



## REGULAR MEETING MINUTES

**Date:** 2/19/2020  
**Time:** 6:00 p.m.  
**City Hall**  
**701 Laurel St., Menlo Park, CA 94025**

Commissioner Josie Gaillard participated by phone from:  
255 Talmont Circle  
Tahoe City, CA, USA 96145

**A.** Vice Chair Payne called the meeting to order at 6:09 p.m.

**B. Roll Call**

Present: Gaillard, Kabat, Payne Turley  
Absent: London, Martin, Price  
Staff: City Arborist Christian Bonner, Management Analyst Joanna Chen, and Sustainability Manager Rebecca Lucky

**C. Public Comment**

None

**D. Regular Business**

D1. Approve January 27, 2020 minutes

**ACTION:** Motion and second (Kabat/Turley) to approve minutes, passed (4-0-3, London, Martin, and Price absent).

D2. Issue determination on appeal of staff's denial of one heritage tree removal permit at 1345 Delfino Way

Staff made the presentation (Attachment).

Appellant made a presentation.

- Roberta and Joseph Carcione provided written comment before the meeting in support of the tree removal (Attachment).

**ACTION:** Motion and second (Kabat/Payne) to deny appeal and uphold staff's decision to not allow the tree to be removed, passed (4-0-3, London, Martin, and Price absent).

D3. Discuss Arbor Day 2020 Coordination

**ACTION:** Motion and second (Payne/Turley) to select Chair Price and Commissioner Turley to help coordinate Arbor Day ceremony on April 4 with City Council and staff, passed (4-0-3, London,

Martin, and Price absent).

- D4. Consider progress on the community zero waste plan, and setting benchmarks and modifying strategies to achieve the 2035 zero waste goal

Staff made the presentation (Attachment).

**ACTION:** Motion and second (Gaillard/Turley) to maintain status quo for zero waste plan implementation (working on two initiatives every two years) with current contractors on the proposed initiatives outlined in the staff report for the next five years within the existing budget allocated, and do not add additional resources for zero waste to maintain focus on additional resources/budget needed for reducing emissions in building energy use and transportation. This means extending meeting the zero waste goal beyond 2035, passes (4-0-3, London, Martin, Price absent).

- D5. Discuss 2020-21 capital improvement plan budget development

**ACTION:** Motion and second (Payne/Kabat) to advise City Council to not delay any projects in the capital improvement plan that would significantly reduce greenhouse gas emissions citywide or in municipal operations, and do not allow the upgrade of any city facilities or equipment that would continue the use of fossil fuels.

## **E. Reports and Announcements**

- E1. Commission reports and announcements

None.

- E2. Staff update and announcements

None.

- E3. Future agenda items

None.

## **F. Adjournment**

Vice Chair Payne adjourned the meeting at 9:54 p.m.

Rebecca Lucky, Sustainability Manager



# 1345 DELFINO WAY

Heritage Tree Appeal





# PERMIT APPLICATION





## HERITAGE TREE ORDINANCE

- New heritage tree ordinance approved by City Council on November 19, 2019
  - Will be effective on July 1, 2020
  
- Current ordinance is still in effect
  - Permit applicant or any Menlo Park residents may appeal the decision of staff to Environmental Quality Commission (EQC).

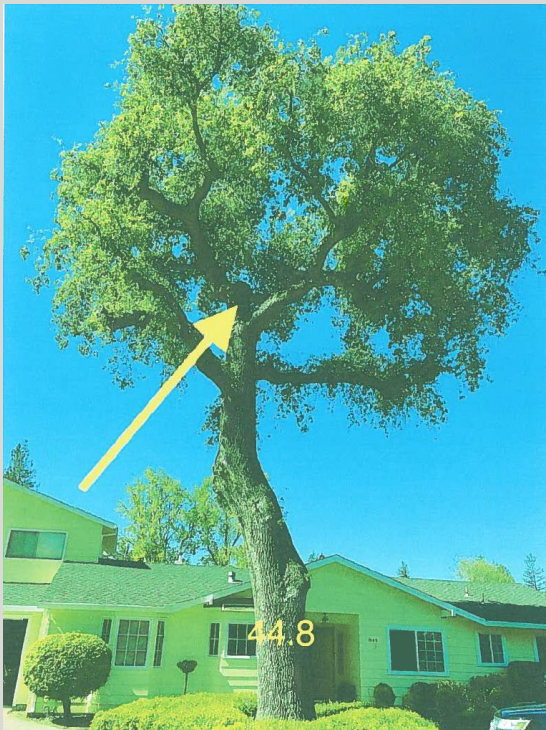
# LOCATION



- Tree: Valley oak
- Height: 60 feet
- Trunk diameter: 44.8 inches
- Age: at least 100 years old



## REMOVAL REASON



- Tree pruned for past 45 years
- Irregular wound 40 feet up the trunk, which may increase the risk of limb failure
- If a limb falls, the house is the primary target
- Tree shows weak wood strength



# ANALYSIS



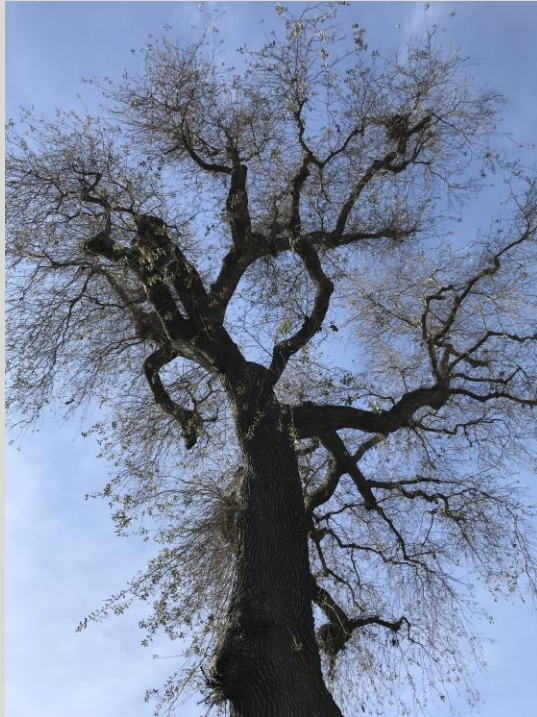




## DECISION MAKING CRITERIA

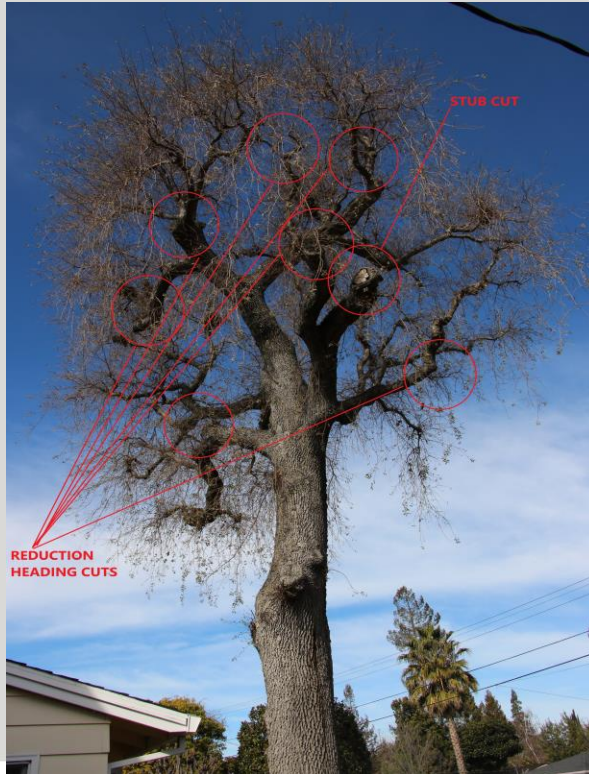
- **Criteria 1**
  - The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services.
  
- **Criteria 4**
  - The long-term value of the species under consideration, particularly lifespan and growth rate.
  
- **Criteria 8**
  - The availability of reasonable and feasible alternatives that would allow for the preservation of the tree(s).

## CRITERIA 1 - HEALTH



- The subject tree was determined to be in good health with normal vigor (rate of growth).
- No disease infections or pest infestations that are causing significant damage were visible.

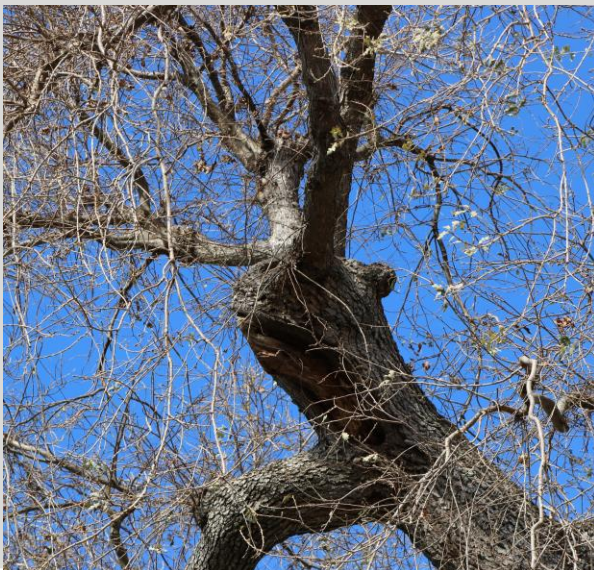
## CRITERIA 1 - STRUCTURE



- The tree has an upright vase shaped form typical of valley oak.
- However, the main stem of the tree and all of its major lateral (scaffold) limbs have been significantly cut back and reduced in length.
- There are multiple large pruning wounds throughout the upper portion of the tree.

## CRITERIA 1 - STRUCTURE

- Limited decay in main scaffold limbs with good response growth.





# GOOGLE TIME LAPSE



April 2008



Sept 2009



April 2011



Nov 2015

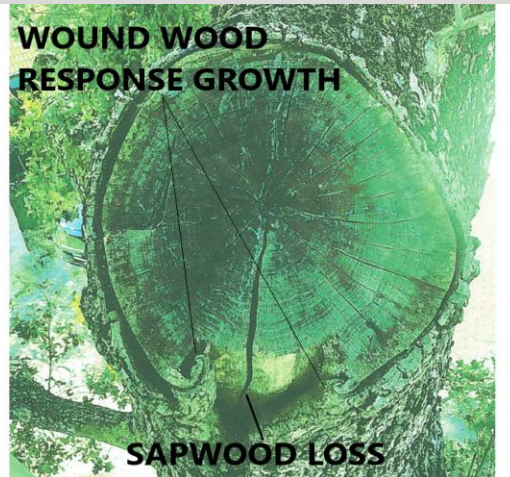


Nov 2017



April 2019

## CRITERIA 1 - STRUCTURE



- Project arborist conducted an aerial inspection to evaluate the extent of decay and revealed no significant decay in or around the wound to the main stem.
- The lack of decay in the wound, the presence of wound wood response growth, the size of the sound wood in relation to the minor loss in sap wood, and the reduction in loading on the remaining lateral limb from pruning indicates that the likelihood of failure of this tree part is low.



## CRITERIA 4 – LONG TERM VALUE

- Valley oaks has a very high desirability rating (90%), which is the highest rating.
- Subject tree age is at least 100 years old and tree species may live over 300 years.



## CRITERIA 8 – ALTERNATIVES

- The tree risk rating is low.
  - Routine tree maintenance practices, such as monitoring and pruning.
  - Consistent with the International Society of Arboriculture best management practices
  
- Cabling or bracing may be considered as precautionary measure to further reduce the low risk rating (not the recommendation of the City of Menlo Park, but it is an option).





## RECOMMENDED ACTION

- Staff recommends EQC to deny the appeal and uphold staff's decision to deny the permit application to remove a valley oak at 1345 Delfino Way.



**THANK YOU**

# NEW HERITAGE TREE ORDINANCE DECISION MAKING CRITERIA



Criteria	Description
1. Death	
2. Tree risk rating	The condition of the heritage tree poses a high or extreme risk rating; and the risk cannot be reasonably abated to a low risk rating with sound arboricultural treatments.
3. Tree health rating	The heritage tree is (a) dying or has a severe disease, pest infestation, intolerance to adverse site conditions, or other condition and pruning or other reasonable treatments based on current arboricultural standards will not restore the heritage tree to a fair, good or excellent health rating (b) likely to die within a year.
4. Species	The heritage tree is a member of a species that has been designated as invasive or low species desirability by the public works director in the administrative guidelines.
5. Development	
6. Utility Interference	

## Lucky, Rebecca L

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**From:** roberta carcione <rmcarcione@gmail.com>  
**Sent:** Wednesday, February 19, 2020 3:40 PM  
**To:** Lucky, Rebecca L  
**Cc:** john@spmcclenahan.com  
**Subject:** Heritage Tree Removal Hearing re: Oak Tree on Delfino Way

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Menlo Park Environmental Quality Commission:

Greetings! Being unable to attend tonight's Environmental Quality Commission, we nevertheless wanted to give you our input. We own the home at 1330 Delfino Way, which is directly across the street from the oak in question. We know this oak tree very well. It has not aged gracefully but, instead, has become unsightly, perhaps dangerous, and definitely on its last legs. We know that our neighbor, Aldo Dossola, is the homeowner who has tried his best to keep this tree healthy to no avail. He would sleep better if the tree is removed as he, too, worries about its condition. Sometimes trees get sick and, no matter how much we hope and try to keep them alive and healthy, it proves to be an impossible task. This tree is one of those sad cases. John Henry McClenahan, President of McClenahan Tree Service, a local business for many generations, has inspected the tree and found it to be one that should be removed for safety reasons. It is sad to lose an old oak tree, but it would be devastating if someone is injured because it was not removed when it had become obvious that it was unsafe. We sincerely hope that you decide to approve the tree's removal.

Sincerely,  
Roberta and Joseph W. Carcione, Jr.  
(650) 329-1353

A photograph of a grassy hill with a wooden fence. In the background, two people are standing on the hill. The sky is overcast.

# ZERO WASTE PLAN PROGRESS

Rebecca Lucky, Sustainability Manager

A close-up photograph of a gravel path next to a wooden fence. The path is made of small, light-colored stones. The fence is made of vertical wooden posts. The background is a grassy area.



# AGENDA

- Background and State Requirements
- Greenhouse Gas Emissions from Waste
- Progress and Recommendations
- Budget and Staff Resources





# BACKGROUND



## BACKGROUND

- Climate Action Plan strategy
- Adopted in 2017
  - Only city in San Mateo County to have a zero waste plan
  - Goal: zero waste by 2035
    - 0.5 pounds per person per day
      - 4 to 6 pounds currently
    - 90 percent is diverted from the landfill
      - 60 percent currently
- Standing item on the City Council annual work plan
- Benefits include:
  - Reduced GHG emissions
  - Reduced waste rates
  - Improved water and air quality
- Staff will be informing City Council on zero waste progress and options for further implementation
- Environmental Quality Commission (EQC) may want to provide further advice on this topic to City Council





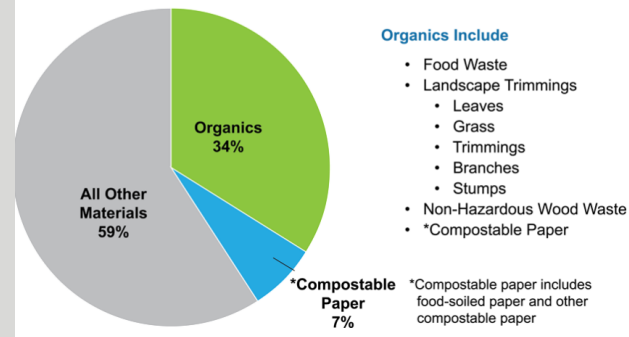


# PREVIOUS AND NEW STATE REQUIREMENTS

- AB 939 (1989): requires all cities to divert 50 percent of community waste from the landfill.
  - Up to \$10,000 per day until the diversion goal is obtained
  
- State goal to divert 75 percent of waste by 2020
  
- AB 341 (2011-in effect)
  - Reduce 5 million GHG emissions by diverting business waste
  - Requires 4 cubic yards or more of business waste week to recycle
  
- AB 1826 (2014)
  - Greenhous Gas (GHG) reductions: methane vs. carbon dioxide
  - Requires businesses of a certain size to compost that generate 4 cubic yards or more of waste (Jan, 1 2019)
  - Food recovery elements
  
- SB 1383: Organic Waste Methane Emissions Reductions
  - Establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025
  - Enforcement by state begins January 1, 2022

## Organics in California's Overall Disposed Waste Stream 2014

Data from CalRecycle's 2014 Waste Characterization Report





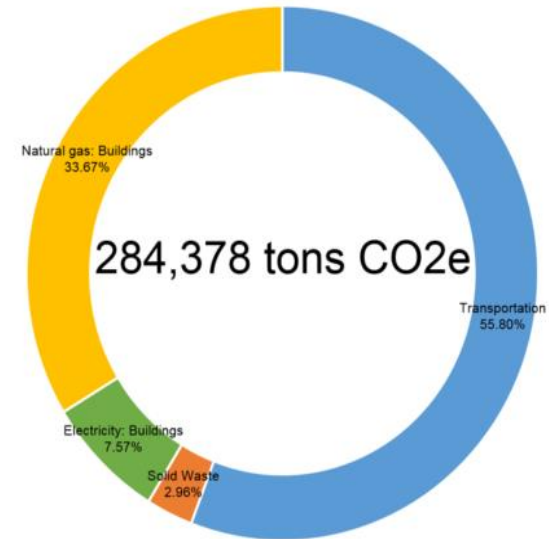
# GREENHOUSE GAS EMISSIONS FROM WASTE



## GREENHOUSE GAS (GHG) EMISSIONS

- Community greenhouse gas inventories have only measured GHG emissions from waste that is landfilled
  - Adds 8,500 GHG tons in Menlo Park per year
- Misses embodied carbon from production and transport
- Contributes daily to GHG emissions now and will continue to be produced at the same rate in the future without any systematic or behavior changes of companies and individuals

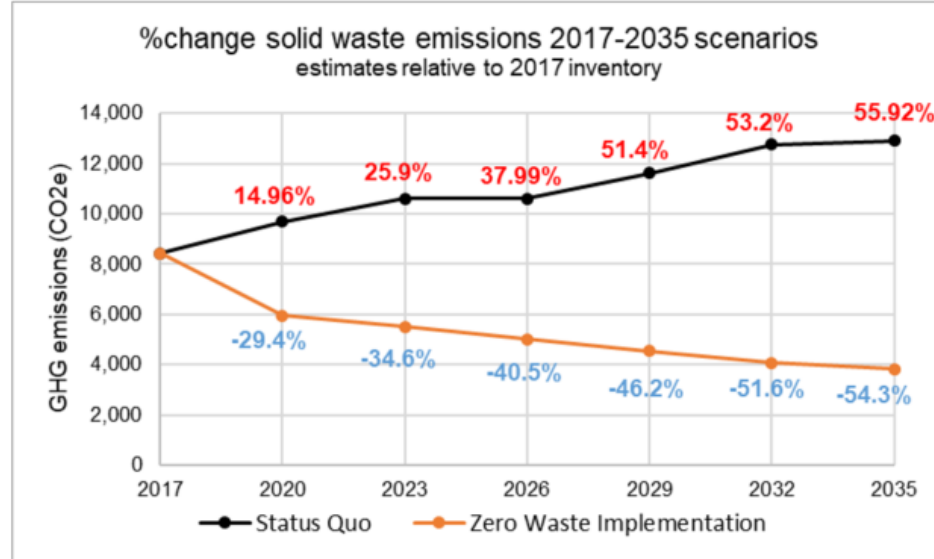
### City of Menlo Park communitywide greenhouse gas emissions 2017



# HOW DOES THE ZERO WASTE PLAN IMPACT GHG REDUCTIONS

- Note: Does not include embodied carbon emissions

Estimated solid waste related emissions 2017-2035





# ZERO WASTE PLAN PROGRESS

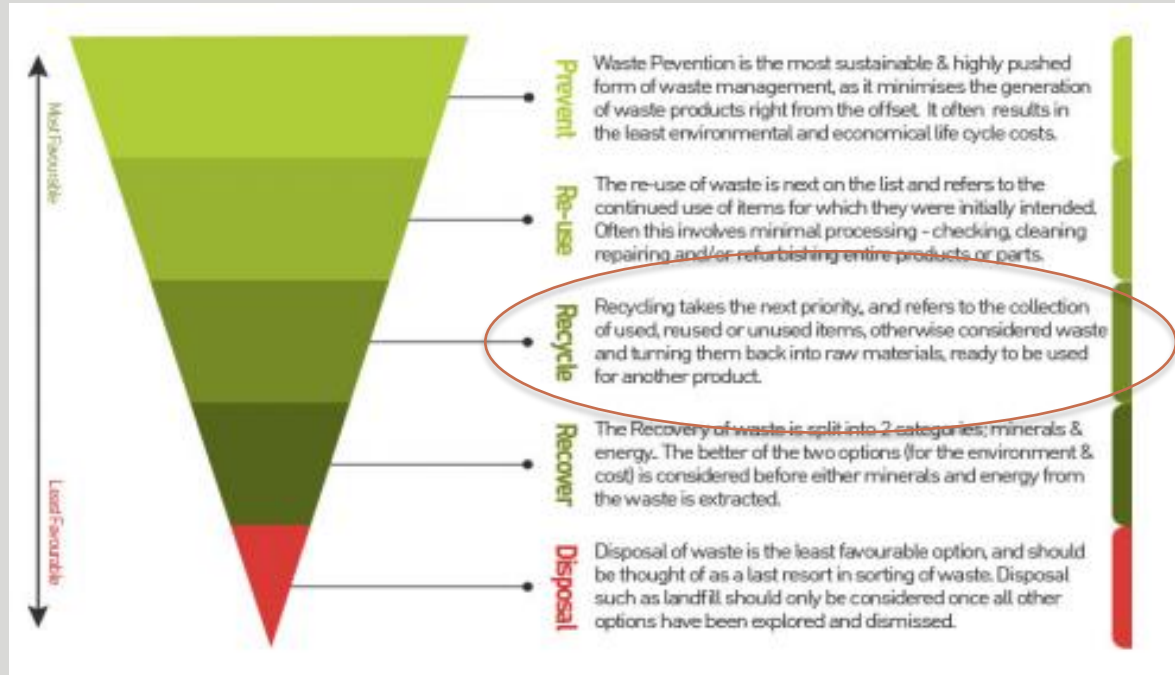




## ZERO WASTE PLAN PROGRESS

- Zero Waste Plan includes short, medium, and long term strategies to achieve zero waste
  
- Two have been completed/underway between 2018-2020
  - Require all construction and demolition waste materials to use designated recycling certified facilities (completed)
    - Includes transition of program administration to building division (still underway)
  - Convert 38 city owned drinking fountains to hydration stations to promote reusable bottles (underway in the Capital Improvement Plan)

# USING THE WASTE HIERARCHY TO PRIORITIZE





## NEW/TIME SENSITIVE ZERO WASTE INITIATIVES (2018-2020)

- Zero waste post occupancy standards for Bayfront area development
  - General Plan/Ordinance Requirement
  - 1<sup>st</sup> city to do this
  - Working with Planning Division, but requires ongoing support from sustainability staff
  
- Achieving zero waste at all city facilities
  - Janitorial contract changes that increased costs
  - Requires some ongoing support from sustainability staff
  
- Developing environmental purchasing policy
  - Strategy of the climate action plan
  - Very difficult to implement
  - Has been placed on hold due to other priorities (except for vehicles)





## NEW RECOMMENDATIONS

- Set benchmarks:
  - By 2023, 5.0 pounds of waste generated per person/employee per day (PPD) and 70 percent of waste is diverted from the landfill
  - By 2026, 4.0 PPD and 75 percent diversion
  - By 2029, 3.5 PPD and 80 percent diversion
  - By 2032, 2.0 PPD and 85 percent diversion
  - By 2035, 0.5 PPD and 90 percent diversion
  
- Required for post occupancy in Bayfront development area



## NEW RECOMMENDATIONS 2020-2025

1. Implementing zero waste requirements for new development in the Bayfront area
2. Updating the solid waste ordinance to meet state mandates
3. Adopting a dine-in and takeout food ware ordinance.
4. Explore establishment of a “things library,” such as toy, kitchen appliance, and/or tool library to reduce waste
5. Establishing a grant program to convert privately owned drinking fountains to bottle filling stations
  - (Plastics are becoming harder to recycle)
6. Updating the construction and demolition ordinance
7. Including universal recycling and composting collection requirements through the franchise agreement



# BUDGET AND STAFF RESOURCES





## BUDGET AND STAFF RESOURCES

- \$115,000 per year is collected through the solid waste rates to pay for implementation of the Zero Waste Plan
  - Currently funds two contractors
  
- Current funding and resources only allows up to two new zero waste plan strategies to be undertaken every two years
  - This is unlikely to meet zero waste goal by 2035
  - Does not account for implementation startup or ongoing operational needs
    - This can further reduce new strategies undertaken to two every five years



## OPTIONS AND CONSIDERATIONS

- City of Mountain View and City of Sunnyvale are hiring zero waste specialists to implement their zero waste plans and meet goals
- Some options to address completing more strategies in Menlo Park include:
  1. Budgeting for (2) five year provisional zero waste staff to allow for a catalyst period of advancing policies and program
  2. Budget for additional on-site zero waste contractors. Limits on types of work that can be done
  3. Budget for a combination of a five year provisional zero waste staff person and zero waste contractors
- Cost for each option is similar, however, quality control of products can vary vastly
- Solid waste rates will be updated in 2021, and could incorporate additional costs to implement the zero waste plan.



## ALTERNATIVES

- Maintain status quo of only working on up to two new zero waste policy or programs every two years
- Deprioritize the zero waste plan, and only work on state mandated items
- This is unlikely to achieve zero waste by 2035, and GHG emissions will continue to increase in this area



**THANK YOU**