

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
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INFORMATION TECHNOLOGY										
Admin. Services / Information Technology Systems	IT-001	Backup Tapes - DAILY - Network, All Files on Shared Drives (includes e-mail)	When No Longer Required 14 days		When No Longer Required 14 days	Yes	Mag.			Department preference; Used for Disaster Recovery Purposes Only; Considered a copy and can be destroyed when no longer required; retention based on administrative value; recycle tapes; GC §34090 et seq.
Admin. Services / Information Technology Systems	IT-002	Backup Tapes - MONTHLY or QUARTERLY - Network, All Files on Shared Drives (excludes e-mail)	1-year	When No Longer Required	When No Longer Required 1-year	Yes	Mag.			Department preference; Used for Disaster Recovery Purposes Only; Store off-site in commercial storage for disaster recovery; Considered a copy and can be destroyed when no longer required; retention based on administrative value; recycle tapes; GC §34090 et seq.

HOUSING
&
REDEVELOPMENT

LIBRARY

RECORDS RETENTION SCHEDULE: LIBRARY

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<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
LIBRARY										
Library	LIB-001	Contract Services: Performers , Machines, Heating, Instructors, Entertainment, Officials, etc.	Completion + 2 years	3-years	Completion + 2 5 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Consistent with City-wide standards; Statewide guidelines propose completion + 5 years for non-capital improvement contracts & completion + 4 years for transportation and concessionaire agreements. GC §34090
Finance	LIB-002	Deposit Slips, Register Tapes	1-year	3-years	4-years		Mag, Ppr			Retained for auditing purposes; Finance is Office of Record; GC §34090.7
Library	LIB-002	Emergency Contact List	When Superseded		When Superseded		Mag, Ppr			Transitory Record; GC §34090
Library	LIB-003	Facility Use Applications (Room Reservations, etc.)	2 1 year	3-years	2 4-years	Yes: Before Event	Mag, Ppr			Statute of Limitations any "...liability founded upon an instrument in writing" or not specifically provided for is 4 years; GC §34090, CCP §§337, 343
Library	LIB-004	Friends of the Library	When No Longer Required		When No Longer Required		Mag, Ppr			Non-records; GC §34090
Library	LIB-005	Gifts & Donations (Private)	2 years	2 years	4 years		Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Matches other grant retentions; 24 CFR 85.42 & 570.502 & 982.158, 29 CFR 97.42, GC §§34090, 60201

RECORDS RETENTION SCHEDULE: LIBRARY

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference		
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Library	LIB-006	Grants: LSCA (Library Services and Construction), LSTA (Library Services and Technology), SLRC (State Literacy Resource Centers), CLLS (California Library Literacy Services); CLSA (California Library Services Act, IMLS (Institute of Museum & Library Services), and PLF (Public Library Foundation) ONLY. For all others, follow City-wide Schedule. (SUCCESSFUL Reports, and Financial Information)	Final Expenditure + 5 years		Final Expenditure + 5 years	-		Mag, Mfr, OD, Ppr		Per California State Library Records Management Program Requirements (April 27, 1998): GC §34090	
Library	LIB-007	Historical Records and Photographs	P		P			Mag, Mfr, OD, Ppr	S	No	Department preference for historically significant material; GC §34090
Library	LIB-008	Incident Reports (medical and non-medical)	2-5 years		2-5 years			Mag, Ppr			Recommended by State Fire-Marshal; Statute of Limitations for Health Providers is 3 years; Juveniles are required until patient becomes 18 years old; statewide guidelines propose 3 years; CCP-§340.5, GC §34090
Library	LIB-009	Library Commission Board of Trustees: Agendas, Summaries, Notices, Correspondence, etc..	2 years		2 years			Mag, Ppr			Department Preference; Brown Act challenges must be filed within 30 or 90 days of action; GC §§§34090, 60201, 54960.1(c)(1)

RECORDS RETENTION SCHEDULE: LIBRARY

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Library	LIB-010	Library Commission Board of Trustees: Bylaws, Minutes, Resolutions, Articles of Incorporation, Appointments, Resignations	P		P			Mag, Mfr, OD, Ppr	S	Yes: When Inactive	GC §§34090, 60201
Library	LIB-011	Library Consortium Agreement and Annual Reports	P		P			Mag, Mfr, OD, Ppr	S/I	No	Department Preference; GC §34090
Library	LIB-012	Library Consortium Monthly Reports	2 years		2 years			Mag, Ppr			GC §34090
Library or Finance	LIB-013	LSTA Grants: Grants given to local Non-profit organizations (REPORTS & PAYMENTS)	5 years When No-Longer-Required		5 years When No-Longer-Required			Mag, Mfr, OD, Ppr			Department Preference (meets auditing requirements); GC §34090 Finance maintains all payment records; GC §34090.7
Library	LIB-014	Programs (e.g. Summer Reading)	2 years		2 years			Mag, Ppr			Consistent with Registration Forms; GC §34090
Library	LIB-015	Volunteer Applications & Agreements	Separation + 3 years		Separation + 3 years			Mag, Mfr, OD, Ppr	S	Yes: 1 year	Courts treat volunteers as employees; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; retirement benefits is 6 years from last action; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090; 29 USC 1113

RECORDS RETENTION SCHEDULE: LIBRARY

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Library	LIB-016	Volunteer Emergency Contact Forms	<u>When Superseded or Separated</u> Inactive / Separation + 2-years		<u>When Superseded or Separated</u> Inactive / Separation + 2-years	Yes: While volunteer is active	Mag, Ppr			GC §34090

POLICE

RECORDS RETENTION SCHEDULE: POLICE

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<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
POLICE										
Police		Administrative Files	2 years		2 years			Mag, Ppr		GC §34090
	PD-001	Alcohol Beverage Applications	When No Longer Required		When No Longer Required			Ppr		Non-records; GC §34090
Finance		Auction Log, Receipts & Reports	4 years		4 years			Ppr		Consistent with auditing standards; GC §34090
Human Resources Police	PD-002	Background Files - Employees, Volunteers & Reservists	Transfer to Human Resources Personnel upon Separation		Transfer to Human Resources Personnel upon Separation			Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year GC §34090
Human Resources Police	PD-003	Background Files - Unsuccessful Applicants	3 years		3 years			Mag, Ppr		Eligibility Lists are 1 year and can be extended 1 year; EEOC / FLSA / ADEA (Age) requires 3 years; State Law requires 2 - 3 years; 29 CFR 1627.3(a)(5) and (6), 8 CCR §11040.7(c), GC §§12946, 34090
Police		Bicycle Licenses	2 years		2 years			Mag, Ppr		GC §34090
Finance		Cash Register Receipts	Forward to Finance		Forward to Finance			Ppr		GC §34090.7
Police	PD-004	Citations - Payment Plans for outstanding parking citations received by indigent persons	Fully Paid, Written off, or Forgiven + 5 years		Fully Paid, Written off, or Forgiven + 5 years			Mag, Ppr		Department preference (the Statute of Limitation for collections is 5 years from the date of the last violation); CVC 40222(b); GC §34090

RECORDS RETENTION SCHEDULE: POLICE

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Police	PD-005	Citations: Infractions & Parking	<u>Minimum 2</u> years		<u>Minimum 2</u> years			Ppr		Department preference: GC §34090
Police	PD-006	Citations: Marijuana / Cannabis Citations or Reports (less than 28.5 grams)	2 years or subject 18-years old		2 years or subject 18-years old			Ppr		GC §34090, H&S §11361.5
Police	PD-007	Citations: Misdemeanor or Criminal	<u>Minimum 2</u> 7 years		<u>Minimum 2</u> 7 years			Ppr		Department Preference (follows the case retention – becomes part of the case); Statute of Limitations is up to two years; Also See Crime Reports; GC §34090, PC §802
Police	PD-008	Code Enforcement (all except Substandard Housing Conditions, which is Building Department)	Case Closure + 2 years		Case Closure + 2 years	Yes: Until Resolution		Mag, Ppr		Case is open until satisfactorily resolved; GC §34090
Police		Concealed Weapon Permits (GCW) – Civilians	Expiration + 2 years		Expiration + 2 years			Ppr		DOJ manages the sale and transfer of firearms; Non-records (State is OFR); most agencies retain for 2 years; GC §34090, PC §12070 et seq;
Police	PD-009	Crime Statistics: ANNUAL	2 years	P	P			Mag, Mfr, OD, Ppr	S / I	Yes: When Inactive Historical Value; GC §34090
Police	PD-010	Crime Statistics: PERIODIC (Monthly, Bi-monthly, etc.)	2 years		2 years			Mag, Ppr		GC §34090
Police	PD-011	Daily Crime Report No. Log: Case Numbers Books (Old Cases)	P		P			Mag, Ppr		GC §34090
Police	PD-012	Department of Justice Validation Lists	2 years		2 years			Mag, Ppr		Information received by DOJ; GC §34090

RECORDS RETENTION SCHEDULE: POLICE

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Police	PD-013	Drug Registrants (maintained in Suspect ID Jackets)	5 years No Activity + 10 years		5 years No Activity + 10 years			Mag, Ppr		Consistent with Suspect ID Jacket retention; Registration is required for 5 years; GC §34090, H&S §11590 et seq., H&S §11594(a)
Police	PD-014	Evidence Sheets (Property packaging)	(Police Report Retention)		(Police Report Retention)			Ppr		Statute of Limitations is 1 year for property seized by officers; CCP §340(4); GC §34090
Police		Field Interview Cards with Pictures- (others are entered into RMS, then the paper version destroyed)	2 years		2 years			Ppr		Retained because of picture; GC- §34090 et seq.
Police		Grievances-	Final Disposition- +2 years		Final Disposition- +2 years	Yes- Before- Disposition		Mag- Ppr		Consistent with City Attorney- retention; All State and Federal- laws require retention until final- disposition of formal complaint;- State requires 2 years after action- is taken; GC §§12946, 34090
Police	PD-015	Guns: Dealers Record of Sale	When No Longer Required		When No Longer Required			Mag, Ppr		Dealers have an automated link to DOJ; PC §12070

RECORDS RETENTION SCHEDULE: POLICE

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Police	PD-016	Internal Investigations and Civilian Complaints : Sustained, Not Sustained, Use of Force , and Officer Involved Shootings	Final Disposition + <u>5</u> <u>6</u> years		Final Disposition + <u>5</u> <u>6</u> years			Mag, Ppr		Department Preference; State & Federal laws require retention until final disposition of formal complaint; State requires 2 years after action is taken; Statute of Limitations is 4 years after the discovery of the offense for misconduct in office ; for misconduct; IA and Statewide guidelines recommend 25 years for officer-involved shootings ; EVC §1045, GC §§12946, 34090, PC §§801.5, 803(c), 832.5, VC §2547	
Police	PD-017	Massage Establishments & Technicians: Background Checks	Expiration of License + 2 years		Expiration of License + 2 years			Mag, Mfr, OD, Ppr	M / S / I	No	GC §34090
Police	PD-018	Officer Recordings: Body-Worn Cameras – LOGS of Access or Deletion of Data	<u>P</u>		<u>P</u>			<u>Mag</u>			PC§ 832.18(b)(5)(E); GC §34090.6 et seq.
Police	PD-019	Officer Recordings: Body-Worn Cameras - that ARE evidence, Officer Involved Shootings / Detention or Arrest / Complaints	Follows retention for Evidence, Minimum 2 years		Follows the Retention of the Evidence, Minimum 2 years			<u>Mag</u>			PC§ 832.18(b)(5)(B)&(C); GC §34090.6 et seq.
Police	PD-020	Officer Recordings: Body-Worn Cameras - that are NOT evidence	<u>60 days</u>		<u>60 days</u>			<u>Mag</u>			PC§ 832.18(b)(5)(A); GC §34090.6 et seq.
Police	PD-021	Parking Permits / Overnight Parking Permits	2 years		2 years			Mag, Ppr			GC §34090

RECORDS RETENTION SCHEDULE: POLICE

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Police	PD-022	Pawn Slips	When No Longer Required		When No Longer Required			Ppr		Non-records used for investigations; Originals entered into the State Automated Property System; most agencies retain for 2 years; GC §34090	
Police	PD-023	Police Report Log (for Press - posted on Web)	2 years		2 years			Mag, Ppr		GC §34090	
Police	PD-024	Police Report Log (Police only - contains confidential information)	2 years		2 years			Mag, Ppr		GC §34090	
Police	PD-025	Police Reports: Felonies and Misdemeanors - ALL except those otherwise specifically mentioned in this retention schedule	7 years or upon DOJ Notification		7 years or upon DOJ Notification	Yes: Before Disposition		Mag, Mfr, OD, Ppr	S / I	No	Department Preference; Provided there are no outstanding warrants, unrecovered weapons, criminal deaths, they are not historically significant, and it is not classified under PC §800 & 290 and H&S §11850; Stat. of Limit. is 2 yrs; Destroy juvenile marijuana after age18; H&S §11361.5, GC §34090, PC §802, PC §§187, 800 et seq.

RECORDS RETENTION SCHEDULE: POLICE

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Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.										
HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).										
Police	PD-026	Police Reports: Homicide, Child Abuse (Substantiated) or Severe Neglect, Bank Robberies, Fatal Traffic Collisions, Suspicious Deaths, Falsification of Public Records, Kidnapping, Unsolved Child or Elder Abuse, Sexual Assault & Neglect, Rape, Misuse of Public Funds, Train-wrecking, Treason, Suicide, Officer Involved shootings (Crimes Subject to Death Penalty or without statute of Limitations -- Includes Attempts)	3 years	P	P	Yes: Before Disposition	Mag, Mfr, OD, Ppr	S / I	Yes: When Inactive	Department Preference; Most have no limitations on commencement of action; PC §§ 261, 286, 288, 288a, 288.5, 289, 289.5, and 799
Police	PD-027	Police Reports: Marijuana / Cannabis less than 28.5 grams	2 years or subject 18 years old		2 years or subject 18 years old		Ppr			GC §34090, H&S §11361.5
Police	PD-028	Police Reports: Missing Person Reports (unsolved)	2 years or Until Located	P	P	Yes: Before Disposition	Mag, Mfr, OD, Ppr	S / I	Yes: When Inactive	Dept. Preference; Also see Crime Reports; GC §34090
Police	PD-029	Police Reports: Sealed ("Factual Innocence")	Date of Arrest + 3 years		Date of Arrest + 3 years	Yes: Before Disposition	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC & OD	Individual petitions District Attorney; Sheriff concurs that person is factually innocent, then seals record ("Shall" Destroy); GC §34090; PC §851.8(a) Statute of Limitations turns up to
Police	PD-030	Police Reports: Sealed Juvenile Cases	Sealing date + 5 years (or Court Order)		Sealing date + 5 years (or Court Order)		Mag, Mfr, OD, Ppr			age of majority + 8 years; Sealing for Juveniles and Wards of the Court retained for 5 years; CCP §§340.1, GC §34090; W&I §791(d)

RECORDS RETENTION SCHEDULE: POLICE

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Police	PD-031	Police Reports: Child Abuse or Neglect Investigation Reports - Unsubstantiated or Inconclusive	No Further Report on Suspected Abuser + 10 years		No Further Report on Suspected Abuser + 10 years		Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC & OD	PC §§11169(c), 11170(a)(3)
Police	PD-032	Police Reports: Weapons, Lost / Stolen, Serialized, if no activity from date of report and CLETS purge	Until Found - Minimum 7 years		Until Found - Minimum 7 years		Ppr			Department Preference; PC§ 11108.2(b); GC §34090
Police		Polygraph Reports	(Police-Report-Retention)		(Police-Report-Retention)		Mag, Ppr			Takes retention period for the criminal report which applies
Police		POST Printouts (Training Courses)	Transfer to Personnel upon Separation		Transfer to Personnel upon Separation		Mag, Mfr, OD, Ppr	S/I	Yes: After 1 year	GC §34090
Support Operations	PD-033	Recordings of Telephone & Radio Communications / Dispatch Tapes, Tape Recordings (CAD)	1 year		1 year		Mag			State law requires 100 days; Statute of Limitations for Civil Rights Claims is one year; other claims is 180 days; CCP§337 et Seq., GC §§34090, 34090.6
Police	PD-034	Registrants: Sex Offenders - Juveniles	P or Sealing Date + 5 years (or Court Order)		P or Sealing Date + 5 years (or Court Order)		Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC & OD	Department Preference: After 2021, Offenders can petition Court for removal 10 or 20 years after offense, provided there are no subsequent offenses; Pursuant to PC §290 et seq.; W&I §781(D)

RECORDS RETENTION SCHEDULE: POLICE

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Police	PD-035	Registrants: Sex Offenders Registrations - Adults	P, or Death of Registrant		P, or Death of Registrant			Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC & OD	Department Preference; After 2021, Offenders can petition Court for removal 10 or 20 years after offense, provided there are no subsequent offenses; Pursuant to PC §290 et seq.
Police	PD-036	Restraining Orders	Expiration of Order		Expiration of Order			Ppr			Department Preference; Non-records (Superior Court is OFR); GC §34090
Police	PD-037	RMS Database	Indefinite		Indefinite	Yes		Mag			Data Fields / Records are interrelated; GC §34090
Police	PD-038	Subpoenas and Subpoena Logs	2 years		2 years			Ppr			GC §34090
Police	PD-039	Suspect ID Jackets	No Activity + 10 years		No Activity + 10 years			Mag, Ppr			Consistent with Felony Crime Report retentions; Registration is required for 5 years; GC §34090, H&S §11590 et seq., H&S §11594(a)
Police		Taxi-Permits	Expiration + 2 years		Expiration + 2 years			Mag, Ppr			GC §34090
Police	PD-040	Traffic Complaints	2-3 years		2-3 years			Mag, Ppr			Consistent with Operational Complaints; Statute of Limitations for personal property, fraud, etc. is 3 years; Claims must be filed in 6 months; CCP §§338 et seq., 340 et seq., 342, GC §§945.6, GC §34090

RECORDS RETENTION SCHEDULE: POLICE

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Police	PD-041	Training Records	Transfer to Human Resources Personnel upon Separation		Transfer to Human Resources Personnel upon Separation			Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department Preference; GC §34090
Police		Video Interviews	(Follows Police Report retention)		Follows Police Report retention)			Mag			Department Preference; GC §34090
Police		Work Assignments (Schedules)	3 years		3 years	Yes: Current Schedule only		Ppr			Department Preference; EEOC's basic requirement is 1 year after action; Bureau of National Affairs recommends 2 years for work schedules; 29 CFR 516.6(1), 29 CFR 1602.14, GC § 34090

PUBLIC
WORKS

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

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PUBLIC WORKS										
Fire, Public Works	PW-001	Employee Exposure Records: HazMat Exposure Records / OSHA Log 200, MSDS (Material Safety Data Sheets)	2 years	28 years	30 years	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Claims can be made for 30 years for toxic subst. exposure; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; 29 CFR 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090
Public Works	PW-002	Equipment Inventory, Maintenance & Operations (e.g. pump stations, reservoir stations, etc.)	5 years		5 years	Yes	Mag, Ppr			Covers auditing standards; Statute of Limitations for contracts is 4 years; CCP §§ 337 et seq.; GC §34090
Plann. / Public Works	PW-003	Flood Control & Disaster Files (e.g. pump systems, CIP systems)	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: 1 year	statewide guidelines propose 2 years; GC §34090
Public Works	PW-004	Offers of Dedication	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S	Yes: After Inactive	GC §34090
Public Works	PW-005	Potential Claims	2 years		2 years	Yes (all)	Mag, Ppr			GC §34090
Lead Dept: City Manag., Plann., or Public Works	PW-006	Real Estate Appraisal Reports: Property NOT purchased	2 years		2 years		Mag, Ppr			Statewide Guidelines show 2 years; GC §§34090, 6254(h)

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

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Lead Dept: City Manag., Plann., or Public Works	PW-007	Real Estate Appraisal Reports: Purchased Property	2 years	5 years	7 years	Yes: Until Purchase	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Auditing standards are 7 years after audit; time is sufficient to establish tax increment; Statewide Guidelines show 2 years; GC §§34090, 6254(h)
Finance	PW-008	Refundable Deposits (Building or Planning Permits, etc.)	When No Longer Required		When No Longer Required	Yes: Until Closed	Mag, Mfr, OD, Ppr			Finance maintains originals; GC §34090.7
Public Works	PW-009	State of California Information Files (CalTrans)	2 years	10 years	10 years		Mag, Mfr, OD, Ppr	S	Yes: 1 year	Administrative Value; GC §34090
Person.	PW-010	Training, Including Safety Training (Not Hazardous Materials)	When No Longer Required		When No Longer Required		Mag, Ppr			HR is OFR (all originals should be sent to HR, the department maintains a copy); OSHA requires 1 year; 8 Cal. Cod Reg. 3203(b)(2); GC §34090
Public Works	PW-011	Traffic Collision Reports (copies of Sheriff's report)	10 years		10 years		Mag, Ppr			Department Preference; GC §34090
Public Works	PW-012	Traffic Counts, Summaries, Reports	5 years		5 years		Mag, Ppr			Department Preference; GC §34090
Public Works	PW-013	Traffic Information Files	5 years		5 years		Mag, Mfr, OD, Ppr	S	Yes: 1 year	Department Preference; GC §34090
Public Works	PW-014	Traffic Legends (painting)	5 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: 1 year	Department Preference; GC §34090
Public Works	PW-015	Traffic Signals: Maintenance, Timing, Signs & Marking installations	5 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: 1 year	Department Preference; GC §34090

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

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Public Works	PW-016	Traffic Speed Surveys	5 years		5 years			Mag, Ppr		Department Preference; Statewide guidelines propose 2 years; GC §34090
Public Works	PW-017	Underground Service Alerts from Utility Companies "USA's" - (Digging on Property)	3 years 6 months		3 years 6 months			Ppr		GC §§4216.2(fd) & 4216.3(d), GC §34090 Department Preference; non-records; EPA and Dept. of Agriculture maintain records of all reports. Owner/operator has reporting requirements under H&S §§25158, 25250.10, .17, .18; 40 CFR §§ 280.62, thru .67
Public Works	PW-018	Vehicle Maintenance History (Public Works Vehicles only)	Life of Vehicle + <u>2</u> 4 years		Life of Vehicle + <u>2</u> 4 years			Mag, Ppr		Covers all statute of limitations; CHP requires life of vehicle; OSHA requires 1 year; 8-Ca. Code Reg. § 3203(b)(1); CCP §337 et. Seq., GC §34090
Public Works / Division Providing Service / Work	PW-019	Work Orders / Service Requests / Job Requests / Service Repair Orders CMMS DATABASE (Computerized Maintenance Management System)	Indefinite		Indefinite		-	Mag		Data is interrelated; GC §34090
Public Works / Division Providing Service / Work	PW-020	Work Orders / Service Requests / Job Requests / Service Repair Orders - All Information Entered in CMMS Database	When No Longer Required		When No Longer Required		-	Mag, Ppr		Preliminary drafts (the database is the original); GC §34090

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<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>									
<u>Public Works / Division Providing Service / Work</u>	<u>PW-021</u>	<u>Work Orders / Service Requests / Job Requests / Service Repair Orders - NOT entered in CMMS Database (or partial information entered into CMMS Database)</u> <u>(Division providing service retains originals; Division requesting service is considered a copy)</u>	<u>5 years</u>		<u>5 years</u>	-	<u>Mag, Ppr</u>		<u>City preference; CCP §§338 et seq., 340 et seq., 342, GC §§945-6, GC §34090</u>
Public Works		Work Orders / Service Requests-	3-years		3-years		Mag, Ppr		Some functions are outsourced to Contractors; GC §34090

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ENGINEERING										
Public Works / Engineer.	PW-022	Annexations, Abandonments	2 years	P	P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: 1 year	GC §34090
Public Works / Engineer.	PW-023	Assessment District Projects (Maps, Engineer's Report, Diagrams, Spreadsheets, Improvement Plans - e.g. water, sewer, undergrounding)	2 years	P	P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: 1 year	City Clerk Maintains Originals; GC §34090
Public Works / Engineer.	PW-024	Bonds - Project Funding	When No Longer Required		When No Longer Required	Yes: Until Completed	Mag, Mfr, OD, Ppr			Finance is OFR; GC §34090.7
Public Works / Engineer.	PW-025	Capital Improvement Projects (CIP): Administration File Project Administration, Certified Payrolls, Construction Manager's Logs, Daily Inspections, Daily Logs, Hazardous Materials Plans, Meeting Minutes, Photos, Project Schedules, Progress meetings, Punch Lists, Real Estate Appraisals, RFIs & Responses, Soil Reports, Studies, Submittals, Successful Proposal, Surveys, etc.	Upon Completion	10 years or After Funding Agency Audit, if required, whichever is longer	Completion + 10 years or After Funding Agency Audit, if required, whichever is longer	Yes: Until Completed	Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Some grant funding agencies require audits; Statute of Limitations for Errors & Omissions is 10 years; Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq., GC §34090

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

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Public Works / Engineer.	PW-026	Capital Improvement Projects (CIP): <u>Permanent File</u> Specifications & Addenda, Change Orders, CEQA / Environmental Documents - EIRs, Negative Declarations, Exemptions, Materials Testing Reports, etc.	Upon Completion	P	P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Department preference; retained for disaster preparedness purposes; Statewide guidelines propose Permanent for Infrastructure plans; Final environmental determinations are required to be kept a "reasonable period of time"; 14 CCR §15095(c); CCP §337 et. seq., GC §34090
Engineer.		CIP Projects (where City Engineer is the lead)	2 years	P	P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: 1 year	Infrastructure; statewide guidelines propose 10 years; GC §34090
Public Works / Engineer.	PW-026	Drawings / <u>As-Builts</u> (Improvement Plans, Grading, Utility)	Completion + 2 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: 1 year	Some maps are also retained by Planning; Selected maps are retained in Public Works for administrative purposes; GC §34090, 34090.7
Public Works / Engineer.	PW-027	Easements	2 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Department Preference; Recorded, therefore also maintained by City Clerk; GC §34090, 34090.7
Planning	PW-028	Encroachments (Planning Review File)	When No Longer Required		When No Longer Required		Mag, Ppr			Planning is OFR; GC §34090.7
Public Works / Engineer.	PW-029	Encroachments (Structures - e.g. awnings, signs, etc.)	2 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Statewide guidelines propose Permanent; GC § 34090

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Public Works / Engineer.	PW-030	Encroachments (Temporary - e.g. construction street openings, sidewalk ramps, debris box, etc.)	2-3 years		2-3 years			Mag, Ppr		Covers Statute-of-Limitations; GC §34090, CCP §337 et seq.
Public Works / Engineer.	PW-031	Maps, Base Maps - Final (Drainage, Grading, Subdivision, Survey, Parcel Maps, Lot Line Adjustments, Utility, Street Light, Water, etc.)	P		P	Yes (all)		Mag, Mfr, OD, Ppr	S	Yes: 1 year Some maps are recorded and maintained by City Clerk; some maps are also retained by Planning; Selected maps are retained in Public Works for administrative purposes; GC §34090, 34090.7
Public Works / Engineer.	PW-032	NPDES - National Pollutant Discharge Elimination System Program (includes enforcement actions)	5 years		5 years			Mag, Mfr, OD, Ppr	S	Yes: 1 year Statewide guidelines propose permanent; Federal law requires between 3-5 years for hazardous materials discharge; 40 CFR 122.28
Public Works / Engineer.	PW-033	Offers of Dedication (property)	2 years	P	P			Mag, Mfr, OD, Ppr	S	Yes: After Inactive Land records; GC §34090
Public Works / Engineer.	PW-034	Plan Drawings (e.g. water, sewer, storm drain, etc.)	P		P	Yes (all)		Mag, Mfr, OD, Ppr	S	Yes: 1 year Some maps are also retained by Planning; Selected maps are retained in Public Works for administrative purposes; GC §34090, 34090.7
Public Works / Engineer.	PW-035	Preliminary Studies / Project Assessments (Not Acquired): Title Reports, Environmental Reports, etc.	2 years	8 years	10 years			Mag, Mfr, OD, Ppr	S	Yes: After Inactive Department Preference; GC §34090
Public Works / Engineer.	PW-036	Prevailing Wages, Disadvantaged Business Enterprises	2 years after revised		2 years after revised			Mag, Ppr		Non-record used for reference; GC § 34090

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Public Works / Engineer.	PW-037	Projects & Facilities: INFRASTRUCTURE Final Specifications and Plans (Buildings, Improvement Plans, Park Improvements, Right of Way, Sewers, Street Widening, etc.)	Completion + 2 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: 1 year	Statewide guidelines propose 7 years; 2 years for blueprints & specifications; Statute of Limitations is 4 years; 10 years for Errors & Omissions; CCP §§337.337.1(a), 337.15, GC §34090
Public Works / Engineer.	PW-038	Projects: NON-INFRASTRUCTURE Final Specifications and Plans (Curb repairs, Slurry Seals, Street Paving, Tree Trimming, etc).	Completion + 2 years	3 years	Completion + 5 years	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Statewide guidelines propose Term + 5 years, 2 years for blueprints & specifications; Statute of Limitations is 4 years; 10 years for Errors & Omissions; CCP §§337.337.1(a), 337.15, GC §34090
Finance	PW-039	Property Acquisition Projects (All): Correspondence, copies of permanent documents, etc.	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Until Completed	Mag, Ppr			Original Deeds or other Recorded Documents are maintained by the City Clerk, depending upon the project; All original agreements are maintained by Finance; GC §34090.7
Public Works / Engineer.	PW-040	Refundable and Security Deposits (Charged to developers to cover project fees)	2 years	3 years	5 years	Yes: Until Completed	Mag, Ppr			For auditing purposes; published articles show 3 years; Other city shows permanent; GC §34090
Public Works / Engineer.	PW-041	Resource Files: (ABAG, etc.)	When No Longer Required		When No Longer Required		Mag, Ppr			GC §34090
Public Works / Engineer.	PW-042	Staff Reports (City Council)	P		P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: 1 year	City Clerk Maintains Originals for 5 years; GC §34090

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
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(OFR)										
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Public Works / Engineer.	PW-043	Streets, Storm Drains, Lot Line Adjustments, Parcel Maps, etc.	P		P	Yes (all)				Department Preference; Planning also maintains some originals; GC § 34090 et seq.
Public Works / Engineer.	PW-044	Subdivisions	Completion + 2 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: 1 year	Department Preference (City Clerk is OFR); GC §34090.7
Public Works / Engineer.	PW-045	Survey Information (Legal plats and descriptions, Survey data and maps)	Completion + 2 years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: 1 year	Department Preference; GC §34090
Public Works / Engineer.	PW-046	Tree Database (West Coast Arborists)	Indefinite		Indefinite	Yes	Mag			Data Fields / Records are interrelated; GC §34090
ENVIRONMENTAL PROGRAMS										
Public Works / Env.	PW-047	Energy Conservation	5 years		5 years		Mag, Mfr, OD, Ppr	S	No	Department Preference; GC §34090 et. seq.
Env.	GD-011	Environmental Quality Commission- (all records)	P		P		Mag, Mfr, OD, Ppr	S	No	Department Preference; only Minutes are permanent (see City-wide schedule); GC §34090 et. seq.
Public Works / Env.	PW-047	NPDES - Public Information	5 years		5 years		Mag, Mfr, OD, Ppr	S	No	Department Preference; Monitoring records required for 3 years; 40 CFR §§122.21, 122.41 ; 122.44 ; GC §34090 et. seq.
Env.	GD-013	S.F. Creek Planning	5 years		5 years		Mag, Mfr, OD, Ppr	S	No	Department Preference; GC §34090 et. seq.

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

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Public Works / Env.	PW-048	Tree Maps & Plats	Until Superseded	P	P			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Department Preference; GC §34090
Public Works / Env.	PW-049	Tree Maintenance	2 years	1 year	3 years			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Department Preference; GC §34090
Public Works / Env.	PW-050	Tree Removal Permits	2 years	3 years	5 years			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Department Preference; GC §34090; H&S 19589
Public Works / Env.	PW-051	Solid Waste Recycling and Administration	5 years		5 years			Mag, Mfr, OD, Ppr	S	No Department Preference; GC §34090 et. seq.
Public Works / Env.	PW-052	Water Pollution Prevention Program (NPDES)	5 years		5 years			Mag, Mfr, OD, Ppr	S	No Department Preference; Monitoring records required for 3 years; 40 CFR §§122.21, 122.41 ; 122.44 GC §34090 et. seq.
MAINTENANCE / FLEET SECTION										
Maint. / Fleet	PW-053	Accident Reports (vehicles and equipment) - <u>NOT</u> a Police Report	3 years		3 years			Mag, Ppr		Covers statute of limitations; CCP §337 et seq.; GC §34090
Maint. / Fleet	PW-054	Accident Reports (vehicles and equipment) - Police Reports	When No Longer Required		When No Longer Required			Mag, Ppr		Police is OFR - Do not retain in Department because it contains some private information; GC §34090.7
Maint. / Fleet	PW-055	Equipment Work Request	When No Longer Required		When No Longer Required			Mag, Ppr		The "original" record (Pink) is maintained in other departments; GC §34090

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, <u>pending records requests, audits and/or investigations</u> suspend normal retention periods (retention resumes after settlement or completion).</i>										
Maint. / Fleet	PW-056	Vehicle Maintenance History	Life of Vehicle <u>+ 2 years</u>		Life of Vehicle <u>+ 2 years</u>			Mag, Ppr		Consistent with CHP requirements; OSHA requires 1 year; 8 CCR §3203(b)(1); GC §34090
Maint. / Fleet	PW-057	Vehicle Service Requests, Inspections, or Work Orders	Life of Vehicle or CHP Inspection		Life of Vehicle or CHP Inspection			Mag, Ppr		Some functions are outsourced to Contractors; GC §34090

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
MAINTENANCE / STREETS										
Maint. / Streets	PW-058	Material Data Safety Sheet (MSDS) / Safety Data Sheets (SDS) / Chemical Use Report Form (or records of the chemical / substance / agent, where & when it was used)	30 years		30 years			Mag, Mfr, OD, Ppr	S	Yes: After QC & OD Previous MSDS may be obtained from a service; MSDS may be destroyed as long as a record of the chemical / substance / agent, where & when it was used is maintained for 30 years; Applies to qualified employers; 8 CCR 3204(d)(1)(B)(2 and 3), 29 CFR 910.1020(d)(1)(ii)(B), GC §34090
Maint. / Streets	PW-059	Pavement Maintenance Inventory Records	Data Superseded		Data Superseded			Mag, Mfr, OD, Ppr	S	Yes: After 1 year GC § 34090
Maint. / Streets	PW-060	Pavement Maintenance Inventory Records - "Deep Lift" or "Skin Patching" (repair)	2 years		2 years			Mag		GC § 34090
Maint. / Streets	PW-061	Streets	5 years		5 years			Mag, Ppr		Department Preference; GC § 34090
Maint. / Streets	PW-062	Traffic Legends (painting)	5 years		5 years			Mag, Ppr		Covers all Statute of Limitations; Department Preference; GC §34090, CCP §337 et seq.
Maint. / Streets	PW-063	Traffic Signs	5 years		5 years			Mag, Ppr		City Clerk maintains originals of installation / ownership, etc; Covers all Statute of Limitations; Department Preference; GC §34090, CCP §337 et seq.

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference
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(OFR)									
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>HOLDS: Litigation, claims, complaints, pending records requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Maint. / Streets	PW-064	Tree Database (West Coast Arborists)	Indefinite		Indefinite	Yes	Mag		Data Fields / Records are interrelated: GC §34090
Public Works / Division Providing Service / Work	PW-065	Work Orders / Service Requests / Job Requests / Service Repair Orders CMMS DATABASE (Computerized Maintenance Management System)	Indefinite		Indefinite	-	Mag		Data is interrelated: GC §34090
Public Works / Division Providing Service / Work	PW-066	Work Orders / Service Requests / Job Requests / Service Repair Orders - All Information Entered in CMMS Database	When No Longer Required		When No Longer Required	-	Mag. Ppr		Preliminary drafts (the database is the original); GC §34090
Public Works / Division Providing Service / Work	PW-067	Work Orders / Service Requests / Job Requests / Service Repair Orders - NOT entered in CMMS Database (or partial information entered into CMMS Database) (Division providing service retains originals; Division requesting service is considered a copy)	3 years		3 years	-	Mag. Ppr		City preference: CCP §§338 et seq., 340 et seq., 342, GC §§945.6, GC §34090
Maint. / Streets		Maintenance Request Forms, Work Orders	3 years		3 years		Mag. Ppr		Some functions are outsourced to Contractors: GC §34090
MAINTENANCE / WATER									

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
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Water	PW-068	Backflow Inspections/Approvals	5 2 years		5 2 years			Ppr		Domestic water system inspection with County administration (State Program - Title 17) GC §34090 (City took over from San Mateo County in 2009)
Water	PW-069	Chains of Custody (Water testing instructions)	2 years	10 8 years	12 10 years			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Lead and Copper required for 12 years or 2 compliance cycles (some compliance cycles are nine years); 22 CCR 64400.25; 22 CCR §64470, 40 CFR 141.33(a); 40 CFR 141.91
Water	PW-070	Chemical Reports, includes Bacterial Analysis (Chlorine, Nitrates, etc.) weekly water testing	2 years	8 years	12 years			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years State law requires 12 years, Federal 10 years; 40 CFR 141.33(a); 22 CCR §64692
Water	PW-071	Correspondence: EPA, DHS	2 years	3 years	5 years			Mag, Mfr, OD, Ppr	S	Yes: 2 years Department Preference; GC §34090
Water	PW-072	Customer Concerns / Customer Complaints: Odor / Taste / Visual Complaints about Potable Water	5 years		5 years			Mag. Ppr		5 years is required in State and Federal law for any complaints; 40 CFR 122.41(j)(2) & 40 CFR 141.33(b); 22 CCR 64470(a)
Water	PW-073	FEMA Community Assistance	2 years	8 years	10 years			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Department Preference; GC §34090
Water	PW-074	FEMA Flood Insurance Maps, Letters of Map Amendments	Until Superseded	P	P			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Department Preference; GC §34090

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

Office of Record (OFR)	Retention No.	Records Description	Retention / Disposition							Comments / Reference
			Active (On-Site)	Inactive (Off-Site / Imaged)	Total Retention	Vital?	Media	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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Water	PW-075	Geothermal Logs	2 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Historical Data; GC §34090
Water	PW-076	Groundwater Contamination	2 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Historical Data; GC §34090
Water	PW-077	Groundwater Levels, Data Trends	2 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Historical Data; GC §34090
Water	PW-078	Groundwater Monitoring Well Route Book	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Department Preference; GC §34090
Water	PW-079	Lab Analysis (e.g. Bayfront Park)	2 years	8 years	12 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Lead and Copper required for 12 years or 2 compliance cycles (some compliance cycles are nine years); 22 CCR 64400.25; 22 CCR §64470, 40 CFR 141.33(a); 40 CFR 141.91
Water	PW-080	Meter Installation & Maintenance	Life of Meter		Life of Meter		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	GC §34090
Water	PW-081	NPDES Reports (e.g. 1/2 year deliverable)	3 years		3 years		Mag, Ppr			Monitoring records required for 3 years; 40 CFR §§ 122.21 , 122.41, 122.44
Water	PW-082	Permits: Road Work (issued by Others)	Completion of Project + 2 years		Completion of Project + 2 years		Ppr			GC §34090
Water	PW-083	Test Wells (e.g. Bayfront Park - may be done by private entities)	2 years	Closing of Well	Closing of Well		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Administrative Value for monitoring wells; GC §34090

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

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Water	PW-084	Variances, Exemptions (water)	Expiration + 5 years		Expiration + 5 years			Mag, Mfr, OD, Ppr	S	No	40 CFR 141.33(d)
Water	PW-085	Violations, Investigations and Corrective Actions: WATER DISTRIBUTION	Last Action + <u>5</u> 2 years	1-year	Last Action + <u>5</u> 3 years			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Code of Federal Regulations- requires 3 years; 40 CFR 141.33(b)
Water	PW-086	Vulnerability Assessment / Emergency Response Plan / Risk & Resiliency Assessment / Hazard Mitigation Plan	When Superseded - Minimum 2 years		When Superseded - Minimum 2 years			Mag, Ppr			Confidential: 42 USC 300i-2(d); GC §34090 et seq.
Water	PW-087	Water - General	10 years		10 years			Mag, Mfr, OD, Ppr			GC § 34090
Water	PW-088	Water Level Data Sheets - Reservoirs	P		P			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Administrative Value; GC §34090
Water	PW-089	Water Plans (Various Projects)	Completion + 5 years	P	P			Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Drafts should be destroyed; All infrastructure contracts are permanent for emergency preparedness; Statute of Limitations is 4 years; 10 years for Errors & Omissions; CCP §§337.337.1(a), 337.15, GC §34090
Water	PW-090	Water Service Connections	2 years	3 years	5 years			Mag, Ppr			Department preference; covers auditing standards; GC §34090
Water	PW-091	Water Suppliers	10 years		10 years			Mag, Mfr, OD, Ppr			GC § 34090

RECORDS RETENTION SCHEDULE: PUBLIC WORKS

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Water	PW-092	Water Permit Index / Key	P		P	Yes	Mag, Mfr, OD, Ppr	S / I	No	GC §34090
Water	PW-093	Well Logs (e.g. Bayfront Park)	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Non-records (private entities perform this); GC §34090
Water	PW-094	Well Measurements, Production: Daily Water Production, Water Meter	2 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Department Preference; GC §34090
Water	PW-095	Well Record Books, Graphs, Monitoring	2 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Department Preference; GC §34090
TRANSPORTATION										
Public Works. / Trans.	PW-096	Traffic Counts, Summaries, Reports	5 years	15 years	20 years		Mag, Ppr			Department Preference; GC §34090
Public Works. / Trans.	PW-097	Bicycle Safety Training Program	2 years		2 years		Mag, Ppr			GC §34090
Public Works. / Trans.	PW-098	Streets, Intersections	5 years	5 years	10 years		Mag, Ppr			Department Preference; GC §34090
Public Works. / Trans.	PW-099	Traffic Information Files (does not include Accident Reports)	5 years	5 years	10 years		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD 1-year	Department Preference; GC §34090
Public Works. / Trans.	PW-100	Traffic Legends (painting)	5 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD 1-year	Department Preference; GC §34090

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Public Works. / Trans.	PW-101	Traffic Signals: Maintenance, Timing, Signs & Marking installations	5 years	P	P			Mag, Mfr, OD, Ppr	S	Yes: After QC & OD 1-year	Department Preference; GC §34090
Public Works. / Trans.	PW-102	Traffic Reports (except those that are historically significant)	5 years	5 years	10 years			Mag, Ppr			Department Preference; Statewide guidelines propose 2 years; GC §34090
Public Works. / Trans.	PW-103	Traffic Speed Surveys	5 years	5 years	10 years			Mag, Ppr			Department Preference; Statewide guidelines propose 2 years; GC §34090
Public Works. / Trans.	PW-104	Transportation Funding Programs (ISTEA, etc.)	2 years	After Funding Agency Audit, if Required - Minimum 4 years	After Funding Agency Audit, if required - Minimum 4 years			Mag, Mfr, OD, Ppr	S / I	Yes: When Inactive	Uniform Admin. Require. for Grants to Local Govern. is 3 years from expenditure report; HUD 2228.2 rev-3, 24 CFR 85.42, 24 CFR 982.158,29 CFR 97.42, GC §34090; Grant issuer has requirements under various CFR's
Public Works. / Trans.	PW-105	Transportation Plans, Projects & Infrastructure	5 years	P	P			Mag, Mfr, OD, Ppr	S	Yes: After QC & OD 1-year	Department Preference; GC §34090
Public Works. / Trans.	PW-106	Transportation Systems Management Program (TSM) - Shuttles	5 years		5 years			Mag, Ppr			Consistent with CHP inspection requirements; OSHA Requires 1 year; Cal. Code Reg. 3203(b)(1), GC §34090
Public Works. / Trans.	PW-107	Traffic Studies	5 years	5 years	10 years			Mag, Mfr, OD, Ppr	S	Yes: After QC & OD 1-year	GC §34090
Public Works. / Trans.	PW-108	Truck Permits	4 years		4 years	Yes: While Active		Mag, Ppr			Covers all Statute of Limitations; GC §34090, CCP §337 et seq.

SUSTAINABILITY

RECORDS RETENTION SCHEDULE: SUSTAINABILITY

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SUSTAINABILITY										
Sustain-ability	SUS-001	Construction & Demolition Debris Re-use and Recycling	2 years		2 years			Mag. Ppr		GC §34090
Sustain-ability	SUS-002	Construction & Demolition Debris Re-use and Recycling Database (Green Halo)	Indefinite		Indefinite	Yes		Mag		Data Fields / Records are interrelated; GC §34090
Sustain-ability	SUS-003	Recycling / AB 939 Compliance / Tonnage Reports	2 years		2 years			Mag. Ppr		GC §34090
Sustain-ability	SUS-004	Sustainability Initiatives (Other)	2 years		2 years			Mag. Ppr		GC §34090

RESOLUTION NO. 6554

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AMENDING THE CITY RECORDS RETENTION SCHEDULE**

WHEREAS, pursuant to Chapter 2.54 of the Menlo Park Municipal Code, the City Council is responsible for the management of public records and is required to approve any retention schedules affecting the destruction of such public records; and

WHEREAS, the City strives to have a retention schedule for all pertinent public records; and

WHEREAS, the City Clerk has recommended amendments as outlined in Exhibit A and attached hereto and incorporated herein by this reference.

NOW, THEREFORE, the City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefore,

BE IT RESOLVED by the City Council of the City of Menlo Park that said City Council does hereby approve the amendments to the retention schedule as presented to the City Council for consideration at its meeting of May 12, 2020.

BE IT FURTHER RESOLVED, that the city clerk will incorporate the changes into the retention schedule, update the page numbers and update the index.

BE IT FURTHER RESOLVED, that Resolution 6031 is superseded by this resolution.

I, Judi Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at a meeting by said City Council on the twelfth day of May, 2020, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this twelfth day of May, 2020

Judi A. Herren, City Clerk



STAFF REPORT

City Council

Meeting Date: 5/26/2020

Staff Report Number: 20-105-CC

Regular Business: Direction on the reactivation of advisory bodies

Recommendation

City staff recommends that the City Council provide direction on the reactivation of the Menlo Park advisory bodies (Complete Streets Commission, Environmental Quality Commission, Finance and Audit Committee, Housing Commission, Library Commission, Parks and Recreation Commission, Planning Commission, Sister City Committee, and Transportation Master Plan Oversight and Outreach Committee.)

Policy Issues

City Council Policy CC-19-004 (Attachment A) establishes the policies, procedures, roles and responsibilities for the City's appointed commissions and committees.

Background

On March 11, the director of emergency services (Director) proclaimed the existence of a local emergency in the City of Menlo Park based on COVID-19. At the March 11 City Council meeting, the City Council ratified the Director's Resolution No. 6550 (Attachment C.) As a result of the local emergency, the City Council took actions to preserve and protect the health and safety of the community by directing staff to scale down City services and cancel all advisory body meetings (with the exception of City Council and Planning Commission.) At the May 1 City Council meeting, City Council showed consensus in reactivating some or all of the advisory bodies.

On March 3, the San Mateo County health officer (Health Officer) declared a local health emergency throughout San Mateo County related to COVID-19. On March 10, the San Mateo County board of supervisors ratified and extended the declaration of a local health emergency. On March 14, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancellation of all gatherings of 10 or more people in a single confined space. On March 16, the Health Officer issued an order that, among other things, directed all individuals currently living within San Mateo County to shelter in their place of residence and authorized individuals to leave their residences only for certain essential activities. Recognizing the need to continue to limit the transmission of COVID-19, April 29, the Health Officer ordered the shelter-in-place to continue through May 31.

Analysis

Pursuant to City Council Policy CC-19-004, all advisory bodies, with the exception of the Planning Commission, Finance and Audit Committee and Sister City Committee, conduct regular meetings once a month and may also schedule special meetings as required by the commission/committee. The Planning Commission shall hold regular meetings twice a month. The Finance and Audit Committee and Sister City Committee shall hold quarterly meetings. Monthly regular meetings have a fixed date and time established by the commission/committee. The schedule of Commission/Committee meetings are as follows:

- Complete Streets Commission – Every second Wednesday at 7 p.m.
- Environmental Quality Commission – Every third Wednesday at 6 p.m.
- Finance and Audit Committee – Third Wednesday of every quarter at 5:30 p.m.
- Housing Commission – Every first Wednesday at 6:30 p.m.
- Library Commission – Every third Monday at 6:30 p.m.
- Parks and Recreation Commission – Every fourth Wednesday at 6:30 p.m.
- Planning Commission – Twice a month at 7 p.m.
- Sister City Committee – Quarterly; Date and time to be determined
- Transportation Master Plan Oversight and Outreach Committee – Date and time to be determined.

Currently, the City Council and Planning Commission have continued their regular and special meetings through the use of GoToWebinar. Planning Commission meetings are recorded and uploaded to the website within 24-hours of the live meeting. There are two staff members, working remotely, controlling the logistics of the meeting (e.g., attendees, panelists, public comment, screen sharing, microphones and webcams, live written comments/questions controls.) City Council meetings are live streamed on the website (Attachment B) and also live broadcast on Channel 26. There are four staff members in attendance in the City Council chambers during the duration of the meeting controlling the information technology aspect (two staff members) and two staff members controlling the logistics of the meeting. The Midpeninsula Community Media Center, working remotely, captures the livestream from the City Council chambers and broadcasts, live, to Channel 26.

Before the cancellation of the advisory body meetings, City Council, Planning, and Complete Streets commissions utilized the City Council chambers as their meeting location. The remaining advisory bodies utilized other City sites (e.g., City Hall conference rooms, Arrillaga Family Recreation Center, and Library.) With the Health Officer orders, teleconference meetings are required for all advisory bodies.

Staff impacts

The information technology department (IT) will provide the initial equipment and technology set-up for all staff and advisory body members. This includes purchasing, if applicable, of equipment and providing remote equipment set-up assistance. IT would also provide on-call services during each meeting to support any technology challenges that arise. Given IT's current workload, three hours per commission can be allocated to the initial set-up and training.

The staff and staff liaison workload impacts will be derived from the staff currently serving on the emergency operation center (EOC.) Currently, all staff liaisons for advisory bodies, excluding the Complete Streets Commission, serve on the EOC. The city clerk has reached out to the advisory body liaisons to better understand the impacts of staff serving on the EOC. Assuming the EOC remains constant or reduces, staff liaisons can prepare and conduct the meetings of their corresponding advisory body.

Environmental Quality Commission (EQC)

On November 19, 2019 the City Council approved the updated heritage tree Ordinance No. 1060 and the attached administrative guidelines, effective July 1. These guidelines appointed the EQC as the heritage tree appeal body. If the EQC is reactivated, these appeals can begin to be heard beginning July. If the City Council directs the EQC to not reactivate, a city manager local emergency order would be issued directing

heritage tree appeals to go to the City Council. These appeals would be placed on City Council meeting agendas for the City Council consideration. There are staff time considerations for drafting City Council staff reports, agendizing appeals, and hearing appeals.

Timeline for reactivation

Table 1 provides detail on an approximate timeline to reactive the advisory bodies.

Table 1: Timeline				
Advisory body	Staff	Advisory body members	Training timeline	Target meeting date
Complete Streets Commission	Liaison Staff	9-members	June 8 - June 12	July 8
Environmental Quality Commission	Liaison Staff	7-members	June 29 - July 3	July 22
Finance and Audit Committee	Liaison Staff	7-members	July 6 - July 10	August 19
Housing Commission	Liaison Staff	7-members	June 1 - June 5	July 1
Library Commission	Liaison Staff Staff	7-members	June 22 - June 26	July 20
Parks and Recreation Commission	Liaison Staff Staff	7-members	June 15 - June 19	July 22
Sister City Committee	Liaison	7-members	July 13 - July 17	August TBD
Transportation Master Plan Oversight and Outreach Committee*				

*postpone until meeting is necessary

Impact on City Resources

The costs associated with the reactivation of teleconference meetings for all advisory bodies will be determined by equipment that staff and advisory body members already have in their possession and the equipment required to conduct teleconference meetings remotely. There is also a possibility of overtime costs for non-salaried staff incurred by hosting meetings.

Below is a list of approximate equipment costs:

- Laptop – \$1,000
- Ethernet cable – \$20
- Headset (with microphone –) \$140
- Computer monitor - \$180

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. City Council Policy CC-19-004
- B. Hyperlink – City’s video streaming webpage: menlopark.org/streaming
- C. Hyperlink – Resolution No. 6550: menlopark.org/DocumentCenter/View/25091/6550---urgency-Local-Emergency

Report prepared by:
Judi A. Herren, City Clerk

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Procedure #CC-19-004
 Effective 6/5/2019
 Resolution No. 6477



Purpose
To define policies and procedures and roles and responsibilities for Menlo Park appointed commissions and committees.
Authority
Upon its original adoption, this policy replaced the document known as "Organization of Advisory Commissions of the City of Menlo Park."
Background
<p>The City of Menlo Park currently has eight active Commissions and Committees. The active advisory bodies are: Complete Streets Commission, Environmental Quality Commission, Finance and Audit Committee, Housing Commission, Library Commission, Parks and Recreation Commission, Planning Commission, and the Sister City Committee. Those not specified in the City Code are established by City Council ordinance or resolution. Most of these advisory bodies are established in accordance with Resolution 2801 and its amendments. Within specific areas of responsibility, each advisory body has a primary role of advising the City Council on policy matters or reviewing specific issues and carrying out assignments as directed by the City Council or prescribed by law.</p> <p>Seven of the eight commissions and committees listed above are advisory in nature. The Planning Commission is both advisory and regulatory and organized according to the City Code (Ch. 2.12) and State statute (Government Code 65100 et seq., 65300-65401).</p> <p>The City has an adopted Anti-Harassment and Non-Discrimination Policy (CC-95-001), and a Travel and Expense Policy (CC-91-002), which are also applicable to all advisory bodies.</p>
Policies and Procedures
<p><u>Relationship to City Council, staff and media</u></p> <ul style="list-style-type: none"> • Upon referral by the City Council, the commission/committee shall study referred matters and return their recommendations and advise to the City Council. With each such referral, the City Council may authorize the City staff to provide certain designated services to aid in the study. • Upon its own initiative, the commission/committee shall identify and raise issues to the City Council's attention and from time to time explore pertinent matters and make recommendations to the City Council. • At a request of a member of the public, the commission/committee may consider appeals from City actions or inactions in pertinent areas and, if deemed appropriate, report and make recommendations to the City Council. • Each commission/committee is required to develop an annual work plan which will be the foundation for the work performed by the advisory body in support of City Council. The plan, once finalized by a majority of the commission/committee, will be formally presented to the City Council for direction and approval no later than September 30 of each year and then reported out on by a representative of the advisory body at a regularly scheduled City Council meeting at least annually, but recommended twice a year. The proposed work plan must align with the City Council's adopted work plan. When modified, the work plan must be taken to the City Council for approval. The Planning Commission is exempt from this requirement as its functions are governed by the Menlo Park municipal code (Chapter 2.12) and State law (Government Code 65100 et seq., 65300-65401). • Commissions and committees shall not become involved in the administrative or operational matters of City departments. Members may not direct staff to initiate major programs, conduct large studies or establish department policy. City staff assigned to furnish staff services shall be available to provide general staff assistance, such as preparation of agenda/notice materials and minutes, general review of

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department programs and activities, and to perform limited studies, program reviews, and other services of a general staff nature. Commissions/Committees may not establish department work programs or determine department program priorities. The responsibility for setting policy and allocating scarce City resources rests with the City's duly elected representatives, the City Council.

- Additional or other staff support may be provided upon a formal request to the City Council.
- The staff liaison shall act as the commission/committee's lead representative to the media concerning matters before the commission/committee. Commission/Committee members should refer all media inquiries to their respective liaisons for response. Personal opinions and comments may be expressed so long as the commission/committee member clarifies that his or her statements do not represent the position of the City Council.
- Commission/Committee members will have mandatory training every two years regarding the Brown Act and parliamentary procedures, anti-harassment training, ethics training, and other training required by the City Council or State Law. The commission/committee members may have the opportunity for additional training, such as training for chair and vice chair. Failure to comply with the mandatory training will be reported to the City Council and may result in replacement of the member by the City Council.
- Requests from commission/committee member(s) determined by the staff liaison to take one hour or more of staff time to complete, must be directed by the City Council.

Role of City Council commission/committee liaison

City Councilmembers are assigned to serve in a liaison capacity with one or more city commission/committee. The purpose of the liaison assignment is to facilitate communication between the City Council and the advisory body. The liaison also helps to increase the City Council's familiarity with the membership, programs and issues of the advisory body. In fulfilling their liaison assignment, City Councilmembers may elect to attend commission/committee meetings periodically to observe the activities of the advisory body or simply maintain communication with the commission/committee chair on a regular basis.

City Councilmembers should be sensitive to the fact that they are not participating members of the commission/committee, but are there rather to create a linkage between the City Council and commission/committee. In interacting with commissions/committee, City Councilmembers are to reflect the views of the City Council as a body. Being a commission/committee liaison bestows no special right with respect to commission/committee business.

Typically, assignments to commission/committee liaison positions are made at the beginning of a City Council term in December. The Mayor will ask City Councilmembers which liaison assignments they desire and will submit recommendations to the full City Council regarding the various committees, boards, and commissions which City Councilmembers will represent as a liaison. In the rare instance where more than one City Councilmember wishes to be the appointed liaison to a particular commission, a vote of the City Council will be taken to confirm appointments.

City Staff Liaison

The City has designated staff to act as a liaison between the commission/committee and the City Council. The City shall provide staff services to the commission/committee which will include:

- Developing a rapport with the Chair and commission/committee members.
- Providing a schedule of meetings to the City Clerk's Office and commission/committee members, arranging meeting locations, maintaining the minutes and other public records of the meeting, and preparing and distributing appropriate information related to the meeting agenda.
- Advising the commission/committee on directions and priorities of the City Council.
- Informing the commission/committee of events, activities, policies, programs, etc. occurring within the scope of the commission/committee's function.
- Ensuring the City Clerk is informed of all vacancies, expired terms, changes in offices, or any other changes to the commission/committee.

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- Providing information to the appropriate appointed official including reports, actions, and recommendations of the committee/commission and notifying them of noncompliance by the commission/committee or chair with City policies.
- Ensuring that agenda items approved by the commission/committee are brought forth in a timely manner taking into consideration staff capacity, City Council priorities, the commission/committee work plan, and other practical matters such as the expense to conduct research or prepare studies, provided appropriate public notification, and otherwise properly prepare the item for commission/committee consideration.
- Take action minutes; upon agreement of the commission, this task may be performed by one of the members (staff is still responsible for the accuracy and formatting of the minutes).
- Maintain a minute book with signed minutes.

Recommendations, requests and reports

As needed, near the beginning of City Council meetings, there will be an item called "Commission/Committee Reports." At this time, commissions/committees may present recommendations or status reports and may request direction and support from the City Council. Such requests shall be communicated to the staff liaison in advance, including any written materials, so that they may be listed on the agenda and distributed with the agenda packet. The materials being provided to the City Council must be approved by a majority of the commission/committee at a commission/committee meeting before submittal to the City Council. The City Council will receive such reports and recommendations and, after suitable study and discussion, respond or give direction.

City Council referrals

The City Clerk shall transmit to the designated staff liaison all referrals and requests from the City Council for advice and recommendations. The commissions/committees shall expeditiously consider and act on all referrals and requests made by the City Council and shall submit reports and recommendations to the City Council on these assignments.

Public appearance of commission/committee members

When a commission/committee member appears in a non-official, non-representative capacity before the public, for example, at a City Council meeting, the member shall indicate that he or she is speaking only as an individual. This also applies when interacting with the media and on social media. If the commission/committee member appears as the representative of an applicant or a member of the public, the Political Reform Act may govern this appearance. In addition, in certain circumstances, due process considerations might apply to make a commission/committee member's appearance inappropriate. Conversely, when a member who is present at a City Council meeting is asked to address the City Council on a matter, the member should represent the viewpoint of the particular commission/committee as a whole (not a personal opinion).

Disbanding of advisory body

Upon recommendation by the Chair or appropriate staff, any standing or special advisory body, established by the City Council and whose members were appointed by the City Council, may be declared disbanded due to lack of business, by majority vote of the City Council.

Meetings and officers

1. *Agendas/notices/minutes*

- All meetings shall be open and public and shall conduct business through published agendas, public notices and minutes and follow all of the Brown Act provisions governing public meetings. Special, canceled and adjourned meetings may be called when needed, subject to the Brown Act provisions.
- Support staff for each commission/committee shall be responsible for properly noticing and posting all regular, special, canceled and adjourned meetings. Copies of all meeting agendas, notices and minutes shall be provided to the City Council, City Manager, City Attorney, City Clerk and other

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appropriate staff, as requested.

- Original agendas and minutes shall be filed and maintained by support staff in accordance with the City's adopted records retention schedule.
- The official record of the commissions/committees will be preserved by preparation of action minutes.

2. *Conduct and parliamentary procedures*

- Unless otherwise specified by State law or City regulations, conduct of all meetings shall generally follow Robert's Rules of Order.
- A majority of commission/committee members shall constitute a quorum and a quorum must be seated before official action is taken.
- The chair of each commission/committee shall preside at all meetings and the vice chair shall assume the duties of the chair when the chair is absent.
- The role of the commission/committee chair (according to Roberts Rules of Order): To open the session at the time at which the assembly is to meet, by taking the chair and calling the members to order; to announce the business before the assembly in the order in which it is to be acted upon; to recognize members entitled to the floor; to state and put to vote all questions which are regularly moved, or necessarily arise in the course of the proceedings, and to announce the result of the vote; to protect the assembly from annoyance from evidently frivolous or dilatory motions by refusing to recognize them; to assist in the expediting of business in every compatible with the rights of the members, as by allowing brief remarks when undebatable motions are pending, if s/he thinks it advisable; to restrain the members when engaged in debate, within the rules of order, to enforce on all occasions the observance of order and decorum among the members, deciding all questions of order (subject to an appeal to the assembly by any two members) unless when in doubt he prefers to submit the question for the decision of the assembly; to inform the assembly when necessary, or when referred to for the purpose, on a point of order to practice pertinent to pending business; to authenticate by his/her signature, when necessary, all the acts, orders, and proceedings of the assembly declaring it will and in all things obeying its commands.

3. *Lack of a quorum*

- When a lack of a quorum exists at the start time of a meeting, those present will wait 15 minutes for additional members to arrive. If after 15 minutes a quorum is still not present, the meeting will be adjourned by the staff liaison due to lack of a quorum. Once the meeting is adjourned it cannot be reconvened.
- The public is not allowed to address those commissioners present during the 15 minutes the commission/committee is waiting for additional members to arrive.
- Staff can make announcements to the members during this time but must follow up with an email to all members of the body conveying the same information.
- All other items shall not be discussed with the members present as it is best to make the report when there is a quorum present.

4. *Meeting locations and dates*

- Meetings shall be held in designated City facilities, as noticed.
- All commissions/committees with the exception of the Planning Commission, Finance and Audit Committee and Sister City Committee shall conduct regular meetings once a month. Special meetings may also be scheduled as required by the commission/committee. The Planning Commission shall hold regular meetings twice a month. The Finance and Audit Committee and Sister City Committee shall hold quarterly meetings.
- Monthly regular meetings shall have a fixed date and time established by the commission/committee. Changes to the established regular dates and times are subject to the approval of the City Council. An exception to this rule would include any changes necessitated to fill a temporary need in order for the commission/committee to conduct its meeting in a most efficient and effective way as long as proper and adequate notification is provided to the City Council and made available to the public.

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The schedule of Commission/Committee meetings is as follows:

- Complete Streets Commission – Every second Wednesday at 7 p.m.
- Environmental Quality Commission – Every third Wednesday at 6:00 p.m.
- Finance and Audit Committee – Third Wednesday of every quarter at 5:30 p.m.,
- Housing Commission – Every first Wednesday at 6:30 p.m.
- Library Commission – Every third Monday at 6:30 p.m.
- Parks and Recreation Commission – Every fourth Wednesday at 6:30 p.m.
- Planning Commission – Twice a month at 7 p.m.
- Sister City Committee – Quarterly; Date and time to be determined

Each commission/committee may establish other operational policies subject to the approval of the City Council. Any changes to the established policies and procedures shall be subject to the approval of the City Council.

5. *Off-premises meeting participation*

While technology allows commission/committee members to participate in meetings from a location other than the meeting location (referred to as “off-premises”), off-premises participation is discouraged given the logistics required to ensure compliance with the Brown Act and experience with technological failures disrupting the meeting. In the event that a commission/committee member believes that his or her participation is essential to a meeting, the following shall apply:.

- Any commission/committee member intending to participate from an off-premise location shall inform the staff liaison at least two weeks in advance of the meeting.
- The off-premise location must be identified in the notice and agenda of the meeting.
- Agendas must be posted at the off-premise location.
- The off-premise location must be accessible to the public and be ADA compliant.
- The commission/committee member participating at a duly noticed off-premises location does not count toward the quorum necessary to convene a meeting of the commission/committee.
- For any one meeting, no more than one commission/committee member may participate from an off-premise location.
- All votes must be by roll call.

6. *Selection of chair and vice chair*

- The chair and vice chair shall be selected in May of each year by a majority of the members and shall serve for one year or until their successors are selected.
- Each commission/committee shall annually rotate its chair and vice chair.

G. Memberships

Appointments/Oaths

- The City Council is the appointing body for all commissions/committees. All members serve at the pleasure of the City Council for designated terms.
- All appointments and reappointments shall be made at a regularly scheduled City Council meeting, and require an affirmative vote of not less than a majority of the City Council present.
- Before taking office, all members must complete an Oath of Allegiance required by Article XX, §3, of the Constitution of the State of California. All oaths are administered by the City Clerk or his/her designee.
- Appointments made during the middle of the term are for the unexpired portion of that term.

Application and selection process

- The application process begins when a vacancy occurs due to term expiration, resignation, removal or death of a member.
- The application period will normally run for a period of four weeks from the date the vacancy occurs.

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If there is more than one concurrent vacancy in a Commission, the application period may be extended. Applications are available from the City Clerk's office and on the City's website.

- The City Clerk shall notify members whose terms are about to expire whether or not they would be eligible for reappointment. If reappointment is sought, an updated application will be required.
- Applicants are required to complete and return the application form for each commission/committee they desire to serve on, along with any additional information they would like to transmit, by the established deadline. Applications sent by email are accepted; however, the form submitted must be signed.
- After the deadline of receipt of applications, the City Clerk shall schedule the matter at the next available regular City Council meeting. All applications received will be submitted and made a part of the City Council agenda packet for their review and consideration. If there are no applications received by the deadline, the City Clerk will extend the application period for an indefinite period of time until sufficient applications are received.
- Upon review of the applications received, the City Council reserves the right to schedule or waive interviews, or to extend the application process in the event insufficient applications are received. In either case, the City Clerk will provide notification to the applicants of the decision of the City Council.
- If an interview is requested, the date and time will be designated by the City Council. Interviews are open to the public.
- The selection/appointment process by the City Council shall be conducted open to the public. Nominations will be made and a vote will be called for each nomination. Applicants receiving the highest number of affirmative votes from a majority of the City Council present shall be appointed.
- Following a City Council appointment, the City Clerk shall notify successful and unsuccessful applicants accordingly, in writing. Appointees will receive copies of the City's Non-Discrimination and Sexual Harassment policies, and disclosure statements for those members who are required to file under State law as designated in the City's Conflict of Interest Code. Copies of the notification will also be distributed to support staff and the commission/committee chair.
- An orientation will be scheduled by the City Clerk following an appointment (but before taking office) and a copy of this policy document will be provided at that time.

Attendance

- An Attendance Policy (CC-91-001), shall apply to all advisory bodies. Provisions of this policy are listed below.
- A compilation of attendance will be submitted to the City Council at least annually listing absences for all commissions/committee members.
- Absences, which result in attendance at less than two-thirds of their meetings during the calendar year, will be reported to the City Council and may result in replacement of the member by the City Council.
- Any member who feels that unique circumstances have led to numerous absences can appeal directly to the City Council for a waiver of this policy or to obtain a leave of absence.
- While it is expected that members be present at all meetings, the chair and staff liaison should be notified if a member knows in advance that he/she will be absent.
- When reviewing commissioners for reappointment, overall attendance at full commission meetings will be given significant consideration.

Compensation

- Members shall serve without compensation (unless specifically provided) for their services, provided, however, members shall receive reimbursement for necessary travel expenses and other expenses incurred on official duty when such expenditures have been authorized by the City Council (See Policy CC-91-002).

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Conflict of interest and disclosure requirements

- A Conflict of Interest Code has been updated and adopted by the City Council and the Community Development Agency pursuant to Government Code §87300 et seq. Copies of this Code are filed with the City Clerk. Pursuant to the adopted Conflict of Interest Code, members serving on the Planning Commission are required to file a Statement of Economic Interest with the City Clerk to disclose personal interest in investments, real property and income. This is done within 30 days of appointment and annually thereafter. A statement is also required within 30 days after leaving office.
- If a public official has a conflict of interest, the Political Reform Act may require the official to disqualify himself or herself from making or participating in a governmental decision, or using his or her official position to influence a governmental decision. Questions in this regard may be directed to the City Attorney.

Qualifications, compositions, number

- In most cases, members shall be residents of the City of Menlo Park and at least 18 years of age.
- Current members of any other City commission/committee are disqualified for membership, unless the regulations for that advisory body permit concurrent membership. Commission/Committee members are strongly advised to serve out the entirety of the term of their current appointment before seeking appointment on another commission/committee.
- Commission/Committee members shall be permitted to retain membership while seeking any elective office. However, members shall not use the meetings, functions or activities of such bodies for purposes of campaigning for elective office.
- There shall be seven (7) members on each commission/committee with the exception of:
 - Complete Streets Commission – nine (9) members

Reappointments, resignations, removals

- Incumbents seeking a reappointment are required to complete and file an application with the City Clerk by the application deadline. No person shall be reappointed to a commission/committee who has served on that same body for two consecutive terms; unless a period of one year has lapsed since the returning member last served on that commission/committee (the one year period is flexible subject to City Council's discretion).
- Resignations must be submitted in writing to the City Clerk, who will distribute copies to City Council and appropriate staff.
- The City Council may remove a member by a majority vote of the City Council without cause, notice or hearing.

Term of office

- Unless specified otherwise, the term of office for all commission/committee shall be four (4) years unless a resignation or a removal has taken place.
- If a person is appointed to fill an unexpired term and serves less than two years, that time will not be considered a full term. However, if a person is appointed to fill an unexpired term and serves two years or more, that time will be considered a full term.
- Terms are staggered to be overlapping four-year terms, so that all terms do not expire in any one year.
- If a member resigns before the end of his/her term, a replacement serves out the remainder of that term.

Vacancies

- Vacancies are created due to term expirations, resignations, removals or death.
- Vacancies are listed on the City Council agenda and posted by the City Clerk in the City Council Chambers bulletin board and on the city website.
- Whenever an unscheduled vacancy occurs in any commission/committee, a special vacancy notice shall be posted within 20 days after the vacancy occurs. Appointment shall not be made for at least

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10 working days after posting of the notice (Government Code 54974).

- On or before December 31 of each year, an appointment list of all regular advisory commissions/committees of the City Council shall be prepared by the City Clerk and posted in the City Council Chambers bulletin board and on the City’s website. This list is also available to the public (Government Code 54972, Maddy Act).

Roles and Responsibilities

Complete Streets Commission

The Complete Streets Commission is charged primarily with advising the City Council on multi-modal transportation issues according to the goals and policies of the City’s general plan. This includes strategies to encourage safe travel, improve accessibility, and maintaining a functional and efficient transportation network for all modes and persons traveling within and around the City. The Complete Streets Commission's responsibilities would include:

- Coordination of multi-modal (motor vehicle, bicycle, transit and pedestrian) transportation facilities
- Advising City Council on ways to encourage vehicle, multi-modal, pedestrian and bicycle safety and accessibility for the City supporting the goals of the General Plan
- Coordination on providing a citywide safe routes to school plan
- Coordination with regional transportation systems
- Establishing parking restrictions and requirements according to Municipal Code sections 11.24.026 through 11.24.028

Environmental Quality Commission

The Environmental Quality Commission is charged primarily with advising the City Council on matters involving environmental protection, improvement and sustainability. Specific focus areas include:

- Preserving heritage trees
- Using best practices to maintain city trees
- Preserving and expanding the urban canopy
- Making determinations on appeals of heritage tree removal permits
- Administering annual Environmental Quality Awards program
- Organizing annual Arbor Day Event; typically a tree planting event
- Advising on programs and policies related to protection of natural areas, recycling and waste reduction, environmentally sustainable practices, air and water pollution prevention, climate protection, and water and energy conservation.

Finance and Audit Committee

The Finance and Audit Committee is charged primarily to support delivery of timely, clear and comprehensive reporting of the City’s fiscal status to the community at large. Specific focus areas include:

- Review the process for periodic financial reporting to the City Council and the public, as needed
- Review financial audit and annual financial report with the City’s external auditors
- Review of the resolution of prior year audit findings
- Review of the auditor selection process and scope, as needed

Housing Commission

The Housing Commission is charged primarily with advising the City Council on housing matters including housing supply and housing related problems. Specific focus areas include:

- Community attitudes about housing (range, distribution, racial, social-economic problems)
- Programs for evaluating, maintaining, and upgrading the distribution and quality of housing stock in the City
- Planning, implementing and evaluating City programs under the Housing and Community Development Act of 1974

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- Members serve with staff on a loan review committee for housing rehabilitation programs and a first time homebuyer loan program
- Review and recommend to the City Council regarding the Below Market Rate (BMR) program
- Initiate, review and recommend on housing policies and programs for the City
- Review and recommend on housing related impacts for environmental impact reports
- Review and recommend on State and regional housing issues
- Review and recommend on the Housing Element of the General Plan
- The five most senior members of the Housing Commission also serve as the members of the Relocation Appeals Board (City Resolution 4290, adopted June 25, 1991).

Library Commission

The Library Commission is charged primarily with advising the City Council on matters related to the maintenance and operation of the City's libraries and library systems. Specific focus areas include:

- The scope and degree of library activities
- Maintenance and protection of City libraries
- Evaluation and improvement of library service
- Acquisition of library materials
- Coordination with other library systems and long range planning
- Literacy and ESL programs

Parks and Recreation Commission

The Parks and Recreation Commission is charged primarily with advising the City Council on matters related to City programs and facilities dedicated to recreation. Specific focus areas include:

- Those programs and facilities established primarily for the participation of and/or use by residents of the City, including adequacy and maintenance of such facilities as parks and playgrounds, recreation buildings, facilities and equipment
- Adequacy, operation and staffing of recreation programs
- Modification of existing programs and facilities to meet developing community needs
- Long range planning and regional coordination concerning park and recreational facilities

Planning Commission

The Planning Commission is organized according to State Statute.

- The Planning Commission reviews development proposals on public and private lands for compliance with the General Plan and Zoning Ordinance.
- The Commission reviews all development proposals requiring a use permit, architectural control, variance, minor subdivision and environmental review associated with these projects. The Commission is the final decision-making body for these applications, unless appealed to the City Council.
- The Commission serves as a recommending body to the City Council for major subdivisions, rezoning's, conditional development permits, Zoning Ordinance amendments, General Plan amendments and the environmental reviews and Below Market Rate (BMR) Housing Agreements associated with those projects.
- The Commission works on special projects as assigned by the City Council.

Sister City Committee

The Sister City Committee is primary charged with promoting goodwill, respect and cooperation by facilitating cultural, educational and economic exchanges

- Develop a mission statement and program plan consisting of projects, exhibits, contacts and exchanges of all types to foster and promote the objectives of the mission statement
- Implement the approved program plan upon request of the City Council
- Keep the community informed concerning the Sister City program
- Advise the City Council on matters pertaining to any sister city affairs

COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-01-0004
Effective 6/5/2019

- Perform other duties as may be assigned to the committee by the City Council

Special Advisory Bodies

The City Council has the authority to create standing committees, task forces or subcommittees for the City, and from time to time, the City Council may appoint members to these groups. The number of persons and the individual appointee serving on each group may be changed at any time by the City Council. There are no designated terms for members of these groups; members are appointed by and serve at the pleasure of the City Council.

Any requests of city commissions or committees to create such ad hoc advisory bodies shall be submitted in writing to the City Clerk for City Council consideration and approval.



STAFF REPORT

City Council

Meeting Date:

~~5/19/2020~~ ~~5/22/2020~~ 5/26/2020

Staff Report Number:

20-106-CC

Regular Business:

Provide direction on budget balancing measures including program and service reductions for the city manager's proposed fiscal year 2020-21 budget and authorize issuance of notice of intent to layoff affected positions

Executive Summary

Without City Council direction to use one-time money, increase revenue, and/or reduce services before May 21, staff cannot prepare a balanced budget by the beginning of the new fiscal year, July 1. City staff requests that the City Council proactively identify a range of possible budget balancing measures. In the event the City Council seeks to reduce services, it is prudent to issue notice of intent to layoff the affected positions to realize savings as soon as possible in the new fiscal year. The city's labor agreements require a forty-five-day notice before effective date of layoff. The soonest savings are possible with the noticing period is the week of July 12 if direction is provided May 19.

Only the City Council has the authority to determine what is funded in the budget and, therefore, which services are offered. City staff have identified a range of options to reduce the budget with deep consideration of the impact on essential and mandated services as well as the impact on guiding principles, with particular focus on citywide equity, as articulated in the 2016 General Plan. The budget balancing measures are practical in their implementation considering the time available to make structural changes early enough in the fiscal year to offset the revenue shortfall.

As a service organization, the majority of the City's expenditures result from city staff hired to provide a wide range of services to the community. The City is bound by a number of agreements that impact personnel costs, none of which possess a renegotiation timeframe sufficient to structurally modify the city's personnel costs in fiscal year 2020-21 except through layoffs. There remains a possibility that labor units will volunteer concessions to offset the impact of layoffs however the closed labor contracts prohibit the city from imposing concessions.

There is no historical analog to help guide the development of a pandemic operating budget. City staff, however, strongly recommends a balanced approach to addressing the anticipated revenue shortfall of \$12.7 million. Staff recommends a number of personnel and non-personnel reductions to achieve \$8.7 million in net savings for the upcoming fiscal year. First among those cuts is a reduction in unrepresented management personnel costs equal to 25 percent. Staff also recommends the use of one-time money in an amount not to exceed \$4 million. To assist the City Council in their budget discussion, staff has presented reductions exceeding \$10 million in Attachment A.

City staff recommends that the City Council:

1. Confirm consensus on reductions outlined in Tables 2a, 3 and 4 resulting in \$5.8 million in reductions and 11.5 full-time equivalent (FTE) benefited positions frozen/eliminated and 14 temporary positions eliminated,

1. Consider staff's recommendation for an additional \$2.9 million in reductions with identified use of one-time money or increased revenue of \$4.0 million,
2. Consider options to reduce use of one-time money or increase revenue through additional actions as detailed in Attachment A, and
3. Authorize issuance of notice of intent to lay off those employees providing the programs and services impacted by reductions to the fiscal year 2020-21 budget.

Policy Issues

The City Council directs the city manager to prepare a balanced annual budget for its consideration before the beginning of each fiscal year. At the City Council's April 28 special meeting and May 12, staff provided estimates of a \$20.7 million revenue shortfall resulting from the COVID-19 pandemic. The revenue shortfall necessitates expenditure reductions to offset all or a portion of the shortfall. Early City Council guidance on potential reductions allows staff to prepare a budget that can be adopted before the beginning of the fiscal year, July 1. Delay in guidance on program and service reductions will delay budget preparation putting the City at risk of not having a balanced budget by July 1.

Background

On April 28, the City Council took action to amend the fiscal year 2019-20 general fund budget to close a budget deficit in the current fiscal year resulting from the COVID-19 pandemic. The City Council's action approved a balanced approach drawing from personnel and non-personnel savings as well as up to \$2.9 million from the City's economic stabilization reserve. While staff's recommendation was to adopt a budget strategy that continues a balanced approach to closing early estimates of the fiscal year 2020-21 budget deficit, the City Council directed staff to return with options for service reductions in order to adopt a balanced budget without the use of one-time monies, such as the economic stabilization reserve, for the 2020-21 fiscal year. As of June 30, the economic stabilization reserve balance is projected to have a remaining balance of \$11.6 million to help offset the impacts of future economic instability.

Analysis

Confirmation of previous direction

At the public meeting May 12, the City Council discussed options for service reductions and came to a tentative consensus on a number of options totaling \$5.8 million in expenditure reductions but did not finalize direction. In order to minimize confusion, the tables retain the numbering used in staff report #20-104-CC, included as Attachment B, while newly-introduced tables continue numbering beyond those used in the previously-published staff report. These reductions are outlined in Tables 2a, 3, and 4 below and included in greater detail in Attachment A. These expenditure changes are comprised of significant budgetary changes, Table 2a, changes to unrepresented management, Table 3, and tier 1 reductions whose impact on citywide equity is low, Table 4.

Table 2a: Baseline budget changes, department summary	
Item	2020-21 expenditure decrease/(increase)
Administrative services summary	143,537
City Council/city attorney/city manager/city clerk/sustainability summary	563,108
Community development summary	(109,586)
Community services summary	523,137
Library summary	(186,261)
Police summary	(461,045)
Public works summary	326,198
Total	799,088

Note: Detail, by department, available as Table 2 in Attachment A of staff report #20-104-CC

Table 3: Unrepresented management personnel cost reductions	
Item	2020-21 expenditure decrease/(increase)
Freeze community development director position	246,278
Freeze administrative services director position	251,726
Suspend unrepresented pay increases for 2020-21	174,000
Suspend unrepresented bonuses for 2020-21	240,000
Additional reductions to reach 25% reduction goal	231,291
Total	1,143,295

Table 4: Low impact on citywide equity, tier 1 reductions

Item	2020-21 expenditure decrease/(increase)
Rollback staff augmentation in finance: senior accountant; 2017-18	182,426
Rollback staff augmentation in human resources: HR technician; 2018-19	124,524
Reduce contract service support in HR and finance	40,000
Rollback community special events programming	304,575
Freeze management analyst position assigned to support community services	145,000
Reduce temporary staff by 30% due to anticipated service reductions	280,665
Withdraw from Peninsula Library System (note one-time costs in Table 2)	270,000
Eliminate enhancements to open data and crime analysis	144,000
Eliminate police chief's executive assistant	135,000
Eliminate Caltrain GoPass program for employees	71,478
Reduce public works' administrative capacity	86,414
Eliminate night-shift oversight of contract custodial services	272,187
Eliminate holiday decoration/lighting program	86,700
Eliminate fleet maintenance for West Bay Sanitary Sewer District and delay vehicle purchases in FY19-20, FY20-21.	199,680
Eliminate contingency for 2019-20 budget enhancements	1,500,000
Total	3,842,649

The combination of expenditure reductions identified in Tables 2a, 3 and 4 totals \$5.78 million, or \$6.90 million short of the projected \$12.7 million revenue shortfall. If these aforementioned changes are approved by City Council, the staff recommendation is to identify an additional \$2.9 million in expenditure reductions from the following tables and to use up to \$4.0 million in one-time money in order to balance the fiscal year 2020-21 budget. In addition, City Council may consider further expenditure reductions or revenue increases which would reduce the amount of one-time money use, including the use of no one-time monies at the City Council's discretion.

Additional expenditure reduction options

Staff report #20-104-CC for the May 12 City Council meeting identified a number of additional expenditure reduction options, included in Tables 5, 6, 7 and 8 in that report. At the direction of the City Council May 12, staff conducted additional analysis to several expenditure reduction options in order to provide additional alternatives. The potential service changes in Tables 5-8 as well as these additional options are outlined in Table 11, budget balancing measures. The newly-added options begin with reference No. 83.

Table 11: Additional expenditure reduction options		
Item	Ref #	2020-21 expenditure decrease/(increase)
Reduce long range planning projects	49	600,000
Roll back events and encouragement activities in the transportation demand management and safe routes to school programs	50	60,000
Reduce capacity in transportation division	51	177,531
Freeze 1 Management Analyst position assigned to support City Manager/City Council initiated special projects	52	178,561
Belle Haven pool remains closed until completion of BHCCL project	53	209,550
Onetta Harris Community Center remains closed until completion of BHCCL project	54	344,160
Reduce Belle Haven Branch open hours 25%	55	36,000
Reduce Main Library open hours 25%	56	286,000
Belle Haven Branch remain closed through December 2020 (school closure)	57	48,000
Reduce book/e-resource budget 75%	58	255,000
Suspend proactive parking enforcement	59	292,500
Reduce code enforcement efforts (reactive v. proactive)	60	154,000
Eliminate police community engagement programs; online property crime reports only	61	236,000
Eliminate pre-school child care at the Belle Haven Child Development Center (BHCDC)	62	1,737,011
Rollback staff augmentation in finance: temporary Accounting Assistants; 2016-17	63	54,720
Eliminate pre-school child care at Menlo Children's Center (MCC)	64	1,269,293
Rollback temporary staffing capacity for special capital and regional coordination projects	65	210,000
Reduce contract inspection and plan review services	66	200,000
Reduce sign replacement program and slow responses to non-safety street repairs and complaints	67	115,737
Eliminate 1 Accounting Assistant II	68	115,492
Reduce development review (planning)	69	334,201
Freeze IT Support Specialist position for 2020-21	70	146,298
Reduce contract planning services	71	75,000
Freeze inspection services vacant position for 2020-21	72	156,037
Reduce contract building services	73	375,000

Table 11: Additional expenditure reduction options (continued)		
Item	Ref #	2020-21 expenditure decrease/(increase)
Miscellaneous operating reductions (supplies, staff training)	74	65,000
Reduced patrol	75	1,600,000
Eliminate traffic unit	76	1,000,000
Eliminate (rollback) non-emergency line and increase 911 answer times	77	450,000
Eliminate proactive investigations including gang and narcotics	78	400,000
Reduce police records by 40%; suspend overnight parking permit sales	79	114,000
Reduce parks and landscape areas maintenance	80	700,309
Reduce capacity for land development and public right-of-way permit reviews	81	177,876
Reduce tree maintenance capacity and forgo implementation of new heritage tree ordinance requirements	82	171,250
7/1/20 Belle Haven CDC preschool child care reactivation	83	119,372
10/1/20 Belle Haven CDC preschool child care reactivation	84	149,215
1/1/21 Belle Haven CDC preschool child care reactivation	85	179,058
7/1/20 Gymnastics program reactivation	86	318,526
10/1/20 Gymnastics program reactivation	87	551,103
1/1/21 Gymnastics program reactivation	88	815,680
7/1/20 MCC preschool child care reactivation	89	167,945
10/1/20 MCC preschool child care reactivation	90	209,931
1/1/21 MCC preschool child care reactivation	91	251,917
Freeze Assistant Public Works Director - Transportation position	92	-
Additional CalPERS payments (paid by the strategic pension funding reserve)	93	(1,537,566)
Total*		10,206,960

* Total does not include ref #'s 83-91 to properly account for multiple alternative reductions in community services

Several of the items included in Table 11 are mutually exclusive but illustrate different reactivation scenarios for child care services at Belle Haven Community Development Center (BHCCDC), reference numbers 83-85, Menlo Children’s Center (MCC,) reference numbers 89-91, and gymnastics programming at the Arrillaga Family Gymnastics Center, reference numbers 86-88. The scenarios relating to child care are explained in Attachment C while scenarios relating to gymnastics are explained in Attachment D.

In addition, freezing the assistant public works director – transportation, reference No. 92, was previously included in item 51, reduce capacity in the transportation division. It is included as a separate line to better highlight these potential changes and the expenditure reduction is noted as zero in order to avoid double-

counting.

Use of one-time money

As recommended at the April 28 City Council meeting, staff continues to recommend a balanced approach to close the projected \$12.7 million shortfall through up to \$4 million in one-time money. One-time money is finite and staff strongly recommends against depleting one-time money at to balance structural budget deficits. Table 12 details one-time money available for consideration, including options added since May 12. Similar to earlier tables, the finance team has ranked each one-time money option based on the origin of funds and the long-lasting impact on the City’s financial stability. Tier 1 has greatest relevance to the COVID-19 pandemic and its impact on the City’s financial challenges in fiscal year 2020-21. Tier 2 is less directly tied to the projected deficit in fiscal year 2020-21. Both Tier 1 and Tier 2 one-time money may be replenished through future budget surpluses. Tier 3 are one-time money sometimes used by cash-strapped agencies to balance budgets however they generally impact tangible assets and their recovery is usually at a much greater long-term expense.

Table 12: Use of one-time money			
Item	Estimated available as of July 1, 2020	Maximum use	Priority
Economic stabilization reserve	11,607,781	3,000,000	Tier 1
Use of strategic pension reserve to make additional payments to CalPERS	2,898,650	1,537,566	Tier 1
General fund unassigned fund balance	2,322,221	1,000,000	Tier 2
Unused capital improvement program funds originated in the general fund	2,700,000	2,700,000	Tier 3
Deferral of transfer to general capital improvements	3,002,400	3,002,400	Tier 3
Sale of assets, 1283 Willow Road	3,650,000	3,650,000	Tier 3
Total	26,201,052	14,889,966	

If the City Council desires to use one-time money, it is advisable to tie the use to one-time expenditures. In an operating budget these are typically contract services and supplies budgets. Attachment E transmits a memo from Public Works detailing the unused funds in the capital improvement program.

Revenue options

In order to reduce the need for expenditure reductions, there are several revenue options available for consideration by City Council for incorporation into the fiscal year 2020-21 budget. The options with reasonably quantifiable effects are presented in Table 13 and all options are described in greater detail below.

Table 13: Revenue options	
Item	2020-21 revenue increase/(decrease)
UUT maximum rates as of October 1, 2020	1,921,875
Remove gross receipts cap on business license tax*	1,050,000
Total	2,971,875

* requires voter approval

Utility users' tax (UUT)

Adopted in 2006, the UUT rate has been consistently reduced to 1 percent for each category since 2009. The maximum amount ranges from 2.5 percent for communications utilities to 3.5 percent for water, gas and electric utilities. If the City Council determines a need to use the UUT to balance the budget, the lowered tax rate could be increased up to the maximum for each category. The UUT budgeted in fiscal year 2019-20 totals \$1.21 million and could represent additional revenue of up to \$1.92 million in fiscal year 2020-21. It is important to note that the currently reduced rates run through September 30 and that the effect of the economic downturn is not yet readily apparent on utility use. The rate may be changed with 60 days' notice as new information about the economic conditions is incorporated throughout the fiscal year.

Business license tax

The business license tax rate was last changed in 1978 by Ordinance No. 628 and set the maximum tax at \$8,000 for gross receipts of \$30 million or higher, a current-year equivalent of over \$140 million. For illustrative purposes, a simple change which could be introduced on a ballot measure is to remove the gross receipts cap and continue the marginal tax rate proportionally. This change would affect approximately 50 organizations conducting business in Menlo Park and could increase revenue by up to \$1.05 million in fiscal year 2020-21. Other calculation bases, such as employee count, could be considered and proposed but will require additional analysis. A limiting factor is that businesses may choose to apportion revenue to other jurisdictions if this change were adopted, actions which few businesses currently do as a result of the cost to do so exceeding the maximum tax currently charged. It is important to note that this revenue measure must be approved by voters and cannot be unilaterally changed by City Council.

Transient occupancy tax (TOT or hotel tax)

The TOT or hotel tax currently in effect in the City of Menlo Park charges a rate of 12 percent, except in cases where additional rates apply, to rents charged for short-term rentals of 30 days or less. Similar to the previous revenue measure, the tax charged on short-term rentals within the City could be modified from its current rate with voter approval. The potential revenue increase is dependent both on the additional rate charged as well as the actual occupancy and room rates observed throughout the fiscal year. With the change in behaviors expected due to the current crisis, any additional amount raised by this method is highly speculative and, as noted in the prior item, is fully dependent on voter approval.

User fee study

As earlier indicated in staff report #20-104-CC, a user fee study could be done to better capture the cost to provide services which require modification under new social interaction guidelines. These could include a range of services and the cost recovery policy and service mix would dictate the revenue generated by this activity. It is important to note that a user fee study does have some lead time, service provision is somewhat impacted during the study, and consultants for these services are typically in high demand in uncertain economic conditions.

Impact on City Resources

The impact on City resources depends on the direction provided by City Council. As a result of this report, staff seeks to hold expenditures at a baseline level and close a projected revenue shortfall of \$12.7 million. The tables outlined above are summarized in Table 14.

Table 14: Reductions summary	
Item	2020-21 expenditure decrease/(increase)
Baseline budget changes (Table 2)	799,088
Unrepresented management personnel cost reductions (Table 3)	1,143,295
Low impact on citywide equity, tier 1 reductions (Table 4)	3,842,649
Projected revenue shortfall	(12,688,343)
Total	(6,903,311)

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Budget reduction worksheets
- B. Hyperlink – Staff report #20-104-CC: menlopark.org/DocumentCenter/View/25038/E1-20200512-CC-Program-and-service-reductions
- C. Child care reactivation scenarios memo from Community Services
- D. Gymnastics reactivation scenarios memo from Community Services
- E. Hyperlink – Capital improvement funding memo from public works: menlopark.org/DocumentCenter/View/25172/Attachment-E

Report prepared by:
 Dan Jacobson, Assistant Administrative Services Director
 Nick Pegueros, Assistant City Manager

Table 11. Budget balancing measures

Ref # Number	Item	Dept.	2020-21 Expenditure decrease/ (increase)	Projected 2020-21 Revenue	2020-21 Net impact on deficit decrease/ (increase)	Impact and assumptions	5/12 staff report table no.	Dept. ranking.	Impact on employees			
									Reduction in authorized FTEs	No. of benefited employee layoffs	No. of temporary employee layoffs	No. of vacant positions
49	Reduce long range planning projects	Community development	600,000	-	600,000	Reduce the ability to modify/enhance long range planning documents such as the General Plan, Housing Element and/or the Specific Plan given available staffing resources focus on development review. Long range planning efforts develop and implement a vision for future growth in the City. The City is required to update its Housing Element by December 2022. Limited work on the Housing Element would start in FY 2020-21, which would compress the timeline for the remainder of the planning period.	5	Tier 1	0	0	0	0
50	Roll back events and encouragement activities in the transportation demand management and safe routes to school programs	Public works	60,000	-	60,000	Reduce level of support for safe routes to school program by 50% and eliminate budget for special events. Reducing the budget for these programs is due to the uncertain level of school activity and ability to host encouragement and educational events next school and fiscal year. Further, schools' ability to continue to support the program next year is uncertain.	5	Tier 1	0	0	0	0
51	Reduce capacity in transportation division	Public works	177,531	-	177,531	Freeze 2 vacancies in the transportation division, an Associate Transportation Engineer and Junior Engineer. Reduce number and/or complexity of capital projects to be completed. Eliminate the staff time and construction funds to support the program to respond to neighborhood traffic complaints.	5	Tier 1	2	0	2	0
52	Freeze 1 Management Analyst position assigned to support City Manager/City Council initiated special projects	CC, CA, CMO	178,561	-	178,561	This reduction eliminates 1.0 FTE vacant management analyst position that provides capacity to support City Council meetings and events, research projects requested by the City Manager, legislative analysis/tracking, and constituent relations.	6	Tier 1	1	0	1	0
53	Belle Haven pool remains closed until completion of BHCCL project	Community services	209,550	60,000	149,550	Temporary reduction in service until the completion of BHCCL project. Reduces access to aquatics programming in Belle Haven neighborhood impacting low-income and vulnerable populations. The pool is set to close on October 1, 2020 for the BHCCL construction with transitional services planned for the Burgess Pool. Assumptions: Pool operation remains impacted by COVID-19 through September 2020. Pool was scheduled to close on October 1 for BHCCL project.	6	Tier 1	0	0	0	0

Table 11. Budget balancing measures

Ref # Number	Item	Dept.	2020-21 Expenditure decrease/ (increase)	Projected 2020-21 Revenue	2020-21 Net impact on deficit decrease/ (increase)	Impact and assumptions	5/12 staff report table no.	Dept. ranking.	Impact on employees			
									Reduction in authorized FTEs	No. of benefited employee layoffs	No. of temporary employee layoffs	No. of vacant positions
54	Onetta Harris Community Center remains closed until completion of BHCCL project	Community services	344,160	42,250	301,910	Temporary reduction in service until completion of BHCCL project requiring a furlough of 1.75 FTE. Reduces access to recreation programming impacting low-income and vulnerable populations. OHCC is set to close in December 2020 for the BHCCL construction with a plan to transition services to the Arrillaga Family Recreation Center and Arrillaga Family Gymnasium during the interim period. Assumes OHCC would remain closed when or if we enter into Stage 3 of COVID-19 recovery.	6	Tier 1	1.75	12	0	2
55	Reduce Belle Haven Branch open hours 25%	Library	36,000	-	36,000	Significantly reduced public access to books, public computers/internet, adult literacy tutoring, afterschool homework support, early childhood education services. Reductions will disproportionately impact low-income, unemployed and other vulnerable populations.	6	Tier 1	0	3	0	0
56	Reduce Main Library open hours 25%	Library	286,000	-	286,000	Significantly reduced public access to books, public computers/internet, adult literacy tutoring, afterschool homework support, early childhood education services. Reductions will disproportionately impact low-income, unemployed and other vulnerable populations.	6	Tier 1	0	24	0	0
57	Belle Haven Branch remain closed through December 2020 (school closure)	Library	48,000	-	48,000	Significantly reduced public access to books, public computers/internet, adult literacy tutoring, afterschool homework support, early childhood education services. Reductions will disproportionately impact low-income, unemployed and other vulnerable populations.	6	Tier 1	0	4	0	0
58	Reduce book/e-resource budget 75%	Library	255,000	-	255,000	Some impact to availability of new books, e-books and other resources. Fewer electronic options available. Nonprofit partner Friends of the Library would likely agree to help partially offset this reduction through providing donated funds to City for Library book purchasing.	6	Tier 1	0	0	0	0

Table 11. Budget balancing measures

Ref # Number	Item	Dept.	2020-21 Expenditure decrease/ (increase)	Projected 2020-21 Revenue	2020-21 Net impact on deficit decrease/ (increase)	Impact and assumptions	5/12 staff report table no.	Dept. ranking.	Impact on employees			
									Reduction in authorized FTEs	No. of benefited employee layoffs	No. of temporary employee layoffs	No. of vacant positions
59	Suspend proactive parking enforcement	Police	292,500	200,000	92,500	No proactive parking enforcement will be conducted downtown or in neighborhoods. Overnight parking program will cease. Parking permit program will be suspended. Parking complaints will be handled by patrol when possible. Furlough 2.5 FTE Parking Enforcement Officers. Assumptions: Parking enforcement revenue has been on the decline for the past several years. Due to the pandemic and the slow re-opening of society, it is expected that parking enforcement (which is currently suspended) revenues will decline due to fewer customers shopping at non-essential businesses. This program could be re-activated once normalization occurs.	6	Tier 1	2.5	0	0.5	2
60	Reduce code enforcement efforts (reactive v. proactive)	Police	154,000	-	154,000	Code enforcement will be reactive only. Code enforcement complaints will be held up to a month depending on severity. Abandoned vehicle abatement will be curtailed. 1 FTE Code Enforcement Officer	6	Tier 1	1	0	0	1
61	Eliminate police community engagement programs; online property crime reports only	Police	236,000	-	236,000	Cessation of community engagement programs (National Night Out, Block Parties, Neighborhood Watch). No crime prevention services. All misdemeanor property crimes will be required to be reported on-line. 2 FTO Community Service Officers	6	Tier 1	2	0	0	2
62	Eliminate pre-school childcare at Menlo Childrens' Center (MCC)	Community services	1,269,293	618,800	650,493	Childcare and early childhood education is an essential service for working parents and the community.	7	Tier 2	9.5	9	2	10
63	Eliminate pre-school childcare at the Belle Haven Child Development Center (BHCDC)	Community services	1,737,011	717,860	1,019,151	Childcare and early childhood education is an essential service for working parents and the community. A service reduction will disproportionately impact low-income and vulnerable populations.	7	Tier 2	15	8	1	15
64	Rollback staff augmentation in finance: temporary Accounting Assistants; 2016-17	Admin Services	54,720	-	54,720	Lays off two temporary staff and reduces capacity added to make process and system improvements such as budget software implementation. The two temporary Accounting Assistant positions added capacity to process improvement projects such as OpenGov implementation in the finance division. This proposal eliminates that added capacity and returns services to the baseline level.	7	Tier 2	0	2	0	0

Table 11. Budget balancing measures

Ref # Number	Item	Dept.	2020-21 Expenditure decrease/ (increase)	Projected 2020-21 Revenue	2020-21 Net impact on deficit decrease/ (increase)	Impact and assumptions	5/12 staff report table no.	Dept. ranking.	Impact on employees			
									Reduction in authorized FTEs	No. of benefited employee layoffs	No. of temporary employee layoffs	No. of vacant positions
65	Rollback temporary staffing capacity for special capital and regional coordination projects	Public works	210,000	-	210,000	Roll back budget to support temporary staffing of special projects by Senior Project Managers. This would reduce capacity in engineering (utilities and capital projects divisions) and transportation by reassigning projects (Middle rail crossing, Utility Undergrounding, Belle Haven Community Center & Library, coordination with San Francisquito Creek JPA) led by Senior Project Managers to other staff and delaying other current projects assigned to those staff members.	7	Tier 2	0	2	0	0
66	Reduce contract inspection and plan review services	Public works	200,000	-	200,000	Reduce inspection capacity and eliminate inspections for work in late evening/overnight. Reduce plan review contract assistance for land development engineering services. Reducing construction inspection support would exacerbate traffic impacts on major corridors during construction. Reducing plan review services would increase turnaround times for projects (large projects and single-family home remodels/reconstructions).	7	Tier 2	0	0	0	0
67	Reduce sign replacement program and slow responses to non-safety street repairs and complaints	Public works	115,737	-	115,737	Reassign stormwater inspections (legally mandated) to staff and cancel contract that performs this service; this would impact capacity in the streets program. Reduce sign maintenance program and slow responses to non-safety street repairs and complaints. Reduce overtime costs associated with staffing events and street closures for FY20-21, which are unlikely to occur. Eliminate graffiti abatement program.	7	Tier 2	0	0	0	0
68	Eliminate 1 Accounting Assistant II	Admin Services	115,492	-	115,492	Eliminates 1 FTE Accounting Assistant II and lays off one staff providing payroll, payable, and general accounting support. The part-time Accounting Assistant II replaced a Management Analyst I added as part of the expanded Administrative Services staff supporting increased City operations. This proposal would eliminate the position and redistribute responsibilities between the remaining positions in the classification.	8	Tier 3	1	0	1	1
69	Reduce development review (planning)	Community development	334,201	-	334,201	Freeze 1 FTE Senior Planner and 1 FTE Associate Planner positions for 2020-21. General reduction in staff could increase the processing timelines for projects requiring discretionary review and building permit review and/or reduce the ability to work on long range or special projects.	8	Tier 3	2	0	2	0

Table 11. Budget balancing measures

Ref # Number	Item	Dept.	2020-21 Expenditure decrease/ (increase)	Projected 2020-21 Revenue	2020-21 Net impact on deficit decrease/ (increase)	Impact and assumptions	5/12 staff report table no.	Dept. ranking.	Impact on employees			
									Reduction in authorized FTEs	No. of benefited employee layoffs	No. of temporary employee layoffs	No. of vacant positions
70	Freeze IT Support Specialist position for 2020-21	Admin Services	146,298	-	146,298	Freezes 1 FTE vacant position providing IT maintenance and desktop support citywide. The IT Specialist II provides desktop support and hardware installation and maintenance support to citywide IT systems.	8	Tier 3	1	0	1	0
71	Reduce contract planning services	Community development	75,000	-	75,000	Reduce contract services that supplement and/or enhance service levels. Reduction in contract services affects the ability to adjust service levels to meet demand for development review and/or building permits	8	Tier 3	0	0	0	0
72	Freeze inspection services vacant position for 2020-21	Community development	156,037	-	156,037	Freeze 1 FTE vacant inspector position to support construction activity. Reduces general ability and flexibility to inspect construction projects.	8	Tier 3	1	0	1	0
73	Reduce contract building services	Community development	375,000	-	375,000	Reduce contract services that supplement and/or enhance service levels. Generally reduces ability to respond to increase in demand for plan check services, inspections and administrative support. Affects customer service at the front counter and increases processing times.	8	Tier 3	0	0	0	0
74	Miscellaneous operating reductions (supplies, staff training)	Library	65,000	-	65,000	Not immediately visible to community; impacts mostly felt internally/ operationally	8	Tier 3	0	0	0	0
75	Reduced patrol	Police	1,600,000	-	1,600,000	Increase in response time for all classifications of calls for service by a factor of 1-1.5. No response to any misdemeanor property crime, which will only be reported online. No response to non-criminal calls for service (e.g.-advice, neighbor problems, citizen assists, etc.) Severe decrease in proactive policing. Only injury accidents will be responded to, property damage only accidents will not be responded to. 8 FTE Police Officers (Furlough 8 FTE)	8	Tier 3	8	0	0	8
76	Eliminate traffic unit	Police	1,000,000	200,000	800,000	Traffic unit will be disbanded. Patrol will enforce traffic issues as possible. Traffic complaints and requests for special enforcement will cease. 5.0 FTE Police Officers (Freeze 5 FTE). Assumptions: Traffic fines have been decreasing in the past several years. The lack of traffic due to the current pandemic coupled with courts being closed will see a severe drop in revenues from fines. It is assumed that it may take several years for traffic to resume to per-pandemic levels. It is also assumed that the State and County will decrease the percentage of fines directed to cities in order to address their own budget deficits.	8	Tier 3	5	0	5	0

Table 11. Budget balancing measures

Ref # Number	Item	Dept.	2020-21 Expenditure decrease/ (increase)	Projected 2020-21 Revenue	2020-21 Net impact on deficit decrease/ (increase)	Impact and assumptions	5/12 staff report table no.	Dept. ranking.	Impact on employees			
									Reduction in authorized FTEs	No. of benefited employee layoffs	No. of temporary employee layoffs	No. of vacant positions
77	Eliminate (rollback) non-emergency line and increase 911 answer times	Police	450,000	-	450,000	911 answer times will increase by a factor of 2. Non-Emergency line will not be answered off hours or weekends. Callers will be directed to leave messages nor non-emergency business. 3.0 FTE Dispatchers (Freeze 1 FTE, Rollback 1 FTE, Furlough 1 FTE)	8	Tier 3	3	0	1	2
78	Eliminate proactive investigations including gang and narcotics	Police	400,000	-	400,000	Unit will be reduced to 2 general person crime detectives. Property crimes will not be investigated past patrol. No proactive investigations, including gang and narcotics will be conducted. 1 FTE Police Officer (Net furlough 1 FTE)	8	Tier 3	1	0	1	0
79	Reduce police records by 40%; suspend overnight parking permit sales	Police	114,000	60,000	54,000	Records will have limited capacity and will only be open 3 days a week. Parking passes will not be sold. 2 FTE Records Specialists (Freeze 1 FTE, Furlough 1 FTE)	8	Tier 3	1	0	1	0
80	Reduce parks and landscape areas maintenance	Public works	700,309	-	700,309	Eliminate herbicide free program (\$400,000 plus service level enhancement pending FY19-20, accounted for in non-departmental category). Eliminate one parks maintenance worker position. Eliminate temporary worker position assigned to clean Nealon Park dog park and sports field daily. Reduce landscape maintenance and upkeep of Sand Hill Road median. Resume using herbicides. Reducing parks maintenance tasks would impact the general appearance and usability of sports fields, lawn areas, general upkeep of parks and playgrounds; park playground inspections; mowing of turf; weed maintenance). Nealon Park dog park and sports field users would need to clean the park area. Sand Hill Road median would only be maintained to provide for necessary vehicle sight line safety.	8	Tier 3	1	1	0	1
81	Reduce capacity for land development and public right-of-way permit reviews	Public works	177,876	-	177,876	Freeze 1 vacant Associate Civil Engineer position. Reducing capacity in land development engineering section would increase wait times for utility, telecommunications, and private development applications. This would increase turn around times for planning and building permit reviews for large and single-family home projects and reduce capacity for construction oversight and coordination on these projects.	8	Tier 3	1	0	1	0

Table 11. Budget balancing measures

Ref # Number	Item	Dept.	2020-21 Expenditure decrease/ (increase)	Projected 2020-21 Revenue	2020-21 Net impact on deficit decrease/ (increase)	Impact and assumptions	5/12 staff report table no.	Dept. ranking.	Impact on employees			
									Reduction in authorized FTEs	No. of benefited employee layoffs	No. of temporary employee layoffs	No. of vacant positions
82	Reduce tree maintenance capacity and forgo implementation of new heritage tree ordinance requirements	Public works	171,250	-	171,250	Reduce tree trimming frequency, where each city maintained tree would be trimmed every 7 instead of current practice of every 5 years. Forgo implementation requirements of the new heritage tree ordinance adopted by the City Council on November 19, 2019. Reduced tree maintenance would increase the potential for tree canopy decline over time. The new heritage tree ordinance requirements are staff intensive and required \$120,000 in additional cost to implement.	8	Tier 3	0	0	0	0
83	7/1/20 Belle Haven CDC preschool childcare reactivation	Community services	119,372	(369,000)	488,372	CDC expects to reopen July 1, at new capacity of 48 with the new ratio requirements. We will need to un-enroll 48 students. Childcare and early childhood education is an essential service for working parents and the community. The City will need to redirect half of the students to other preschool spots due to the new requirements regarding capacity. Assumptions: Open Jul 1 with 48 students, which is 50% of normal capacity	New	Tier 2	15	8	1	0
84	10/1/20 Belle Haven CDC preschool childcare reactivation	Community services	149,215	(276,750)	425,965	If the shelter-in-place is not lifted until Oct 1, CDC would enroll at max capacity with the required new ratio of 48 students. Childcare and early childhood education is an essential service for working parents and the community. The City will need to redirect half of the students to other preschool spots due to the new requirements regarding capacity. Assumptions: At new capacity of 48 students, utilizing all four rooms.	New	Tier 2	15	8	1	0
85	1/1/21 Belle Haven CDC preschool childcare reactivation	Community services	179,058	(184,500)	363,558	If the shelter-in-place is not lifted until Jan 1, CDC would enroll at max capacity with the required new ratio of 48 students. Childcare and early childhood education is an essential service for working parents and the community. The City will need to redirect half of the students to other preschool spots due to the new requirements regarding capacity. Assumptions: At new capacity of 48 students, utilizing all four rooms.	New	Tier 2	15	8	1	0

Table 11. Budget balancing measures

Ref # Number	Item	Dept.	2020-21 Expenditure decrease/ (increase)	Projected 2020-21 Revenue	2020-21 Net impact on deficit decrease/ (increase)	Impact and assumptions	5/12 staff report table no.	Dept. ranking.	Impact on employees			
									Reduction in authorized FTEs	No. of benefited employee layoffs	No. of temporary employee layoffs	No. of vacant positions
86	7/1/20 Gymnastics program reactivation	Community services	318,526	(193,375)	596,081	The Gymnastics program is able operate summer camps in compliance with Stage 2 order. Limited impact. Gymnastics provides for early childhood development and is the most popular and highest attended recreation activities the City offers. Assumptions: Stage 2 activation allows for camps and/or Stage 3 begins July 1. Half day camps with 3 cohorts of 10 children in morning and afternoon.	New	Tier 1	7	26	0	0
87	10/1/20 Gymnastics program reactivation	Community services	551,103	(93,375)	728,678	Suspends gymnastics programs until October 1 resulting of a furlough of 2.0 FTE. Most staff retained to limit delay in service reactivation. Moderate impact. Gymnastics provides for early childhood development and is the most popular and the highest attended recreation activities the City offers. Assumptions: Stage 3 begins Oct 1. Classes reduced to 4 per hour x 5 students or a maximum of 20 students in Gym.	New	Tier 2	7	26	0	2
88	1/1/21 Gymnastics program reactivation	Community services	815,680	56,625	956,505	Suspends gymnastics programs until January 1 resulting in a furlough of 5.0 FTE. Retains minimal staff for reactivation of service post COVID-19. Highest impact. Gymnastics provides for early childhood development and is the most popular and highest attended recreation activities the City offers. A reduction in this area will impact a significant number of families. Assumptions: Stage 3 begins Jan 1. Classes reduced to 4 per hour x 5 students or a maximum of 20 students in Gym.	New	Tier 2	7	26	0	5
89	7/1/20 MCC preschool childcare reactivation	Community services	167,945	(381,000)	548,945	Currently, 40% of MCC families have identified themselves as essential workers. 90% have indicated they will be returning when the shelter-in-place is lifted, we are expecting 36 of 60 students returning in July. Childcare and early childhood education is an essential service for working parents and the community. MCC will need to unenroll 24 students. Assumptions: Expectation is to bring back 36 students by July 1, which is 60% of normal capacity.	New	Tier 2	9	9	2	0
90	10/1/20 MCC preschool childcare reactivation	Community services	209,931	(285,750)	495,681	If the shelter in place was not lifted until Oct 1, MCC would reopen at 60% capacity with the new ratio requirements. Childcare and early childhood education is an essential service for working parents and the community. MCC will need to unenroll 24 students. Assumptions: Open 3 classrooms starting Oct 1 with 12 students in each, for a total capacity of 36 students.	New	Tier 2	9	9	2	0

Table 11. Budget balancing measures

Ref # Number	Item	Dept.	2020-21 Expenditure decrease/ (increase)	Projected 2020-21 Revenue	2020-21 Net impact on deficit decrease/ (increase)	Impact and assumptions	5/12 staff report table no.	Dept. ranking.	Impact on employees			
									Reduction in authorized FTEs	No. of benefited employee layoffs	No. of temporary employee layoffs	No. of vacant positions
91	1/1/21 MCC preschool childcare reactivation	Community services	251,917	(190,500)	442,417	If the shelter in place was not lifted until Jan 1, MCC would reopen at 60% capacity with the new ratio requirements. Childcare and early childhood education is an essential service for working parents and the community. MCC will need to unenroll 24 students. Assumptions: Open all three classrooms on Jan 1 with 12 students each, for a total capacity of 36 students.	New	Tier 2	9	9	2	0
92	Freeze Assistant Public Works Director - Transportation position	Public works	-	-	-	Freezes 1 FTE vacant position providing leadership to the transportation division. This was previously bundled with reductions per line 51. Savings for this frozen position is \$209,342. To avoid double counting expenditure decrease,, shown as zero in this line item.	New	Tier 2	1	0	0	0
93	Additional CalPERS payments (paid by the strategic pension funding reserve)	Non-departmental	(1,537,566)	-	(1,537,566)	10-year amortization schedule for miscellaneous and 15-year schedule for tier 1 safety.	New	Tier 1	0	0	0	0
Total*			10,206,960	1,898,910	8,308,050			Total*	60	65	21	44

* Total does not include ref #'s 83-91 to properly account for multiple alternative reductions in community services

Table 12. Use of one-time money

Ref # Number	Item	Maximum recommended	Impact and assumptions	5/12 staff report table no.	Dept. ranking.
94	Use of economic stabilization reserves (\$11.6 million balance on 7/1/20)	3,000,000			Tier 1
95	Use of strategic pension funding reserve to make additional CalPERS payments	1,537,566	10-year amortization schedule for miscellaneous and 15-year schedule for tier 1 safety.		Tier 1
96	Use of unassigned fund balance (\$2.1 million balance on 7/1/20)	1,000,000			Tier 2
97	Unused capital improvement funds (up to \$2.7 million)	2,700,000			Tier 3
98	Reduction in capital transfer (up to \$3.0 million)	3,002,400			Tier 3
99	Sale of assets (up to \$3.7 million)	3,650,000			Tier 3
Total		14,889,966			

Table 13. Revenue increases

Ref # Number	Item	Maximum recommended	Impact and assumptions	5/12 staff report table no.	Dept. ranking.
100	Increase UUT effective October 1, 2020 up to \$1.9 million	1,921,875	Maximum rate by category		
101	Increase business license effective January 1, 2020 up to \$1.1 million	1,050,000	Gross receipts cap lifted; voter-approved		
		2,971,875			

Table 14. Summary

Item	2020-21 Expenditure decrease/ (increase)	Projected 2020-21 Revenue	2020-21 Net impact on deficit decrease/ (increase)	5/12 staff report table no.	Impact on employees			
					Reduction in authorized FTEs	No. of benefited employee layoffs	No. of temporary employee layoffs	No. of vacant positions
Table 2: Baseline budget changes	799,088	-	799,088	2	1.00	1.00	-	-
Table 3: Unrepresented management personnel cost reductions	1,143,295	-	1,143,295	3	2.00	-	-	2.00
Table 4: Low impact on citywide equity, tier 1 reductions	3,842,629	-	3,842,629	4	8.50	4.00	14.00	5.00
Projected revenue shortfall	(12,688,343)	-	(12,688,343)					
Total	(6,903,331)	-	(6,903,331)		11.50	5.00	14.00	7.00



MEMORANDUM

Date: 5/14/2020
To: Starla Jerome-Robinson, City Manager
From: Adriane Lee Bird, Assistant Community Services Director
Re: City General Fund Support of City's Childcare Programs
CC: Derek Schweigart, Community Services Director
Dan Jacobson, Assistant Administrative Services Director
Nick Pegueros, Assistant City Manager

Background

The City of Menlo Park operates four childcare programs serving approximately 300 children. The Menlo Children's Center (MCC) Preschool serves 60 preschool age children while MCC After School program serves an additional 67 children in kindergarten through fifth grade. Additionally, the City operates a California State Preschool Program (CSPP) contracted-preschool, the Belle Haven Child Development Center (BHDC), which serves 96 low-income children with working parents or parents who are in school or job training. The BHDC includes a nutrition component providing children with a daily breakfast, lunch and snack, as well as parent education and mental health support for families. The Belle Haven After School (BHAS) program serves 62 low-income children in kindergarten through fifth grade.

While there are a number of private and non-profit operated childcare centers in Menlo Park, there is a shortage of over 500 childcare spaces in the City as reported by the Child Care Coordinating Council of San Mateo County. There has been a steady increase in enrolment in all programs over the past few years. All classrooms at MCC have a waitlist, with some families waitlisted for up to two years. While MCC and BHAS programs have additional capacity per licensing, the challenge of hiring qualified childcare staff on the peninsula with the high cost of living has made it difficult to fully enroll programs. In some cases, it has taken two years for the City to hire certain positions. Beyond recruiting talent, retaining talent has also been a struggle for childcare centers throughout the area. The ability to recruit and retain talent is a threat to the sustainability of the programs.

General Fund Support Prior to COVID-19

Prior to COVID-19, the projected general fund support for the MCC Preschool in fiscal year 2019-20 was \$362,857. While much of the operational cost of the BHDC is offset by state and federal grants totaling \$1,011,000 and the Big Lift grant of \$135,000, the remaining general fund support for the BHDC was projected to be \$714,860 for the year as indicated by the program budget in (Table 1). The BHDC recently attained a level 3 QRIS rating, the statewide quality rating and improvement system, qualifying for an additional \$22,500 of grant money, increasing the state subsidy further. For the MCC After School program, general fund support was projected to be \$26,582 while the general fund support for the BHAS program was \$148,492. General fund support for all childcare programs are included in (Table 2).

Table 1: BHCDC Fiscal Year 2019-20 Budget (Amended)			
	Expenditures	Revenue	General Fund Support
	\$1,049,685	\$1,011,000	
	Operations	Fed/State grants	
	\$774,529	\$135,000	
	Certificated teachers	Measure A (Big Lift)	
	\$167,014	\$93,400	
	Measure A (Big Lift)	Charges for service	
	\$15,632	\$52,600	
	Big Lift matching grant requirement	California Adult and Child Food Program (CACFP)	
Total	\$2,006,860	\$1,292,000	\$714,860

Table 2: General Fund Support of Childcare Programs FY 2019-20 (Amended)			
Program	Expenditures	Revenue	General Fund Support
MCC Preschool	\$1,314,857	\$952,000	\$362,857
MCC After School	\$492,082	\$465,500	\$26,582
BHCDC Preschool	\$2,006,860	\$1,292,000	\$714,860
Belle Haven After School	\$207,992	\$59,500	\$148,492
Total	\$4,021,791	\$2,769,000	\$1,252,791

Childcare programs are included in the San Mateo County Health Officer's ranking of essential services, consistent with the Community Services Department's Operational and Administrative Review conducted by the Municipal Resource Group (MRG) consultants in 2014. In last week's survey sent to families of the two preschool programs, 95% of all families plan to return to preschool after the shelter-in-place order is lifted. Of these parents, 84% will need full-day care, 5 days a week, while 87% of the families responded that they do not have any other option for childcare. The survey shed light on the fact that 73% of the CDC families are essential frontline workers who need childcare to return to work, while only 23% of the MCC parents fall into this category. Many parents from both MCC and the CDC provided comments

that the closures have already or will affect their ability to return to work.

General Fund Impact of Childcare Reactivation Proposals

At this time, given the new guidelines post COVID-19 regarding childcare and the lower ratios required to more effectively social distance, the City will need to reduce capacity at MCC Preschool by 40% and by 50% at the CDC. Depending on when the shelter-in-place order is lifted, projections were calculated on reactivation for each quarter of the fiscal year. If the City Council wishes to continue supporting these services at a greater cost per child due to the lower ratios, the impacts to the City’s general fund are included in Table 3. Expenditures over all reactivation scenarios include reductions in all operating expense categories except for permanent staff salaries and benefits in order to provide the service and adhere to the strict childcare guidelines for social distancing protocols. Revenues are based upon the teacher-student ratios as prescribed by the current restrictions. For the BHCDC, staff is working with our state contract administrator to determine the level of grant funding they expect to provide next year and the parameters for the funding. Currently, the state continues to provide grant support for the distance learning program that the childcare teachers are providing to their students and families.

Table 3: Projected General Fund Support of Preschool Programs FY 2020-21			
Program	Expenditures	Revenue	General Fund Support
MCC Preschool			
Opens July 1	\$1,146,912	\$571,200	\$575,712
Opens Oct 1	\$1,104,926	\$428,400	\$676,526
Opens Jan 1	\$1,062,940	\$285,600	\$777,340
CDC Preschool			
Opens July1	\$1,887,488	\$552,200	\$1,335,288
Opens Oct 1	\$1,857,645	\$414,150	\$1,443,495
Opens Jan 1	\$1,827,802	\$276,100	\$1,551,702
Total for Jul 1			\$1,911,000
Total for Oct 1			\$2,120,021
Total for Jan 1			\$2,329,042





MEMORANDUM

Date: 5/15/2020
To: Starla Jerome-Robinson, City Manager
From: Derek Schweigart, Community Services Director
Re: Gymnastics program reactivation options in response to COVID-19
CC: Nick Pegueros, Assistant City Manager
Dan Jacobson, Assistant Administrative Services Director

Background

The City of Menlo Park has operated the Menlo Park Gymnastics program since 1962 and operates 6 days a week. Menlo Park Gymnastics is a member of USA Gymnastics and all the permanent staff are USA gymnastics safety certified. The program offers a wide range of preschool recreation classes for preschool children who are walking to age 5, developmental recreation classes for children between the ages of 6 to 13 and some classes for high school and adults. The program has seven full time employees and approximately 25-35 temporary employees throughout the year. The Arrillaga Family Gymnastics Center is a state of the art facility that was rebuilt in 2012 with 19,400 square feet of programmable space and includes all standard Olympic size gymnastics equipment. Since the remodel, there has been a dramatic increase in programming, participation and annual revenue. At its peak in FY 2015-16, the program averaged approximately 1,800 participants per session and generated approximately \$1.6 million in annual revenue. In recent years in FY 2017-18 and FY 2018-19, the program served between 1,500-1,700 participants with an annual revenue of \$1.3 to \$1.5 million operating with 3-6 concurrent classes held per hour.

Although demand for classes has remained steady, over the past few years it has been difficult to hire and maintain enough temporary employees to run the gymnastics program at capacity. On average, gymnastics requires 6 to 8 employees an hour to properly provide the current mix of programming and safety protocols at full capacity. In order to adapt, the program began eliminating classes one an hour, or approximately 40 classes per week in order to adjust to current staffing capacity. Only classes with the least participation were impacted. These reductions began in 2018 and have continued to today.

Even with the adjustments to staffing and reduced capacity, Gymnastics is the most popular and highest attended recreation activity that the City has to offer. The program continues to maintain long waitlists for peak class times and serves over 6,000 participants annually. Gymnastics is highly valued in the community with few alternatives in the area. The closest gyms with similar offerings and size to Menlo Park are Goldstar in Sunnyvale and San Mateo Gymnastics. However, our program is more recreational and less competitive which is why our preschool programs are highly rated and valued.

Analysis

The COVID-19 pandemic has forced parks and recreation agencies to suspend or modify the programs and services that they provide. Menlo Park is following the

current reactivation guidelines provided by the County Health Officer as well as the Governor's 4-stage reopening of businesses and recreational facilities. Gymnastics classes have been suspended since the shelter-in-place order was announced back in March. Gymnastics, along with other Community Services staff have mobilized to engage customers virtually through the City's Virtual Recreation Center which offers distance learning opportunities. Staff has also been reassigned to assist in other important areas of the City, including support of the Senior meal program delivery, food pantry, wellness checks, as well supporting the City's Emergency Operations Center strategies like parks monitoring.

The Community Services Department is working closely with the City's reactivation team to mobilize its programs and services once we are authorized to do so by the County and given the go ahead by the City Manager. The County is slowly entering into Stage 2 of reactivation which allows:

"Childcare establishments, summer camps, and other educational or recreational institutions or programs providing care or supervision for children of all ages."

Currently, "gyms" are listed under Stage 3 reactivation of the Governor's plan which also includes movie theaters and fitness establishments. The gymnastics center would fall in line with Stage 3 reopening, however we are investigating the possibility of offering highly restricted summer camps that would allow for some programming during the summer session.

Community Services has provided three reactivation scenarios for Gymnastics that will depend on what stage of recovery the County is in at the time. Table 1 provides a breakdown of the possible reactivation scenarios depending on when the facility would be allowed to reopen to customers.

Reactivation on July 1

This scenario assumes that we are either in Stage 2 and permitted to offer summer camps or we are in Stage 3 which would allow for regular classes but highly reduced in order to comply with social distancing and safety requirements. If we are permitted to operate camps these would be programmed as half day camps with 3 cohorts of 10 children in the morning and afternoon, ensuring we can comply with restrictions. If in Stage 3, classes would be reduced to 4 per hour x 5 students or a maximum of 20 students in Gym at any given time. The expenditures in this category include reductions over all expenditure categories except for permanent staff salaries and benefits in order to provide the proposed level of service. A projected revenue of \$550,000 is the highest expected revenue over the three reactivation scenarios.

Reactivation on October 1

Under this scenario, Gymnastics is not expected to reopen until Stage 3 which we are assuming will begin on or before October 1. Although we are expecting to reopen the facility in Stage 3, we would expect that the number of classes and children served would be significantly reduced in order to comply with the necessary social distancing guidelines and/or the demand for service would be greatly reduced. In this scenario, classes are reduced to 4 per hour x 5 students or a maximum of 20 students in Gym. We would anticipate serving approximately 20 children per hour and 140 children per day. The expenditures in this category include reductions over all expenditure

categories including a reduction of 2.0 FTE in administrative support for the program. Most staff are retained in this scenario in order to limit the delay in service reactivation taking into account the lengthy time necessary to recruit and hire qualified teaching staff.

Reactivation January 1

In this proposal, Gymnastics programming would remain suspended until January 1, 2021. Upon reactivation, similar level of classes would be offered as the other proposals, but for fewer months of the year. The expenditures in this category include reductions over all expenditure categories including the reduction of 5.0 FTE, only retaining the minimal staff required for reactivation post COVID-19.

Table 1: Gymnastics General Fund impact over all reactivation proposals			
Reactivation	Expenditures	Revenues	General Fund Impact
FY 2019-20 Adopted	\$1,342,301	\$1,426,500	-\$84,199
Reactivate July 1	\$1,023,774	\$550,000	\$473,774
Reactivate Oct 1	\$791,197	\$450,000	\$341,197
Reactivate Jan 1	\$526,620	\$300,000	\$226,620





STAFF REPORT

City Council

Meeting Date: 1/28/2020

Staff Report Number: 20-107-CC

Informational Item: City Council agenda topics: June 2020 to July 2020

Recommendation

The purpose of this informational item is to provide the City Council and members of the public access to the anticipated agenda items that will be presented to the City Council. The mayor and city manager set the City Council agenda so there is no action required of the City Council as a result of this informational item.

Policy Issues

In accordance with the City Council procedures manual, the mayor and city manager set the agenda for City Council meetings.

Analysis

In an effort to provide greater access to the City Council's future agenda items, staff has compiled a listing of anticipated agenda items, Attachment A, through July 28. The topics are arranged by department to help identify the work group most impacted by the agenda item.

Specific dates are not provided in the attachment due to a number of factors that influence the City Council agenda preparation process. In their agenda management, the mayor and city manager strive to compile an agenda that is most responsive to the City Council's adopted priorities and work plan while also balancing the business needs of the organization. Certain agenda items, such as appeals or State mandated reporting, must be scheduled by a certain date to ensure compliance. In addition, the meeting agendas are managed to allow the greatest opportunity for public input while also allowing the meeting to conclude around 11 p.m. Every effort is made to avoid scheduling two matters that may be contentious to allow the City Council sufficient time to fully discuss the matter before the City Council.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. City Council agenda topics: June 2020 to July 2020

Report prepared by:
Judi A. Herren, City Clerk

ATTACHMENT A

Tentative City Council Agenda

#	Title	Department	Item type
1	City attorney recruitment		Closed Session
2	Climate change presentation by EQC		Commission Report
3	Menlo Park Historical Association (MPHA), semi-annual update		Presentation
4	Approve contract for city attorney services	ASD	Regular
5	City Council Policy #CC-01-1996 as recommended by the City Council Community Funding sub-committee, approve revisions	ASD	Consent
6	Fiscal year 2020-21 budget and capital improvement plan, resolution adoptions	ASD	Regular
7	Proposed fiscal year 2020-21 budget and capital improvement plan	ASD	Public Hearing
8	20 Kelly Ct/1075 O'Brien Dr EIR contract authorization	CDD	Consent
9	Local Early Action Planning (LEAP) Grant Application and Resolution	CDD	Consent
10	Newsrack regulations ordinance, second reading and adoption	CDD	Consent
11	Short term rental regulation recommendation	CDD	Regular
12	Consider applicants and make appointments to fill vacancies on the various City commissions and committees	CMO	Commission Report
13	BHCCL term sheet	CMO	Regular
14	Community electronic vehicle infrastructure policy and program analysis	CMO	Study Session
15	Abandoning of a portion of Terminal Avenue, resolution adoption	PW	Regular
16	Landscaping assessment district overruling protests, ordering the improvements, confirming the diagram and ordering the levy and collection, resolution adoption	PW	Public Hearing
17	Collect regulatory fee and implement City's stormwater management program resolution adoption	PW	Public Hearing
18	Approve revised TIA guidelines and adopt VMT methodology and thresholds	PW	Consent
19	700-800 El Camino Real, purchase and sale agreement	PW	Consent