



**REGULAR MEETING AGENDA**

**Date:** 2/8/2022  
**Time:** 6:00 p.m.  
**Location:** [Zoom.us/join](https://zoom.us/join) – ID# 831 3316 9409

**NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE**

Consistent with Government Code section 54953(e), and in light of the declared state of emergency, and maximize public safety while still maintaining transparency and public access, members of the public can listen to the meeting and participate using the following methods.

How to participate in the meeting

- Submit a written comment online up to 1-hour before the meeting start time:  
[city.council@menlopark.org](mailto:city.council@menlopark.org) \*  
Please include the agenda item number you are commenting on.
- Access the meeting real-time online at:  
[Zoom.us/join](https://zoom.us/join) – Meeting ID 831 3316 9409
- Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 831 3316 9409  
Press \*9 to raise hand to speak

\*Written public comments are accepted up to 1-hour before the meeting start time.

- Watch meeting:
  - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto:  
Channel 26
  - Online:  
[menlopark.org/streaming](https://menlopark.org/streaming)

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

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, county and local orders, the format of this meeting may be altered or the meeting may be canceled. You may check on the status of the meeting by visiting the City's website [www.menlopark.org](http://www.menlopark.org). The instructions for logging on to the webinar and/or the access code is subject to change. If you have difficulty accessing the webinar, please check the latest online edition of the posted agenda for updated information ([menlopark.org/agenda](https://menlopark.org/agenda)).

According to City Council policy, all 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.

**Regular Session ([Zoom.us/join](https://zoom.us/join) – ID# 831 3316 9409)**

**A. Call To Order**

**B. Roll Call**

**C. Agenda Review**

**D. Report from Closed Session**

**E. Public Comment**

Under “Public Comment,” the public may address the City Council on any subject not listed on the agenda. Each speaker may address the City Council once under public comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The City Council cannot act on items not listed on the agenda and, therefore, the City Council cannot respond to non-agenda issues brought up under public comment other than to provide general information.

**F. Presentations and Proclamations**

- F1. Proclamation: Black History Month ([Attachment](#))

**G. Consent Calendar**

- G1. Adopt a resolution to continue conducting the City’s Council and advisory body meetings remotely due to health and safety concerns for the public and to authorize the use of hybrid meetings ([Staff Report# 22-022-CC](#))
- G2. Receive and file the Parks and Recreation Commission’s work plan ([Staff Report #22-024-CC](#))
- G3. Receive the annual comprehensive financial report for the fiscal year ended June 30, 2021 ([Staff Report #22-025-CC](#))
- G4. Receive and file 2021 priorities and work plan quarterly report as of December 31, 2021 ([Staff Report #22-029-CC](#))

**H. Public Hearing**

- H1. Introduce zoning ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) to allow increased signage for qualifying projects within the SP-ECR/D (El Camino Real/Downtown specific plan) zoning district ([Staff Report #22-230-CC](#)) ([Applicant Presentation](#))

**I. Regular Business**

- I1. Authorize the city attorney and city manager to draft and execute an amendment to the professional services agreement with Team Sheeper, Inc. for continued operation of the Burgess Pool for 12 additional months; and direct staff to prepare a Request for Proposals for an aquatics operator at Burgess Pool and the future Menlo Park Community Campus aquatics center now under construction and anticipated to open in Summer 2023 ([Staff Report #22-026-CC](#)) ([Presentation](#))



- I2. Consider and adopt resolution approving the Water Supply Assessment for the Willow Village mixed-use masterplan project ([Staff Report #22-027-CC](#))
- I3. Consider and adopt a resolution approving the Water Supply Assessment for the 1350 Adams Court project ([Staff Report #22-028-CC](#)) ([Presentation](#))
- I4. Consider 1) modifications to the composition and charge of the Housing Element Community Engagement and Outreach Committee, and 2) the use of a Community Based Organization to supplement the housing element update's community outreach and engagement efforts ([Staff Report #22-032-CC](#))

## **J. Informational Items**

- J1. City Council agenda topics: February – March 8, 2022 ([Staff Report #22-023-CC](#))
- J2. Release of the Downtown market study ([Staff Report #22-031-CC](#))

## **K. City Manager's Report**

## **L. City Councilmember Reports**

## **M. 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](mailto: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](http://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](http://menlopark.org/notifyme). Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 2/3/2022)

## BLACK HISTORY MONTH FEBRUARY 2022

WHEREAS, during Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development; and

WHEREAS, Black History Month grew out of the establishment, in 1926, of Negro History Week by Dr. Carter G. Woodson and the Association for the Study of African American Life and History; and


WHEREAS, the 2022 national theme focuses on the importance of Black Health and Wellness; and

WHEREAS, the observance of Black History Month calls our attention to the continued need to battle racism everywhere, including in our own city, and build a society that lives up to its democratic ideals; and

WHEREAS, the City of Menlo Park continues to work toward becoming an inclusive community in which all people —past, present, and future—are respected, valued equally, and recognized for their contributions and potential contributions to our community, the state, the country, and the world; and,

WHEREAS, the City of Menlo Park is proud to honor the history and contributions of African Americans in our community, throughout our state, nation, and world; and

**NOW, THEREFORE, BE IT PROCLAIMED** I, Betsy Nash, Mayor of the City of Menlo Park, hereby proclaim and celebrate February 2022 as Black History Month in Menlo Park.

DocuSigned by:  
  
415E4B216DBE480...

Betsy Nash, Mayor  
February 8, 2021



## STAFF REPORT

### City Council

Meeting Date:

2/8/2022

Staff Report Number:

22-022-CC

Consent Calendar:

**Adopt a resolution to continue conducting the City's Council and advisory body meetings remotely due to health and safety concerns for the public and to authorize the use of hybrid meetings**

### Recommendation

Staff recommends that the City Council adopt a resolution (Attachment A) to continue conducting the City's Council and advisory body meetings remotely due to health and safety concerns for the public and to authorize the use of hybrid meetings.

### Policy Issues

Assembly Bill 361 (AB 361) was signed into law September 16, 2021 allowing cities to continue holding virtual meetings during any emergency proclaimed by the governor. AB 361 sunsets January 1, 2024. The City Council would need to declare every 30 days that the City's legislative bodies must continue to meet remotely in order to ensure the health and safety of the public.

### Background

The California Legislature approved AB 361, which was signed by the governor September 16, 2021 for signature. The bill allows local legislative bodies to continue to meet remotely through January 1, 2024. A local agency will be allowed to continue to meet remotely when:

- The local agency holds a meeting during a declared state of emergency
- State or local health officials have imposed or recommended measures to promote social distancing
- Legislative bodies declare the need to meet remotely due to present imminent risks to the health or safety of attendees

The City meets the requirements to continue holding meetings remotely in order to ensure the health and safety of the public:

- The City is still under a local state of emergency
- County Health orders require that all individuals in public spaces maintain social distancing and wear masks

### Analysis

The City is still under a local state of emergency, and the County's indoor mask order is still in effect, so the emergency findings required under AB 361 are still in effect. The resolution authorizes the use of hybrid meetings, whereby City Councilmembers and staff may choose to attend either remotely or in person.

Although the City has returned to in-person meetings, due to the increase in infection rates of COVID-19 as

a result of the Omicron and Delta variants, the City Council finds that reducing the number of persons present in City Council chambers is necessary to reduce imminent health risks associated with large groups and/or members of varying households gathering indoors.

### **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 is an organizational structure change that 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. Resolution

Report prepared by:  
Judi A. Herren, City Clerk

**RESOLUTION NO. XXXX****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AND ON BEHALF OF COMMISSIONS AND COMMITTEES CREATED BY THE CITY COUNCIL PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54952(b) AUTHORIZING TELECONFERENCE MEETINGS IN COMPLIANCE WITH AB 361 (GOVERNMENT CODE SECTION 54953(e) TO CONTINUE TO ALLOW MEMBERS OF THE PUBLIC TO SAFELY PARTICIPATE IN LOCAL GOVERNMENT MEETINGS**

WHEREAS, the City Council is committed to ensuring public access to observe and participate in local government meetings; and

WHEREAS, all meetings of the City Council and other legislative bodies created pursuant to Government Code Section 54952(b) are open and public, as required by the Ralph M. Brown Act, so that any member of the public may participate in local government meetings; and

WHEREAS, the AB 361, codified at Government Code section 54953(e), makes provisions for remote teleconferencing participation in local government meetings, without compliance with the requirements of 54953(b)(3), during a Governor-proclaimed state of emergency and if the local legislative body determines, by majority vote, that as a result of the emergency, meeting solely in person would present imminent risks to the health or safety of attendees, and

WHEREAS, on March 4, 2020, Governor Newsom proclaimed a State of Emergency due to the outbreak of respiratory illness due to a novel coronavirus (now known as COVID 19) and that State of Emergency is still in effect in the State of California; and

WHEREAS, on March 11, 2020 the City Council proclaimed the existence of a local state of emergency within the City, pursuant to Section 8625 of the California Emergency Services Act in response to the COVID-19 pandemic; and

WHEREAS, COVID-19 continues to threaten the health and lives of City residents; and

WHEREAS, the SARS-CoV-2 Delta Variant (Delta Variant) is highly transmissible in indoor settings; and

WHEREAS, San Mateo County, the State of California and the Country in general, are currently facing a surge in infection rates due to the Omicron variant. According to data from the County's Health Administrator and County website, the County is averaging approximately 1,500 new cases of COVID-19 per day; and

WHEREAS, although the City has returned to in-person meetings, due to the increase in infection rates of COVID-19 as a result of the Omicron and Delta variants, the City Council finds that reducing the number of persons present in City Council chambers is necessary to reduce imminent health risks associated with large groups and/or members of varying households gathering indoors; and

WHEREAS, The State of California and the City of Menlo Park continue to follow safety measures in response to COVID-19 as ordered or recommended by the Centers for Disease Control and Prevention (CDC), California Department of Public Health (DPH), and/or County of San Mateo, as applicable, including facial coverings when required; and based upon that

guidance, in-person attendance indoors at public meetings continues to present a health risk for certain segments of the population, necessitating the need to reduce the number of in-person meeting attendees; and

WHEREAS, the City Council, acting as a legislative body pursuant to Government Code section 54952(a) and for the benefit of the commissions, committees and other bodies that were created by the City Council pursuant to Government Code section 54952(b) (collectively referred to as "Legislative Bodies"), finds that the current conditions meet the circumstances set forth in Government Code section 54953(e)(3) to allow Legislative Bodies to continue to use teleconferencing to hold open and public meetings if the Legislative Bodies comply with the requirements set forth in Government Code section 54953(e)(2) to ensure the public can safely participate in and observe local government meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Menlo Park that the City Council does hereby:

1. Find that current conditions authorize teleconference public meetings of Legislative Bodies. Based on the California Governor's continued declaration of a State of Emergency and current conditions, the City Council finds that meeting in person, without the option for certain populations and persons to participate remotely, would present imminent risks to the health or safety of attendees. The City Council does therefore find that Legislative Bodies and members of Legislative Bodies of the City may elect to use teleconferencing to hold public meetings in accordance with Government Code section 54953(e)(2) to ensure members of the public have continued access to safely observe and participate in local government meetings.
2. Authorize Legislative Bodies to conduct teleconference meetings. The Legislative Bodies are hereby authorized to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code section 54953(e)(2) and other applicable provisions of the Brown Act.
3. Authorize Legislative Bodies to conduct hybrid meetings. The Legislative Bodies are hereby further authorized to conduct meetings in a "hybrid" format, where both members of the Body may elect to be present in person, utilizing appropriate distancing and masking practices, or participate by teleconferencing technology. Such meetings of the Legislative Bodies that occur using teleconferencing technology will provide an opportunity for any and all members of the public who wish to address Legislative Bodies and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing

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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 eighth day of February, 2022, 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 \_\_\_ day of February, 2022.

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Judi A. Herren, City Clerk



**STAFF REPORT**

**City Council**

**Meeting Date:** 2/8/2022  
**Staff Report Number:** 22-024-CC

**Consent Calendar:** Receive and file the Parks and Recreation Commission's work plan

**Recommendation**

Staff recommends that the City Council receive and file the Parks and Recreation Commission's annual work plan (Attachment A.)

**Policy Issues**

The City Council periodically receives and files key operational documents from City Commissions. The Parks and Recreation Commission advises the City Council on matters related to City programs and facilities dedicated to recreation. City Council Policy CC-21-004 (Attachment B) outlines the procedures, roles and responsibilities of the City Council-appointed advisory bodies for optimal functioning.

**Background**

City Council Policy CC-21-004 requires advisory bodies to develop annual work plans. Once finalized by a majority of the advisory body, work plans are to 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. In 2021, the Parks and Recreation Commission experienced unanticipated changes in the chair and vice-chair roles, which delayed the completion of the Commission's work plan. The Parks and Recreation Commission unanimously finalized their work plan at their January 26, 2022 meeting.

**Analysis**

The Parks and Recreation Commission's work plan guides the work of the Commission for the coming year. The Commission's work plan seeks to align itself with City Council goals, the parks and recreation facilities master plan, the library and community services department strategic plan, and the needs of the Menlo Park community. The Commission's primary goal in 2021-22 is to support and advise the development of the operational plan for the Menlo Park Community Campus project anticipated to open in 2023.

**Impact on City Resources**

There is no new impact to City resources associated with this update.

**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. Parks and Recreation Commission work plan 2021-22
- B. City Council Policy CC-21-004

Report prepared by:  
Nick Szegda, Assistant Library Services Director

Report reviewed by:  
Sean Reinhart, Library and Community Services Director



**MEMORANDUM**

**Date:** 1/26/2022  
**To:** Parks and Recreation Commission  
**From:** Parks and Recreation Subcommittee – Work Plan Development  
**Re:** Commission Work Plan for 2021-2022

**Parks and Recreation Commission Goals**

- Facilitate the goals laid out in the 2019 Parks and Recreation Master Plan.
- Provide high quality programs and services for Menlo Park residents.
- Maintain, upgrade, and expand city parks and facilities.
- Enhance public awareness and engagement.
- Include diverse community perspectives.
- Prioritize accessibility, safety, and sustainability.

**Specific Examples**

- Gather feedback on Willow Oaks park improvements.
- Discuss and gather information on the pros and cons of contractor-provided recreation services.
- Review the pickle ball court additions.
- Invite members of the public on commission park tours.
- Balance Belle Haven versus neighboring community needs in the new Menlo Park Community Campus.
- Develop strategies to mitigate the risks of off-leash dogs harming children.

Work Plan unanimously recommended for approval by the Parks and Recreation Commission at their January 26, 2022 meeting

# COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Procedure #CC-21-004  
 Effective 6/08/2021  
 Resolution No. 6631



<p><b>Purpose</b></p>
<p>To define policies and procedures and roles and responsibilities for Menlo Park appointed commissions and committees.</p>
<p><b>Authority</b></p>
<p>Upon its original adoption, this policy replaced the document known as “Organization of Advisory Commissions of the City of Menlo Park.”</p>
<p><b>Background</b></p>
<p>The City of Menlo Park currently has eight active Commissions and Committees. The active advisory bodies are: Community Engagement and Outreach Committee, Complete Streets Commission, Environmental Quality Commission, Finance and Audit Committee, Housing Commission, Library Commission, Parks and Recreation Commission, and Planning Commission. 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>
<p><b>Policies and Procedures</b></p>
<p><u>Relationship to City Council, staff and media</u></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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 annual work plan. 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).</li> <li>• 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 department programs and activities, and to perform limited studies, program reviews, and other services.</li> </ul>

## COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-21-004

Effective 6/08/2021

Resolution No. 6631

2

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.

## COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-21-004

Effective 6/08/2021

Resolution No. 6631

3

- 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

## COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-21-004

Effective 6/08/2021

Resolution No. 6631

4

minutes shall be provided to the City Council, City Manager, City Attorney, City Clerk and other 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 Community Engagement and Outreach Committee, Planning Commission, and Finance and Audit 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 Community Engagement and Outreach Committee shall hold meetings as need, and the Finance and Audit 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

**COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES**

City Council Policy #CC-21-004

Effective 6/08/2021

Resolution No. 6631

and effective way as long as proper and adequate notification is provided to the City Council and made available to the public.

The schedule of Commission/Committee meetings is as follows:

- Community Engagement and Outreach Committee – as needed
- 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.

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.

## COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-21-004

Effective 6/08/2021

Resolution No. 6631

6

### *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. 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 in the order received. Applicants receiving the highest number of affirmative votes from a majority of the City Council present shall be appointed. The number of votes for each City Councilmember is limited to the number of vacancies.
- 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.



## COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-21-004

Effective 6/08/2021

Resolution No. 6631

7

### *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).

### *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.
- In accordance with Resolution No. 6622, current and future members of the Community Engagement and Outreach Committee, Complete Streets Commission, and Housing Commission, are required to report any and all real property in Menlo Park for impacting land use, real property, and the housing element.

### *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:
  - Community Engagement and Outreach Committee – fourteen (14) members
  - Complete Streets Commission – nine (9) members
  - Finance and Audit Committee – five (5) members
  - Housing Commission – seven (7) members
  - Library Commission – eleven (11) 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.

**COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES**

City Council Policy #CC-21-004

Effective 6/08/2021

Resolution No. 6631

*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. The Finance and Audit Committee term of office shall be two (2) years. The Community Engagement and Outreach Committee term is for eighteen (18) months.
- 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 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**

**Community Engagement and Outreach Committee**

The Housing Element Community Engagement and Outreach Committee (CEOC) assists the City in ensuring a broad and inclusive community outreach and engagement process. Committee members help guide and provide feedback on the types and frequency of activities/events/meetings and the strategies and methods for communicating with the various stakeholders in the community.

Roles and responsibilities:

- Serve as an ambassador of the project and encourage people to participate in the process
- Help guide and provide feedback on the community engagement plan
- Serve as a community resource to provide information to and receive input from the community on matters related to community engagement and public outreach

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

## COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES

City Council Policy #CC-21-004

Effective 6/08/2021

Resolution No. 6631

9

### 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
- 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

**COMMISSIONS/COMMITTEES POLICIES AND PROCEDURES, ROLES AND RESPONSIBILITIES**

City Council Policy #CC-21-004

Effective 6/08/2021

Resolution No. 6631

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.

**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.

**Procedure history**

Action	Date	Notes
Procedure adoption	1991	Resolution No. 3261
Procedure adoption	2001	
Procedure adoption	2011	
Procedure adoption	2013	Resolution No. 6169
Procedure adoption	2017	Resolution No. 6377
Procedure adoption	6/8/2021	Resolution No. 6631

## Administration Services Department



### STAFF REPORT

**City Council**

**Meeting Date:** 2/8/2022  
**Staff Report Number:** 22-025-CC

**Consent Calendar:** Receive the annual comprehensive financial report for the fiscal year ended June 30, 2021

#### Recommendation

Staff recommends City Council receive, review and file the annual comprehensive financial report (ACFR) for the fiscal year ended June 30, 2021.

#### Policy Issues

The City is required to issue audited financial statements by independent auditors on an annual basis. Management is responsible for preparing the annual financial statements which are subsequently audited by an independent auditor which reports to the City Council. This package of reports fully transmits the documents required by California State law, bond covenants, granting agencies and generally accepted accounting principles.

#### Background

The City contracted with the firm Lance, Soll & Lungard, LLP (Certified Public Accountants) in 2019 to perform an audit of their financial records and render an opinion in accordance with auditing standards generally accepted in the US. LSL contract covers a three-year engagement with this being their final year. The goal of a financial statement audit is to provide reasonable assurance from an independent source that the information presented in the statements is reliable. Last year’s ACFR received the distinguished Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) program, and staff feels confident this year’s report will meet these standards. To receive this award, a government must publish an easily readable and efficiently organized ACFR that satisfies both Governmental Accounting Standards Board (GASB) 34 and applicable legal requirements.

#### Analysis

Considering impacts of the novel coronavirus and its mutation (Delta variant) during the fiscal year 2020-2021, the City of Menlo Park presents in good financial position. The City’s government-wide net position, as of June 30, 2021, is \$501.76 million, up 0.3 percent when compared to the prior year. The general fund’s expenditures and transfers-out exceeded revenue and transfers-in by \$3.44 million. Our transient occupancy tax (TOT) and the community services activities were the most affected. As of June 30, 2021, the general fund balance is \$38,220,366 of which \$4,800,628 is unassigned. Breakdown of this fund balance is located on page 77. Detailed analysis of the City’s financial position is included in the ACFR (Attachment A), specifically, in the management discussion and analysis (MD&A) beginning on Page 5. Based on their annual independent audit, the auditor rendered an unmodified “clean” opinion, on the City’s

financial statements for the fiscal year ended June 30, 2021. In their opinion, “the financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City.” The auditors are also required to issue a report on internal controls for the City. In their report on internal controls beginning on page one of the Independent auditor’s report (Attachment B,) the Auditor found that the City has three material weaknesses and one significant deficiencies in internal controls that could have a material impact on the accuracy of the financial statements.

- A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity’s financial statements will not be prevented, or detected and corrected on a timely basis.
- A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

These deficiencies were mainly caused by untimely conversion of the City’s financial system coupled with decreased staff resources. Management provided a response to the findings in this report. The report on internal control is included in the independent auditor’s report (Attachment B,) along with Measure A Transportation Fund, Measure W Transportation Fund, and Belle Haven Child Development Center reports (Attachments C-E, respectively.)

An entity is required to have a single audit when it expends \$750,000 or more in Federal grants. During the fiscal year ended June 30, 2021, the City expended approximately 1.32 million in Federal funds. A separate Single Audit report will be presented to the City Council, and Finance and Audit Committee (FAC) in Spring 2022. This report is normally due March 31, 2022 but has been extended to September 30, 2022.

#### FAC review

Due to time constraints and availability of members we were unable to hold a meeting prior to the City Council meeting, so no review of the ACFR for fiscal year ending June 30, 2021 was provided by the FAC. However, staff and the auditors feel this report complies with all applicable laws and auditing standards.

#### **Impact on City Resources**

The independent auditing services is a covered expense within the City’s fiscal year 2020-21 approved budget.

#### **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. Hyperlink – City of Menlo Park, California ACFR for the fiscal year ended June 30, 2021:  
[beta.menlopark.org/financialreport](https://beta.menlopark.org/financialreport)
- B. Independent auditor’s report on internal controls for the year ended June 30, 2021
- C. Measure A Transportation Fund report for the year ended June 30, 2021
- D. Measure W Transportation Fund report for the year ended June 30, 2021
- E. Belle Haven Child Development Center report for the year ended June 30, 2021

Report prepared by:

Patricia Barboza, Interim Finance and Budget Manager

Report reviewed by:

Marvin Davis, Interim Finance Director

Theresa DellaSanta, Interim Administrative Services Director

INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL  
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE  
WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable Mayor and Members of the City Council  
City of Menlo Park, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Menlo Park California, (the City) as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated \_\_\_\_\_, 2021.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, we identified certain deficiencies in internal control that we consider to be material weaknesses and significant deficiencies.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the following deficiencies reported on the schedule of findings and questioned costs to be material weaknesses: 2021-01 through 2021-03.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the following deficiencies, described on the accompanying schedule of findings and questioned costs, to be significant deficiencies: 2021-04.





To the Honorable Mayor and Members of the City Council  
City of Menlo Park, California

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the following deficiencies, described on the accompanying schedule of findings and questioned costs, to be significant deficiencies: 2021-04.

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed the following instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*. These items are described as findings 2021-1 through 2021-04 on the accompanying schedule of findings and questioned costs.

### **City's Response to Findings**

The City's response to the findings identified in our audit was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Lance, Solt & Loughard, LLP*

Sacramento, California  
\_\_\_\_\_, 2021



To the Honorable Mayor and Members of the City Council  
City of Menlo Park, California

## **SCHEDULE OF FINDINGS AND QUESTIONED COSTS**

### **Accounts Payable Accrual**

**Reference Number:** 2021-001

**Evaluation of Finding:**  
Material Weakness

**Condition:**  
The City did not accrue a check relating to services performed in fiscal year 2020-2021 as of June 30, 2021.

**Criteria:**  
The City should ensure that all payables are accrued in the proper fiscal year.

**Cause of Condition:**  
The cause of this condition resulted from time constraints on the review process of the year end journal entries.

**Effect or Potential Effect of Condition:**  
The misstatement resulted in understated expenditures and accounts payable at year end.

**Recommendation:**  
LSL recommends that the City perform a thorough review over the AP accrual, beyond the City's AP cutoff period to ensure any late invoices are properly accrued, if necessary.

#### **Management's Response and Corrective Action:**

In fiscal year 2020-21, the City implemented a new financial software – OpenGov parallel with the old Cayenta financial system. The conversion started in March 2021 which conflicts with the year-end and audit preparation. Two of the Accountants (City only have 3 accountant positions) were assigned on the system conversion and installation, which took away their times to focus on the year-end closing and audit preparation. The system conversion to the new financial software should have been done after the audit preparation is completed. Due to the staffing changes and the vacancy of the Finance and Budget Manager position, staff assigned to the audit were not able to review the entire Accounts Payable schedule prior to the scheduled audit field work.

In the future, City staff will make sure that a thorough review of the Accounts Payable accrual, beyond the City's cutoff period will be properly accrued.

### **Recognition of land held for resale**

**Reference Number:** 2021-002

**Evaluation of Finding:**  
Material Weakness

**Condition:**  
The City expensed land held for resale in the trial balance provided for the audit. Because of audit inquiries LSL became aware that the city bought land held for resale. This purchase was verified against council minutes.

**Criteria:**

The City of Menlo Park should not expense purchases of land held for resale.

**Cause of Condition:**

Improper review of financial transactions for classification and rights to assets.

**Effect or Potential Effect of Condition:**

The unremedied condition would have overstated expenses and understated assets by \$440,284

**Recommendation:**

The City should review all real estate transactions for proper classification in the financial records.



To the Honorable Mayor and Members of the City Council  
City of Menlo Park, California

**Management's Response and Corrective Action:**

It was an overlooked from city's part due to short staff.  
In the future, fixed assets will be reconciled and reviewed for proper classifications in the general ledger and financial records.

**Bank reconciliation process**  
**Reference Number:** 2021-003

**Evaluation of Finding:**  
Material Weakness

**Condition:**  
We received various correcting Bank reconciliations. The City of Menlo Park should be reviewing and completing bank reconciliations before the start of audit fieldwork.

**Criteria:**  
The timeliness of bank reconciliations is important for the financial management of the City of Menlo Park. The reconciliation needs to be performed in an accurate and timely manner

**Cause of Condition:**  
Improper review of the bank reconciliation process and lack of oversight into the review process.

**Effect or Potential Effect of Condition:**  
Without timely and accurate bank reconciliations, the City is hindered in financial management.

**Recommendation:**  
The City of Menlo Park should implement changes to the bank reconciliation process to ensure they are completed accurately and timely.

**Management's Response and Corrective Action:**

In fiscal year 2020-21, the Accountant II position was assigned to focus on the system conversion of the new accounting system. The bank reconciliation preparation has left behind and also the review process due to staffing changes. Only one staff and a consultant were provided to focus on the year end and audit preparation.

In the future the City will ensure they are completed accurately and timely. OpenGov has a bank reconciliation function that will be used to process the bank reconciliation monthly.

**Correcting Journal Entries**

**Reference Number:** 2021-004

**Evaluation of Finding:**  
Significant Deficiency

**Condition:**

During the course of the audit, the City of Menlo provided over a dozen correcting journal entries. These ranged from closing entries that were improperly not included in the financial records provided for the audit to corrections of material errors.

**Criteria:**

The City of Menlo Park should ensure that the general ledger and other financial records are complete, accurate and reviewed in a timely manner.

**Cause of Condition:**

Due to staffing changes at the City of Menlo Park, there are areas which are not being properly reviewed for completeness and accuracy.



To the Honorable Mayor and Members of the City Council  
City of Menlo Park, California

**Effect or Potential Effect of Condition:**

The potential effect of the City of Menlo Park not posting journal entries varies by journal entry, but the management of the City should strive to ensure the accuracy and completeness of the financial information.

**Recommendation:**

The City of Menlo Park should review the year-end close process and update with improved procedures that will help ensure the accuracy and completeness of the information under audit.

**Management's Response and Corrective Action:**

As mentioned earlier, the system conversion should have been scheduled after the audit preparation, so staff can focus on the year end closing and audit preparation. Staffing changes during this period affected staff deadlines. Staff focus were diverted to system conversion that several journal entries were not finished or prepared prior to the scheduled audit field work.

City will ensure that the general ledger and other financial records are completed, accurate and reviewed in a timely manner.



# CITY OF MENLO PARK, CALIFORNIA MEASURE A TRANSPORTATION FUND

FOR THE YEAR ENDED JUNE 30, 2021

INDEPENDENT ACCOUNTANTS'  
REPORT ON SCHEDULE OF RECEIPTS  
AND DISBURSEMENTS

Focused  
on YOU



CITY OF MENLO PARK  
MEASURE A TRANSPORTATION FUND

INDEPENDENT ACCOUNTANTS'  
REPORT ON SCHEDULE OF  
RECEIPTS AND DISBURSEMENTS

FOR FISCAL YEAR ENDED JUNE 30, 2021



CITY OF MENLO PARK  
MEASURE A TRANSPORTATION FUND

INDEPENDENT ACCOUNTANTS'  
REPORT ON SCHEDULE OF  
RECEIPTS AND DISBURSEMENTS

FOR FISCAL YEAR ENDED JUNE 30, 2021

TABLE OF CONTENTS

	<u>Page</u>
Independent Accountants' Report.....	1
Schedule of Receipts and Disbursements.....	4
Management Report on Compliance with the Agreement for Distribution of San Mateo County.....	5
Measure A Funds for Local Transportation Purposes	



## INDEPENDENT ACCOUNTANTS' REPORT

To the Honorable Mayor and Members of the City Council  
City of Menlo Park, California

### ***Opinions***

We have examined management's assertion, included in the accompanying Management's Report on Compliance with the *Agreement for Distribution of San Mateo County Measure A Funds for Local Transportation Purposes* (Agreement) between the City of Menlo Park (City) and the San Mateo County Transportation Authority entered into on June 19, 1989, that the City complied with the requirements of the Agreement during the year ended June 30, 2021. Management is responsible for the City's compliance with those requirements. Our responsibility is to express an opinion on management's assertion on the City's compliance based upon our examination.

In our opinion, management's assertion that the City complied with the aforementioned requirements for the fiscal year ended June 30, 2021, is, in all material respects, fairly stated.

### ***Basis for Opinion***

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion. Our audit does not provide a legal determination of the City's compliance with the compliance requirements referred to above.

### ***Responsibilities of Management for Compliance***

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the City's government programs.

### ***Auditor's Responsibilities for the Audit of Compliance***

Our responsibility is to express opinions on compliance with the requirements described in the Agreement based on our audit. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in the *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards and the Agreement require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a material effect on the City's local program. An audit includes examining, on a test basis, evidence about



To the Honorable Mayor and Members of the City Council  
City of Menlo Park, California

the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. Misstatements are considered material if, there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Agreement, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Agreement, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

### **Report on Internal Control Over Compliance**

A *deficiency* in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance on a timely basis. A *material weakness* in internal control over compliance is a deficiency, or combination of deficiencies in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a compliance requirement will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that have not been identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.



To the Honorable Mayor and Members of the City Council  
City of Menlo Park, California

**Purpose of this Report**

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the *Agreement for Distribution of San Mateo County Measure A Funds for Local Transportation Purposes*. Accordingly, this communication is not suitable for any other purpose

*Lance, Solt & Loughard, LLP*

Sacramento, California  
December 31, 2021

CITY OF MENLO PARK MEASURE A TRANSPORTATION FUND

SCHEDULE OF RECEIPTS AND DISBURSEMENTS  
FOR THE YEAR ENDED JUNE 30, 2021

---

**Receipts:**

Sales and Use Taxes	\$	944,817
Interest Income		<u>(4,055)</u>

<b>Total receipts</b>	<b>\$</b>	<b><u>940,762</u></b>
-----------------------	-----------	-----------------------

**Disbursements:**

Multi-modal management	\$	120
Streets		262,799
Transportation demand management program		<u>419,769</u>

<b>Total disbursements</b>	<b>\$</b>	<b><u>682,688</u></b>
----------------------------	-----------	-----------------------

<b>Receipts over disbursements</b>	<b>\$</b>	<b>258,074</b>
------------------------------------	-----------	----------------



December 31, 2021

San Mateo County Transportation Authority  
120 San Carlos Avenue  
San Carlos, CA 94070

**Management's Report on Compliance with the Agreement for Distribution of SanMateo County Measure**

The City of Menlo Park (the "City") is responsible for complying with the Agreement for Distribution of San Mateo County Measure A Funds for Local Transportation Purposes (the "Agreement") between the City and the San Mateo County Transportation Authority entered into on August 18, 1989, and amended on June 17, 2009. The Agreement states that in return for receiving an annual allocation of a specified portion of the retail transaction and use tax approved by Measure A – San Mateo County Expenditure Plan (the "Measure"), the City, in use of these funds, shall "refrain from substituting funds provided to it pursuant to this Agreement for property tax funds which are currently being used to fund existing local transportation programs and limit the use of said funds to the improvement of local transportation, including streets and road improvements."

With respect to compliance with the Agreement, management attests to the following for the year ended June 30, 2021:

- Management is responsible for establishing and maintaining effective internal controls with respect to compliance with the Agreement;
- Management is responsible for complying with the Agreement;
- Management has evaluated the City's compliance with requirements of the Agreement; and
- All transactions, as summarized in the attached Schedule of Receipts and Distributions for the fiscal year ended June 30, 2021, are in compliance with the Agreement.

Sincerely,

DocuSigned by:  
*Nick Pegueros*  
7A264995A264408

Nick Pegueros  
Assistant City Manager



# CITY OF MENLO PARK, CALIFORNIA MEASURE W TRANSPORTATION FUND

INDEPENDENT ACCOUNTANTS'  
REPORT ON SCHEDULE OF RECEIPTS  
AND DISBURSEMENTS

FOR THE YEAR ENDED JUNE 30, 2021

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CITY OF MENLO PARK  
MEASURE W TRANSPORTATION FUND

INDEPENDENT ACCOUNTANTS'  
REPORT ON SCHEDULE OF  
RECEIPTS AND DISBURSEMENTS

FOR FISCAL YEAR ENDED JUNE 30, 2021



CITY OF MENLO PARK  
MEASURE W TRANSPORTATION FUND

INDEPENDENT ACCOUNTANTS'  
REPORT ON SCHEDULE OF  
RECEIPTS AND DISBURSEMENTS

FOR FISCAL YEAR ENDED JUNE 30, 2021

TABLE OF CONTENTS

	<u>Page</u>
Independent Accountants' Report.....	1
Schedule of Receipts and Disbursements.....	4
Management Report on Compliance with the Agreement for Distribution of San Mateo County.....	5
Measure W Funds for Local Transportation Purposes	



## INDEPENDENT ACCOUNTANTS' REPORT

To the Honorable Mayor and Members of the City Council  
City of Menlo Park, California

### ***Opinions***

We have examined management's assertion, included in the accompanying Management's Report on Compliance with the *Agreement for Distribution of San Mateo County Measure W Funds for Local Transportation Purposes* (Agreement) between the City of Menlo Park (City) and the San Mateo County Transportation Authority entered into on October 7, 2020, that the City complied with the requirements of the Agreement during the year ended June 30, 2021. Management is responsible for the City's compliance with those requirements. Our responsibility is to express an opinion on management's assertion on the City's compliance based upon our examination.

In our opinion, management's assertion that the City complied with the aforementioned requirements for the fiscal year ended June 30, 2021, is, in all material respects, fairly stated.

### ***Basis for Opinion***

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion. Our audit does not provide a legal determination of the City's compliance with the compliance requirements referred to above.

### ***Responsibilities of Management for Compliance***

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the City's government programs.

### ***Auditor's Responsibilities for the Audit of Compliance***

Our responsibility is to express opinions on compliance with the requirements described in the Agreement based on our audit. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in the *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards and the Agreement require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a material effect on the City's local program. An audit includes examining, on a test basis, evidence about



To the Honorable Mayor and Members of the City Council  
City of Menlo Park, California

the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. Misstatements are considered material if, there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Agreement, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Agreement, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

### **Report on Internal Control Over Compliance**

A *deficiency* in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance on a timely basis. A *material weakness* in internal control over compliance is a deficiency, or combination of deficiencies in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a compliance requirement will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that have not been identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.



To the Honorable Mayor and Members of the City Council  
City of Menlo Park, California

**Purpose of this Report**

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the *Agreement for Distribution of San Mateo County Measure W Funds for Local Transportation Purposes*. Accordingly, this communication is not suitable for any other purpose

*Lance, Solt & Loughard, LLP*

Sacramento, California  
January 3, 2022

CITY OF MENLO PARK MEASURE W TRANSPORTATION FUND

SCHEDULE OF RECEIPTS AND DISBURSEMENTS  
FOR THE YEAR ENDED JUNE 30, 2021

---

**Receipts:**

Other Governmental	\$	351,621
Interest Income		<u>10,447</u>
<b>Total receipts</b>	<b>\$</b>	<b><u>362,068</u></b>

**Disbursements:**

Streets	\$	<u>113,360</u>
<b>Total disbursements</b>	<b>\$</b>	<b><u>113,360</u></b>
<b>Receipts over disbursements</b>	<b>\$</b>	<b>248,708</b>



January 3, 2022

San Mateo County Transportation Authority  
120 San Carlos Avenue  
San Carlos, CA 94070

**RE: Management’s Report on Compliance with the Agreement for Distribution of San Mateo County Measure W**

San Mateo County Transportation Authority,

The City of Menlo Park (the “City”) is responsible for complying with the Agreement for Distribution of San Mateo County Measure W Funds for Local Transportation Purposes (the “Agreement”) between the City and the San Mateo County Transportation Authority entered into on October 7, 2019. The Agreement states that in return for receiving an annual allocation of a specified portion of the retail transactions and use tax approved by Measure W (the “Measure”), the City will use Measure W funds to supplement current public transportation investments and will invest W funds with guidance from the Congestion Relief Plan (Core Principles). With respect to compliance with the Agreement, management attests to the following for the year ended June 30, 2021:

- Management is responsible for establishing and maintaining effective internal controls with respect to compliance with the Agreement;
- Management is responsible for complying with the Agreement;
- Management has evaluated the City’s compliance with requirements of the Agreement; and
- All transactions, as summarized in the attached Schedule of Receipts and Distributions for the fiscal year ended June 30, 2021, are in compliance with the Agreement.

Sincerely,

DocuSigned by:  
*Starla Jerome-Robinson*  
66D907BD261744C...

Starla Jerome-Robinson  
City Manager



# CITY OF MENLO PARK, CALIFORNIA BELLE HAVEN CHILD DEVELOPMENT CENTER

FOR THE YEAR ENDED JUNE 30, 2021

FINANCIAL STATEMENTS

Focused  
on YOU



CITY OF MENLO PARK, CALIFORNIA  
BELLE HAVEN CHILD DEVELOPMENT CENTER  
FINANCIAL STATEMENTS  
FOR FISCAL YEAR ENDED JUNE 30, 2021



CITY OF MENLO PARK, CALIFORNIA  
BELLE HAVEN CHILD DEVELOPMENT CENTER

FINANCIAL STATEMENTS

FOR FISCAL YEAR ENDED JUNE 30, 2021

TABLE OF CONTENTS

	<u>Page(s)</u>
General Information .....	i
Independent Auditors' Report .....	1
FINANCIAL STATEMENTS	
Balance Sheet .....	4
Statement of Revenues, Expenditures and Changes in Fund Balance .....	5
Notes to Basic Financial Statements .....	6
SUPPLEMENTARY INFORMATION:	
Schedule of Expenditures by State Category .....	9
Audited Final Attendance and Fiscal Report for Child Development Programs .....	10
Schedule of Reimbursable Administrative Costs .....	22
Schedule of Renovation and Repair Expenditures Utilizing Contract Funds .....	23
Schedule of Equipment Expenditures Utilizing Contract Funds .....	24
Summary of Meals Reported .....	25
<b>Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i></b> .....	<b>31</b>
<b>Independent Auditors' Report on Compliance</b> .....	<b>33</b>
<b>Schedule of Findings and Questioned Costs</b> .....	<b>35</b>
<b>Schedule of Prior Year Findings and Questioned Costs</b> .....	<b>36</b>

**CITY OF MENLO PARK  
BELLE HAVEN CHILD DEVELOPMENT CENTER**

**GENERAL INFORMATION  
YEAR ENDED JUNE 30, 2021**

---

**Name of Agency**

City of Menlo Park  
Belle Haven Child Development Center  
410 Ivy Drive  
Menlo Park, California  
(650) 330-2270

**Program Numbers**

41-2184-00-23254-0  
41-2184-00-13609-0  
41-2184-00-23038-0  
41-2184-00-15136-0

**Type of Agency**

Public Agency of the City of Menlo Park

**Director of Community Services**

Sean Reinhart

**Assistant City Manager & Administrative/Finance/Budget Director**

Nick Pegueros

**City Manager**

Starla Jerome-Robinson

**Period Covered**

The Fiscal Year Ended June 30, 2021

**Days of Operation**

244

**Hours of Operation**

7:30AM to 5:30 PM



## INDEPENDENT AUDITORS' REPORT

To the Honorable Mayor and Members of the City Council  
Belle Haven Child Development Center  
City of Menlo Park, California

### **Report on the Financial Statements**

#### ***Opinions***

We have audited the accompanying financial statements of the City of Menlo Park (City) Belle Haven Child Development Center (Child Development Center) as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the Child Development Center's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Child Development Center, as of June 30, 2021, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### ***Basis for Opinions***

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and the Child Development Center and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

#### ***Responsibilities of Management for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Child Development Center's ability to continue as a going concern for twelve months beyond the date of the financial statements.



To the Honorable Mayor and Members of the City Council  
Belle Haven Development Center  
City of Menlo Park, California

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with the GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if, there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Child Development Center's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Child Development Center's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### ***Other Reporting Responsibilities***

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

### ***Supplementary Information***

Our audit was conducted for the purpose of forming opinions on the financial statements of the Child Development Center. The accompanying supplementary information, as listed in the table of contents, is presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying

accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the supplementary information, as listed in the table of contents, is fairly stated, in all material respects in relation to the basic financial statements as a whole.

*Other Information*

As discussed in Note 1, the financial statements of the Child Development Center are intended to present the financial position and the changes in financial position of only that portion of the Child Development Fund's information of the City of Menlo Park (City) that is attributable to the transactions of the Child Development Center. They do not purport to, and do not, present fairly the financial position of the City as of June 30, 2020, and the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

**Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated December 15, 2021 on our consideration of the Child Development Center's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Center's internal control over financial reporting and compliance.



Sacramento, California  
December 15, 2021

CITY OF MENLO PARK  
BELLE HAVEN CHILD DEVELOPMENT CENTER

BALANCE SHEET  
JUNE 30, 2021

---

**ASSETS**

State support receivable - child development	\$ 221,108
<b>Total Assets</b>	<b><u>\$ 221,108</u></b>

**LIABILITIES, DEFERRED INFLOWS OF RESOURCES,  
AND FUND BALANCES**

**Liabilities:**

Due to the City	\$ 221,108
<b>Total Liabilities</b>	<b><u>221,108</u></b>

**Deferred Inflows of Resources**

Unavailable revenue	<u>221,108</u>
<b>Total Deferred Inflows of Resources</b>	<b><u>221,108</u></b>

**Fund Balance:**

Unassigned	<u>(221,108)</u>
<b>Total Fund Balance</b>	<b><u>(221,108)</u></b>
<b>Total Liabilities, Deferred Inflows of Resources, and Fund Balances</b>	<b><u>\$ 221,108</u></b>

**CITY OF MENLO PARK  
 BELLE HAVEN CHILD DEVELOPMENT CENTER**

**STATEMENT OF REVENUES, EXPENDITURES  
 AND CHANGES IN FUND BALANCE  
 FOR THE YEAR ENDED JUNE 30, 2021**

**Revenues:**

Federal Support	
Food service	\$ 43,950
State Support	
Child development	1,054,142
Parent fees	
Title I Children	26,526
Non Certified	50,364
Local grants and other miscellaneous revenues	117,723
	<u>1,292,705</u>
<b>Total Revenues</b>	<b><u>1,292,705</u></b>

**Expenditures:**

Salaries	
Certified teachers	360,702
Institutional aides	452,940
Employee benefits	453,830
Food services	72,124
Instructional materials and supplies	73,700
Utilities	23,732
Miscellaneous operating expense	3,635
Professional services	16,472
	<u>1,457,135</u>
<b>Total Expenditures</b>	<b><u>1,457,135</u></b>

Revenues Over/(Under) Expenditures (164,430)

**Other Financing Sources (Uses):**

Contributions from General Fund	<u>56,030</u>
<b>Total Other Financing Sources (Uses)</b>	<b><u>56,030</u></b>
Net change in fund balances	(108,400)

**Fund Balance:**

<b>Beginning of Year</b>	<u>(112,708)</u>
<b>End of Year</b>	<u><u>\$ (221,108)</u></u>

**CITY OF MENLO PARK  
BELLE HAVEN CHILD DEVELOPMENT CENTER**

**NOTES TO FINANCIAL STATEMENTS  
YEAR ENDED JUNE 30, 2021**

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**Note 1: Summary of Significant Accounting Policies**

**a. Reporting Entity**

The accompanying financial statements of the City of Menlo Park (City) Belle Haven Child Development Center (Child Development Center) include the financial activities of the City's preschool age childcare center. The financial operations of the Center are accounted for in the General Fund of the City.

The accompanying financial statements are not intended to present the financial position or results of operations of the City.

**b. Basis of Accounting**

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All governmental funds are accounted for using a current financial resources measurement focus, wherein only current assets and current liabilities generally are included on the balance sheet. Operating statements of governmental funds present increases (revenues and other financing sources) and decreasing (expenditures and other financing uses) in net current assets.

The Child Development Center's financial activities are accounted for using the modified accrual basis of accounting wherein revenues are recognized in the accounting period in which they become measurable and available to pay liabilities of the current period. Revenues considered susceptible to accrual include charges for services, federal and state grants and interest. Expenditures are recognized in the accounting period in which the liability is incurred, if measurable.

**Note 2: Cash and Investments**

There were no cash and investments at June 30, 2021. Any excess cash received during the fiscal year was retained by the City. The Center does not own specifically identifiable securities.

**Note 3: Child Development Contracts**

The Child Development Center contracts with the California State Department of Education to conduct a child development program. Program reimbursement is the lesser of allowable costs incurred and a maximum funding amount, which is based on average daily enrollment and days of operation. For the year ended June 30, 2021, the Center earned \$1,162,542 (excluding \$26,526 of prescribed parent fees) of the maximum reimbursable amount of \$1,162,542.

The Program had the following grant expenditures and corresponding grant receipts for the fiscal year ending June 30, 2021:

	Contract Number	Award Amount	Grant Expenditures	Grant Revenue Received	Amount Due From/(To) State
<b>State Grants</b>					
State Preschool	CSPP-0528	\$ 1,162,542	\$ 1,162,542	\$ 1,054,142	\$ 108,400
<b>Federal Grants</b>					
Child Development	CSPP-0528	43,950	43,950	43,950	-
<b>Total Grants</b>		<u>\$ 1,206,492</u>	<u>\$ 1,206,492</u>	<u>\$ 1,098,092</u>	<u>\$ 108,400</u>



**CITY OF MENLO PARK  
BELLE HAVEN CHILD DEVELOPMENT CENTER**

**NOTES TO FINANCIAL STATEMENTS (CONTINUED)  
YEAR ENDED JUNE 30, 2021**

**Note 4: Food Service Contract**

Under a separate contract, the California State Department of Education provided cost reimbursement support for food services. The following is an analysis of the support of the food service program and receivable of the year ended June 30, 2021.

	Cash Received During Year	Current Year Receivable	Total Revenue
Federal Food and Nutrition Service: July 2020- June 2021	\$ 43,950	\$ -	\$ 43,950
<b>Total:</b>	<u>\$ 43,950</u>	<u>\$ -</u>	<u>\$ 43,950</u>

**Note 5: Schedule of State and Federal Awards**

Grantor	Federal CFDA Number	Grantor's Number	Award Amount			Expenditures		
			Federal	State	Total	Federal	State	Total
<b>U.S. Department of Agriculture</b>								
Passed through California								
Department of Education								
After School Snack Program	10.558	N/A	\$ 2,199	\$ -	\$ 2,199	\$ 2,199	\$ -	\$ 2,199
Child Care Meals Program	10.558	N/A	41,751	-	41,751	41,751	-	41,751
			<u>\$ 43,950</u>	<u>\$ -</u>	<u>\$ 43,950</u>	<u>\$ 43,950</u>	<u>\$ -</u>	<u>\$ 43,950</u>
 <b>U.S. Department of Health and Human Services</b>								
Passed through California								
Department of Education								
Child Development Program	N/A	CSPP-0528	-	1,162,542	1,162,542	-	1,162,542	1,162,542
			-	1,162,542	1,162,542	-	1,162,542	1,162,542
<b>Total State and Federal</b>			<u>\$ 43,950</u>	<u>\$ 1,162,542</u>	<u>\$ 1,206,492</u>	<u>\$ 43,950</u>	<u>\$ 1,162,542</u>	<u>\$ 1,206,492</u>

**Note 6: Schedule of Administrative Costs**

For the fiscal year ended June 30, 2021, the City charged \$1,500 of administrative costs for audit services to the program. The other administrative costs were funded by the General Fund and therefore, were not charged to the program.

**Note 7: Contributed Space**

The City provides the facility space at no cost to the Child Development Center.

**CITY OF MENLO PARK  
BELLE HAVEN CHILD DEVELOPMENT CENTER**

**NOTES TO FINANCIAL STATEMENTS (CONTINUED)  
YEAR ENDED JUNE 30, 2021**

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**Note 8: Contribution from the General Fund**

Amounts shown as contributions from the General Fund reflect the annual amount of General Fund contributions to the program and are not required to be paid back. The amount of current year City contributions was \$56,030.

**Note 9: Contingencies and Commitments**

Grants – The Child Development Center participates in a number of Federal and State programs that are fully or partially funded by grants received from other governmental units. Expenditures financed by grants are subject to audit by the appropriate grantor government. If expenditures are disallowed due to a noncompliance with grantor program regulations, the Child Development Center may be required to reimburse the grantor government. As of June 30, 2021, some amounts of grant expenditures have not been audited, but the Child Development Center believes that disallowed expenditures, if any, based on subsequent audits will not have a material effect on the Child Development Center.

COVID-19 National Health Emergency – On March 15, 2020, the Child Development Center's operations were impacted by the COVID-19 national health emergency which resulted in shelter in place orders by national, state and county health departments. Once reopened, the Child Development Center implemented customer and staff safety procedures based on recommendations from the health departments and industry specialists. The Child Development Center's operations were impacted due to the operations requiring in-person attendance, and therefore could no longer take place once the emergency orders became effective. The Child Development Center's revenue has been significantly impacted by the health emergency. The Child Development Center continues to evaluate the impact of this health emergency on the Child Development Center's operations.

**California Department of Education Audited Attendance and Fiscal Report for California State Preschool Programs Early Childhood Mental Health Consultation Services**

A U D 8501MHCS Page 1 of 12

Fiscal Year Ending **June 30, 2021**

Contract Number **CSPP0528**

Vendor Code **2184**

Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 1 - Days of Enrollment Certified Children in Classrooms with Mental Health Consultation Services Recipient(s)**

Enrollment Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit	Column D Adjustment Factor	Column E Adjusted Days per Audit
Three Years and Older Full-time-plus				1.2300	0
Three Years and Older Full-time	387	118	505	1.0500	530.25
Three Years and Older Three-quarters-time				0.8000	0
Three Years and Older One-half-time	65	28	93	0.6693	62.2449
Exceptional Needs Full-time-plus				1.8672	0
Exceptional Needs Full-time	821	275	1,096	1.5900	1,742.64
Exceptional Needs Three-quarters-time				1.2050	0
Exceptional Needs One-half-time		27	27	1.0037	27.0999
Limited and Non-English Proficient Full-time-plus				1.3480	0
Limited and Non-English Proficient Full-time	7,158	2,350	9,508	1.1500	10,934.2
Limited and Non-English Proficient Three-quarters-time	56		56	0.8750	49
Limited and Non-English Proficient One-half-time				0.6693	0

Audit Report Page **1**

Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 1 - Days of Enrollment Certified Children in Classrooms with Mental Health Consultation Services Recipient(s) (continued)**

Enrollment Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit	Column D Adjustment Factor	Column E Adjusted Days per Audit
At Risk of Abuse or Neglect Full-time-plus				1.3480	0
At Risk of Abuse or Neglect Full-time				1.1500	0
At Risk of Abuse or Neglect Three-quarters-time				0.8750	0
At Risk of Abuse or Neglect One-half-time				0.6693	0
Severely Disabled Full-time-plus				2.3274	0
Severely Disabled Full-time				1.9800	0
Severely Disabled Three-quarters-time				1.4975	0
Severely Disabled One-half-time				1.2452	0
<b>TOTAL CERTIFIED DAYS OF ENROLLMENT WITH MENTAL HEALTH CONSULTATION SERVICES RECIPIENT(S)</b>	<b>8,487</b>	<b>2,798</b>	<b>11,285</b>	<b>N/A</b>	<b>13,345.4348</b>
<b>DAYS OF OPERATION</b>	<b>181</b>	<b>63</b>	<b>244</b>	<b>N/A</b>	<b>N/A</b>
<b>DAYS OF ATTENDANCE</b>	<b>7,210</b>	<b>2,586</b>	<b>9,796</b>	<b>N/A</b>	<b>N/A</b>

NO MENTAL HEALTH CONSULTATION SERVICES RECIPIENT NON-CERTIFIED CHILDREN Check this box (omit pages 3 and 4) and continue to Certified Children Section on page 5.

Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 2 - Days of Enrollment Non-Certified Children in Classrooms with Mental Health Consultation Services Recipient(s)**

Enrollment Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit	Column D Adjustment Factor	Column E Adjusted Days per Audit
Toddlers (18 up to 36 months) Full-time-plus				2.1740	0
Toddlers (18 up to 36 months) Full-time				1.8500	0
Toddlers (18 up to 36 months) Three-quarters-time				1.4000	0
Toddlers (18 up to 36 months) One-half-time				1.0400	0
Three Years and Older Full-time-plus				1.2300	0
Three Years and Older Full-time				1.0500	0
Three Years and Older Three-quarters-time				0.8000	0
Three Years and Older One-half-time				0.6693	0
Exceptional Needs Full-time-plus				1.8672	0
Exceptional Needs Full-time				1.5900	0
Exceptional Needs Three-quarters-time				1.2050	0
Exceptional Needs One-half-time				1.0037	0

Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 2 - Days of Enrollment Non-Certified Children in Classrooms with Mental Health Consultation Services Recipient(s)**  
(continued)

Enrollment Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit	Column D Adjustment Factor	Column E Adjusted Days per Audit
Limited and Non-English Proficient Full-time-plus				1.3480	0
Limited and Non-English Proficient Full-time	720	299	1,019	1.1500	1,171.85
Limited and Non-English Proficient Three-quarters-time				0.8750	0
Limited and Non-English Proficient One-half-time				0.6693	0
At Risk of Abuse or Neglect Full-time-plus				1.3480	0
At Risk of Abuse or Neglect Full-time				1.1500	0
At Risk of Abuse or Neglect Three-quarters-time				0.8750	0
At Risk of Abuse or Neglect One-half-time				0.6693	0
Severely Disabled Full-time-plus				2.3274	0
Severely Disabled Full-time				1.9800	0
Severely Disabled Three-quarters-time				1.4975	0
Severely Disabled One-half-time				1.2452	0
<b>TOTAL NON-CERTIFIED DAYS OF ENROLLMENT WITH MENTAL HEALTH CONSULTATION SERVICES RECIPIENT(S)</b>	<b>720</b>	<b>299</b>	<b>1,019</b>	<b>N/A</b>	<b>1,171.85</b>

Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 3 - Days of Enrollment Certified Children**

Enrollment Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit	Column D Adjustment Factor	Column E Adjusted Days per Audit
Three Years and Older Full-time-plus				1.1800	0
Three Years and Older Full-time				1.0000	0
Three Years and Older Three-quarters-time				0.7500	0
Three Years and Older One-half-time				0.6193	0
Exceptional Needs Full-time-plus				1.8172	0
Exceptional Needs Full-time				1.5400	0
Exceptional Needs Three-quarters-time				1.1550	0
Exceptional Needs One-half-time				0.9537	0
Limited and Non-English Proficient Full-time-plus				1.2980	0
Limited and Non-English Proficient Full-time				1.1000	0
Limited and Non-English Proficient Three-quarters-time				0.8250	0
Limited and Non-English Proficient One-half-time				0.6193	0

Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 3 - Days of Enrollment Certified Children (continued)**

Enrollment Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit	Column D Adjustment Factor	Column E Adjusted Days per Audit
At Risk of Abuse or Neglect Full-time-plus				1.2980	0
At Risk of Abuse or Neglect Full-time				1.1000	0
At Risk of Abuse or Neglect Three-quarters-time				0.8250	0
At Risk of Abuse or Neglect One-half-time				0.6193	0
Severely Disabled Full-time-plus				2.2774	0
Severely Disabled Full-time				1.9300	0
Severely Disabled Three-quarters-time				1.4475	0
Severely Disabled One-half-time				1.1952	0
<b>TOTAL DAYS OF ENROLLMENT</b>				<b>N/A</b>	<b>0</b>
<b>DAYS OF OPERATION</b>	<b>181</b>	<b>63</b>	<b>244</b>	<b>N/A</b>	<b>N/A</b>
<b>DAYS OF ATTENDANCE</b>				<b>N/A</b>	<b>N/A</b>

NO NON-CERTIFIED CHILDREN Check this box (omit pages 7 and 8) and continue to Revenue Section on page 9.



Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 4 - Days of Enrollment Non-Certified Children**

Enrollment Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit	Column D Adjustment Factor	Column E Adjusted Days per Audit
Toddlers (18 up to 36 months) Full-time-plus				2.1240	0
Toddlers (18 up to 36 months) Full-time				1.8000	0
Toddlers (18 up to 36 months) Three-quarters-time				1.3500	0
Toddlers (18 up to 36 months) One-half-time				0.9900	0
Three Years and Older Full-time-plus				1.1800	0
Three Years and Older Full-time				1.0000	0
Three Years and Older Three-quarters-time				0.7500	0
Three Years and Older One-half-time				0.6193	0
Exceptional Needs Full-time-plus				1.8172	0
Exceptional Needs Full-time				1.5400	0
Exceptional Needs Three-quarters-time				1.1550	0
Exceptional Needs One-half-time				0.9537	0

Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 4 - Days of Enrollment Non-Certified Children (continued)**

Enrollment Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit	Column D Adjustment Factor	Column E Adjusted Days per Audit
Limited and Non-English Proficient Full-time-plus				1.2980	0
Limited and Non-English Proficient Full-time				1.1000	0
Limited and Non-English Proficient Three-quarters-time				0.8250	0
Limited and Non-English Proficient One-half-time				0.6193	0
At Risk of Abuse or Neglect Full-time-plus				1.2980	0
At Risk of Abuse or Neglect Full-time				1.1000	0
At Risk of Abuse or Neglect Three-quarters-time				0.8250	0
At Risk of Abuse or Neglect One-half-time				0.6193	0
Severely Disabled Full-time-plus				2.2774	0
Severely Disabled Full-time				1.9300	0
Severely Disabled Three-quarters-time				1.4475	0
Severely Disabled One-half-time				1.1952	0
<b>TOTAL NON-CERTIFIED DAYS OF ENROLLMENT</b>				<b>N/A</b>	<b>0</b>

Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 5 - Revenue**

Revenue Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit
Restricted Income - Child Nutrition Programs	36,426	7,524	43,950
Restricted Income - County Maintenance of Effort (EC Section 8279)			
Restricted Income - Other:	26,091	-26,091	0
<b>Restricted Income - Subtotal</b>	<b>62,517</b>	<b>-18,567</b>	<b>43,950</b>
Transfer from Reserve - General			
Transfer from Reserve - Professional Development			
<b>Transfer from Reserve Total</b>			
Waived Family Fees for Certified Children (July - August)	2,307		2,307
Family Fees Collected for Certified Children (September - June)	24,881	1,645	26,526
Waived Family Fees for Certified Children (September - June)	1,556		1,556
<b>Family Fees (September - June) - Subtotal</b>	<b>26,437</b>	<b>1,645</b>	<b>28,082</b>
Interest Earned on Child Development Apportionment Payments			
Unrestricted Income - Fees for Non-Certified Children	45,610	4,754	50,364
Unrestricted Income - Head Start			
Unrestricted Income - Other: City Contribution & Other Local Grants (See <a href="#">Appendix A</a> )		173,753	173,753
<b>TOTAL REVENUE</b>	<b>133,008</b>	<b>161,585</b>	<b>294,593</b>

Comments: Sources of "Unrestricted Income - Other": Quality Rating and Improvement System (QRIS) Grant; Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act Grant; Child Care Coordinating Council of San Mateo County local grant; General Fund contributions.

Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 6 - Reimbursable Expenses**

Reimbursable Expenses Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit
Direct Payments to Providers (FCCH only)			
1000 Certificated Salaries	360,702		360,702
2000 Classified Salaries	452,940		452,940
3000 Employee Benefits	453,830		453,830
4000 Books and Supplies	86,697	59,127	145,824
5000 Services and Other Operating Expenses	21,136	-2,471	18,665
6100/6200 Other Approved Capital Outlay			
6400 New Equipment (program-related)			
6500 Equipment Replacement (program-related)			
Depreciation or Use Allowance			
Start-up Expenses (service level exemption)			
Budget Impasse Credit			
Indirect Costs (include in Total Administrative Cost)	25,174		25,174
Non-Reimbursable (State use only)			
<b>Total Reimbursable Expenses</b>	<b>1,400,479</b>	<b>56,656</b>	<b>1,457,135</b>
Total Administrative Cost (included in Section 6 above)	<b>25,174</b>		<b>25,174</b>
Total Staff Training Cost (included in Section 6 above)			

Approved Indirect Cost Rate:

NO SUPPLEMENTAL REVENUE / EXPENSES Check this box and omit page 11.

Audit Report Page

Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 7 - Supplemental Revenue**

Supplemental Revenue Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit
Enhancement Funding			
Other: QRIS Block Grants	29,616	-29,616	0
Other:			
<b>Total Supplemental Revenue</b>	<b>29,616</b>	<b>-29,616</b>	<b>0</b>

**Section 8 - Supplemental Expenses**

Supplemental Expense Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit
1000 Certificated Salaries			
2000 Classified Salaries			
3000 Employee Benefits			
4000 Books and Supplies			
5000 Services and Other Operating Expenses			
6000 Equipment / Capital Outlay			
Depreciation or Use Allowance			
Indirect Costs			
Non-Reimbursable Supplemental Expenses			
<b>Total Supplemental Expenses</b>			

Full Name of Contractor **City of Menlo Park Belle Haven Child Development Center**

**Section 9 - Summary**

Summary Category	Column A Cumulative CDNFS 8501MHCS	Column B Audit Adjustments	Column C Cumulative per Audit
Total Certified Days of Enrollment (including MHCS)	8,487	2,798	11,285
Days of Operation	181	63	244
Days of Attendance (including MHCS)	7,210	2,586	9,796
Restricted Program Income	62,517	-18,567	43,950
Transfer from Reserve			
Family Fees for Certified Children (September - June)	26,437	1,645	28,082
Interest Earned on Apportionment Payments			
Direct Payments to Providers			
Start-up Expenses (service level exemption)			
Total Reimbursable Expenses	1,400,479	56,656	1,457,135
Total Administrative Cost	25,174	0	25,174
Total Staff Training Cost			

Total Certified Adjusted Days of Enrollment  Total Non-Certified Adjusted Days of Enrollment

Independent auditor's assurances on agency's compliance with the contract funding terms and conditions and program requirements of the California Department of Education, Early Learning and Care Division:

Eligibility, enrollment and attendance records are being maintained as required (select YES or NO from the drop-down box):

Reimbursable expenses claimed on page 10 are eligible for reimbursement, reasonable, necessary, and adequately supported (select YES or NO from the drop-down box):

Include any comments in the comments box on page 9. If necessary, attach additional sheets to explain adjustments.

CITY OF MENLO PARK  
 BELLE HAVEN CHILD DEVELOPMENT CENTER

STATEMENT OF EXPENDITURES BY STATE CATEGORIES  
 FOR THE YEAR ENDED JUNE 30, 2021

<u>Expenditure Codes</u>		<u>Reimbursable</u>	<u>Non-Reimbursable</u>
	Certified Salaries:		
1000	Teacher's salaries	\$ 360,702	\$ -
	Classified Salaries:		
2000	Salaries of instructional aides for direct teaching assistance	452,940	-
	Employee Benefits:		
3000	Old age, survivors, disability and health insurance	453,830	-
	Books, Supplies, and Equipment Repayment:		
4200	Instructional materials and supplies	16,415	-
4710	Food services	71,875	-
	Contracted Services and Other Operating Expenses:		
5500	Utilities	23,732	-
5100	Audit and miscellaneous services	-	-
5800	Miscellaneous	77,641	-
	<b>Total Expenditures</b>	<b>\$ 1,457,135</b>	<b>\$ -</b>

CITY OF MENLO PARK  
BELLE HAVEN CHILD DEVELOPMENT CENTER

SCHEDULE OF REIMBURSABLE ADMINISTRATIVE COSTS  
FOR THE YEAR ENDED JUNE 30, 2021

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<u>Reimbursable Administrative Costs</u>	<u>CSP-0528</u>
Salaries	\$ 23,674
Services and other operating expenses	<u>1,500</u>
<b>Total</b>	<b><u>\$ 25,174</u></b>



CITY OF MENLO PARK  
 BELLE HAVEN CHILD DEVELOPMENT CENTER

SCHEDULE OF RENOVATION AND REPAIR EXPENDITURES UTILIZING CONTRACT FUNDS  
 FOR THE YEAR ENDED JUNE 30, 2021

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Expenditures Under \$10,000 Unit Cost		Expenditures Over \$10,000 Unit Cost With CCD Approval		Expenditures Over \$10,000 Unit Cost Without CCD Approval	
Cost	Item	Cost	Item	Cost	Item
\$ -	None	\$ -	None	\$ -	None

CITY OF MENLO PARK  
 BELLE HAVEN CHILD DEVELOPMENT CENTER

SCHEDULE OF EQUIPMENT EXPENDITURES UTILIZING CONTRACT FUNDS  
 FOR THE YEAR ENDED JUNE 30, 2021

Expenditures Under \$7,500 Unit Cost			Expenditures Over \$7,500 Unit Cost With CCD Approval			Expenditures Over \$7,500 Unit Cost Without CCD Approval		
Cost	Item		Cost	Item		Cost	Item	
\$	-	None	\$	-	None	\$	-	None

CITY OF MENLO PARK  
 BELLE HAVEN CHILD DEVELOPMENT CENTER  
 SUMMARY OF MEALS REPORTED  
 FOR THE YEAR ENDED JUNE 30, 2021

	Meals		Federal		State		Cash In		Meal Reimbursement
	Reported	Adjustments * Allowed	Statutory Rate	Meal Reimbursement	Statutory Rate	Meal Reimbursement	Lieu	Reimbursement	
<b>July 2020</b>									
Breakfast									
Full price/base rate	66	-	0.3200	\$ 20	0.0000	\$ -	0.0000	\$ -	-
Reduced price	84	-	1.5900	134	0.0000	-	0.0000	-	-
Free	294	-	1.8900	556	0.0000	-	0.0000	-	-
Lunch									
Full price/base rate	65	-	0.3300	21	0.0000	-	0.2375	15	-
Reduced price	85	-	3.1100	264	0.0000	-	0.2375	20	-
Free	296	-	3.5100	1,039	0.0000	-	0.2375	70	-
Supplement									
Full price/base rate	53	-	0.0800	4	0.0000	-	0.0000	-	-
Reduced price	69	-	0.4800	33	0.0000	-	0.0000	-	-
Free	241	-	0.9600	231	0.0000	-	0.0000	-	-
				\$ 2,302		\$ -		\$ 105	
<b>August 2020</b>									
Breakfast									
Full price/base rate	104	-	0.3200	33	0.0000	\$ -	0.0000	\$ -	-
Reduced price	134	-	1.5900	213	0.0000	-	0.0000	-	-
Free	469	-	1.8900	886	0.0000	-	0.0000	-	-
Lunch									
Full price/base rate	103	-	0.3300	34	0.0000	-	0.2375	24	-
Reduced price	134	-	3.1100	417	0.0000	-	0.2375	32	-
Free	468	-	3.5100	1,643	0.0000	-	0.2375	111	-
Supplement									
Full price/base rate	89	-	0.0800	7	0.0000	-	0.0000	-	-
Reduced price	114	-	0.4800	55	0.0000	-	0.0000	-	-
Free	401	-	0.9600	385	0.0000	-	0.0000	-	-
				\$ 3,673		\$ -		\$ 167	

CITY OF MENLO PARK  
 BELLE HAVEN CHILD DEVELOPMENT CENTER  
 SUMMARY OF MEALS REPORTED  
 FOR THE YEAR ENDED JUNE 30, 2021

	Meals		Federal		State		Cash In		Meal Reimbursement
	Reported	Adjustments * Allowed	Statutory Rate	Meal Reimbursement	Statutory Rate	Meal Reimbursement	Lieu	Meal Reimbursement	
<b>September 2020</b>									
Breakfast									
Full price/base rate	115	-	0.3200	\$ 37	0.0000	\$ -	0.0000	\$ -	-
Reduced price	147	-	1.5900	234	0.0000	-	0.0000	-	-
Free	516	-	1.8900	975	0.0000	-	0.0000	-	-
Lunch									
Full price/base rate	117	-	0.3300	39	0.0000	-	0.2375	28	-
Reduced price	152	-	3.1100	473	0.0000	-	0.2375	36	-
Free	531	-	3.5100	1,864	0.0000	-	0.2375	126	-
Supplement									
Full price/base rate	95	-	0.0800	8	0.0000	-	0.0000	-	-
Reduced price	122	-	0.4800	59	0.0000	-	0.0000	-	-
Free	428	-	0.9600	411	0.0000	-	0.0000	-	-
				\$ 4,100		\$ -		\$ 190	
<b>October 2020</b>									
Breakfast									
Full price/base rate	222	-	0.3200	70	0.0000	\$ -	0.0000	\$ -	-
Reduced price	120	-	1.5900	191	0.0000	-	0.0000	-	-
Free	513	-	1.8900	970	0.0000	-	0.0000	-	-
Lunch									
Full price/base rate	235	-	0.3300	78	0.0000	-	0.2375	56	-
Reduced price	127	-	3.1100	395	0.0000	-	0.2375	30	-
Free	544	-	3.5100	1,909	0.0000	-	0.2375	129	-
Supplement									
Full price/base rate	194	-	0.0800	16	0.0000	-	0.0000	-	-
Reduced price	105	-	0.4800	50	0.0000	-	0.0000	-	-
Free	449	-	0.9600	431	0.0000	-	0.0000	-	-
				\$ 4,110		\$ -		\$ 215	

CITY OF MENLO PARK  
 BELLE HAVEN CHILD DEVELOPMENT CENTER  
 SUMMARY OF MEALS REPORTED  
 FOR THE YEAR ENDED JUNE 30, 2021

	Meals			Federal		State		Cash In		Meal Reimbursement
	Reported	Adjustments *	Allowed	Statutory Rate	Meal Reimbursement	Statutory Rate	Meal Reimbursement	Lieu	Reimbursement	
<b>November 2020</b>										
Breakfast										
Full price/base rate	166	-	166	0.3200	\$ 53	0.0000	\$ -	0.0000	\$ -	-
Reduced price	90	-	90	1.5900	143	0.0000	-	0.0000	-	-
Free	384	-	384	1.8900	726	0.0000	-	0.0000	-	-
Lunch										
Full price/base rate	179	-	179	0.3300	59	0.0000	-	0.2375	43	-
Reduced price	96	-	96	3.1100	299	0.0000	-	0.2375	23	-
Free	413	-	413	3.5100	1,450	0.0000	-	0.2375	98	-
Supplement										
Full price/base rate	138	-	138	0.0800	11	0.0000	-	0.0000	-	-
Reduced price	74	-	74	0.4800	36	0.0000	-	0.0000	-	-
Free	317	-	317	0.9600	304	0.0000	-	0.0000	-	-
					\$ 3,081		\$ -		\$ 164	
<b>December 2020</b>										
Breakfast										
Full price/base rate	154	-	154	0.3200	50	0.0000	\$ -	0.0000	\$ -	-
Reduced price	83	-	83	1.5900	132	0.0000	-	0.0000	-	-
Free	356	-	356	1.8900	673	0.0000	-	0.0000	-	-
Lunch										
Full price/base rate	162	-	162	0.3300	53	0.0000	-	0.2375	38	-
Reduced price	88	-	88	3.1100	274	0.0000	-	0.2375	21	-
Free	375	-	375	3.5100	1,316	0.0000	-	0.2375	89	-
Supplement										
Full price/base rate	121	-	121	0.0800	10	0.0000	-	0.0000	-	-
Reduced price	65	-	65	0.4800	31	0.0000	-	0.0000	-	-
Free	279	-	279	0.9600	268	0.0000	-	0.0000	-	-
					\$ 2,807		\$ -		\$ 148	

CITY OF MENLO PARK  
 BELLE HAVEN CHILD DEVELOPMENT CENTER  
 SUMMARY OF MEALS REPORTED  
 FOR THE YEAR ENDED JUNE 30, 2021

	Meals		Federal		State		Cash In		Meal Reimbursement
	Reported	Adjustments * Allowed	Statutory Rate	Meal Reimbursement	Statutory Rate	Meal Reimbursement	Lieu	Reimbursement	
<b>January 2021</b>									
Breakfast									
Full price/base rate	155	-	0.3200	\$ 50	0.0000	\$ -	0.0000	\$ -	-
Reduced price	84	-	1.5900	134	0.0000	-	0.0000	-	-
Free	358	-	1.8900	677	0.0000	-	0.0000	-	-
Lunch									
Full price/base rate	159	-	0.3300	52	0.0000	-	0.2375	38	-
Reduced price	86	-	3.1100	267	0.0000	-	0.2375	20	-
Free	368	-	3.5100	1,292	0.0000	-	0.2375	87	-
Supplement									
Full price/base rate	112	-	0.0800	9	0.0000	-	0.0000	-	-
Reduced price	60	-	0.4800	29	0.0000	-	0.0000	-	-
Free	258	-	0.9600	248	0.0000	-	0.0000	-	-
				\$ 2,758		\$ -		\$ 145	
<b>February 2021</b>									
Breakfast									
Full price/base rate	171	-	0.3200	55	0.0000	\$ -	0.0000	\$ -	-
Reduced price	93	-	1.5900	148	0.0000	-	0.0000	-	-
Free	397	-	1.8900	750	0.0000	-	0.0000	-	-
Lunch									
Full price/base rate	178	-	0.3300	59	0.0000	-	0.2375	42	-
Reduced price	95	-	3.1100	295	0.0000	-	0.2375	23	-
Free	409	-	3.5100	1,436	0.0000	-	0.2375	97	-
Supplement									
Full price/base rate	126	-	0.0800	10	0.0000	-	0.0000	-	-
Reduced price	67	-	0.4800	32	0.0000	-	0.0000	-	-
Free	289	-	0.9600	277	0.0000	-	0.0000	-	-
				\$ 3,062		\$ -		\$ 162	

CITY OF MENLO PARK  
 BELLE HAVEN CHILD DEVELOPMENT CENTER  
 SUMMARY OF MEALS REPORTED  
 FOR THE YEAR ENDED JUNE 30, 2021

	Meals		Federal		State		Cash In		Meal Reimbursement
	Reported	Adjustments * Allowed	Statutory Rate	Meal Reimbursement	Statutory Rate	Meal Reimbursement	Lieu	Meal Reimbursement	
<b>March 2021</b>									
Breakfast									
Full price/base rate	234	-	0.3200	\$ 75	0.0000	\$ -	0.0000	\$ -	-
Reduced price	126	-	1.5900	200	0.0000	-	0.0000	-	-
Free	640	-	1.8900	1,210	0.0000	-	0.0000	-	-
Lunch									
Full price/base rate	242	-	0.3300	80	0.0000	-	0.2375	57	-
Reduced price	130	-	3.1100	404	0.0000	-	0.2375	31	-
Free	557	-	3.5100	1,955	0.0000	-	0.2375	132	-
Supplement									
Full price/base rate	173	-	0.0800	14	0.0000	-	0.0000	-	-
Reduced price	93	-	0.4800	45	0.0000	-	0.0000	-	-
Free	400	-	0.9600	384	0.0000	-	0.0000	-	-
				\$ 4,367		\$ -		\$ 220	
<b>April 2021</b>									
Breakfast									
Full price/base rate	253	-	0.3200	81	0.0000	\$ -	0.0000	\$ -	-
Reduced price	136	-	1.5900	216	0.0000	-	0.0000	-	-
Free	583	-	1.8900	1,102	0.0000	-	0.0000	-	-
Lunch									
Full price/base rate	261	-	0.3300	86	0.0000	-	0.2375	62	-
Reduced price	141	-	3.1100	439	0.0000	-	0.2375	33	-
Free	602	-	3.5100	2,113	0.0000	-	0.2375	143	-
Supplement									
Full price/base rate	199	-	0.0800	16	0.0000	-	0.0000	-	-
Reduced price	107	-	0.4800	51	0.0000	-	0.0000	-	-
Free	460	-	0.9600	442	0.0000	-	0.0000	-	-
				\$ 4,546		\$ -		\$ 238	

CITY OF MENLO PARK  
 BELLE HAVEN CHILD DEVELOPMENT CENTER

SUMMARY OF MEALS REPORTED  
 FOR THE YEAR ENDED JUNE 30, 2021

	Meals		Federal		State		Cash In		Meal Reimbursement
	Reported	Adjustments * Allowed	Statutory Rate	Meal Reimbursement	Statutory Rate	Meal Reimbursement	Lieu	Reimbursement	
<b>May 2021</b>									
Breakfast									
Full price/base rate	231	-	0.3200	\$ 74	0.0000	\$ -	0.0000	\$ -	-
Reduced price	124	-	1.5900	197	0.0000	-	0.0000	-	-
Free	532	-	1.8900	1,005	0.0000	-	0.0000	-	-
Lunch									
Full price/base rate	236	-	0.3300	78	0.0000	-	0.2375	56	56
Reduced price	127	-	3.1100	395	0.0000	-	0.2375	30	30
Free	544	-	3.5100	1,909	0.0000	-	0.2375	129	129
Supplement									
Full price/base rate	173	-	0.0800	14	0.0000	-	0.0000	-	-
Reduced price	93	-	0.4800	45	0.0000	-	0.0000	-	-
Free	398	-	0.9600	382	0.0000	-	0.0000	-	-
				\$ 4,099		\$ -		\$ 215	
<b>June 2021</b>									
Breakfast									
Full price/base rate	170	-	0.3200	54	0.0000	\$ -	0.0000	\$ -	-
Reduced price	91	-	1.5900	145	0.0000	-	0.0000	-	-
Free	391	-	1.8900	739	0.0000	-	0.0000	-	-
Lunch									
Full price/base rate	174	-	0.3300	57	0.0000	-	0.2375	41	41
Reduced price	94	-	3.1100	292	0.0000	-	0.2375	22	22
Free	403	-	3.5100	1,415	0.0000	-	0.2375	96	96
Supplement									
Full price/base rate	131	-	0.0800	10	0.0000	-	0.0000	-	-
Reduced price	71	-	0.4800	34	0.0000	-	0.0000	-	-
Free	303	-	0.9600	291	0.0000	-	0.0000	-	-
				\$ 3,037		\$ -		\$ 159	
Adjustments									
GRAND TOTAL		24,629		\$ 41,942		\$ -		\$ 2,128	

\* The adjustments are due to the resubmitted claims for reimbursement that were changed as a result of the recalculation of the fixed percentage enrollment subsequent to the end of the fiscal year.



INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL  
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE  
WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable Mayor and Members of the City Council  
Belle Haven Child Development Center  
City of Menlo Park, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the City of Menlo Park (City) Belle Haven Child Development Center (Child Development Center) as of and for the year ended June 30, 2021, and the related notes to the financial statements, and have issued our report thereon dated December 15, 2021.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Child Development Center's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Child Development Center's internal control. Accordingly, we do not express an opinion on the effectiveness of the Child Development Center's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Child Development Center's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The



To the Honorable Mayor and Members of the City Council  
Belle Haven Child Development Center  
City of Menlo Park, California

results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Child Development Center's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Child Development Center's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "Lance, Soll &amp; Lughard, LLP". The signature is written in a cursive, flowing style.

Sacramento, California  
December 15, 2021

INDEPENDENT AUDITORS' REPORT ON COMPLIANCE WITH APPLICABLE  
REQUIREMENTS AND ON INTERNAL CONTROL OVER COMPLIANCE

To the Honorable Mayor and Members of the City Council  
Belle Haven Child Development Center  
City of Menlo Park, California

***Opinions***

We have audited the compliance of the California State Preschool and the Child Adult Food Care Programs of the Belle Haven Child Development Center (the Child Development Center), with the types of compliance requirements described in the *CDE Audit Guide* issued by the California Department of Education, August 2021, for the year ended June 30, 2021.

In our opinion, the Child Development Center complied, in all material respects with the compliance requirements referred to above that are applicable to the Child Development Center for the year ended June 30, 2021.

***Basis for Opinion***

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the Guide. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report. We are required to be independent of the City and the Child Development Center and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion. Our audit does not provide a legal determination of the Child Development Center's compliance with the compliance requirements referred to above.

***Responsibilities of Management for Compliance***

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the Child Development Center's government programs.

***Auditor's Responsibilities for the Audit of Compliance***

Our responsibility is to express opinions on compliance with the requirements described in the CDE Audit Guide based on our audit. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in the *Government Auditing Standards*, issued by the Comptroller General of the United States, and the Guide. Those standards and the Guide require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a material effect on the Child Development Center's Programs. An audit includes examining, on a test basis, evidence about the Child Development Center's compliance with those requirements and



To the Honorable Mayor and Members of the City Council  
Belle Haven Child Development Center  
City of Menlo Park, California

performing such other procedures as we considered necessary in the circumstances. Misstatements are considered material if, there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the CDE Audit Guide, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the Child Development Center's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the Child Development Center's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the CDE Audit Guide, but not for the purpose of expressing an opinion on the effectiveness of the Child Development Center's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

### **Report on Internal Control Over Compliance**

A *deficiency* in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance on a timely basis. A *material weakness* in internal control over compliance is a deficiency, or combination of deficiencies in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a compliance requirement will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that have not been identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.



To the Honorable Mayor and Members of the City Council  
Belle Haven Child Development Center  
City of Menlo Park, California

**Purpose of this Report**

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the *CDE Audit Guide* issued by the California Department of Education, August 2021. Accordingly, this communication is not suitable for any other purpose.

*Lance, Soll & Lughard, LLP*

Sacramento, California  
December 15, 2021

**CITY OF MENLO PARK  
BELLE HAVEN CHILD DEVELOPMENT CENTER**

**SUMMARY OF FINDINGS AND QUESTIONED COSTS  
FOR THE YEAR ENDED JUNE 30, 2021**

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**No current year findings.**

**CITY OF MENLO PARK  
BELLE HAVEN CHILD DEVELOPMENT CENTER**

**SUMMARY OF PRIOR YEAR FINDINGS AND QUESTIONED COSTS  
FOR THE YEAR ENDED JUNE 30, 2020**

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No prior year findings.



**REGULAR MEETING AGENDA**

**Date:** 2/8/2022

**Time:** 6:00 p.m.

**Location:** [Zoom.us/join](https://zoom.us/join) – ID# 831 3316 9409

**STAFF REPORT RELEASE NOTICE**

The Staff Report No. 22-029-CC for Receive and file 2021 priorities and work plan quarterly report as of December 31, 2021, will be available on February 4, 2022.

Members of the public can view electronic agendas and staff reports by accessing the City website at [menlopark.org/agenda](https://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](https://menlopark.org/notifyme). Agendas and staff reports may also be obtained by contacting the City Clerk’s Office at 650-330-6620. (Posted 2/3/2022.)





## STAFF REPORT

### City Council

**Meeting Date:** 2/8/2022  
**Staff Report Number:** 22-029-CC

**Consent Calendar:** Receive and file 2021 priorities and work plan quarterly report as of December 31

### Recommendation

Staff recommends the City Council receive and file the quarterly update on the City Council's 2021 priorities and work plan. This update reflects the priority and work plan project status as of December 31, 2021.

### Policy Issues

City Council adopts annual priorities to prioritize limited resources.

### Background

City Council adopted its 2021 priorities and work plan at the April 20, 2021, meeting. On September 21, 2021, staff transmitted an informational update on the status of priorities as of July 31, 2021.

### Analysis

This report transmits an update as of December 31 (Attachment A) and contains the best information available, reflecting demands on executive and management resources due to work on City Council priorities, maintenance of regular operations, emergencies and unexpected demands on resources, and staff attrition. As shown in Attachment A, the update includes two categories of work efforts:

- City Council priorities. Designation of a project as a priority clarifies that staff may strategically realign limited resources to achieve the stated milestones for priority projects. The realignment may delay work on other projects or impact services to the public.
- City Council work plan. Work plan projects reflect City Council goals. The distinction between a "priority" and a "work plan" project is that resources may be shifted away from work plan projects and public services, if necessary, to make progress on priority projects.

In addition, staff has also compiled a list of requests and recent direction from the City Council from 2021 and to-date in 2022. This list is included as Attachment B.

### Impact on City Resources

This report transmits an informational update on the status of the priorities and work plan efforts underway. As shown in Attachment A, resources are not available to advance all the priority and work plan efforts at this time.

### **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. City Council adopted 2021 priorities and work plan progress report as of December 31
- B. City Council requested work efforts

Report prepared by:

Nikki Nagaya, Public Works Director

Report reviewed by:

Justin Murphy, Interim City Manager

Table 1: 2021 Adopted priorities

Name	Project overview	12/31 status	12/31 update	7/31 status	7/31 update
01. Redistricting	Every ten years, local governments use new census data to redraw their district lines to reflect how local populations have changed. Assembly Bill 849 (2019) requires cities and counties to engage communities in the redistricting process by holding public hearings and/or workshops and doing public outreach, including to non- English-speaking communities.	In progress	Independent Redistricting Committee formed (11/18/2021). Held first pre-map public hearing. Mapping tools available online and in paper. Flyers distributed at all open city facilities and to chamber of commerce for business distribution. Working on city-wide mailer.	In progress	Project is proceeding as planned.
02. Reimagining public safety	Council established a Re-imagining Public Safety Subcommittee, composed of Councilmembers Taylor and Wolosin, the City Manager, and the Police Chief. An academic, Dr. Terri Givens, was added to the team to facilitate public discussion on policing. Focus groups will be held to generate public feedback on policing, the department will conduct public presentations to increase transparency, and a Community and Police Advisory Team will be established to provide the department with a resource for public feedback and collaboration.	Done	The subcommittee held eight meetings over the second half of 2021. On 12/10/21, the Council received an update of the progress of the Subcommittee. The group established three main goals - create a "safe space" focus group series to understand themes of concern regarding policing in Menlo Park, plan a series of presentations by the Police Department to increase transparency, and re-establish a Community-Police Advisory Team to explore policing-related questions and provide feedback to the Police Department. These initiatives are in development at this time.	In progress	Initial "kick-off" meeting completed as Council Study Session on 7/29. A snapshot of current department function and overview of national narrative in relation to MPPD was reviewed. A Subcommittee for Reimagining Public Safety was Identified as Councilmembers Taylor and Wolosin, City Manager and Police Chief.
03. CAP #1 - Explore policy/program options to convert 95% of existing buildings to all-electric by 2030	Achieve the following milestones to project completion: 1. May 2021: Complete cost effectiveness analysis on various policy/program pathways toward achieving 95% electrification by 2030. 2. June 2021: Environmental Quality Commission provides advice to City Council on cost effectiveness analysis and potential pathways to achieve electrification goals for existing buildings. 3. July/August 2021: City Council reviews policy/program options and EQC recommendations and directs staff on next steps.	In progress	Highlights include exploring a partnership with BlocPower. Staff is also proposing to pause addressing permit barriers to electrification in order to explore possible electrification reach codes for existing buildings in order to continue to advance the goals of the Climate Action Plan adopted by the City Council. Additional details will be provided at an upcoming City Council meeting.	Done	Project milestones are completed, and city council provided direction on next steps. Staff in partnership with CAP subcommittees consisting of Vice Mayor Nash, Councilmember Wolosin, EQC members Angela Evans, Josie Gaillard, and Tom Kabat are working on identifying project scopes and timelines from City Council's direction given on August 31.
04. 2022 housing element and related zoning code updates and documents	Housing Elements are housing plans that are one part of the General Plan – a guide to all the ways each city, town or county is planned and managed, from our roads and sidewalks to our parks and neighborhoods. With an update required every eight years by the State of California, this Housing Element update will create a foundation for all the policies and programs related to housing. While city governments do not generally build housing themselves, they create the rules that affect where housing can be built, how much and how it is approved. Each jurisdiction's housing plan needs to help ensure that there will be enough capacity and supportive policies to meet the projected need over the next 10 years.	In progress	Project reached a milestone with identification of land use strategies to meet the City's RHNA and release of the Notice of Preparation for the Environmental Impact Report in December 2021. Community meeting is planned for 2/12/2021 to discuss the housing opportunity sites and housing policy themes. The City Council is discussing the role and composition of the Community Engagement and Outreach Committee. Work on the Environmental Justice Element and Safety Element will be the upcoming focus.	In progress	Project is proceeding with community engagement activities to help inform the City's land use strategy to meet the City's RHNA.

**Table 1: 2021 Adopted priorities**

Name	Project overview	12/31 status	12/31 update	7/31 status	7/31 update
05. ConnectMenlo community amenities list update	Review community amenities procedures and update community amenity list associated with bonus level developments in the Bayfront Area	In progress	The Council Subcommittee has begun reviewing drafts of implementing regulations and updated list. Recommendations for the full Council's consideration are targeted for Spring 2022.	In progress	CAO drafted CA regulations. CDD staff needs to prepare revisions to list based on prior direction from City Council.
06. Menlo Park Community Campus building	In December 2019, the City Council received a proposal from Facebook Inc. proposing to explore funding and development of a new multi-generational community center and library located in Menlo Park's Belle Haven neighborhood, replacing the existing community center, senior center, youth center, pool house, and library facilities. Identified as a City Council priority on January 28, 2020, this project would deliver the City's funding contribution to the project.	In progress	Permits were approved and underground utilities were installed in 2021. Above ground construction of the building will begin in early 2022, with construction still slated to be complete by spring/summer 2023.	In progress	Project is proceeding as planned.
07. Reimagining downtown	Project scope has yet to be established. Requires City Council direction.	In progress	Work on the Downtown Market Study commenced and the report was released for public review in February. Consideration by the City Council is targeted for March 2022.	On hold - pending direction	No update or anticipated timeline.
08. Caltrain rail corridor quiet zone analysis	This study would fund a review of grade crossing improvements needed to consider a quiet zone along the Caltrain corridor at the Encinal, Glenwood, Oak Grove and Ravenswood Avenue crossings.	In progress	A draft RFP was developed for technical support. The City Council provided feedback in January 2022, with expected release in February.	On hold - capacity	Work expected to begin once Associate Transportation Engineer and Assistant Public Works Director - Transportation positions are filled, tentatively expected to be late August 2021.
09. CAP #4 - Middle Avenue rail crossing and complete street	This project would provide a grade-separated crossing through the Caltrain railway to create a pedestrian/bicycle connection near Middle Avenue, between Alma Street near Burgess Park and El Camino Real at the proposed open space plaza as identified in the El Camino Real/Downtown Specific Plan. The project would develop detailed design plans and construct the project. As part of the terms of the development agreement for Middle Plaza at 500 El Camino Real, Stanford University is required to make a contribution towards the cost of the project, 50 percent of the cost, up to \$5,000,000. In May 2020, the Santa Clara County Board of Supervisors also allocated \$1,000,000 in funds for this project through the Stanford University recreation mitigation fund established during the 2000 General Use Permit approvals.	In progress	Agreement negotiated for purchase and sale of right of way needed for ramps. Coordination ongoing with Caltrain on design, method of procurement, and development of RFP for final design. Staff have been coordinating with Stanford to advance the University Drive to El Camino Real segment of the Middle Avenue complete streets project (which is a condition of approval for the 500 El Camino Real development) and are planning a public outreach meeting in early 2022 to discuss options for the entire Middle Avenue complete streets project (Olive Street to El Camino Real) to ensure a coordinated design.	In progress	Rail crossing project is proceeding. Funding requests were submitted to Representative Eshoo's office for consideration in the federal transportation infrastructure bill. Complete streets study is on hold pending capacity.

**Table 2: 2021 Adopted Work Plan**

Name	Project overview	12/31 status	12/31 update	7/31 status	7/31 update
10. Racial equity - NLC REAL program and baseline project	Created in 2015 in the wake of social unrest in Ferguson, Missouri, NLC's Race, Equity And Leadership (REAL) program helps to empower and equip local officials with tools to address racial disparities in their communities. As local leaders look to reimagine government policies, procedures, and processes to build more equitable communities, REAL is available to help cities and towns learn the impact of historical inequities and design programs that dismantle structural and system racism. REAL provides training with local elected officials and municipal staff, seminars for municipal staff and local elected officials, customized training to match city needs.	On hold - staff capacity	NLC experienced a changed in staffing and reduced capacity to provide assistance. The temporary project manager's time was repurposed to assisting with recruitments given the large number of staff vacancies.	In progress	Project manager has been identified will start in August to prepare a project timeline with NLC and coordinate training with management staff and Councilmembers.
11. CAP #2 - Set citywide goal for increasing EVs and decreasing gasoline sales	Defer implementation to the Beyond Gas Initiative (BGI) 8 under Joint Venture Silicon Valley. Staff will continue to work with BGI within current staff capacity using existing communication mediums to promote and market information from BGI.	Done	See 7/31 update	Done	The goal is established and adopted through the Climate Action Plan. Staff continues to monitor the effectiveness of incentives through the annual 2030 climate action progress report that will be provided to City Council in October. The Beyond Gas Initiative under Joint Venture Silicon Valley is currently leading this effort. Staff will continue to work with BGI going forward, and report efforts in the annual 2030 Climate Action Plan progress report.
12. CAP #3 - Expand access to electric vehicle charging for multifamily and commercial properties	Resources will be used to monitor the effectiveness of state and regional charging infrastructure incentives, and the City will promote/market the incentives to multifamily property owners using existing databases and communication mediums. In addition, \$5,000 to \$10,000 in additional incentives will be allocated to further motivate at least two multifamily property owners with existing units/buildings to install EV charging infrastructure.	In progress	Highlights include presenting to the EQC on February 16, 2022 a matching electric vehicle charging station rebate for existing multifamily properties participating in the Peninsula Clean Energy electric vehicle charging incentive program This will then be presented to the City Council in March or April. The City Council also approved installing 27 electric vehicle charging capable spaces for the Menlo Park Community Campus project.	On hold - capacity	EV charging stations have been included in the design of the Menlo Park Community Campus and will be able to charge 27 vehicles once complete. In addition, some of the charging stations will be able to charge vehicles in the event of a power outage providing additional resiliency at this site. The incentive project for multifamily will kick-off in the Fall. This project was on hold due to completing CAP No.1, resource constraints, and completing the annual progress report.
13. CAP #4 - Reduce vehicle miles traveled (VMT) by 25% or an amount recommended by the Complete Streets Commission	Resources will be used to focus on current work underway that would reduce VMT that includes the SB2 Housing grant, completion of the Transportation Management Association feasibility study, and implementation of VMT guidelines for new development adopted in June 2020. In addition, the Complete the Streets Commission's work plan includes prioritizing projects in the Transportation Master Plan that would reduce VMT. The Complete Streets Commission two-year work plan will be amended to include a future work effort to set a VMT reduction target in 2022 dependent upon staff resourcing to support this effort, provided it does not impact delivery of capital projects planned for the same timeframe.	In progress	Transportation staff have begun coordinating with the Complete Streets Committee Multimodal Metrics Subcommittee to discuss the appropriate measures to track progress several goals, including VMT reduction. That coordination will continue in early 2022.	In progress	

**Table 2: 2021 Adopted Work Plan**

Name	Project overview	12/31 status	12/31 update	7/31 status	7/31 update
14. CAP #4a - Transportation management association (TMA) formation	The goal of a TMA is to coordinate logistics and TDM services amongst multiple member businesses. Instead of an individual business providing TDM services for their employees, a TMA allows multiple businesses to share TDM resources. TDM services may not be cost-effective and well-utilized at individual businesses, so a TMA creates cost-efficiency and a shared burden amongst everyone, allowing smaller businesses to access some services that they would normally not be affordable.	In progress	City Council adopted the TMA feasibility study in October 2021. Per the findings of that study, the City is no longer seeking to form an independent TMA, but to join existing regional and subregional TMAs, or contract with them for TDM services/resources. Staff is working on implementing the priority actions from the study. In January 2022, the City Council adopted a resolution to join Commute.org. Staff will continue coordinating with Manzanita Works about potentially joining the Ravenswood Transit Consortium.	In progress	The draft feasibility study has been completed. Staff will schedule for a future City Council meeting for review and approval in fall 2021.
15. CAP #5 - Eliminate the use of fossil fuels from municipal operations	Utilize current resources and available budget toward eliminating fossil fuels in building the new Menlo Park Community Campus. In addition, if there are fossil fuel appliances or assets at the end of its life, a non-fossil fuel option as a replacement will be the default unless infeasible. Additional appropriations may be required for non-fossil fuel assets or appliances that have a cost premium. Specifically in 2021-22, the City will focus on expanding a pilot program to transition landscaping equipment from gas to electric. In future years, as City contractor agreements are procured, the City will incorporate a request for landscaping equipment as well. A Sustainable Fleet Policy was adopted in 2020. There will be additional opportunities for comprehensive non-fossil fuel asset or appliance replacement planning through the upcoming Corporation Yard Needs Assessment and Facilities Inventory and Maintenance Plan, which were funded in 2021-22 capital improvement plan.	In progress	Clean energy infrastructure project approved for the Menlo Park Community Campus project. Includes renewable energy production and energy storage , solar thermal pool heating and electric vehicle charging stations. Optony Inc. was also hired to support implementation of this goal. Work is beginning on the Facilities Inventory and Maintenance Plan to inventory existing city buildings and building equipment, prioritize maintenance needs and update preventative plans. This work lays the groundwork for future building electrification plans.	In progress	The RFP to install a renewable microgrid with battery storage at the MPCC was successful, and a preferred vendor has been identified. It is anticipated that an award of contract will occur before the winter holidays. In addition, a sustainability consultant was hired to support various aspects of this CAP goal.
16. CAP #6 - Develop a climate adaptation plan to protect the community from sea level rise and flooding	Continue to participate in and monitor One Shoreline, a flood and sea level rise resiliency district, that was formed to support planning and mitigation measures for coastal erosion, sea level rise, and flooding threats up to 2100. Menlo Park is a member of this agency and pays dues annually through funds provided in the capital improvement plan. This work covers Menlo Park's neighborhoods adjacent to the bay and creeks. In February 2021, One Shoreline's board of directors authorized the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration project to go out to bid. Bidding is currently underway for pre-qualified bidders and construction is expected to begin in mid-2021. Resources will be utilized to continue to actively work with neighboring communities and other agencies to close gaps not addressed by the above projects and seek further funding.	In progress	In October 2021, the City Council adopted the City's annex plan to the San Mateo County local hazard mitigation plan. Staff is continuing to coordinate with the County of San Mateo on potential funding opportunities through the California Office of Emergency Services and FEMA to advance hazard mitigation planning, with an emphasis on district 1. The Housing Element project team is continuing to pursue updates to the Safety Element of the General Plan to comply with updates to State law, including climate adaptation and resilience. The Bayfront Canal/Atherton Channel project construction is continuing, and is expected to be complete in Q1 2022. The Environmental Quality Commission approved of a recommendation to create a climate resiliency position. The position will be considered in the upcoming budget for fiscal year 2022-23.	In progress	

**Table 2: 2021 Adopted Work Plan**

Name	Project overview	12/31 status	12/31 update	7/31 status	7/31 update
17. CAP #6a - Menlo Park SAFER Bay implementation	<p>This project provides funds to support the staff time needed to continue to implement SAFER Bay. In September 2020, PG&amp;E approached the City about partnering on a FEMA grant opportunity to address sea level rise impacting the Ravenswood Electrical Substation consistent with the SAFER Bay project and the recently completed Dumbarton Bridge West Approach + Adjacent Communities Resilience Study. Following initial coordination, the City, SFCJPA and PG&amp;E also reached out Facebook to consider providing additional funding to expand the project. The FEMA grant is a program offering up to \$50 million per project to reduce risks from disasters and natural hazards. The City Council authorized a letter of support for the application on November 17, 2020. PG&amp;E, the SFCJPA, Facebook and the City collaborated on the required documentation for a Building Resilient Infrastructure and Communities (BRIC) application, which was submitted to CalOES by December 3, 2020. Cal OES submitted the grant application for FEMA consideration on January 27. FEMA notifications on awarded projects are expected in summer 2021.</p>	In progress	<p>City Council approved a resolution in January 2022 affirming the City's role in leading the FEMA BRIC grant, if awarded, and authorizing execution of a memorandum of understanding with funding and technical project partners, the San Francisquito Creek Joint Powers Authority, Meta, and PG&amp;E. In November 2021, City Council provided direction to return with a staffing request (1.0 provisional FTE) to support this project, and to develop recommendations to address cash flow during project construction. Staff also continues to collaborate with partner agencies to explore funding to complete construction of SAFER Bay.</p>	In progress	<p>The City was notified by FEMA in early July that the project was selected for further evaluation. Staff is preparing a draft memorandum of understanding with the project partners. Planning City Council update in October 2021.</p>
18. Public health advocacy (COVID-19, mental health)	<p>Project scope has yet to be established. Requires City Council direction.</p>	On hold - capacity	No update or anticipated timeline.	On hold - pending direction	No update or anticipated timeline.
19. Caltrain grade separation	<p>The existing Ravenswood Avenue Caltrain crossing is a critical rail crossing within Menlo Park. It is within the El Camino Real/Downtown Specific Plan Area and falls within the City's Priority Development Area. The project would fund the additional scope of work requested by the City Council in 2018 to evaluate a fully elevated alternative and advance engineering design of a chosen preferred alternative.</p>	On hold - capacity	<p>Staff submitted an update to the CPUC Section 190 grant in fall of 2021. Menlo Park was previously ranked 7th in the state on the priority list, which provides funding for rail grade separations in the state. Project has been otherwise on hold.</p>	On hold - capacity	<p>Work expected to begin once Associate Transportation Engineer and Assistant Public Works Director - Transportation positions are filled, tentatively expected to be late August 2021. This project would be prioritized after workplan item 8, Caltrain rail corridor quiet zone analysis and item 9, Middle Avenue rail crossing and complete streets study.</p>
20. Willow Road traffic calming	<p>Project scope has yet to be established. Requires City Council direction.</p>	On hold - pending direction	No update or anticipated timeline.	On hold - pending direction	No update or anticipated timeline.

**Table 2: 2021 Adopted Work Plan**

Name	Project overview	12/31 status	12/31 update	7/31 status	7/31 update
21. Coleman and Ringwood Avenues Transportation Study	Joint project with San Mateo County to evaluate traffic calming and multimodal safety improvement options for Coleman and Ringwood Avenues.	In progress	Staff coordinated with San Mateo County on a memorandum of understanding (MOU) and cost sharing agreement to launch this work. The MOU and cost sharing agreement were approved by City Council in January 2022, and the study is expected to formally launch in February. City staff have also been working to identify potential members for a community advisory committee that will help guide the study.	On hold - pending direction	<p>Since approval of the City Council work plan and CIP, staff has been approached by San Mateo County to partner on a Transportation Study for Coleman and Ringwood Avenues to evaluate traffic calming and multi-modal safety measures. Coleman Avenue is within both the City and County jurisdiction and is used by students and families to access schools in the area. Ringwood Avenue is primarily within the County with small segments within the City and the Town of Atherton. The City's Transportation Master Plan identified four projects for Coleman and Ringwood Avenues. Given this opportunity to work with the County to better coordinate projects for both streets, staff recommends adding this joint project to the Council work plan.</p> <p>Staff expects that adding this project will impact other CIP projects, specifically the Middlefield Road paving project and the Caltrain grade separation project, neither of which is currently active. The Middlefield Road project (to be staffed by both the transportation and engineering teams) is already delayed due to staff vacancies in the engineering team. This creates an opportunity to focus staff time on a project that would be primarily managed by the transportation team. The Caltrain grade separation project is currently on hold, and staff expects that restarting this project would be further delayed. However, staff has started work on the Caltrain quiet zone analysis which will address safety around the Caltrain corridor and is a current City Council priority. If City Council agrees with the recommendation to proceed with the Coleman and</p>



New City Council requests or direction to advance new initiatives		
Name	Date requested or direction provided	12/31 status
01. Study session on the Bay-Delta Plan	Requested by the City Council during adoption of the 2020 Urban Water Management Plan on May 25, 2021.	On hold - capacity
02. Follow up on parks projects and Measure T funds	Requested by City Council on August 17, 2021.	On hold - capacity
03. Follow up on the selected construction method for Chilco Street median islands	Requested by the City Council on September 21, 2021. City Manager reported on October 23, 2021 regarding the outreach conducted, that a two-week roadway closure to allow construction was selected, and that construction was to be delayed until spring 2022.	Completed
04. Follow up on pedestrian safety measures in the Bayfront area in response to development	Requested by the City Council on October 23, 2021.	In progress
05. Request for future agenda item to add the identification of parks to the municipal code	Requested by the City Council on October 23, 2021.	Future item
06. Study session on leaf blower restriction ordinance (enforcement, trade-in program, education)	Requested by the City Council on November 16, 2021.	In progress
07. Adopt wireless facility ordinance	Staff requested City Council direction on November 16, 2021 to return with an ordinance for adoption.	In progress
08. Provide direction on restarting the Neighborhood Traffic Management Program	Requested by the City Council on November 16, 2021.	In progress
09. Annual update on the status of City's annex plan to the San Mateo County Local Hazard Mitigation Plan	Requested by the City Council on November 16, 2021.	Future item
10. Follow up on Springline traffic	Requested by the City Council on December 7, 2021.	Future item
11. Follow up on Sharon Rd/Eastridge Ave safety, if action or budget required by the City Council	Requested by the City Council on December 7, 2021.	Completed
12. Adopt SB9 regulations	Staff requested City Council direction on December 14, 2021 to return with ordinance updates to respond to recent state housing legislation (SB9).	In progress
13. Provide direction on guidelines, regulations and restrictions for impact fees	Requested by the City Council on January 11, 2022.	On hold - capacity
14. Develop permanent design guidelines and permitting process for downtown outdoor uses	Staff requested City Council direction on January 25, 2022.	On hold - capacity



## STAFF REPORT

**City Council**  
**Meeting Date:** 2/8/2022  
**Staff Report Number:** 22-030-CC

**Public Hearing:** Introduce zoning ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) to allow increased signage for qualifying projects within the SP-ECR/D (El Camino Real/Downtown specific plan) zoning district

### Recommendation

The Planning Commission and staff recommend that the City Council waive the first reading and introduce an ordinance approving a zoning ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) to allow increased signage for certain large projects within the SP-ECR/D (El Camino Real/Downtown specific plan) zoning district, included as Attachment A.

### Policy Issues

The proposed project requires the City Council to consider whether to approve the proposed zoning ordinance text amendment, including the formulas for calculating permitted signage based on street frontage lengths and a requirement for approval of a master sign program by the Planning Commission. The City Council will need to consider the potential amendments to the sign ordinance and whether the changes would be consistent with the City's general plan and specific plan, and whether the required findings can be made for the proposed zoning ordinance text amendment.

### Background

As part of prior reviews of the El Camino Real/Downtown specific plan, the City Council identified potential modifications to the specific plan for staff to explore. One of those changes was to pursue modifications to the City's Sign Ordinance to allow larger specific plan projects to receive larger signage allocations, subject to discretionary review. Staff conducted preliminary work, but it was put on hold given staffing resources and changing City Council priorities. In June 2021, the applicant for 1300 El Camino Real (formerly known as "Station 1300" and currently called "Springline") initiated a sign ordinance amendment to address signage needs not only for their project, but potentially other projects within the specific plan area. In consultation with staff, Springline proposed a zoning ordinance text amendment to increase the permitted signage for larger projects, which would apply to the entire El Camino Real/Downtown specific plan ("specific plan") area, encompassing El Camino Real, the Caltrain station area and downtown Menlo Park. A map of the specific plan area is included as Attachment B.

In October and December 2021, the Planning Commission conducted two study sessions to review and provide feedback on the proposed revisions to the sign ordinance. The Planning Commission generally supported additional signage for larger projects, but also expressed concerns about the size of signs, designs and their locations. The applicant updated their proposal in response to the feedback received at the two study sessions, including the need for additional public outreach, and returned to the Planning

Commission January 10, 2022 with their revised proposal. The January 10, 2022 Planning Commission staff report (Attachment C) provides a more detailed summary of the Planning Commission's initial feedback.

The Planning Commission reviewed the revised proposal for the zoning ordinance text amendments and recommended (4-1 with two Commissioners absent) that the City Council approve the proposed text amendments, with the following revisions:

- Revise the ordinance to provide an exemption for directional signage;
- Provide for a discretionary review process for project identification signage in excess of the overall signage allocation; and
- Eliminate upper level signage references and replace them with reference to parapet signage.

## **Analysis**

### Project description

The applicant submitted a revised proposal, analyzed in this report, based on the Planning Commission's recommendation January 10, 2022.

The proposed text amendment is designed to accomplish the following for parcels within the ECR/D-SP zoning district:

- Maintain the current formula for calculating the maximum sign area based on the length of a project's frontage;
- Eliminate the 100 square foot "cap" on the total sign area for the primary frontage, as well as the 50 square foot "cap" on total signage per secondary frontage, subject to Planning Commission approval of a Master Sign Program, provided that the maximum sign area on any frontage would be 1,000 square feet regardless of the length of the frontage;
- Establish a formula for calculating the maximum sign area for secondary frontages, or primary frontages not along El Camino Real, based on 50 percent of the (increased) maximum allowable signage area on the El Camino Real frontage;
- Limit the area of any individual sign to a maximum of 50 square feet;
- Exempt signage identifying the name of the project, as well as safety and directional signage, from the overall allowable display area provided that the signage is approved pursuant to a master sign program; and
- For buildings with a mixture of office and other commercial uses, limit the total display area of signs at the building top parapet level on any frontage to one-half a square foot of signage area for each linear foot of frontage.

The City's sign ordinance regulations (Attachment D) generally establishes the regulations for the size, type and location of signage on a building and property. The total area of signage currently allowed in commercial land use zoning districts is determined by a ratio of total display area to a lot's primary frontage, where the maximum allowed display area for any lot, regardless of the number of uses or tenants housed on a single lot, is 100 feet.

The entire Springline project would be allowed a total signage area of 100 square feet on El Camino Real, and 50 square feet each on Oak Grove Avenue and Garwood Avenue, which are considered secondary frontages. The secondary frontages are allowed up to one-half of the maximum sign area for the lot. Given

the length of the frontages, these areas would be disproportionately small relative to the buildings, and could negatively affect the vibrancy of the community-serving/retail and office components of the project.

*Proposed text amendment*

The applicant updated the proposed sign ordinance language in response to the Planning Commission's January 10, 2022 recommendation to the City Council, which included modifications to exempt directional signage, provide a discretionary review process for project identification signage exempt from the overall signage allocation, and eliminate upper level signage references and replace them with reference to parapet signage.

It should be noted, the applicant worked with staff and the city attorney's office to analyze the constitutionality of the proposed text amendment as the U.S. Supreme Court has held that a sign ordinance may be impermissibly content-based where the ordinance treats signs differently because it imposes more and/or different restrictions on directional signs than on ideological signs or political signs. However, laws are likely not impermissibly content-based where they regulate content based on identification, protection or direction. Staff's position is that the currently proposed ordinance does not run afoul of these principals because the ordinance regulates project identification signage which is justified on the basis of safety (i.e., emergency responders have the ability to identify a location), directional information and accessibility purposes.

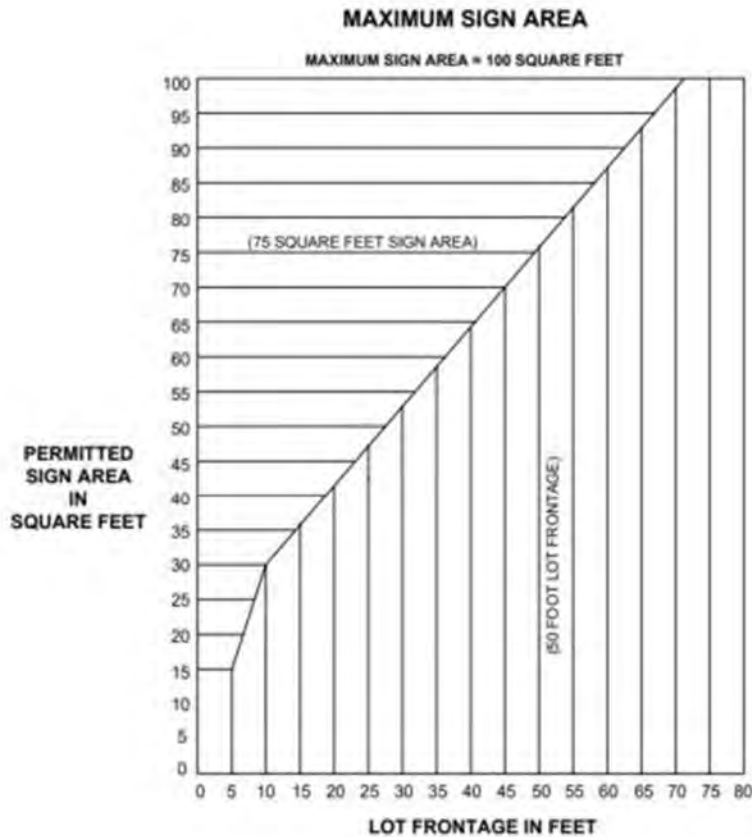
The proposed ordinance amendment would amend Section 16.92.110 of the zoning ordinance with the underlined text. All other provisions of this section would remain unchanged:

**Section 16.92.110(2):** Such signs will not exceed in total display area, measured in square feet, the ratio of total display area to lot primary frontage as shown on the attached graph, entitled "Figure No. 1," incorporated herein, and made a part of this chapter. The maximum display area permitted for any lot, regardless of the number of uses or tenants housed on a single lot, is one hundred square feet. Notwithstanding the above, the one hundred square foot maximum shall not apply to lots located within the ECR/D-SP zoning district with primary frontage along El Camino Real, which may be permitted larger total display areas, subject to Planning Commission approval of a Master Sign Program, consistent with the following formulas:

(A) For non-residential uses, the maximum display area permitted for a lot with frontage along El Camino Real shall be determined by the formula used in Figure No. 1 ( $30' + ((\text{Frontage Length} - 10') \times (8/7))$ ) without regard to the one hundred square foot maximum. For any additional signage area authorized pursuant to this exception, the following standards shall also apply:

(1) Any individual sign shall be limited to a maximum of 50 square feet, and the total area of signage for a single project shall be limited to a maximum of 1,000 square feet per frontage (excluding any additional signage allocation for project identification, directional signage, or other signage allowed pursuant to Section 16.92.110(9)); and

(2) For buildings with a mixture of office and other commercial uses, the total display area of signs at the building top parapet level of a building on any frontage shall be limited to one-half a square foot of signage for each linear foot of frontage. For purposes of this section, "parapet" shall mean a low wall along the edge of a roof extending above the level of such roof.



**Section 16.92.110(3):** In the case of parcels of land having secondary frontage, signs may be located on such frontage, provided that the total sign area thereon shall not exceed one-half the maximum sign area allowed by Figure No. 1 for such secondary frontage-, and further provided that, subject to Planning Commission approval of a Master Sign Program, for any parcel within the ECR/D-SP zoning district with frontage on a street other than El Camino Real, the maximum total sign area on that frontage shall not exceed the formula of  $(0.5 \times (30' + ((\text{non-ECR Frontage} - 10') \times 8/7)))$  without regard to the 100 square foot maximum (50 square feet on secondary frontages) that applies in zoning districts other than the ECR-D-SP zoning district. The additional limitations on signage at the building top parapet level pursuant to the exception set forth in 16.92.110(2) shall also apply to such secondary frontage signage.

**Section 16.92.110(9):** Within the ECR/D-SP zoning district, any project shall be entitled to install signage identifying the name of the project. The display area of such project identification signage shall not count against the overall allowable display area which display area is calculated pursuant to sections 16.92.110(2) and 16.92.110(3), provided that the project identification signage is approved pursuant to a Master Sign Program. The Master Sign Program shall be approved by the Planning Commission pursuant to the provisions of section 16.92.110(11.) For purposes of this section “project” shall mean a development, including a building or group of buildings, and associated open areas, designed and managed under common ownership and/or control, but shall not mean tenants of the development and/or building.

**16.92.110 (10):** Within the ECR/D-SP zoning district, safety and directional signage shall be exempt from the limits on signage display area, which display area is calculated pursuant to sections 16.92.110(2) and (3), provided that the safety and directional signage is approved pursuant to a Master Signage Program. The Master Sign Program shall be approved by the Planning Commission pursuant to the provisions of section 16.92.110(11.) For purposes of this section, “safety and directional signage” shall mean signage providing information on directions, ingress and egress, parking access and location, accessibility and other similar identifying information.

**Section 16.92.110(11):** Within the ECR/D-SP zoning district, any signage permitted pursuant to sections 16.92.110(9) and/or 16.92.110(10) and any signage in excess of 100 square feet on the primary frontage or in excess of 50 square feet on a secondary frontage shall require the review and approval of a Master Sign Program for the subject property. The review and approval of a Master Sign Program by the Planning Commission shall be subject to the following provisions:

(A) Prior to the installation of any signage on a property, the owner of the property shall submit an application for a Master Sign Program which identifies the number, size(s), locations (or alternative locations), structural design and materials of each type of signage proposed for the property and how those signs comply with the City’s applicable Design Guidelines for Signs.

(B) Following review by the director of community development or his/her designee, the proposed Master Sign Program shall be reviewed by the Planning Commission. The proposed Master Sign Program shall be approved unless the Planning Commission finds that signage specified by the Master Sign Program would not be compatible and harmonious with the buildings on the property or would otherwise be substantially inconsistent with the City’s Design Guidelines for Signs. The Planning Commission will also have the authority to grant exceptions from the City’s Design Guidelines for Signs so long as such changes will be compatible and harmonious with the overall project. With respect to project identification signage authorized under section 16.92.110(9), such signage shall be approved if the design of such signage is compatible with the project’s overall architecture and is appropriate in terms of its size and location within the project.

(C) After a Master Sign Program has been approved by the Planning Commission, any signs erected and maintained on the subject property shall be in conformity with the approved Program, and shall be reviewed and approved by the director of community development or his/her designee.

(D) Any material amendments to an approved Master Sign Program shall be reviewed according to the same process and criteria as the initial Master Sign Program.

#### Springline signage

If the proposed zoning ordinance text amendment is approved, Springline would be allowed approximately 540 square feet of signage along El Camino Real, approximately 165 square feet along Oak Grove Avenue and approximately 402 square feet along Garwood Way for a total of 1,107 square feet. The January 10, 2022 staff report to the Planning Commission (Attachment C), includes a massing study with a series of elevation sheets that illustrate the various signs that could be permitted by the proposed text amendments, visible from Springline’s three frontages. It should be noted, the elevations, which also show possible signage locations, are only for illustrative purposes, and the chart at the end of the massing study includes numbers for the total signage allowed based on a previous proposal that included specific amounts of signage permitted for identification and directional signage. As previously noted, this part of the applicant’s proposal was revised as a result of the Planning Commission’s recommendation to exempt directional and project identification signage, with required discretionary review for project identification signage in excess of the overall signage allocation. If the text amendments are approved by City Council, Springline, like other projects utilizing the new regulations, would be required to submit a Master Sign Program for review and action by the Planning Commission.



Springline indicates they are also seeking additional flexibility, compared to the current regulations in the Design Guidelines for Signs (Attachment E), with respect to signage letter sizes (maximum 24 inches in letter size for the retail level, and 30 inches for the upper level, office uses.) In an effort to streamline approval of the zoning ordinance text amendment, they did not include these in their current proposal but indicate they would incorporate this into a master sign program, when site-specific factors can be taken into account. Springline also indicates they are interested in developing a formula for how sign area is allocated between multiple tenants in a single building that would be incorporated into their master sign program.

#### Middle Plaza signage

The Middle Plaza at 500 El Camino Real project is another example where the proposed sign ordinance text amendment would increase the allowed amount of signage area. In 2017, the City Council approved office, retail, and residential uses on an 8.4-acre site, with a total of approximately 10,286 square feet of retail/restaurant, 142,840 square feet of nonmedical office, and 215 residential units. The property has approximately 1,600 feet of frontage along El Camino Real but under the current regulations would only be allowed 100 square feet of signage since it does not have a secondary frontage. However, if the zoning ordinance text amendment is approved, Middle Plaza would be permitted up to 1,000 feet of signage along El Camino Real. The sign consultant for the project submitted a letter of support for the zoning ordinance amendments as well plans showing a preliminary signage proposal for the Middle Plaza project, which are included in the January 10, 2022 staff report to the Planning Commission.

Similar to the Springline project, the Middle Plaza property was created when several smaller parcels were merged to allow for a large mixed-use development. The permitted signage for each of the previous parcels was calculated based on their individual frontages, so with the merger of the parcels the permitted signage along the frontage of the previous parcels was greatly reduced. This type of large mixed-use development did not exist in the City when the current signage regulations were put in place, and like the Springline project, Middle Plaza has indicated they will not be able to attract commercial tenants without the allowance for additional signage.

#### Signage for other properties in specific plan area

Some properties within the specific plan area, which developed before the specific plan went into effect, were developed under planned development permits or conditional development permits, which allowed approval of master sign programs that exceeded the sign area permitted by the zoning ordinance. For example, Menlo Station (700-800 El Camino Real), which includes several large businesses fronting along El Camino Real, including Big 5 Sporting Goods, Staples, BevMo, CVS Pharmacy, Menlo Park Mongolian Barbeque, Atherton Fine Art and Lens Crafters, was developed under a planned development permit and includes a master sign program. Similarly, the shopping center that includes Safeway, located at 525 to 625 El Camino Real, was developed under a conditional development permit, which establishes a master sign program for the site.

The specific plan does not allow planned development permits or conditional development permits. A project in the specific plan could potentially apply for a sign variance, but the required variance findings likely would be difficult to make since the same hardship circumstances would apply to several parcels. As a result, newer projects such as Springline and Middle Plaza, may not be able to exceed the zoning ordinance signage limitations without the proposed zoning ordinance text amendment. Additionally, such projects would have difficulty attracting tenants without certainty about the amount of signage the entire project is allowed.

#### Consistency with the general plan and specific plan

General Plan Policy LU-4.D, states the Municipal Code requirements and design guidelines for off-site and on-site signage should be updated while providing for a method to encourage high-quality design in

advertising for Menlo Park businesses. The proposed text amendments support this policy by allowing large specific plan parcels the signage area they need to attract tenants, while requiring review by the Planning Commission of a master sign program to ensure high quality design.

The specific plan includes a guiding principle to “generate vibrancy” within the specific plan, with a mix of retail, residential and office uses. Larger, mixed-use developments will help create vibrancy but they require additional sign area in order to attract commercial tenants and for those tenants to be successful. The proposed text amendment would allow the needed sign area for projects such as Springline and Middle Plaza to attract and support successful retail and office tenants.

#### Other jurisdictions' signage regulations

Staff has reviewed the signage regulations in the Cities of Palo Alto and Redwood City as a comparison to the proposed zoning ordinance amendments since these cities have similar commercial corridors along El Camino Real. Although it is difficult to compare different types of regulations, the City of Palo Alto, appears to allow about the same amount of signage as the proposed zoning ordinance text amendment for similar projects, while the City of Redwood City, appears to allow more signage for similar projects, especially within its Downtown precise plan. As a result, Menlo Park's current signage ordinance places businesses on large parcels at a disadvantage compared to businesses on similar parcels in Palo Alto or Redwood City. The January 10, 2022 Planning Commission staff report (Attachment C) provides additional information on the signage regulations in Palo Alto and Redwood City and how these compare to the proposed signage regulations.

#### Conclusion

The zoning ordinance currently only allows disproportionately small sign areas relative to the buildings on larger parcels, and could negatively affect the vibrancy of the community-serving/retail and office components of such projects within the specific plan. The proposed zoning ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) would allow businesses on large parcels within the specific plan sufficient signage to be successful. The increased signage that would be permitted by the text amendment uses the same formula that would remain in place throughout the City, but would remove the caps for primary and secondary frontages to allow larger parcels within the specific plan to attract businesses and allow those businesses sufficient signage to be successful. (Larger properties elsewhere in the City have the option of applying for a conditional development permit to seek relief from the maximum sign area limits.) Staff has not received requests from property owners of other larger parcels for additional signage area. Review of a master sign program by the Planning Commission would be required, and limitations would be put in place for certain signage along building parapets. In addition, identification, and safety and directional signage would be exempt if reviewed as part of the master sign program. The proposed text amendment would allow comparable or smaller sign areas than those for similar projects/parcels in the Cities of Palo Alto and Redwood City. The Planning Commission and staff recommend that the City Council approve a zoning ordinance text amendment (Attachment A) to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) to allow increased signage for certain large projects within the SP-ECR/D (El Camino Real/Downtown specific plan) zoning district. If the City Council introduces the ordinance February 8, 2022, staff would prepare the ordinance for adoption at the next regular meeting, which is currently scheduled for March 8, 2022.



### **Impact on City Resources**

The project sponsor is required to pay planning, building and public works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

### **Environmental Review**

The proposed zoning ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code.

### **Public Notice**

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within the specific plan and within a 300-foot radius of the specific plan.

### **Attachments**

- A. Draft ordinance approving a zoning ordinance text amendment
- B. Location map
- C. January 10, 2022 Planning Commission staff report
- D. Hyperlink – Chapter 16.92 (Signs – Outdoor Advertising):  
[codepublishing.com/CA/MenloPark/#!/MenloPark16/MenloPark1692.html#16.92](http://codepublishing.com/CA/MenloPark/#!/MenloPark16/MenloPark1692.html#16.92)
- E. Hyperlink – Design guidelines for signs: [menlopark.org/DocumentCenter/View/254/Sign-and-Awning-Design-Guidelines](http://menlopark.org/DocumentCenter/View/254/Sign-and-Awning-Design-Guidelines)

Report prepared by:  
Corinna Sandmeier, Acting Principal Planner

Report reviewed by:  
Deanna Chow, Assistant Community Development Director

**ORDINANCE NO. XXXX****ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
APPROVING A ZONING ORDINANCE TEXT AMENDMENT TO MODIFY  
MUNICIPAL CODE CHAPTER 16.92 (SIGNS-OUTDOOR ADVERTISING) TO  
ALLOW INCREASED SIGNAGE FOR CERTAIN LARGE PROJECTS WITHIN  
THE SP-ECR/D (EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN) ZONING  
DISTRICT**

WHEREAS, the City of Menlo Park (“City”) received an application requesting a Zoning Ordinance text amendment from Cyrus Sanandaji, Presidio Bay Ventures (“Applicant”), on behalf of the property owner Real Social Good Investments, LLC (“Owner”) of a project located at 1300 El Camino Real (APN 061-430-490), for a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) to allow increased signage for certain large projects within the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district; and

WHEREAS, the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district encompasses El Camino Real, the Caltrain station area and downtown Menlo Park, and supports a variety of uses, including, retail, personal services, restaurants, business and professional offices, residential uses, public and semi-public uses, and transit uses; and

WHEREAS, the Zoning Ordinance currently allows a maximum of 100 square feet of signage for a parcel’s primary frontage and 50 square feet of signage for a parcel’s secondary frontage, regardless of the length of the frontages or the total size of the parcel; and

WHEREAS, the Zoning Ordinance currently allows the approved Springline project at 1300 El Camino Real, a mixed-use development consisting of non-medical office, residential, and community-serving uses on an approximately 6.4-acre site, with a total of approximately 224,000 square feet of non-residential uses and 183 dwelling units, signage area of 100 square feet on El Camino Real, and 50 square feet each on Oak Grove Avenue and Garwood Avenue for a total of 200 square feet; and

WHEREAS, the Zoning Ordinance currently allows the approved Middle Plaza at 500 El Camino Real project, a mixed-use development consisting of office, retail, and residential uses on an approximately 8.4-acre site, with a total of approximately 10,286 square feet of retail/restaurant, 142,840 square feet of non-medical office, and 215 residential units, only 100 square feet of total signage as El Camino Real is its only street frontage; and

WHEREAS, given the length of the frontages of the Springline, Middle Plaza and similar projects, the permitted square footages for all signs visible from the right-of-way would be disproportionately small relative to the size of the buildings and would negatively affect the vibrancy of the office and non-office commercial, including community-serving retail and restaurant, components of these projects; and

WHEREAS, the City’s General Plan Policy LU-4.D, states the Municipal Code requirements and design guidelines for off-site and on-site signage should be updated while providing for a method to encourage high-quality design in advertising for Menlo Park businesses; and

WHEREAS, other nearby jurisdictions, including the Cities of Palo Alto and Redwood City, allow far more signage along El Camino Real and their downtown areas for parcels with over 80 feet

of linear frontage, providing a disadvantage for businesses located on such large parcels within the City of Menlo Park; and

WHEREAS, the proposed Zoning Ordinance text amendment would

- maintain the current formula for calculating the maximum sign area based on the length of a project's frontage and allow increased signage by eliminating the 100-square foot "cap" on the total sign area for the primary frontage (along El Camino Real), as well as the 50 square foot "cap" on total signage per secondary frontage, provided that the maximum sign area on any frontage would be 1,000 square feet regardless of the length of the frontage;
- limit the area of any individual sign to a maximum of 50 square feet;
- exempt signage identifying the name of the project, as well as safety and directional signage, from the overall allowable display area provided that the signage is approved pursuant to a Master Sign Program;
- limit signage at the building top parapet level to one-half a square foot of signage for each linear foot of frontage, for buildings with a mixture of office and other commercial uses; and
- require Planning Commission approval of a Master Sign Program for any project utilizing these proposed provisions of the Zoning Ordinance; and

WHEREAS, the City, as lead agency, pursuant to the California Environmental Quality Act and the CEQA Guidelines ("CEQA") finds that the proposed text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code since any projects that would utilize the additional signage permitted would undergo their own environmental review pursuant to CEQA; and

WHEREAS, all required public notices and public hearings were duly given and held according to law; and

WHEREAS, at a duly and properly noticed public hearing held on January 10, 2022, the Planning Commission considered the proposed Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) as more fully described herein and below, and in making its recommendations to the City Council, recommended the City Council find the proposed text amendment exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code; and

WHEREAS, the Planning Commission of the City of Menlo Park having fully reviewed, considered, and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend that the City Council of the City of Menlo Park make findings that the proposed Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is in compliance with all applicable State regulations and the City General Plan, and adopt an ordinance approving a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising); and

WHEREAS, following the public hearing, the Planning Commission adopted Planning Commission Resolution No. 2022-01 to recommend that the City Council adopt an ordinance approving the proposed Zoning Ordinance text amendments, with revisions as incorporated into the text, attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the City Council has considered the Zoning Ordinance text amendment and the Council determines that the proposed text amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code.

The City Council of the City of Menlo Park does hereby ordain as follows:

### SECTION 1. FINDINGS AND DETERMINATIONS

The City Council of the City of Menlo Park hereby finds and declares:

- A. The Zoning Ordinance Text Amendment is in the public interest and will advance the health, safety, and general welfare of the City of Menlo Park and that the Zoning Ordinance Text Amendment is consistent with the Menlo Park General Plan and the El Camino Real/Downtown Specific Plan.
- B. The Zoning Ordinance Text Amendment is in the public interest and will further the public health, safety, comfort, and general welfare because it would allow sufficient signage proportional to the frontage of large parcels within the Specific Plan, allowing vibrancy of commercial uses.
- C. The Zoning Ordinance Text Amendment will not adversely affect the improvements in the neighborhood or the general welfare of the city because projects utilizing the new signage regulations would be subject to Planning Commission review of a Master Sign Program.
- D. On February 8, 2022 the City Council held a public hearing and separately reviewed and considered all pertinent information, documents, exhibits, and all other evidence in the public record on the request including the Planning Commission's recommendation. The City Council, having fully reviewed, considered, and evaluated all the testimony and evidence submitted in this matter, finds that the Zoning Ordinance Text Amendment is appropriate and adopts a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising).

### SECTION 2: RECITALS

That the Recitals herein are true and correct and incorporated and adopted as findings of the City Council as are fully set forth in this Ordinance.

### SECTION 3. ZONING ORDINANCE TEXT AMENDMENT

That the Zoning Ordinance Text Amendment in compliance with all applicable City General Plan goals, policies and programs and therefore the City Council hereby approves the Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) as provided in Exhibit A to this ordinance, attached hereto and incorporated herein by this reference.

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The City Council makes the following findings, based on its independent judgment after considering the Specific Plan EIR, the Infill EIR, and the Addendum, and having reviewed and taken into consideration all written and oral information submitted in this matter:

- A. The proposed text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code.

SECTION 5. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions, shall continue in full force and effect unless amended or modified by the City.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law.

SECTION 7. PUBLICATION

The City Clerk is hereby ordered and directed to certify the passage of this Ordinance by the City Council of the City of Menlo Park, California and cause the same to be published in accordance with State law.

INTRODUCED on the eighth day of February, 2022.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said City Council on the \_\_\_\_ day of \_\_\_\_, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

\_\_\_\_\_  
Betsy Nash, Mayor

ATTEST:

\_\_\_\_\_  
Judi A. Herren, City Clerk

## Exhibits

### A. Zoning Ordinance Text Amendment

1. **Section 1** Section 16.92.110(2) of the Menlo Park Municipal Code is hereby amended to read as follows (Additions in underline, deletions in ~~strikethrough~~):

**Section 16.92.110(2):** Such signs will not exceed in total display area, measured in square feet, the ratio of total display area to lot primary frontage as shown on the attached graph, entitled "Figure No. 1," incorporated herein, and made a part of this chapter. The maximum display area permitted for any lot, regardless of the number of uses or tenants housed on a single lot, is one hundred square feet.

Notwithstanding the above, the one hundred square foot maximum shall not apply to lots located within the ECR/D-SP zoning district with primary frontage along El Camino Real, which may be permitted larger total display areas, subject to Planning Commission approval of a Master Sign Program, consistent with the following formulas:

(A) For non-residential uses, the maximum display area permitted for a lot with frontage along El Camino Real shall be determined by the formula used in Figure No. 1 ( $30' + ((\text{Frontage Length} - 10') \times (8/7))$ ) without regard to the one hundred square foot maximum. For any additional signage area authorized pursuant to this exception, the following standards shall also apply:

(1) Any individual sign shall be limited to a maximum of 50 square feet, and the total area of signage for a single project shall be limited to a maximum of 1,000 square feet per frontage (excluding any additional signage allocation for project identification, directional signage, or other signage allowed pursuant to Section 16.92.110(9)); and

(2) For buildings with a mixture of office and other commercial uses, the total display area of signs at the building top parapet level of a building on any frontage shall be limited to one-half a square foot of signage for each linear foot of frontage. For purposes of this section, "parapet" shall mean a low wall along the edge of a roof extending above the level of such roof.

2. **Section 2.** Section 16.92.110(3) of the Menlo Park Municipal Code is hereby amended to read as follows (Additions in underline, deletions in ~~strikethrough~~):

**Section 16.92.110(3):** In the case of parcels of land having secondary frontage, signs may be located on such frontage, provided that the total sign area thereon shall not exceed one-half the maximum sign area allowed by Figure No. 1 for such secondary frontage, and further provided that, subject to Planning Commission approval of a Master Sign Program, for any parcel within the ECR/D-SP zoning district with frontage on a street other than El Camino Real, the maximum total sign area on that frontage shall not exceed the formula of (0.5

x (30' + ((non-ECR Frontage – 10') x 8/7))) without regard to the 100 square foot maximum (50 square feet on secondary frontages) that applies in zoning districts other than the ECR-D-SP zoning district. The additional limitations on signage at the building top parapet level pursuant to the exception set forth in 16.92.110(2) shall also apply to such secondary frontage signage.

3. **Section 3** Sections 16.92.110(9), 16.92.110(10) and 16.92.110(11) are hereby added to the Menlo Park Municipal Code to read as follows:

**Section 16.92.110(9):** Within the ECR/D-SP zoning district, any project shall be entitled to install signage identifying the name of the project. The display area of such project identification signage shall not count against the overall allowable display area which display area is calculated pursuant to sections 16.92.110(2) and 16.92.110(3), provided that the project identification signage is approved pursuant to a Master Sign Program. The Master Sign Program shall be approved by the Planning Commission pursuant to the provisions of section 16.92.110(11). For purposes of this section “project” shall mean a development, including a building, or group of buildings, and associated open areas, designed and managed under common ownership and/or control, but shall not mean tenants of the development and/or building.

**Section 16.92.110(10):** Within the ECR/D-SP zoning district, safety and directional signage shall be exempt from the limits on signage display area, which display area is calculated pursuant to sections 16.92.110(2) and (3), provided that the safety and directional signage is approved pursuant to a Master Signage Program. The Master Sign Program shall be approved by the Planning Commission pursuant to the provisions of section 16.92.110(11). For purposes of this section, “safety and directional signage” shall mean signage providing information on directions, ingress and egress, parking access and location, accessibility, and other similar identifying information.

**Section 16.92.110(11):** Within the ECR/D-SP zoning district, any signage permitted pursuant to sections 16.92.110(9) and/or 16.92.110(10) and any signage in excess of 100 square feet on the primary frontage or in excess of 50 square feet on a secondary frontage shall require the review and approval of a Master Sign Program for the subject property. The review and approval of a Master Sign Program by the Planning Commission shall be subject to the following provisions:

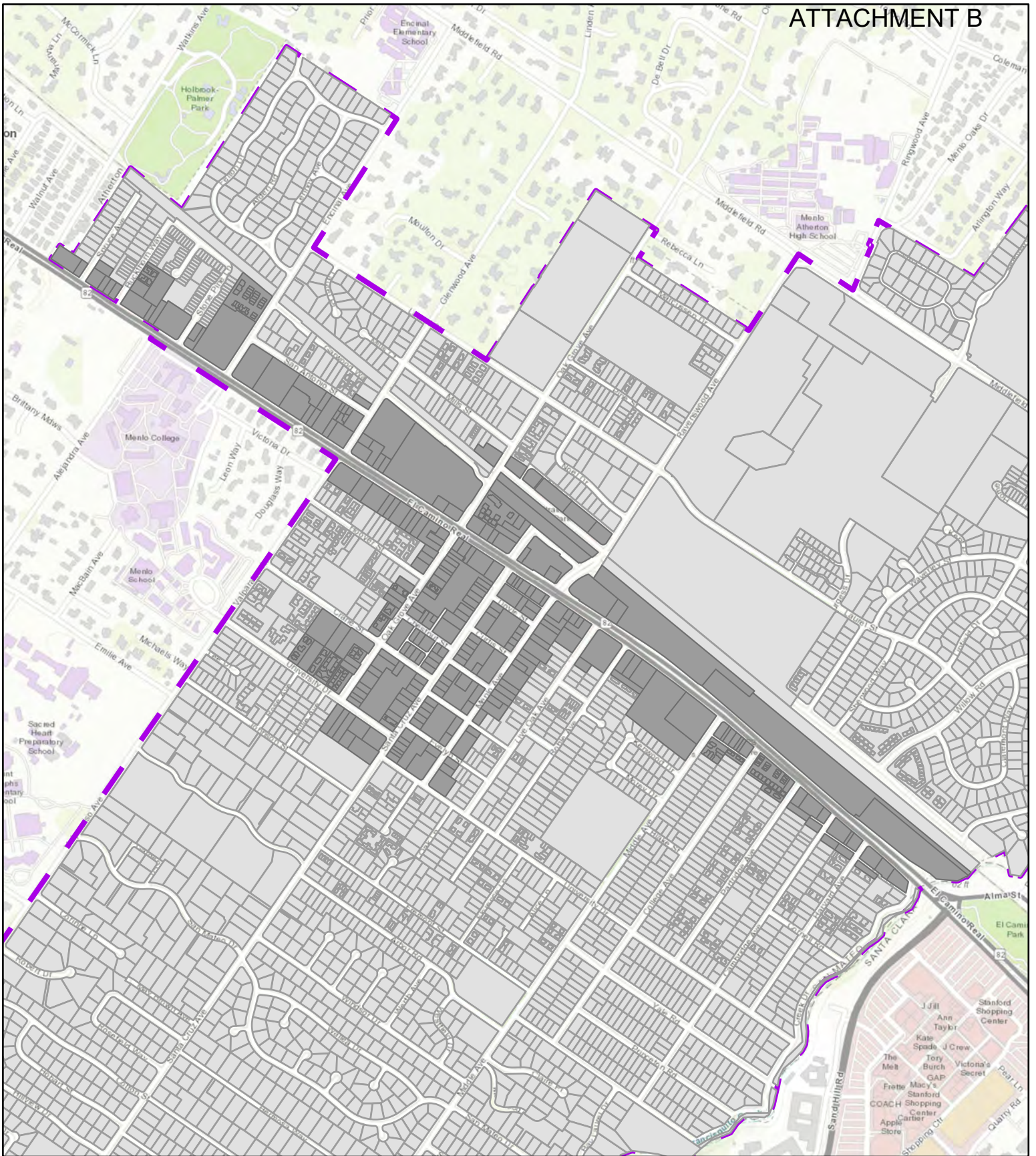
(A) Prior to the installation of any signage on a property, the owner of the property shall submit an application for a Master Sign Program which identifies the number, size(s), locations (or alternative locations), structural design and materials of each type of signage proposed for the property and how those signs comply with the City’s applicable Design Guidelines for Signs.



(B) Following review by the director of community development or his/her designee, the proposed Master Sign Program shall be reviewed by the Planning Commission. The proposed Master Sign Program shall be approved unless the Planning Commission finds that signage specified by the Master Sign Program would not be compatible and harmonious with the buildings on the property or would otherwise be substantially inconsistent with the City's Design Guidelines for Signs. The Planning Commission will also have the authority to grant exceptions from the City's Design Guidelines for Signs so long as such changes will be compatible and harmonious with the overall project. With respect to project identification signage authorized under section 16.92.110(9), such signage shall be approved if the design of such signage is compatible with the project's overall architecture and is appropriate in terms of its size and location within the project.

(C) After a Master Sign Program has been approved by the Planning Commission, any signs erected and maintained on the subject property shall be in conformity with the approved Program, and shall be reviewed and approved by the director of community development or his/her designee.

(D) Any material amendments to an approved Master Sign Program shall be reviewed according to the same process and criteria as the initial Master Sign Program.



CITY OF  
MENLO PARK

# CITY OF MENLO PARK

## LOCATION MAP

EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN AREA



Scale: 1:12,000

Drawn By: CDS

Checked By: CDS

Page 11.1  
Date: 2/8/2022



## STAFF REPORT

### Planning Commission

Meeting Date: 1/10/2022

Staff Report Number: 22-004-PC

Public Hearing: Cyrus Sanandaji/1300 El Camino Real/Signage Amendment to the Zoning Ordinance

### Recommendation

Staff recommends that the Planning Commission take the following actions on the proposed project:

**Adopt a resolution recommending that the City Council adopt an ordinance approving a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) to allow increased signage for certain large projects within the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district.(Attachment A).**

### Policy Issues

The Planning Commission should consider whether to make a recommendation to the City Council on the proposed Zoning Ordinance text amendment, including the revised formulas for calculating permitted signage based on street frontage lengths and commercial gross floor area, and a requirement for approval of a Master Sign Program by the Planning Commission. The Planning Commission will need to consider the potential amendments to the Sign Ordinance and whether the changes would be consistent with the City's General Plan and Specific Plan. The City Council will ultimately consider whether the required findings can be made for the proposed Zoning Ordinance text amendment.

### Background

The City Council approved the 1300 El Camino Real project (also known at the time as "Station 1300" and currently called "Springline") on January 24 and February 7, 2017. The project is a mixed-use development consisting of non-medical office, residential, and community-serving uses on a 6.4-acre site, with a total of approximately 220,000 square feet of non-residential uses and 183 dwelling units. Applicable entitlements and agreements for this project included Architectural Control, Development Agreement, Tentative Map, Use Permit, Heritage Tree Removal Permits, and Below Market Rate (BMR) Housing Agreement.

On November 22, 2021, the Planning Commission conditionally approved revisions to the project that would increase its gross floor area by approximately 9,000 square feet, of which about 4,000 square feet would be commercial (office and community serving uses). The additional gross floor area required approval of Specific Plan amendments to increase the maximum Public Benefit Bonus-level floor area ratio (FAR) from 1.50 to 1.55 in the ECR NE-R District under certain circumstances, and an amendment to the approved Development Agreement. On December 7, 2021, the City Council held a public hearing and voted affirmatively to introduce two ordinances to amend the Specific Plan and the Development Agreement. On December 14, 2021, the City Council adopted the two ordinances.

The City Council previously directed that revisions be pursued to allow larger Specific Plan projects to receive larger signage allocations, subject to discretionary review. However, the drafting of these Sign



Ordinance and/or Specific Plan changes has been delayed and was not included as a City Council priority in 2020 or 2021. In consultation with staff, Springline has now proposed a Zoning Ordinance text amendment to increase the permitted signage for larger projects, which would apply to the entire El Camino Real/Downtown Specific Plan ("Specific Plan") area, encompassing El Camino Real, the Caltrain station area and downtown Menlo Park. A map of the Specific Plan area is included as Attachment B.

On October 18, 2021, the Planning Commission held a study session on a previous proposal for a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) for larger projects within the Specific Plan area. Planning Commissioners provided the following feedback on the proposed Zoning Ordinance text amendments:

- General support for allowing larger projects within the Specific Plan, including Springline, additional signage to allow for successful commercial uses, especially retail;
- Concerns about the possibility of very large signs;
- Concerns that signs along upper floors would not be regulated more stringently than signs along the first floor;
- Concerns about multi-story buildings with cluttered signage and the amount of signage allowed for offices uses;
- Questions about the applicability of the proposed Zoning Ordinance amendments to other projects;
- Questions about how the signage allowed by the proposed amendments would compare to signage allowed in nearby jurisdictions; and
- Concerns about public outreach.

On December 13, 2021, the Planning Commission held a second study session on a revised proposal for a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising) for larger projects within the Specific Plan area. At this meeting, the applicant discussed outreach they had done since the first meeting, including outreach at farmers' markets. The applicant also updated their proposal with the following revisions:

- Removal of the provision that would have allowed additional signage area for properties with multistory buildings;
- Addition of a maximum sign area of 50 square feet for individual business signs;
- Limited office tenant signage to one sign per 100 feet of the applicable frontage and one ground-mounted monument sign per office building (with the provision that a frontage over 150 feet would be rounded up);
- Added an exemption from the signage area limits for project identification and directional signage on a property with a frontage on El Camino Real, including signage identifying an overall mixed-use development, and directional signage such as entries to parking garages.

Planning Commissioners provided the following feedback on the proposed Zoning Ordinance text amendments at the December 13, 2021 study session:

- General support for allowing larger projects within the Specific Plan, including Springline, additional signage to allow for successful commercial uses, especially retail;
- General support for the revisions made since the first study session;
- General support for limiting office tenant signage to one-half square foot of sign area per each linear foot of frontage;
- Concerns that signs along upper floors would not be regulated more stringently than signs along the first floor; and

- Questions about the Planning Commission's review of master sign programs.

## Analysis

### ***Project description***

The proposed Zoning Ordinance text amendment to update the signage regulations in the Specific Plan area includes maintaining the current formula for calculating the maximum sign area based on the length of a project's frontage, while eliminating the 100 square foot cap on the total sign area for the primary frontage, as well as the 50 square foot cap on total signage per secondary frontage. The text amendment would also allow additional signage area, based on gross floor area, for projects with over 50,000 square feet of gross floor area.

Under the current Zoning Ordinance regulations, the entire Springline project would be allowed a total signage area of 100 square feet on El Camino Real, and 50 square feet each on Oak Grove Avenue and Garwood Avenue. Given the length of the frontages, these areas would be disproportionately small relative to the buildings, and could negatively affect the vibrancy of the community-serving/retail and office components of the project.

Similarly, the Middle Plaza (500 El Camino Real) project, a mixed-use development consisting of office, retail, and residential uses on an 8.4-acre site, with a total of approximately 10,286 square feet of retail/restaurant, 142,840 square feet of non-medical office, and 215 residential units, approved by the City Council on September 26 and October 10, 2017, would only be allowed 100 square feet of total signage as El Camino Real is its only street frontage.

Since the last study session, the applicant has revised the proposed Zoning Ordinance amendment, including the following revisions:

- Added additional language on the process for the proposed Master Sign Program review;
- Eliminated the restriction on project identification signage that would prevent the use of a generally known consumer product or corporate entity;
- Eliminated the exclusion/exemption concept for project identification and directional signage and replaced it with an additional allowance of signage area based on the gross floor area of the overall project; and
- Revised the limit on office tenant signage to instead apply a limit on upper level commercial signage for buildings with a mixture of office and other commercial uses.

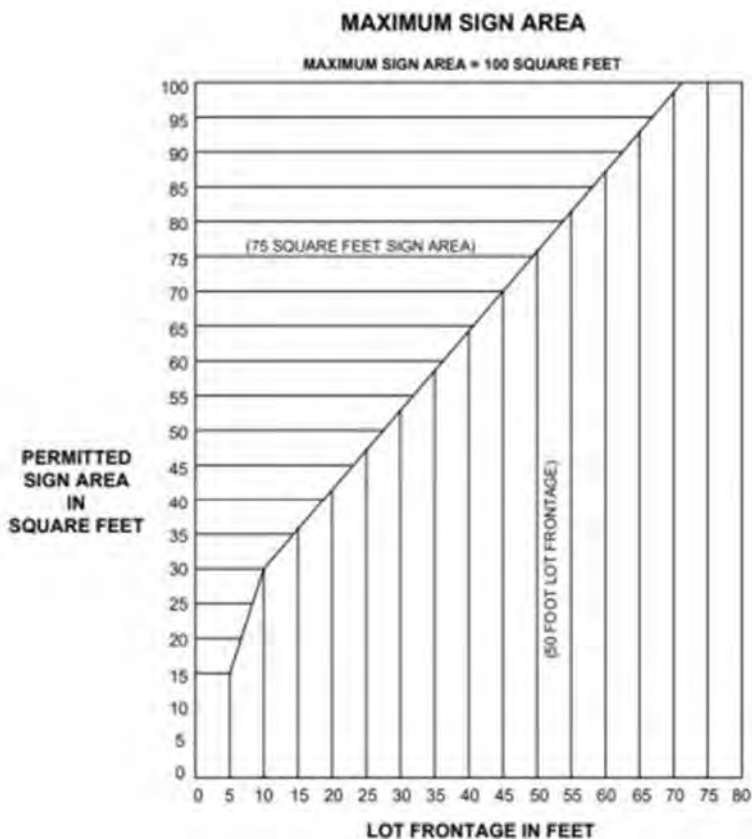
That applicant indicates the purpose of the revised proposal is to clarify the Planning Commission's review of Master Sign Programs, and achieve approximately the same amount of project signage as presented at the second study session while avoiding possible legal issues if the text amendment utilizes "content-based" criteria.

The proposed ordinance amendment would amend Section 16.92.110 of the Zoning Ordinance with the underlined text:

**Section 16.92.110(2):** Such signs will not exceed in total display area, measured in square feet, the ratio of total display area to lot primary frontage as shown on the attached graph, entitled "Figure No. 1," incorporated herein, and made a part of this chapter. The maximum display area permitted for any lot, regardless of the number of uses or tenants housed on a single lot, is one hundred square feet. Notwithstanding the above,

the one hundred square foot maximum shall not apply to lots located within the ECR/D-SP zoning district with primary frontage along El Camino Real, which may be permitted larger total display areas, subject to Planning Commission approval of a Master Sign Program, consistent with the following formulas: (a) for non-residential uses, the maximum display area permitted for a lot with frontage along El Camino Real shall be determined by the formula used in Figure 1 ( $30' + ((\text{Frontage Length} - 10') \times (8/7))$ ) without regard to the one hundred square foot maximum. For any additional signage area authorized pursuant to this exception, the following standards shall also apply: (1) any individual sign shall be limited to a maximum of 50 square feet, and the total area of signage for a single project shall be limited to a maximum of 1,000 square feet per frontage (excluding any additional signage allocation for project identification, directional signage, or other signage allowed pursuant to Section 16.92.110(9)), and (2) for buildings with a mixture of office and other commercial uses, the total display area of signs above the ground floor level of a building on any frontage shall be limited to one-half a square foot of signage for each linear foot of frontage.

Figure 1



**Section 16.92.110(3):** In the case of parcels of land having secondary frontage, signs may be located on such frontage, provided that the total sign area thereon shall not exceed one-half the maximum sign area allowed by Figure No 1 for such secondary frontage, and further provided that, subject to Planning Commission approval of a Master Sign Program, for any parcel within the ECR/D-SP zoning district with frontage on a street other than El Camino Real, the maximum total sign area on that frontage shall not exceed the formula of  $(0.5 \times (30 + ((\text{non-ECR Frontage} - 10) \times (8/7)))$  without regard to the 100 square foot maximum (50 square feet on secondary frontages) that applies in zoning districts other than the ECR-D-SP zoning district. The additional limitations on signage above the ground level pursuant to the exception set forth in 16.92.110(2) shall also apply to such secondary frontage signage.

**Section 16.92.110(9): Additional Signage for Large Projects in ECR/D-SP Zoning District.** Within the ECR/D-SP zoning district, any project with a gross floor area in excess of 50,000 square feet shall be permitted additional signage area beyond that authorized under Section 16.92.110(2) and (3), with such additional signage area to be calculated at one square foot of additional signage area for each 1,000 square feet of a project's commercial gross floor area. Such additional signage area shall first be used for purposes of identifying the overall name of the project and directional signage, and any remaining area may be used for other signage purposes. Because project identification signage area may be located at a visually-prominent position, the restriction on signage above the ground level set forth in Section 16.92.110(2) shall not apply to any signage identifying the name of the overall project.

**Section 16.92.110(10):** Within the ECR/D-SP zoning district, any signage permitted pursuant to Section 16.92.110(9), and any signage in excess of 100 square feet on the primary frontage or in excess of 50 square feet on a secondary frontage, shall require the review and approval of a Master Sign Program for the subject property. The review and approval of a Master Sign Program shall be subject to the following process:

(A) Prior to the installation of any signage on a property, the owner of the property shall submit an application for a Master Sign Program which identifies the number, size(s), locations (or alternative locations), structural design and materials of each type of signage proposed for the property and how those signs comply with the City's applicable design guidelines for signs.

(B) Following review by the director of community development or his/her designee, the proposed Master Sign Program shall be reviewed by the Planning Commission at a public hearing. The proposed Master Sign Program shall be approved unless the Planning Commission finds that signage specified by the Master Sign Program would not be compatible and harmonious with the buildings on the property or would otherwise be substantially inconsistent with the City's design guidelines for signs. The Planning Commission will also have the authority to grant exceptions from the City's Sign Guidelines so long as such changes will be compatible and harmonious with the overall project.

(C) After a Master Sign Program has been approved by the Planning Commission, any signs erected and maintained on the subject property shall be in conformity with the approved Program, and shall be reviewed and approved by the director of community development or his/her designee.

(D) Any material amendments to an approved Master Sign Program shall be reviewed according to the same process and criteria as the initial Master Sign Program.

The applicant indicates in their project description letter, that previous iterations of the proposed text amendments were designed to accomplish the following:

- Maintain the current formula for calculating the maximum sign area based on the length of a project's frontage;
- For projects within the ECR/D-SP district, eliminate the 100 square foot "cap" on the total sign area for the primary frontage, as well as the 50 square foot "cap" on total signage per secondary frontage, provided that the maximum sign area on any frontage would be 1,000 square feet regardless of the length of the frontage;
- Establish a formula for calculating the maximum sign area for secondary frontages, or primary frontages not along El Camino Real, based on 50 percent of the (increased) maximum allowable signage area on the El Camino Real frontage;
- For any signage allowed on frontages, limit the area of any individual sign to a maximum of 50 square feet;
- For properties containing a mix of office and other commercial uses, provide that the number of signs identifying office tenants would be limited to one such sign for every 100 linear feet of frontage; and
- Provide additional area for commercial and office signage by exempting certain project identification and directional signage from the overall signage area limits.

The applicant indicates they made the following revisions as a result of feedback received at the second study session and from the City Attorney:

- Added additional language on the process for the proposed Master Sign Program review by the Planning Commission for projects seeking more than 100 square feet of signage per primary frontage (or more than 50 square feet per secondary frontage);
- Eliminated the restriction on project identification signage that would prevent the use of a generally known consumer product or corporate entity due to first amendment concerns;
- Eliminated the exclusion/exemption concept for project identification and directional signage and replaced it with an additional allowance of signage area for projects over 50,000 square feet in gross floor area, calculated at one square foot of additional signage area for each 1,000 square feet of a project's commercial gross floor area; and
- Revised the limit on office tenant signage to instead apply a limit on upper level commercial signage due to first amendment concerns. (Buildings with a mixture of office and other commercial uses would be limited to one-half a square foot of upper level signage for each linear foot of frontage.)

The updated proposal would allow projects in excess of 50,000 square feet of gross floor area additional signage area, which could be used for project information, directional signage or any other purpose. This additional signage area would equal one square foot of additional signage area for each 1,000 square feet of commercial gross floor area. This replaces a previously-proposed provision, included in the proposal reviewed at the second study session, which would have exempted project identification and directional signage from the sign area limit.

The Springline project includes approximately 224,0000 square feet of commercial gross floor area, meaning it would be allowed approximately 224 square feet of additional sign area. The applicant has indicated they anticipate using about 179 square feet for project identification and directional signage for the Springline project.

With the elimination of the proposed additional signage allowance for multistory buildings, which was proposed at the first study session, the Springline project would be limited to approximately 540 square feet of total signage along its El Camino Real frontage. With the inclusion of approximately 179 square feet for project identification and directional signage, Springline would have approximately 360 square feet for commercial (office and community serving uses) signage available. The applicant indicates 360 square feet of commercial signage would be insufficient for market needs. However, with the additional signage that would be allowed based on commercial gross floor area, Springline would be allowed the entire 540 square feet that would be allowed on Springline's El Camino Real frontage, after removal of the 100 square foot cap, to be used for commercial signage, and up to approximately 224 square feet for project identification and directional signage, although this signage area could also be used for other types of signage.

The applicant indicates their proposal would not subject El Camino Real to the proposed secondary frontage limitation because it is a unique corridor. However, for any project with a secondary frontage other than along El Camino Real, the amount of signage area would be limited to one half of what the proposed formula would permit on the primary frontage.

In addition, the applicant indicates they are also seeking additional flexibility, compared to the current regulations in the Sign Design Guidelines (Attachment C), with respect to signage letter sizes (maximum 24 inches in letter size for the retail level, and 30 inches for the upper level, office uses). In an effort to



streamline approval of the Zoning Ordinance text amendment, the applicant did not include these in their current proposal but indicates they would incorporate this into a Master Sign Program, when site-specific factors can be taken into account. The applicant also indicates they are interested in developing a formula for how sign area is allocated between multiple tenants in a single building that would be incorporated into their Master Sign Program.

The applicant has submitted a revised project description letter (Attachment D) and a revised massing study (Attachment E) with a series of elevation sheets that illustrate the various signs that could be permitted by the proposed text amendments, visible from Springline's three frontages (El Camino, Oak Grove, and Garwood). It should be noted, the elevations, which also show possible signage locations, are only for illustrative purposes. If the text amendments are approved by City Council, Springline, like other projects utilizing the new regulations, would be required to submit a Master Sign Program for review and action by the Planning Commission.

### ***Middle Plaza***

As previously noted, the Middle Plaza at 500 El Camino Real project was approved by the City Council in 2017 with office, retail, and residential uses on an 8.4-acre site, with a total of approximately 10,286 square feet of retail/restaurant, 142,840 square feet of non-medical office, and 215 residential units. The property has approximately 1,600 feet of frontage along El Camino Real but under the current regulations would only be allowed 100 square feet of signage since it does not have a secondary frontage. The sign consultant for the project submitted a letter (Attachment F) of support for the Zoning Ordinance amendments as well plans showing a preliminary signage proposal for the Middle Plaza project.

Similar to the Springline project, the Middle Plaza property was created when several smaller parcels were merged to allow for a large mixed-use development. The permitted signage for each of the previous parcels was calculated based on their individual frontages, so with the merger of the parcels the permitted signage along the frontage of the previous parcels was greatly reduced. This type of large mixed-use development did not exist in the City when the current signage regulations were put in place, and like the Springline project, Middle Plaza has indicated they will not be able to attract commercial tenants without the allowance for additional signage.

### ***Other Properties in Specific Plan***

Some properties within the Specific Plan area, which developed before the Specific Plan went into effect, were developed under Planned Development permits or Conditional Development permits, which allowed approval of master sign programs that exceeded the sign area permitted by the Zoning Ordinance. For example, Menlo Station (700-800 El Camino Real), which includes several large businesses fronting along El Camino Real, including Big 5 Sporting Goods, BevMo, CVS Pharmacy, Menlo Park Mongolian Barbeque, Atherton Fine Art, and Lens Crafters, was developed under a Planned Development permit and includes a master sign program.

Similarly, the shopping center that includes Safeway, located at 525 to 625 El Camino Real, was developed under a Conditional Development Permit, which establishes a master sign program for the site with a maximum allowed sign area of 502 square feet.

The Specific Plan does not allow Planned Development permits or Conditional Development permits. A project in the Specific Plan could potentially apply for a sign variance, but the required variance findings would likely be difficult to make since the same hardship circumstances would apply to several parcels. As a result, newer projects such as Springline and Middle Plaza, may not be able to exceed the Zoning Ordinance signage limitations without the proposed Zoning Ordinance text amendment. Additionally, such projects would have difficulty attracting tenants without certainty about the amount of signage the entire

project is allowed.

### ***Consistency with the General Plan and Specific Plan***

General Plan Policy LU-4.D, states the Municipal Code requirements and design guidelines for off-site and on-site signage should be updated while providing for a method to encourage high-quality design in advertising for Menlo Park businesses. The proposed text amendments support this policy by allowing large Specific Plan parcels the signage area they need to attract tenants, while requiring review by the Planning Commission of a Master Sign Program to ensure high quality design.

The Specific Plan includes a guiding principle to “Generate Vibrancy” within the Specific Plan, with a mix of retail, residential, and office uses. Larger, mixed-use developments will help create vibrancy but they require additional sign area in order to attract commercial tenants and for those tenants to be successful. The proposed text amendment would allow the needed sign area for projects such as Springline and Middle Plaza to attract and support successful retail and office tenants.

### ***Other jurisdictions***

Staff has reviewed the signage regulations in the Cities of Palo Alto and Redwood City as a comparison to the proposed Zoning Ordinance amendments since these cities have similar commercial corridors along El Camino Real. Although it’s difficult to compare different types of regulations, the City of Palo Alto, appears to allow about the same amount of signage as the proposed Zoning Ordinance text amendment for similar projects, while the City of Redwood City, appears to allow more signage for similar projects, especially within its Downtown Precise Plan. As a result, Menlo Park’s current signage ordinance places businesses on large parcels at a disadvantage compared to businesses on similar parcels in Palo Alto or Redwood City. The signage regulations of these two cities are further discussed below.

#### City of Palo Alto

For properties with 200 feet or more of frontage, the City of Palo Alto allows free standing signs up to five feet in height along commercial properties on El Camino Real up to a maximum of approximately 62 square feet in size, and free standing signs over five feet in height up to a maximum of approximately 72 square feet in size. One free standing sign is also permitted for each frontage and one additional sign is permitted for any portion of frontage in excess of 250 feet. In the case of frontage in excess of 250 feet, the portion of the frontage in excess of 250 feet is used to determine the size of the second free standing sign.

Palo Alto also allows wall signs based on wall area, which is defined as the height times the width of the wall on which the sign is located. In some commercial zones, up to 132 square feet of signage is permitted for a wall area of 5,000 square feet. In addition, for wall areas that exceed 5,000 square feet, the sign area may be increased by seven square feet for each 500 square feet of wall area, but no sign may exceed 203 square feet. Palo Alto requires design review for new and replacement signs, which may reduce the overall size permitted.

The proposed Zoning Ordinance text amendment would allow Springline 540 square feet of total signage along El Camino Real, where it has 456 feet of frontage. As a comparison, if Springline were located along El Camino Real in the City of Palo Alto, it would be allowed 203 square feet of signage for each of the office buildings, in addition to two free standing signs, for a total of approximately 550 square feet of signage along El Camino Real.

#### City of Redwood City

Redwood City’s Downtown Precise Plan Area consists of approximately one hundred eighty-three acres within the City’s historic center and provides specific signage regulations within the plan area, which includes portions of El Camino Real. Within the Precise Plan, each establishment is allowed one and one-

half square feet of total sign for each foot of street frontage. For multi-tenant buildings, each establishment is calculated individually. Outside of the Precise Plan, the sign area does not apply individually and all tenants must be within the maximum size calculated as one and one-half square feet of total sign area for each foot of street frontage.

The signage regulations in the Precise Plan also include signs that do not count towards the total sign area permitted based on the length of the street frontage. For example, designated street frontages within the plan are allowed “Grand Projecting Signs”, which are tall, large, vertically oriented signs that project from the building perpendicular to the façade and are structurally integrated into the building. One projecting sign may be permitted per establishment.

The Precise Plan also allows “Grand Wall Signs”, which are large signs located on, and parallel to, large unfenestrated building wall areas, along certain streets. “Grand Wall Signs” may only be located on unfenestrated wall areas of at least 2,000 square feet in size. Only one “Grand Wall Sign” is permitted per establishment per façade but the area of “Grand Wall Signs” does not count towards the total sign area permitted based on street frontage. The total area of a “Grand Wall Sign” is not permitted to exceed 1,000 square feet or 25 percent of the total wall area, whichever is less.

Additionally, other signs of various sizes are permitted by Redwood City’s Downtown Precise Plan, such as marquee signs (canopy-like structures mounted over the entrance to a theater), which do not count towards the total sign area permitted based on street frontage.

As noted above, the proposed Zoning Ordinance text amendment would allow Springline 540 square feet of total signage along El Camino Real, where it has 456 feet of frontage. If Springline was located along El Camino Real in the City of Redwood City, but outside the Precise Plan, it would be allowed 684 square feet of signage along El Camino Real. If Springline was located within Redwood City’s Precise Plan, it would be allowed 684 square feet of signage per establishment or business, as well as additional signage as described above.

### **Correspondence**

As previously mentioned, staff received one item of correspondence from the sign consultant for Middle Plaza prior to the second study session, which included drawings of their proposed signage locations and is again included as Attachment F for ease of reference. The applicant indicates they have conducted outreach including discussions within the local community and working with the Chamber of Commerce. Additionally, the applicant indicates the Chamber of Commerce has hosted them at several farmers markets including, most recently, on December 5 and December 8, 2021 at the Bon Marché Wednesday evening farmers market.

### **Conclusion**

The Zoning Ordinance currently only allows disproportionately small sign areas relative to the buildings on larger parcels, and could negatively affect the vibrancy of the community-serving/retail and office components of such projects within the Specific Plan. The proposed Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) would allow businesses on large parcels within the Specific Plan sufficient signage to be successful. The increased signage that would be permitted by the text amendment uses the same formula that would remain in place throughout the City, but would remove the caps for primary and secondary frontages to allow larger parcels with the Specific Plan to attract businesses and allow those businesses sufficient signage to be successful. Upper level signage would be further limited, and some additional signage would be permitted based on gross floor area. The proposed text amendment would allow comparable or smaller sign areas than those for similar projects/parcels in the Cities of Palo Alto and Redwood City. Staff recommends that the Planning Commission adopt a resolution recommending that the City Council approve a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92

(Signs-Outdoor Advertising) to allow increased signage for certain large projects within the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district.

### **Impact on City Resources**

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

### **Environmental Review**

The proposed Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code.

### **Public Notice**

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within the Specific Plan and within a 300-foot radius of the Specific Plan.

### **Attachments**

- A. Draft Planning Commission Resolution Recommending that the City Council Approve Proposed Specific Plan Amendments
  - Exhibits to Attachment A:
  - Amendment to the Zoning Ordinance
- B. Location Map
- C. Hyperlink: Sign Design Guidelines:  
<https://www.menlopark.org/DocumentCenter/View/254/Sign-and-Awning-Design-Guidelines>
- D. Project Description Letter
- E. Springline Preliminary Signage Proposal
- F. Middle Plaza Preliminary Signage Proposal and Letter

Report prepared by:  
Corinna Sandmeier, Acting Principal Planner

Report review by:  
Kyle Perata, Acting Planning Manager

January 10, 2022

**PLANNING COMMISSION RESOLUTION NO. 2022-xx**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK RECOMMENDING THAT THE CITY COUNCIL APPROVE A PROPOSED ZONING ORDINANCE TEXT AMENDMENT TO MODIFY MUNICIPAL CODE CHAPTER 16.92 (SIGNS-OUTDOOR ADVERTISING) TO ALLOW INCREASED SIGNAGE FOR CERTAIN LARGE PROJECTS WITHIN THE SP-ECR/D (EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN) ZONING DISTRICT**

**WHEREAS**, the City of Menlo Park (“City”) received an application requesting a Zoning Ordinance text amendment from Cyrus Sanandaji, Presidio Bay Ventures (“Applicant”), on behalf of the property owner Real Social Good Investments, LLC (“Owner”) of a project located at 1300 El Camino Real (APN 061-430-490), for a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) to allow increased signage for certain large projects within the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district; and

**WHEREAS**, the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district encompasses El Camino Real, the Caltrain station area and downtown Menlo Park, and supports a variety of uses, including, retail, personal services, restaurants, business and professional offices, residential uses, public and semi-public uses, and transit uses; and

**WHEREAS**, the Zoning Ordinance currently allows a maximum of 100 square feet of signage for a parcel’s primary frontage and 50 square feet of signage for a parcel’s secondary frontage, regardless of the length of the frontages or the total size of the parcel; and

**WHEREAS**, the Zoning Ordinance currently allows the approved Springline project at 1300 El Camino Real, a mixed-use development consisting of non-medical office, residential, and community-serving uses on an approximately 6.4-acre site, with a total of approximately 224,000 square feet of non-residential uses and 183 dwelling units, a total signage area of 100 square feet on El Camino Real, and 50 square feet each on Oak Grove Avenue and Garwood Avenue; and

**WHEREAS**, the Zoning Ordinance currently allows the approved Middle Plaza at 500 El Camino Real project, a mixed-use development consisting of office, retail, and residential uses on an approximately 8.4-acre site, with a total of approximately 10,286 square feet of retail/restaurant, 142,840 square feet of non-medical office, and 215 residential units, only 100 square feet of total signage as El Camino Real is it’s only street frontage; and

**WHEREAS**, given the length of the frontages of the Springline, Middle Plaza and similar projects, the permitted square footages for all signs visible from the right-of-way would be disproportionately small relative to the size of the buildings and would negatively

affect the vibrancy of the office and non-office commercial, including community-serving retail and restaurant, components of these projects; and

**WHEREAS**, the City's General Plan Policy LU-4.D, states the Municipal Code requirements and design guidelines for off-site and on-site signage should be updated while providing for a method to encourage high-quality design in advertising for Menlo Park businesses; and

**WHEREAS**, other nearby jurisdictions, including the Cities of Palo Alto and Redwood City, allow far more signage along El Camino Real and their downtown areas for parcels with over 80 feet of linear frontage, providing a disadvantage for businesses located on such large parcels within the City of Menlo Park; and

**WHEREAS**, the proposed Zoning Ordinance text amendment would (1) maintain the current formula for calculating the maximum sign area based on the length of a project's frontage and allow increased signage by eliminating the 100-square foot "cap" on the total sign area for the primary frontage (along El Camino Real), as well as the 50 square foot "cap" on total signage per secondary frontage, provided that the maximum sign area on any frontage would be 1,000 square feet regardless of the length of the frontage, (2) allow additional signage for projects over 50,000 square feet in gross floor area, calculated at one square foot of additional signage area for each 1,000 square feet of a project's commercial gross floor area, to be first used for purposes of identifying the overall name of the project and directional signage, with any remaining area permitted to be used for other signage purposes; (3) limit the area of any individual sign to a maximum of 50 square feet; (4) limit upper level signage to one-half a square foot of signage for each linear foot of frontage, for buildings with a mixture of office and other commercial uses, and (5) require Planning Commission approval of a Master Sign Program for any project utilizing these proposed provisions of the Zoning Ordinance; and

**WHEREAS**, the City, as lead agency, pursuant to the California Environmental Quality Act and the CEQA Guidelines ("CEQA") finds that the proposed text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code since any projects that would utilize the additional signage permitted would undergo their own environmental review pursuant to CEQA; and

**WHEREAS**, all required public notices and public hearings were duly given and held according to law; and

**WHEREAS**, at a duly and properly noticed public hearing held on January 10, 2022, the Planning Commission considered the proposed the Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) as more fully described herein and below, and in making its recommendations to the City Council, recommended the City Council find the proposed text amendment exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section

15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code; and

**WHEREAS**, the Planning Commission of the City of Menlo Park having fully reviewed, considered, and evaluated all the testimony and evidence submitted in this matter voted affirmatively to recommend that the City Council of the City of Menlo Park make findings that the proposed Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is in compliance with all applicable State regulations and the City General Plan, and adopt an ordinance approving the proposed Specific Plan Amendments.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Menlo Park hereby recommends the following to the City Council:

**Section 1: Recitals.** That the City Council find that all of the facts in the Recitals are true and correct and incorporated and adopted as findings of the City Council as if fully set forth in this Resolution.

**Section 2: Zoning Ordinance Text Amendment.** That the City Council make the following findings that the Zoning Ordinance Text Amendment is in the public interest and will advance the health, safety, and general welfare of the City of Menlo Park and that the Zoning Ordinance Text Amendment is consistent with the Menlo Park General Plan.

**Section 3: Approval of the Zoning Ordinance Text Amendment.** That the City Council adopt an ordinance approving the proposed Zoning Ordinance text amendments attached hereto as Exhibit A and incorporated herein by this reference.

### **ENVIRONMENTAL REVIEW**

The Planning Commission makes the following findings, based on its independent judgment after having reviewed and taken into consideration all written and oral information submitted in this matter:

A. The proposed text amendment to modify Municipal Code Chapter 16.92 (Signs Outdoor Advertising) is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of significant environmental effects occurring as a result of the adoption of the text amendment to the Municipal Code.

### **SEVERABILITY**

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining

provisions of these findings, or their application to other actions related to the Project Revisions, shall continue in full force and effect unless amended or modified by the City.

I, Kyle Perata, Acting Planning Manager of the City of Menlo Park, do hereby certify that the above and foregoing Commission Resolution was duly and regularly passed and adopted at a meeting by said Commission on January \_\_, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_\_ day of January, 2022.

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Corinna Sandmeier  
Acting Principal Planner  
City of Menlo Park

Exhibits

A. Proposed Text Amendments to the Zoning Ordinance



## Exhibit A

1. **Section 1** Section 16.92.110(2) of the Menlo Park Municipal Code is hereby amended to read as follows (Additions in underline, deletions in ~~strikethrough~~):

**Section 16.92.110(2):** Such signs will not exceed in total display area, measured in square feet, the ratio of total display area to lot primary frontage as shown on the attached graph, entitled "Figure No. 1," incorporated herein, and made a part of this chapter. The maximum display area permitted for any lot, regardless of the number of uses or tenants housed on a single lot, is one hundred square feet.

Notwithstanding the above, the one hundred square foot maximum shall not apply to lots located within the ECR/D-SP zoning district with primary frontage along El Camino Real, which may be permitted larger total display areas, subject to Planning Commission approval of a Master Sign Program, consistent with the following formulas: (a) for non-residential uses, the maximum display area permitted for a lot with frontage along El Camino Real shall be determined by the formula used in Figure 1 ( $30' + ((\text{Frontage Length} - 10') \times (8/7))$ ) without regard to the one hundred square foot maximum. For any additional signage area authorized pursuant to this exception, the following standards shall also apply: (1) any individual sign shall be limited to a maximum of 50 square feet, and the total area of signage for a single project shall be limited to a maximum of 1,000 square feet per frontage (excluding any additional signage allocation for project identification, directional signage, or other signage allowed pursuant to Section 16.92.110(9)), and (2) for buildings with a mixture of office and other commercial uses, the total display area of signs above the ground floor level of a building on any frontage shall be limited to one-half a square foot of signage for each linear foot of frontage.

2. **Section 2.** Section 16.92.110(3) of the Menlo Park Municipal Code is hereby amended to read as follows (Additions in underline, deletions in ~~strikethrough~~):

**Section 16.92.110(3):** In the case of parcels of land having secondary frontage, signs may be located on such frontage, provided that the total sign area thereon shall not exceed one-half the maximum sign area allowed by Figure No. 1 for such secondary frontage, and further provided that, subject to Planning Commission approval of a Master Sign Program, for any parcel within the ECR/D-SP zoning district with frontage on a street other than El Camino Real, the maximum total sign area on that frontage shall not exceed the formula of  $(0.5 \times (30 + ((\text{non-ECR Frontage} - 10) \times 8/7))$  without regard to the 100 square foot maximum (50 square feet on secondary frontages) that applies in zoning districts other than the ECR-D-SP zoning district. The additional limitations on signage

above the ground level pursuant to the exception set forth in 16.92.110(2) shall also apply to such secondary frontage signage.

3. **Section 3** Sections 16.92.110(9) and 16.92.110(10) are hereby added to the Menlo Park Municipal Code to read as follows:

Section 16.92.110(9): Additional Signage for Large Projects in ECR/D-SP Zoning District. Within the ECR/D-SP zoning district, any project with a gross floor area in excess of 50,000 square feet shall be permitted additional signage area beyond that authorized under Section 16.92.110(2) and (3), with such additional signage area to be calculated at one square foot of additional signage area for each 1,000 square feet of a project's commercial gross floor area. Such additional signage area shall first be used for purposes of identifying the overall name of the project and directional signage, and any remaining area may be used for other signage purposes. Because project identification signage area may be located at a visually-prominent position, the restriction on signage above the ground level set forth in Section 16.92.110(2) shall not apply to any signage identifying the name of the overall project.

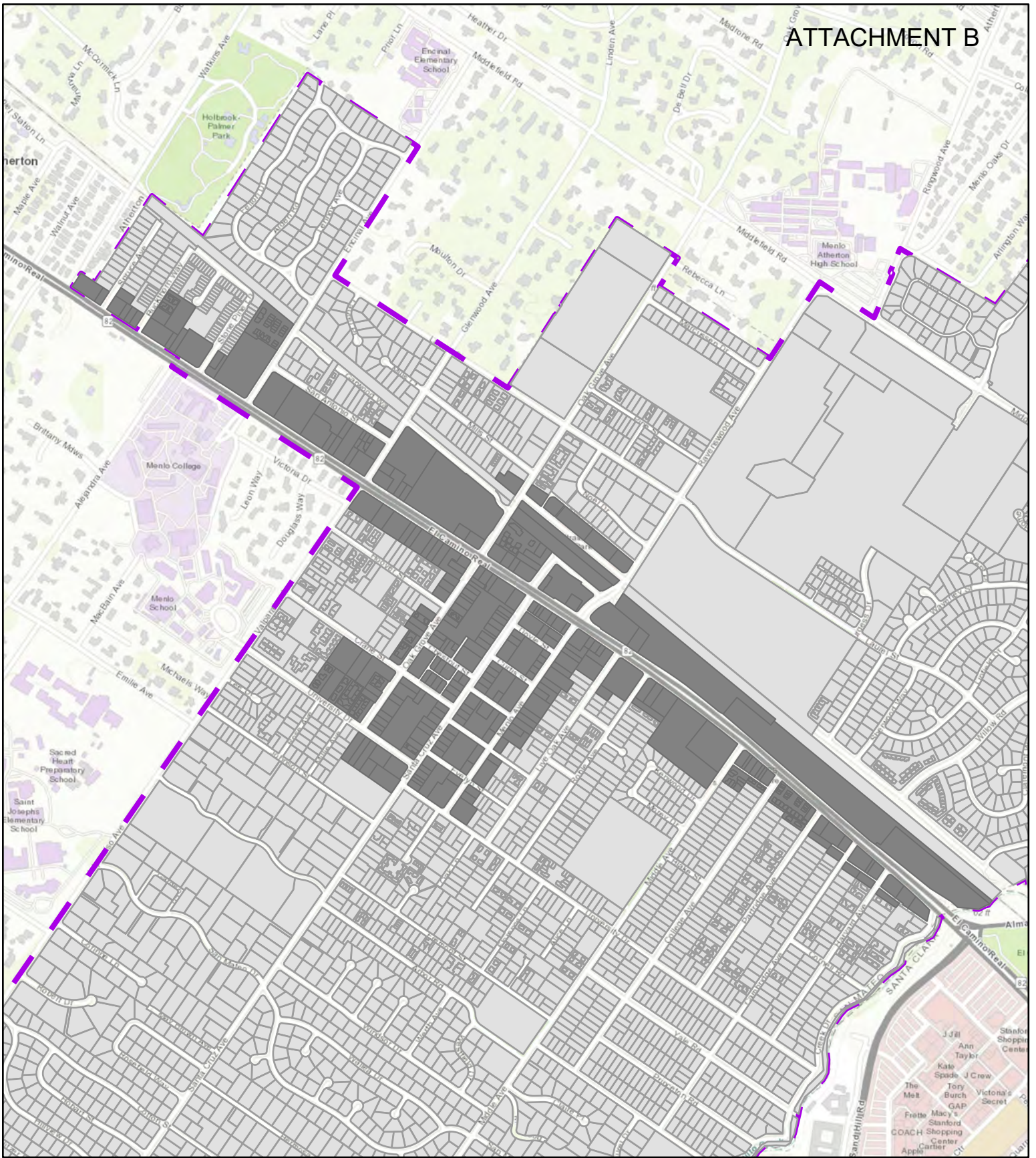
**Section 16.92.110(10):** Within the ECR/D-SP zoning district, any signage permitted pursuant to Section 16.92.110(9), and any signage in excess of 100 square feet on the primary frontage or in excess of 50 square feet on a secondary frontage, shall require the review and approval of a Master Sign Program for the subject property. The review and approval of a Master Sign Program shall be subject to the following process:

(A) Prior to the installation of any signage on a property, the owner of the property shall submit an application for a Master Sign Program which identifies the number, size(s), locations (or alternative locations), structural design and materials of each type of signage proposed for the property and how those signs comply with the City's applicable design guidelines for signs.

(B) Following review by the director of community development or his/her designee, the proposed Master Sign Program shall be reviewed by the Planning Commission at a public hearing. The proposed Master Sign Program shall be approved unless the Planning Commission finds that signage specified by the Master Sign Program would not be compatible and harmonious with the buildings on the property or would otherwise be substantially inconsistent with the City's design guidelines for signs. The Planning Commission will also have the authority to grant exceptions from the City's Sign Guidelines so long as such changes will be compatible and harmonious with the overall project.

(C) After a Master Sign Program has been approved by the Planning Commission, any signs erected and maintained on the subject property shall be in conformity with the approved Program, and shall be reviewed and approved by the director of community development or his/her designee.

(D) Any material amendments to an approved Master Sign Program shall be reviewed according to the same process and criteria as the initial Master Sign Program.



# CITY OF MENLO PARK

## LOCATION MAP

EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN AREA



**Springline Project/Sign Ordinance Amendment**  
**(Updated January 5, 2022)**

**Proposed Amendment to the Signs–Outdoor Advertising (Signage) Requirements**  
**Applicable to the El Camino Real and Downtown Specific Plan Area**

**1. Introduction**

When the City approved the Station 1300 Project (now renamed “Springline”) in January 2017, City staff’s recommendation acknowledged that the limitations on sign area in Chapter 16.92 of the City’s Code should be revised in order to make the Project commercially viable, and indicated a general intent that an amendment to authorize a more appropriate amount of display area should be considered prior to occupancy. Over the past several months, the new manager of the Project, Presidio Bay Ventures, has engaged in informal discussions with City staff about the scope of an amendment to the City’s signage ordinance, now that prospective tenants have been identified and more information is available regarding market conditions and tenant preferences. In order to ensure that this issue is presented to the City Council in a timely manner, Presidio Bay is now submitting an application for a Zoning Text Amendment (applicable solely to the area subject to the El Camino Real and Downtown Specific Plan) that would allow for signage appropriate to the Project’s scale and current market conditions. These amendments are intended to ensure that the Project’s community-serving retail and office components are successful, consistent with the outcome that we understand the City wants and deserves; in addition, the additional signage this amendment would allow should also be appropriate for the rest of the Specific Plan area.

The proposed amendments have undergone several iterations in response to feedback from the Planning Commission. The current proposal, which is discussed in greater detail below, is intended to be presented to the Planning Commission in January 2022 for a formal recommendation to the City Council.

By way of background, the previous iteration of the proposed text amendment presented to the Planning Commission in December 2021 was intended to accomplish the following objectives:

- Maintain the current formula for calculating the maximum sign area based on the length of a project’s frontage (although a more simplified formula that results in a very similar signage area may also be considered as previously discussed with City staff).
- For projects within the ECR/D-SP district, eliminate the 100 square foot “cap” on the total sign area for the primary frontage, as well as the 50 square foot “cap” on total signage per secondary frontage, provided that the maximum sign area on any frontage shall be 1,000 square feet regardless of the length of frontage.
- Establish a formula, also applicable only within the ECR/D-SP district, for calculating the maximum sign area for secondary frontages based on 50% of the (increased) maximum allowable signage area on the primary frontage.

- Provide additional area for commercial and office signage by exempting certain project identification and directional signage from the overall signage area limits (for reference, the Springline project will be requesting approximately 179 square feet of desired project identification and directional signage).
- For any signage allowed on frontages, limit the area of any individual sign to a maximum of 50 square feet.
- For properties containing a mix of office and other commercial uses, provide that the number of signs identifying office tenants would be limited to one such sign for every 100 linear feet of frontage.

As a result of feedback heard during the second Planning Commission study session, the Applicant has further revised the proposal as follows:

- Add a provision setting forth the process for a property owner to apply for, and for the Planning Commission to review/approve, a Master Sign Program for projects seeking more than 100 square feet of signage per frontage (or more than 50 square feet on secondary frontages).
- Revise the limit for commercial tenant signage to limit the overall office tenant sign area, rather than limit the number of signs, based on ratio of 1/2 square feet of commercial sign area for each linear foot of frontage.

In addition, two other changes are proposed based on input from the City Attorney:

- Eliminate the exclusion/exemption concept for project identification and directional signage and replace it with an additional allowance of signage area based on the gross floor area of the overall project. Specifically, the updated proposal adds a proposed amendment that allow larger projects in excess of 50,000 square feet of gross floor area additional signage area, which could be used for project information, directional signage and any additional signage purpose, based on a formula of one square foot of additional signage area for each 1,000 square feet of commercial gross floor area. This replaces the previously-proposed provision which would have exempted project identification and directional signage from the sign area limit. For the Springline project, with an overall commercial gross floor area of about 224,000 square feet, this additional allocation would result in approximately 224 square feet of additional sign area, of which the Springline project would anticipate using about 179 square feet for project identification and directional signage. This alternative approach would result in a very similar amount of overall allowable signage for the Springline project as the previously-suggested exclusion for project identification and directional signage.
- Revise the limit on office tenant signage to instead apply a limit on upper level commercial signage (i.e., regulate signage located above the ground level) due to first amendment concerns.



The purpose of these revisions is to achieve the same amount of project signage as that presented at the second study session while avoiding possible legal issues if the amendments utilize “content-based” criteria.

It is important to note that any signage that would be permitted pursuant to these proposed amendments would all be subject to the City’s existing Code and Sign Guidelines with regard to such factors as lighting, limitations on bright colors, etc. Once a Master Signage Program is approved by the Planning Commission, specific signs could be approved administratively so long as they are consistent with the Master Signage Program.

In support of the revised application, Presidio Bay Ventures is resubmitting the following information:

- A table that shows (1) the maximum permitted sign area on each frontage under the current regulations, (2) the increased sign area under the proposed formulas, and (3) the corresponding maximum sign area that could be permitted for the Project, based on frontage lengths, for illustrative purposes only.
- A massing study with a series of elevation sheets that illustrates the various signs that could be permitted by the proposed text amendments visible from the Project’s three frontages (El Camino, Oak Grove, and Garwood). (The elevations, which also show possible signage locations, are again for illustrative purposes only; assuming the text amendment is approved, any project would be required to submit a Master Sign Program for approval.)
- An updated explanation of the proposed text amendments and suggested amendment language.

The proposed language would allow the additional sign area which Presidio Bay Ventures believes is necessary to accommodate the minimum requirements or expectations for retail and office and other commercial tenants in today’s market and avoid “empty storefront” scenarios. This includes amendments to Section 16.92.110 subsection (2) for the primary frontage and subsection (3) for the secondary frontages, as well as a new Section 16.92.110 subsection (9) that provides an additional area allocation of signage applicable to larger projects greater than 50,000 square feet of commercial gross floor area that would help accommodate the Project’s identification and directional signage needs.

## **2. Context and Rationale**

Our suggested approach to increasing sign area based on project dimensions (e.g., length of frontages) is informed by a number of considerations, as follows:

- In response to input from staff, we incorporated the current formula used for the “Figure 1” display area calculation and generally seek to retain the current structure of the City’s signage ordinance to the extent practicable.

- Regardless of the length of a project's primary frontage, the total area of signage on any property would be limited to a maximum of 1,000 square feet.
- Our proposal maintains the current limitation on sign area for the secondary frontage to 50% of the maximum sign area that would be permitted if it was a primary frontage, unless the secondary frontage is along El Camino Real in which case the 50% limit would not apply. The rationale for this concept within the ECR/Downtown district is that El Camino Real is a unique corridor. In our proposal, the greater allowance therefore applies to El Camino Real (whether it's the primary frontage or not); other streets in the Specific Plan area, *except* for El Camino Real, would be subject to the secondary frontage limitation. In other words, for any project with a secondary frontage other than along El Camino Real, the amount of signage area would be limited to one half of what our proposed formula would permit on the primary frontage.
- The updated signage massing study illustrates the general conceptual appearance of the Project's signage that would be allowed consistent with our proposal, with individual signs specifically limited to 50 square feet. It is anticipated that most individual signs at the ground floor level would not exceed about 25 square feet. We are also seeking additional flexibility, compared to the current signage regulations, with respect to signage letter sizes (maximum 24 inches in letter size for the retail level, and 30 inches for the upper level, office uses). Those provisions could be added to our draft language, but we are mindful of the desire to not complicate matters. We believe that the letter sizes should be addressed during the review of the Master Sign Program, when site-specific factors can be taken into account.
- During the study sessions, Planning Commissioners indicated that they were most favorable to the concept of removing the 100 square feet (and 50 square feet) caps for retail/ground floor signage, but were concerned about an excessive number of signs (which presumably would be located on the upper levels of the buildings) for office tenants. Therefore, we are also proposing that for properties including both retail and office uses, that the area of signs on the upper levels of a building be limited to one half square foot of sign area for each linear foot of the frontage, which would have the effect of limiting the total amount of signage on the upper levels of the buildings. (For reference, the current intent for the Springline project is to provide each office building with one office sign directly facing El Camino, and one office sign for each office building facing the central courtyard but visible from El Camino; the specifics regarding these signs would be set forth in the required Master Signage Program.)
- In addition to proposing to remove the 100 (and 50) square foot caps on signage area that would result from applying the Figure 1 formula, we are also proposing that the signage ordinance be amended to provide an additional signage allocation for large projects in the Specific Plan area, based upon the gross floor area of a specific project, for project identification, directional, and other signage needs; note that this is in lieu of the previously proposed exemption or exclusion concept for identification and directional signage. This additional allocation (which would amount to approximately 224 square feet based on the Springline project's 224,000 square feet of commercial



GFA) would provide necessary additional sign area for such purposes as 1) project identification signage, such as the “Springline” sign that will be installed on an archway between the two office buildings, 2) for directional or “wayfinding” signage, such as signage showing the entry to the parking garage, the location of the dog park, directories of tenant locations and similar wayfinding, and 3) any other purposes, including signage for office and retail tenants. This additional signage allocation for larger projects, calculated on the basis of their commercial gross floor area, replaces the proposal discussed at the second study session which would have exempted project identification and directional signage from the overall limit on sign area. This change is being proposed in response to concerns raised by the City Attorney’s office.

- The City’s Design Guidelines for Signs provides a formula for how sign area is allocated between multiple tenants in a single building. That formula seems problematic with respect to a project with multiple frontages and different users on multiple floors of a project. We are proposing to address this topic as part of the Master Sign Program process rather than by the Design Guidelines formula, which does not apply easily to a multi-story situation involving upper story office tenants.
- Our proposal limits the increases in maximum sign area and supplemental sign area allocation to projects subject to the Specific Plan. Of course, we are mindful of the fact that the current signage area limitations also apply to signage in other areas of the city; but for a variety of reasons, our preference would be for the current proposal to allow additional signage area to be narrowly tailored to the Specific Plan area and not apply city-wide. For one, properties in other areas are likely to be subject to different constraints and market conditions as compared to the Specific Plan area. In addition, applying the contemplated amendments city-wide would inevitably delay the adoption of these amendments and would therefore be prejudicial to the Project’s ability to attract high-quality tenants by requiring analysis of a far greater variety of situations than exists within the Specific Plan area. Further, sizable developments in the Specific Plan area with long frontages, including Springline and Middle Plaza, are coming online now or in the very near future. The failure to address these large new projects’ signage needs in the near-term by adopting the proposed amendments is likely to negatively affect the viability of attracting high-quality retail and office tenants to newly constructed Specific Plan projects which is contrary to the Specific Plan’s vision for a more vital and vibrant area. Therefore, from a policy perspective, we are requesting that the City adopt the proposed signage changes in the near future for the Specific Plan area only, while deferring consideration of these or similar changes to signage rules for other parts of the City until a future time.

### **3. Proposed Text Amendment (proposed new text underlined)**

**Section 16.92.110(2):** Such signs will not exceed in total display area, measured in square feet, the ratio of total display area to lot primary frontage as shown on the attached graph, entitled "Figure No. 1," incorporated herein, and made a part of this chapter. The maximum display area permitted for any lot, regardless of the number of uses or tenants housed on a single lot, is one hundred square feet. Notwithstanding the above, the one hundred square foot maximum shall not

apply to lots located within the ECR/D-SP zoning district with primary frontage along El Camino Real, which may be permitted larger total display areas, subject to Planning Commission approval of a Master Sign Program, consistent with the following formulas: (a) for non-residential uses, the maximum display area permitted for a lot with frontage along El Camino Real shall be determined by the formula used in Figure 1 ( $30' + ((\text{Frontage Length} - 10') \times (8/7))$ ) without regard to the one hundred square foot maximum. For any additional signage area authorized pursuant to this exception, the following standards shall also apply: (1) any individual sign shall be limited to a maximum of 50 square feet, and the total area of signage for a single project shall be limited to a maximum of 1,000 square feet per frontage (excluding any additional signage allocation for project identification, directional signage, or other signage allowed pursuant to Section 16.92.110(9)), and (2) for buildings with a mixture of office and other commercial uses, the total display area of signs above the ground floor level of a building on any frontage shall be limited to one-half a square foot of signage for each linear foot of frontage.

**Section 16.92.110(3):** In the case of parcels of land having secondary frontage, signs may be located on such frontage, provided that the total sign area thereon shall not exceed one-half the maximum sign area allowed by Figure No 1 for such secondary frontage, and further provided that, subject to Planning Commission approval of a Master Sign Program, for any parcel within the ECR/D-SP zoning district with frontage on a street other than El Camino Real, the maximum total sign area on that frontage shall not exceed the formula of ( $0.5 \times (30 + ((\text{non-ECR Frontage} - 10) \times 8/7))$ ) without regard to the 100 square foot maximum (50 square feet on secondary frontages) that applies in zoning districts other than the ECR-D-SP zoning district. The additional limitations on signage above the ground level pursuant to the exception set forth in 16.92.110(2) shall also apply to such secondary frontage signage.

**Section 16.92.110(9): Additional Signage for Large Projects in ECR/D-SP Zoning District.** Within the ECR/D-SP zoning district, any project with a gross floor area in excess of 50,000 square feet shall be permitted additional signage area beyond that authorized under Section 16.92.110(2) and (3), with such additional signage area to be calculated at one square foot of additional signage area for each 1,000 square feet of a project's commercial gross floor area. Such additional signage area shall first be used for purposes of identifying the overall name of the project and directional signage, and any remaining area may be used for other signage purposes. Because project identification signage area may be located at a visually-prominent position, the restriction on signage above the ground level set forth in Section 16.92.110(2) shall not apply to any signage identifying the name of the overall project.

**Section 16.92.110(10):** Within the ECR/D-SP zoning district, any signage permitted pursuant to Section 16.92.110(9), and any signage in excess of 100 square feet on the primary frontage or in excess of 50 square feet on a secondary frontage, shall require the review and approval of a Master Sign Program for the subject property. The review and approval of a Master Sign Program shall be subject to the following process:

(A) Prior to the installation of any signage on a property, the owner of the property shall submit an application for a Master Sign Program which identifies the number, size(s), locations (or alternative locations), structural design and materials of each type of signage proposed for the property and how those signs comply with the City's applicable design guidelines for signs.

(B) Following review by the director of community development or his/her designee, the proposed Master Sign Program shall be reviewed by the Planning Commission at a public hearing. The proposed Master Sign Program shall be approved unless the Planning Commission finds that signage specified by the Master Sign Program would not be compatible and harmonious with the buildings on the property or would otherwise be substantially inconsistent with the City's design guidelines for signs. The Planning Commission will also have the authority to grant exceptions from the City's Sign Guidelines so long as such changes will be compatible and harmonious with the overall project.

(C) After a Master Sign Program has been approved by the Planning Commission, any signs erected and maintained on the subject property shall be in conformity with the approved Program, and shall be reviewed and approved by the director of community development or his/her designee.

(D) Any material amendments to an approved Master Sign Program shall be reviewed according to the same process and criteria as the initial Master Sign Program.

\* \* \*



# SPRINGLINE

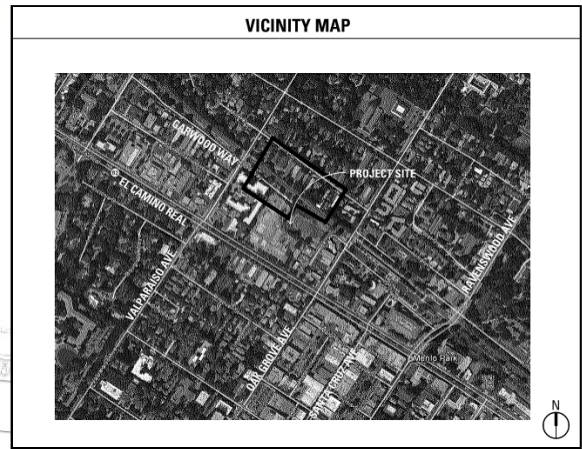
MENLO PARK

SIGNAGE MASSING PACKAGE

12.03.2021

# Use Zones

ZONE KEY	
	TENANT SIGNAGE
	PROJECT ID SIGNAGE

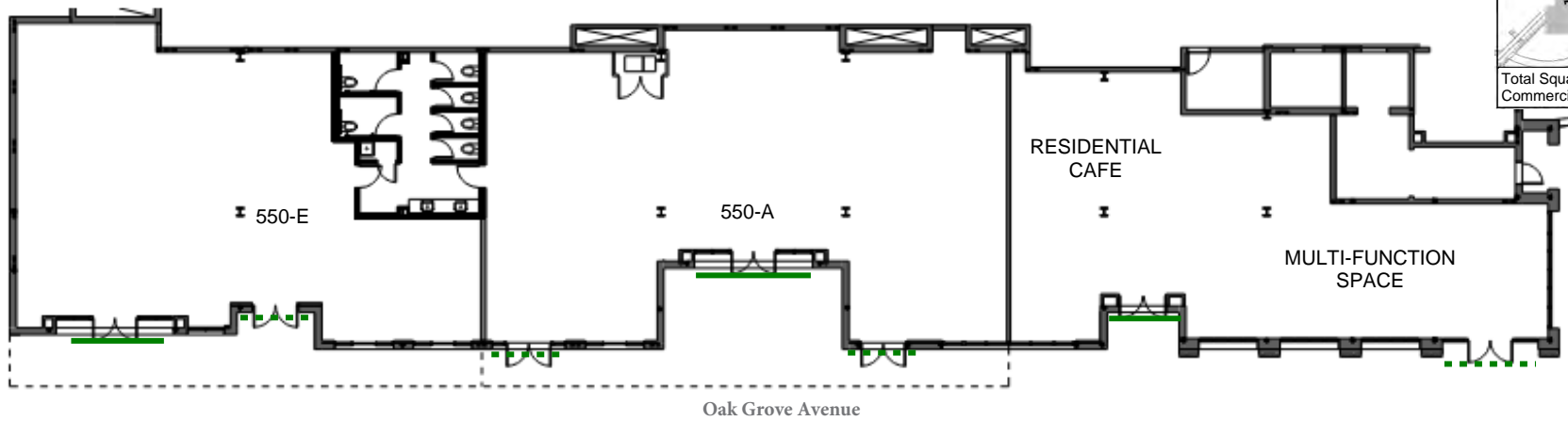


# Elevations

**ZONE KEY**

- TENANT SIGNAGE
- ALTERNATE SIGNAGE

Total Square Footage of Commercial Signage Shown 66 sqft



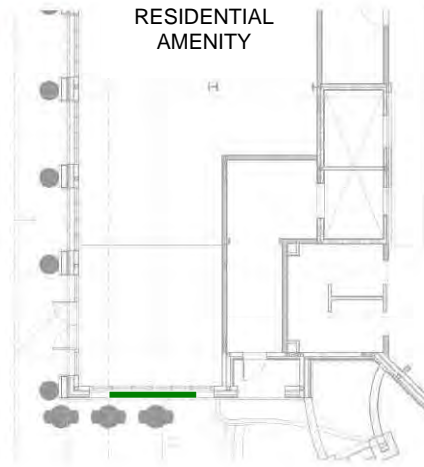
RESIDENTIAL BUILDING - SOUTH ELEVATION

\*Note some locations have the option to mount their tenant signage under the roof or canopy



# Elevations

Oak Grove Avenue



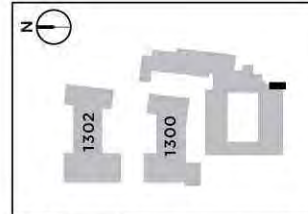
Garwood Way



Suspended from rafters

Residential Building Elevation East

ZONE KEY	
	TENANT SIGNAGE
	ALTERNATE SIGNAGE



Total Square Footage of Commercial Signage Shown 24 sqft

NOTE: SIGNAGE IS VISIBLE FROM BOTH OAK GROVE AND GARWOOD BUT IS ALLOCATED TO OAK GROVE ON TOTALS; SUBJECT TO FURTHER DISCUSSION AS TO ALLOCATION OF SIGNAGE VISIBLE / POTENTIALLY VISIBLE FROM MULTIPLE STREETS.

\*Note some locations have the option to mount their tenant signage under the roof or canopy

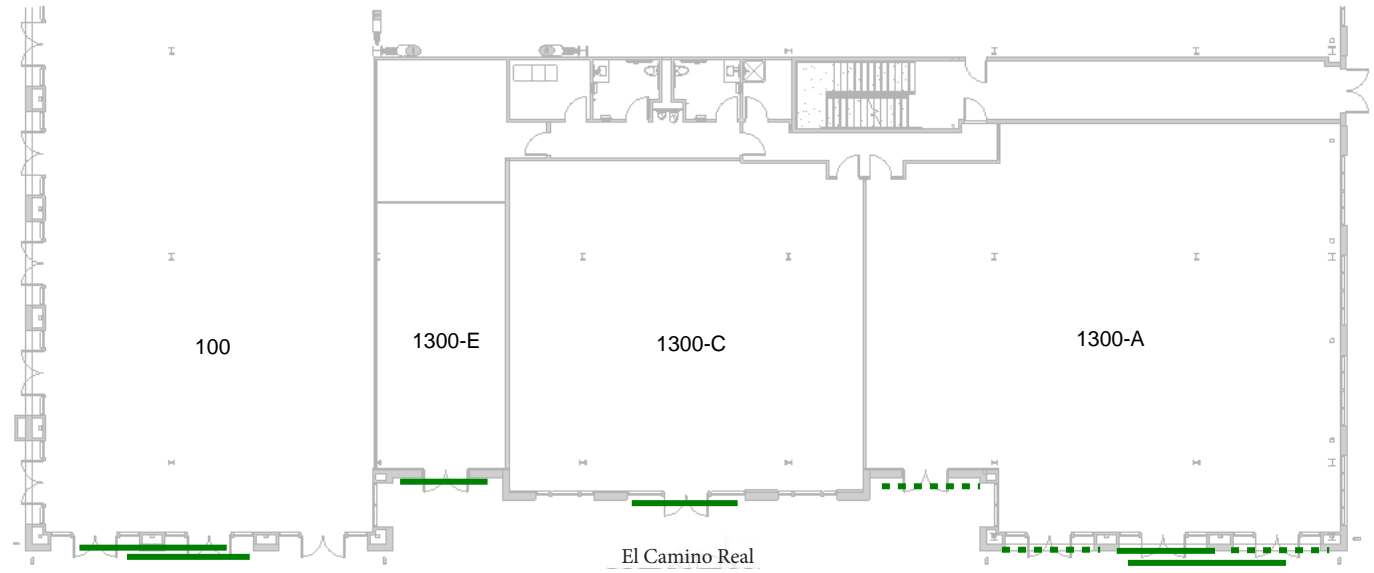
# Elevations

**ZONE KEY**

- TENANT SIGNAGE
- ALTERNATE SIGNAGE

z

Total Square Footage of Commercial Signage Shown 213 sqft

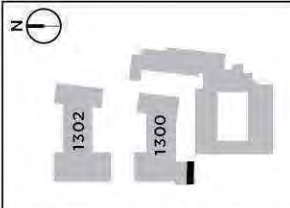


SOUTH OFFICE BUILDING - WEST ELEVATION



# Elevations

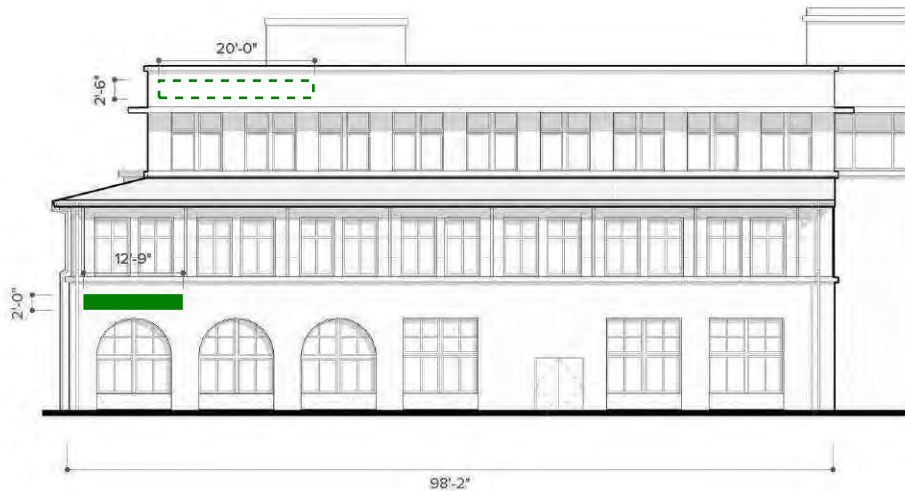
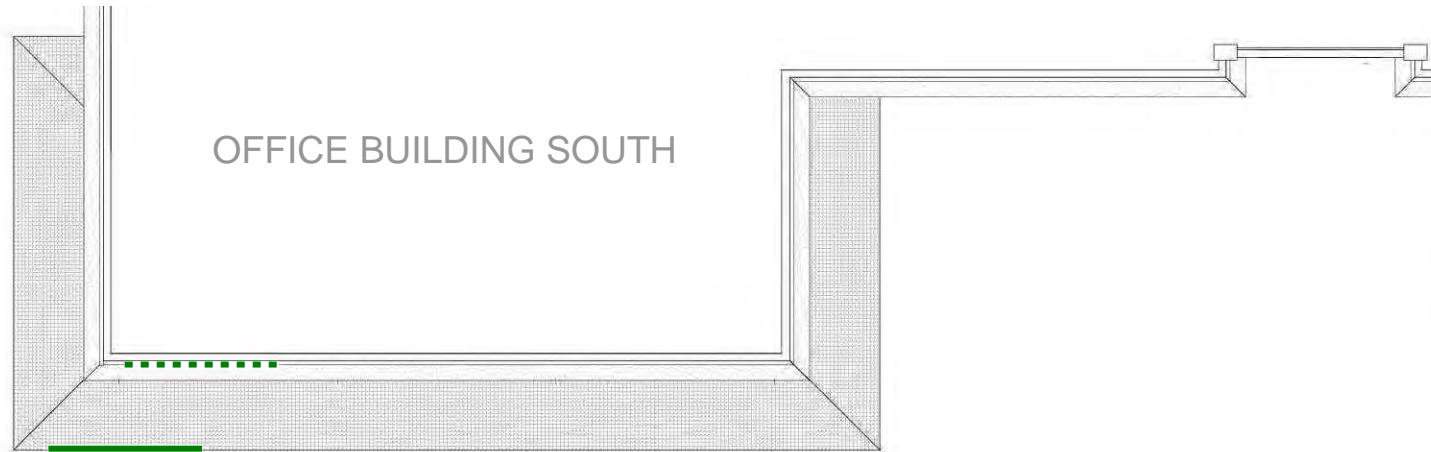
ZONE KEY	
	TENANT SIGNAGE
	ALTERNATE SIGNAGE



Total Square Footage of Commercial Signage Shown **26 sqft**

NOTE: THOUGH THIS SOUTH FACING SIGNAGE MAY BE SOMEWHAT VISIBLE FROM OAK GROVE, IT IS ALLOCATED TO ECR IN SUMMARY SIGNAGE NUMBERS.

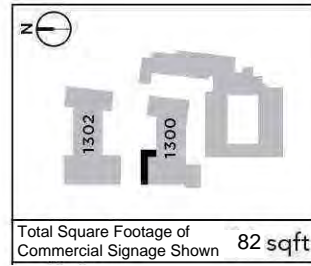
El Camino Real



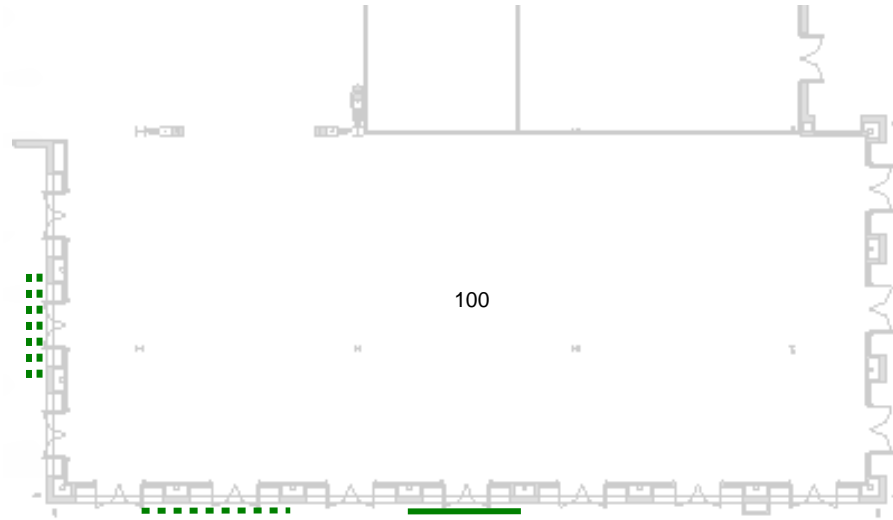
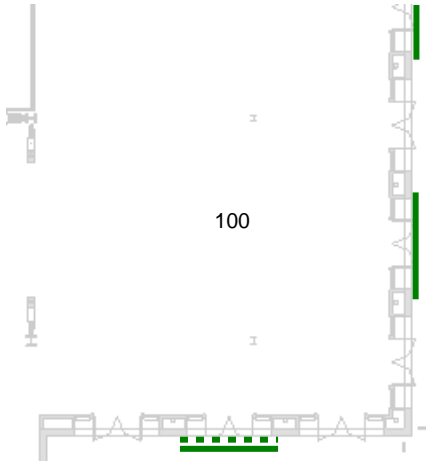
SOUTH OFFICE BUILDING - SOUTH ELEVATION

# Elevations

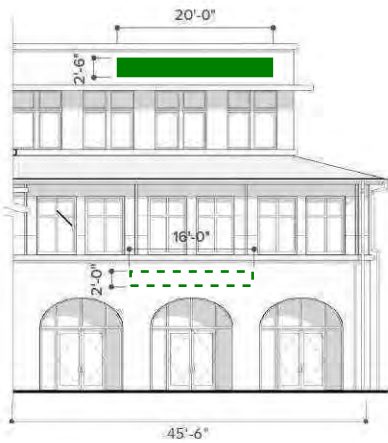
ZONE KEY	
	TENANT SIGNAGE
	ALTERNATE SIGNAGE



El Camino Real

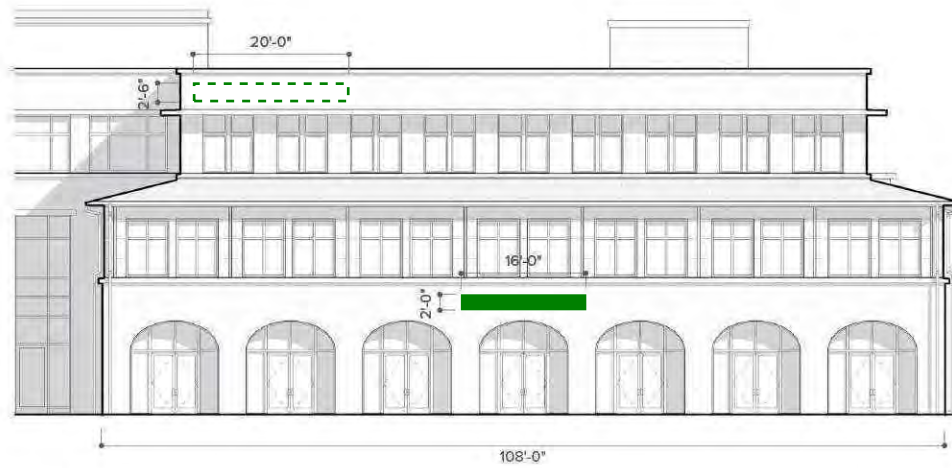


El Camino Real



Note: Possibly visible from Garwood

SOUTH OFFICE BUILDING - EAST ELEVATION



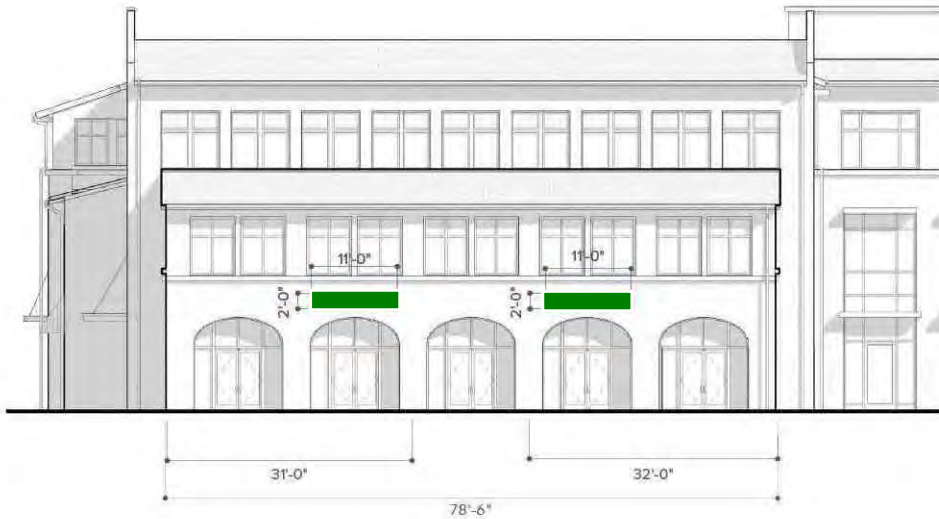
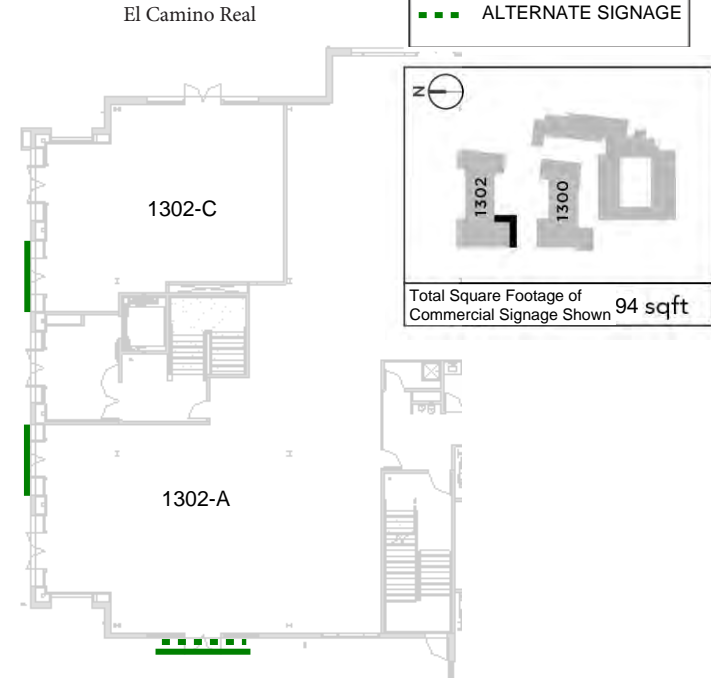
Note: Signage area allocated to ECR, though visibility limited due to angle

SOUTH OFFICE BUILDING - NORTH ELEVATION

# Elevations

**ZONE KEY**

- TENANT SIGNAGE
- ALTERNATE SIGNAGE



Note: Signage area allocated to ECR, though visibility limited due to angle




NORTH OFFICE BUILDING - SOUTH ELEVATION

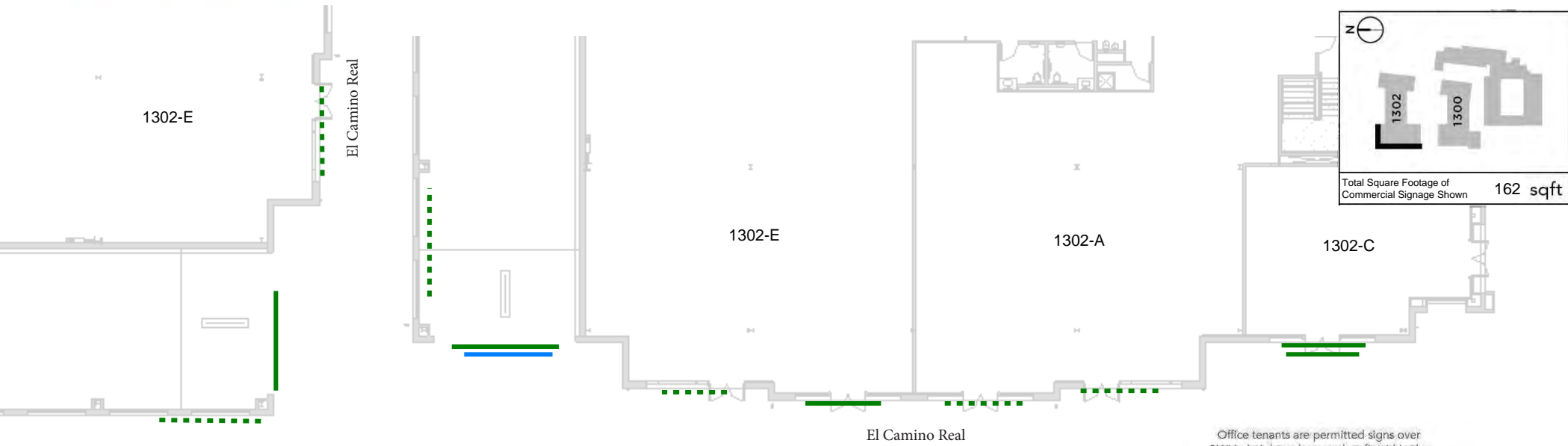


Note: Possibly visible from Garwood

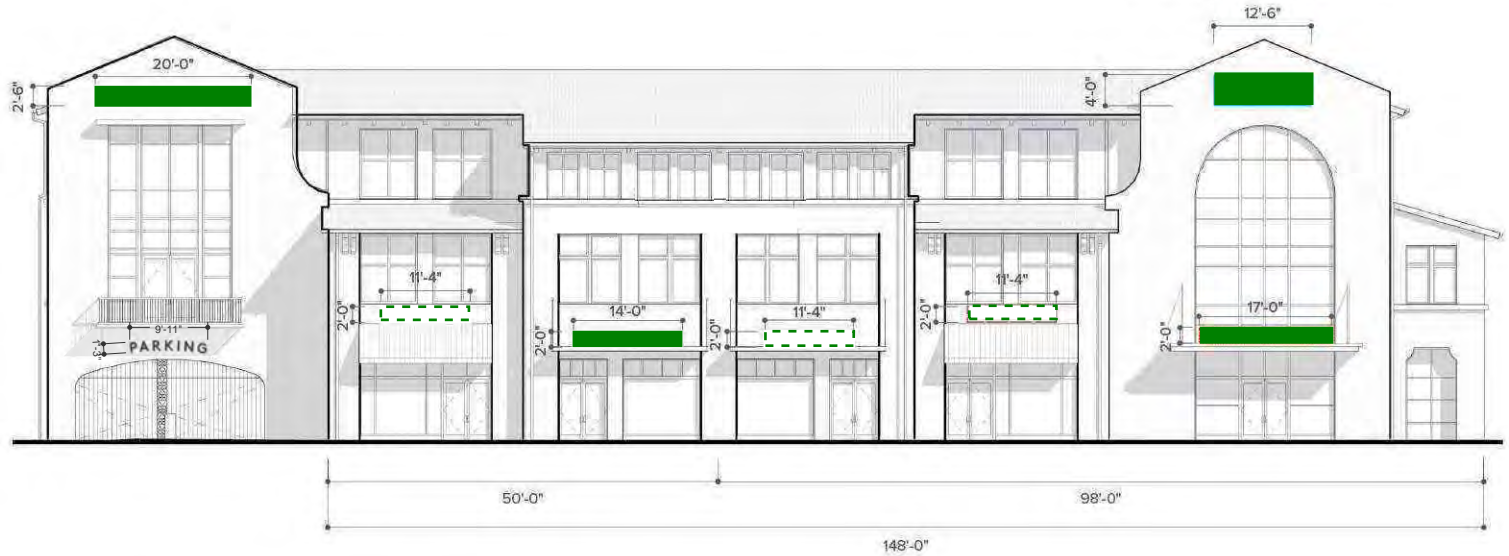
NORTH OFFICE BUILDING - EAST ELEVATION

# Elevations

ZONE KEY	
	TENANT SIGNAGE
	PROJECT ID SIGNAGE
	ALTERNATE SIGNAGE



Office tenants are permitted signs over 2'6" in height as long as they fit within the allowable square footage allowances



NORTH OFFICE BUILDING - WEST ELEVATION

DRAFT

# Elevations

ZONE KEY	
	TENANT SIGNAGE
	ALTERNATE SIGNAGE

Total Square Footage of Commercial Signage Shown 50 sqft

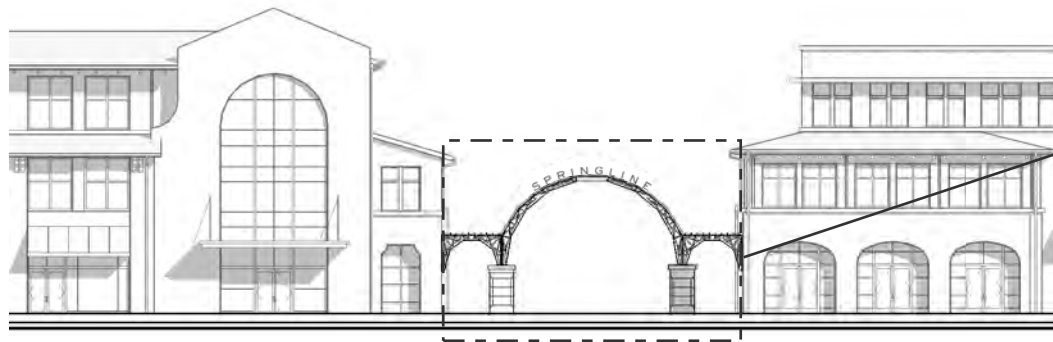
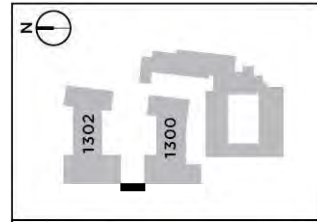
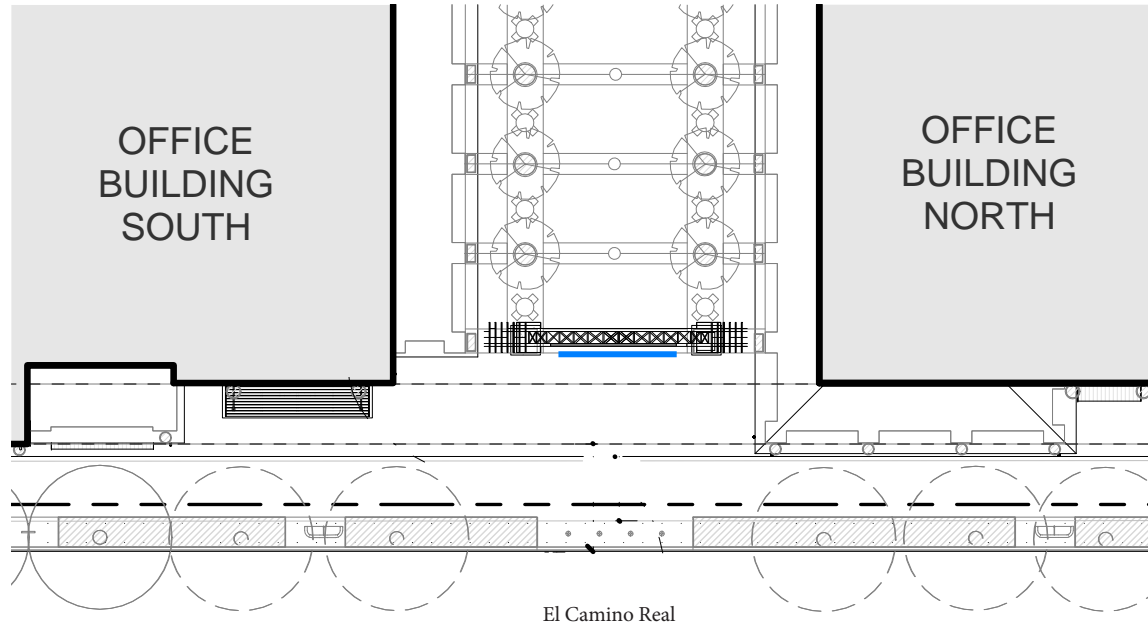


NORTH OFFICE BUILDING - EAST ELEVATION

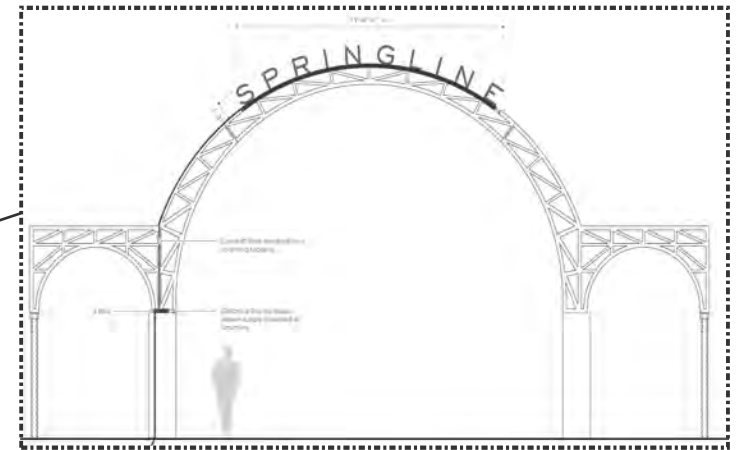


# Elevations

**ZONE KEY**  
PROJECT ID SIGNAGE



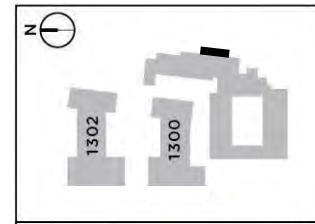
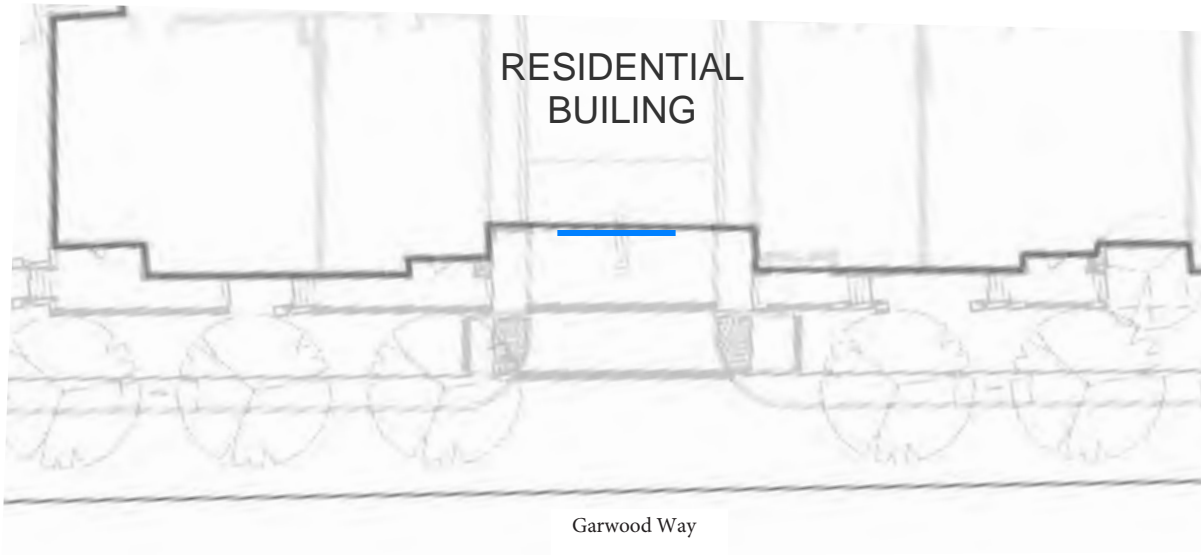
NORTH & SOUTH OFFICE BUILDING - WEST ELEVATION



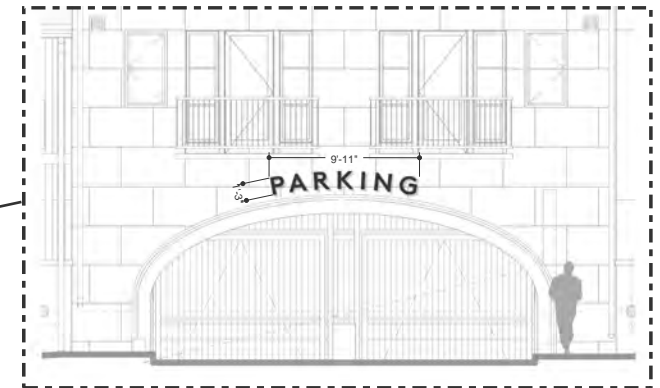
ENLARGED ELEVATION

# Elevations

**ZONE KEY**  
— PROJECT ID SIGNAGE



RESIDENTIAL BUILDING - EAST ELEVATION



ENLARGED ELEVATION

Total Springline Signage Requirement						Proposed Maximum Signage Area Under Proposed Amendment	
			Project ID (Parking/etc)	Commerical	Total Visible		
El Camino Real			178 SF	477 SF	655 SF		764 SF
Visible from Oak Grove			41 SF	90 SF	131 SF		165 SF
Visible from Garwood Way			234 SF	150 SF	384 SF		402 SF
<b>TOTAL</b>			<b>453 SF</b>	<b>717 SF</b>	<b>1,170 SF</b>		<b>1,332 SF</b>
Columns above reflect areas of signage shown in massing study sheets							
Maximum Signage Area Existing and Proposed Rules							
	Total Lot Linear Frontage (in feet) at Springline		Current Signage: Allowable Square footage per Menlo Park City Code (Primary Max 100 Secondary Max 50)	Original Proposal Signage: Two-Component Approach	2nd Study Session Proposal Signage: Cap revision with Project ID Signage Component		Final Proposed Signage Amendment (Jan. 2022): Primary Façade: $(30+((FRONTAGE-10)*(8/7)))$ Secondary Façade: $0.5*(30+((FRONTAGE-10)*(8/7)))$ Additional Allocation for Large Commercial Projects +50,000 GFA: 1 SF of Signage/1,000 SF of Commercial GFA (1 * (224,103 GFA / 1,000))
El Camino Real - Primary	456		100	1,079	718		764* SF
Oak Grove - Secondary	273		50	165	165		165 SF
Garwood Way - Secondary	688		50	402	402		402 SF
<b>TOTALS</b>	<b>1,417</b>		<b>200 SF</b>	<b>1,646 SF</b>	<b>1,285 SF</b>		<b>1,332 SF</b>
*540 sf based on frontage; 224 sf based on GFA							





December 13, 2021

Corinna D. Sandmeier  
**City of Menlo Park**  
 701 Laurel St.  
 Menlo Park, CA

**RE: Proposed Zoning Ordinance text amendment (Signage)**

ScottAG is a multi-disciplinary signage design and manufacturing studio located in Sonoma County. We provide signage design and consulting services in the US and abroad. We have extensive experience in developing sign programs for commercial, residential, retail, office, and mixed-use projects. Our work includes entitlement and permitting in many municipalities.

We have worked along El Camino Real in Menlo Park and adjacent Peninsula communities extensively over the past 10 years primarily on residential and mixed-use projects. I was in the audience for the previous Planning Commission study session regarding the proposed text amendment and have carefully reviewed the updated proposal being considered tonight.

ScottAG has been contracted to design signage for the Middle Plaza project. We have a keen interest in the outcome of this process. The Middle Plaza project is also located in the El Camino Real and Downtown Specific Plan area and faces the same issues around the zoning code language relative to signage as the Springline project. The critical issue regarding signage is the imposition of the 100sf of sign area per parcel cap. It is critical that the City of Menlo Park continues the process to address the need for additional signage allowance for projects of this type that was originally recognized by staff in 2017. Our comments here reflect our general support for the text amendment and outline questions remaining to ensure that the needs for our project can be accommodated.

The Middle Plaza project has over 1600lf of frontage on El Camino Real and no secondary frontages. The attached massing study is based on project identification, directional, and address signage designed for the residential project and projected tenant signage (as well as project identification, directional, and address signage) required for the office and retail components. The elevations clearly demonstrate the light touch that our proposed level of signage will have on a project of this scale. The elevations reflect signage which would be allowed under the proposed text amendment for the following reasons which we support:

- The continuing use of the current 1sf / 1lf of sign area allowance with an updated 1,000sf cap.
- Caps size of each individual sign at 50sf.
- Allow 1 (one) single or multi-tenant monument sign per office building.

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707.545.4519 FAX 707.571.7802 SCOTTAG.COM

- Continues to enforce all elements of the current zoning code regarding sign height, location, colors, lighting.

There are a handful of questions we believe require further study and consideration:

- The primary controls on the amount of signage are maximum total signage square footage per project frontage footage (lf) and the maximum sign size. In addition, Springline has proposed limiting the number of office tenant signs on a mixed office/retail building. This limit to one office tenant sign per 100lf of lot primary frontage (or fraction thereof) assumes the sign would be the maximum 50sf. This may not be the case - - smaller office tenant signage may be used - - and we would propose that the office tenant signage limit for a mixed building should be 50sf times the multiple the lot primary frontage is of 100lf, not a specified number of signs which is not cognizant of signage size.
- As the Springline proposal suggests we would like to see the formula for allocation of signage amongst tenants suspended and allow that distribution to be handled in the Master Sign Program process with staff have perview over the applicant's proposal.

I would be happy to answer any questions regarding the proposed Middle Plaza signage program. I will be attending the Monday 12/13 meeting.

Sincerely,

Michael Burch  
ScottAG  
Principal

SCOTT AG, LLC

1275 NORTH DUTTON AVENUE SANTA ROSA CALIFORNIA 95401

707.545.4519 FAX 707.571.7802 SCOTTAG.COM

## MIDDLE PLAZA

400 A-C El Camino Real  
Menlo Park, California  
#5423-100

**Environmental Graphics**

December 08, 2021

SCOTT | AG

SCOTT AG, LLC  
ENVIRONMENTAL GRAPHICS  
SCOTTAG.COM



Stanford | Faculty Staff Housing

**EL CAMINO REAL SIGNAGE**

**RESIDENTIAL SIGNAGE**

SIGN TYPE	QUANTITY	SIZE	SQUARE FOOTAGE	TOTAL
<b>RA</b> HALO-LIT BUILDING ADDRESS	5	3'-6" X 2'-0"	7 FT <sup>2</sup>	35 FT <sup>2</sup>
<b>RM</b> RESIDENTIAL PROJECT ID MONUMENT	2	6'-6" X 6'-0"	39 FT <sup>2</sup>	78 FT <sup>2</sup>
<b>RW</b> RESIDENTIAL WALL ID	4	3'-0" X 3'-0"	9 FT <sup>2</sup>	36 FT <sup>2</sup>
<b>PROPOSED RESIDENTIAL SIGN AREA</b>				<b>114 FT<sup>2</sup></b>

*exempt*

**OFFICE SIGNAGE**

SIGN TYPE	QUANTITY	SIZE	SQUARE FOOTAGE	TOTAL
<b>OA</b> HALO-LIT BUILDING ADDRESS	7	3'-6" X 2'-0"	7 FT <sup>2</sup>	49 FT <sup>2</sup>
<b>OM</b> OFFICE MONUMENT	3	6'-6" X 6'-0"	39 FT <sup>2</sup>	117 FT <sup>2</sup>
<b>OR</b> RETAIL TENANT	4	15'-0" X 3'-0"	45 FT <sup>2</sup>	180 FT <sup>2</sup>
<b>RB</b> RETAIL BLADE SIGN	4	3'-0" x 3'-0"	9 FT <sup>2</sup>	36 FT <sup>2</sup>
<b>OT</b> OFFICE BUILDING TENANT SIGN, Size A	5	15'-0" X 3'-4"	50 FT <sup>2</sup>	250 FT <sup>2</sup>
<b>OT</b> OFFICE BUILDING TENANT SIGN, Size B	1	5'-0" X 4'-0"	20 FT <sup>2</sup>	20 FT <sup>2</sup>
<b>PROPOSED OFFICE SIGN AREA</b>				<b>603 FT<sup>2</sup></b>

*exempt*

**PARKING/DIRECTIONAL SIGNAGE**

SIGN TYPE	QUANTITY	SIZE	SQUARE FOOTAGE	TOTAL
<b>PD</b> PARKING DIRECTIONAL, Size A	2	14'-0" X 3'-0"	42 FT <sup>2</sup>	84 FT <sup>2</sup>
<b>PD</b> PARKING DIRECTIONAL, Size B	2	5'-0" X 4'-0"	20 FT <sup>2</sup>	40 FT <sup>2</sup>
<b>PROPOSED PARKING/DIRECTIONAL SIGN AREA</b>				<b>124 FT<sup>2</sup></b>

**TOTAL PROPOSED ECR 841 FT<sup>2</sup>**

**PRIVATE STREET SIGNAGE**

**RESIDENTIAL SIGNAGE**

SIGN TYPE	QUANTITY	SIZE	SQUARE FOOTAGE	TOTAL
<b>RA</b> HALO-LIT BUILDING ADDRESS	3	3'-6" X 2'-0"	7 FT <sup>2</sup>	21 FT <sup>2</sup>
<b>RH</b> BUILDING ENTRY HANGING SIGN	1	3'-0" X 2'-0"	6 FT <sup>2</sup>	6 FT <sup>2</sup>
<b>RW</b> RESIDENTIAL WALL ID	1	3'-0" X 3'-0"	9 FT <sup>2</sup>	9 FT <sup>2</sup>
<b>PROPOSED RESIDENTIAL SIGN AREA</b>				<b>15 FT<sup>2</sup></b>

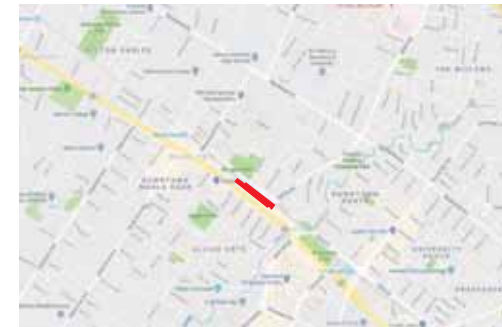
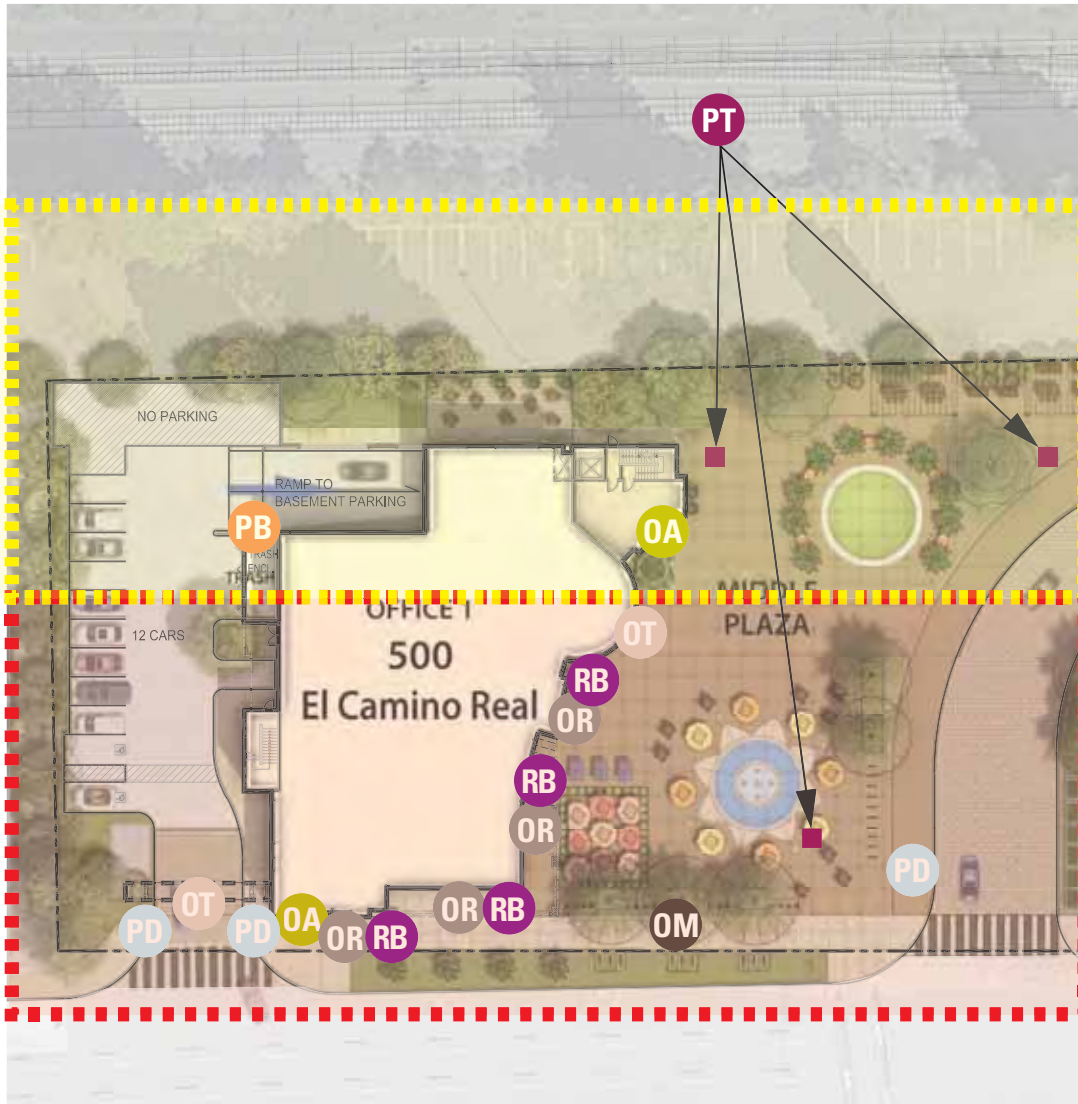
*exempt*

**PARKING/DIRECTIONAL SIGNAGE**

SIGN TYPE	QUANTITY	SIZE	SQUARE FOOTAGE	TOTAL
<b>PD</b> PARKING DIRECTIONAL	2	14'-0" X 3'-0"	42 FT <sup>2</sup>	84 FT <sup>2</sup>
<b>PB</b> PARKING DIRECTIONAL BLADE	6	3'-0" X 3'-0"	9 FT <sup>2</sup>	54 FT <sup>2</sup>
<b>PT</b> TRANSIT PEDESTRIAN DIRECTIONAL	3	2'-0" X 1'-0"	2 FT <sup>2</sup>	6 FT <sup>2</sup>
<b>PROPOSED PARKING/DIRECTIONAL SIGN AREA</b>				<b>144 FT<sup>2</sup></b>

**TOTAL PROPOSED ECR 159 FT<sup>2</sup>**

**TOTAL PROPOSED PROPERTY SIGNAGE 1000 FT<sup>2</sup>**



■ SITE LOCATION

▬ EL CAMINO REAL PROJECT SIGNAGE

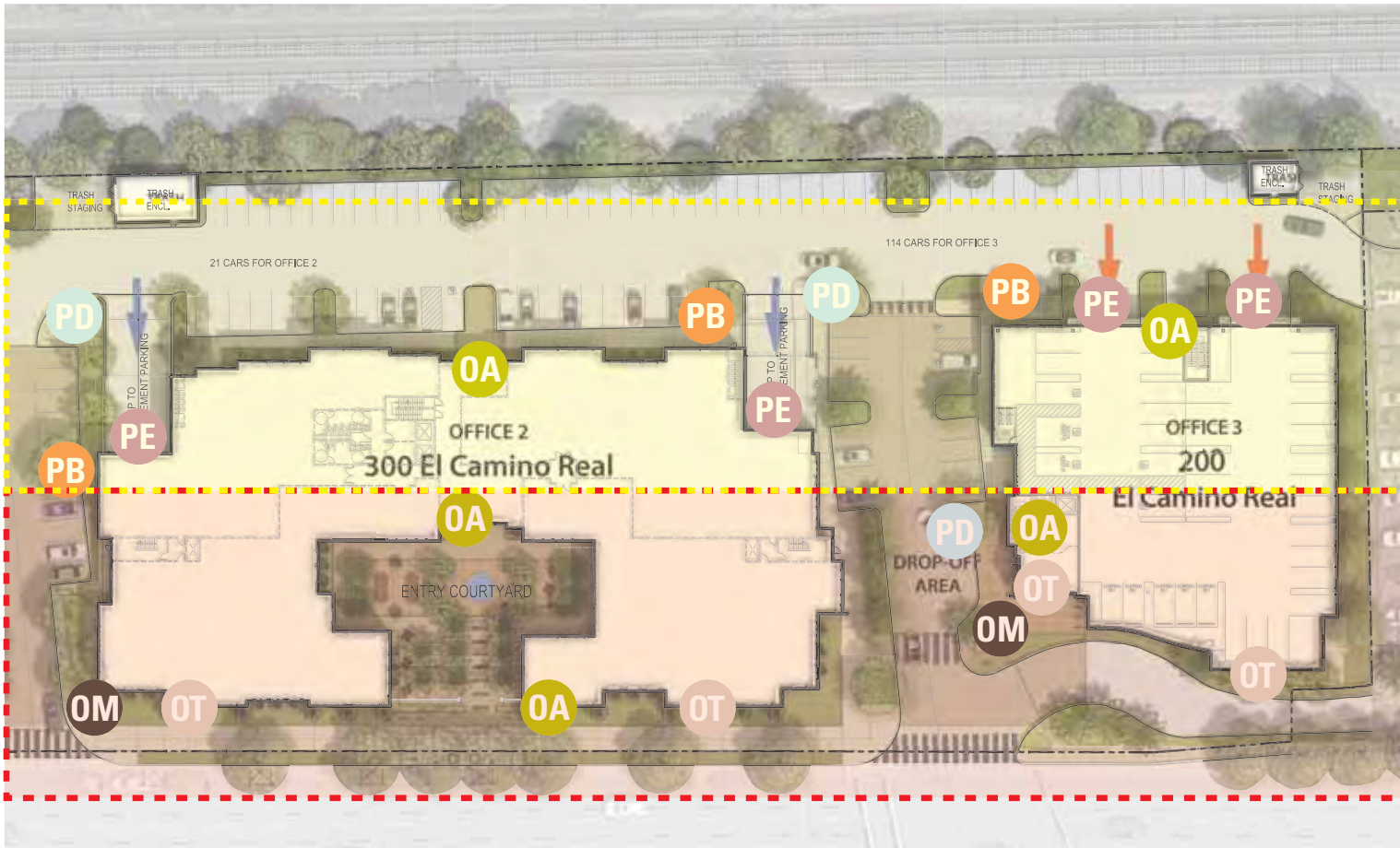
▬ PRIVATE STREET PROJECT SIGNAGE

**OFFICE**

- OA HALO-LIT BUILDING ADDRESS
- OM OFFICE MONUMENT
- OR RETAIL TENANT
- OT OFFICE BUILDING TENANT SIGN
- RB RETAIL BLADE

**PARKING / DIRECTIONAL**

- PB PARKING DIRECTIONAL BLADE
- PD PARKING DIRECTIONAL
- PT TRANSIT PEDESTRIAN DIRECTIONAL
- PE PARKING ENTRY SIGN



EL CAMINO REAL  
PROJECT SIGNAGE

PRIVATE STREET  
PROJECT SIGNAGE

OFFICE

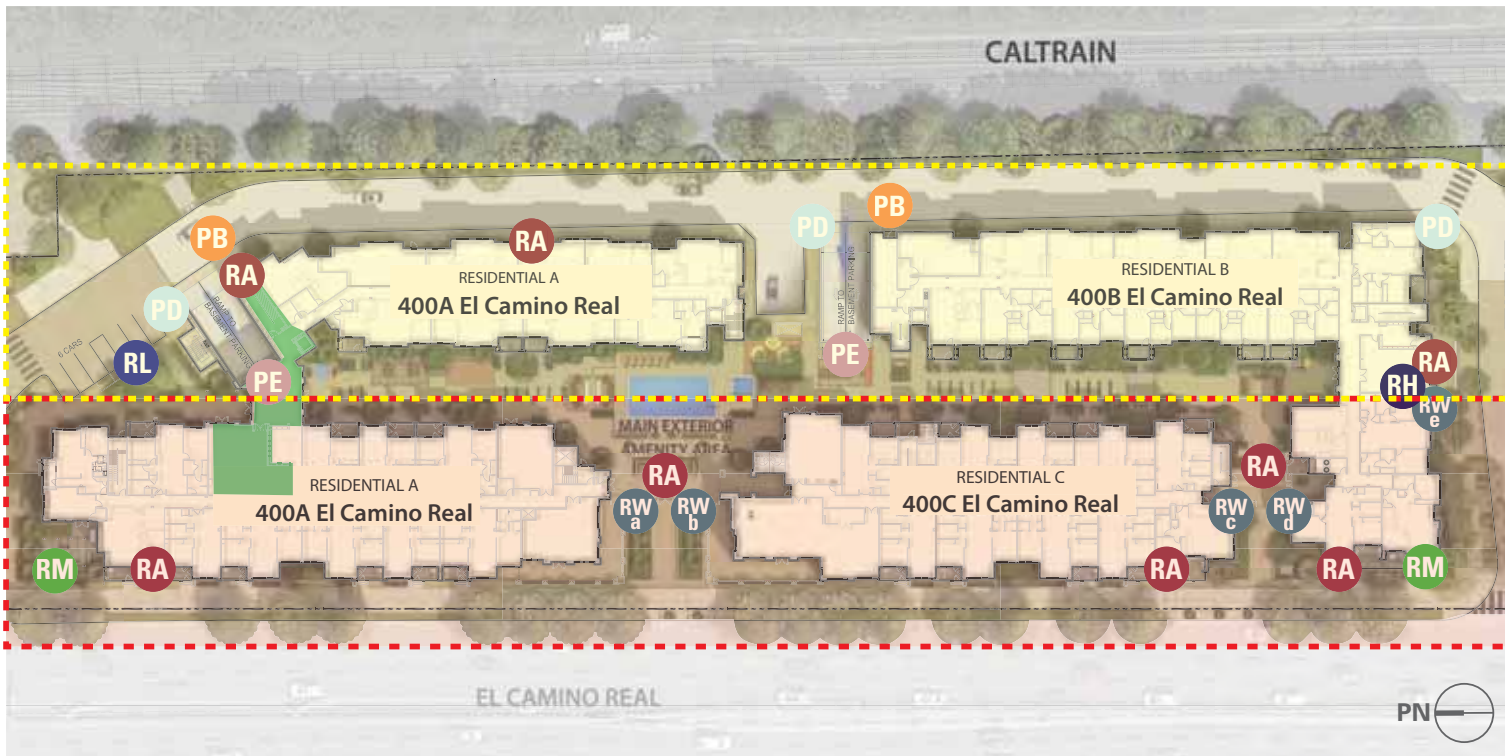
- OA HALO-LIT BUILDING ADDRESS
- OM OFFICE MONUMENT
- OR RETAIL TENANT
- OT OFFICE BUILDING TENANT SIGN
- RB RETAIL BLADE

PARKING / DIRECTIONAL

- PB PARKING DIRECTIONAL BLADE
- PD PARKING DIRECTIONAL
- PT TRANSIT PEDESTRIAN DIRECTIONAL
- PE PARKING ENTRY SIGN







LEASING OFFICE

EL CAMINO REAL PROJECT SIGNAGE

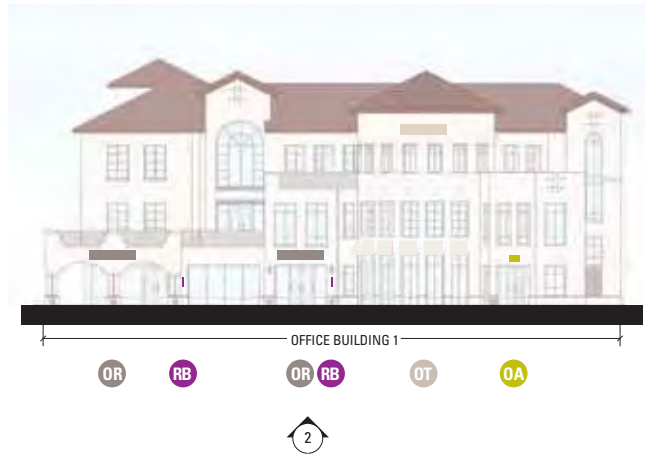
PRIVATE STREET PROJECT SIGNAGE

**RESIDENTIAL**

- RA** HALO-LIT BUILDING ADDRESS
- RM** RESIDENTIAL PROJECT ID MONUMENT
- RL** RESIDENTIAL LEASING OFFICE ID
- RW** RESIDENTIAL WALL ID
- RH** BUILDING ENTRY HANGING SIGN

**PARKING/ DIRECTIONAL**

- PB** PARKING DIRECTIONAL BLADE
- PD** PARKING DIRECTIONAL
- PT** TRANSIT PEDESTRIAN DIRECTIONAL
- PE** PARKING ENTRY SIGN



**OFFICE**

- OA HALO-LIT BUILDING ADDRESS
- OM OFFICE MONUMENT
- OR RETAIL TENANT
- OT OFFICE BUILDING TENANT SIGN
- RB RETAIL BLADE

**PARKING / DIRECTIONAL**

- PB PARKING DIRECTIONAL BLADE
- PD PARKING DIRECTIONAL
- PT TRANSIT PEDESTRIAN DIRECTIONAL

MIDDLE PLAZA  
RESIDENTIAL BUILDING B



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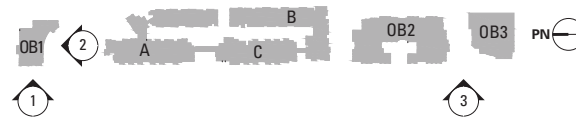


MIDDLE PLAZA

400 ECR  
MENLO PARK, CA  
#5423-100

SCHEMATIC DESIGN  
DECEMBER 08, 2021

SCALE: 1" = 40'



ECR PROJECT  
ELEVATIONS  
OFFICE BUILDINGS

0.3



OFFICE BUILDING 1  
←



RM

RA

1

RESIDENTIAL BUILDING A

RA

OFFICE BUILDINGS 2 & 3  
→



RESIDENTIAL BUILDING C

2

RA

RA  
RW<sub>c</sub> RW<sub>d</sub>

RESIDENTIAL BUILDING B

RA

RM

**RESIDENTIAL**

- RA HALO-LIT BUILDING ADDRESS
- RM RESIDENTIAL PROJECT ID MONUMENT
- RW RESIDENTIAL WALL ID

SCOTT | AG

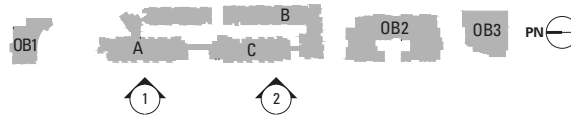


MIDDLE PLAZA

400 ECR  
MENLO PARK, CA  
#5423-100

**SCHEMATIC DESIGN**  
DECEMBER 08, 2021

SCALE: 1" = 30'



ECR PROJECT  
ELEVATIONS  
RESIDENTIAL

**0.4**



PRESIDIO BAY  
VENTURES

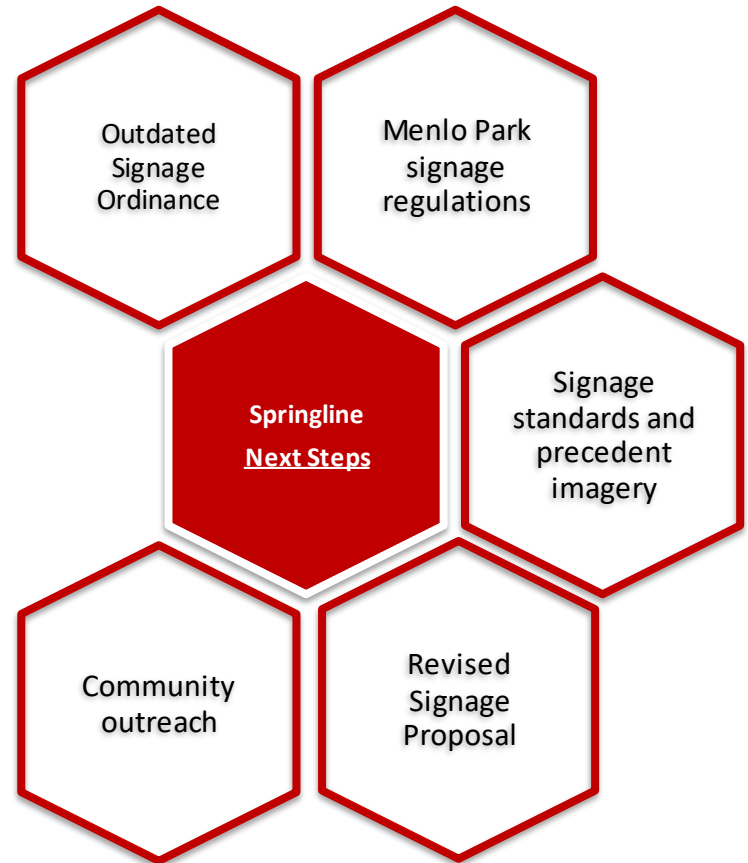
SPRINGLINE  
MENLO PARK

MP CITY COUNCIL  
FEBRUARY 8<sup>TH</sup>, 2022

| 1160 BATTERY ST, SUITE 100  
SAN FRANCISCO, CA 94111

# MENLO PARK SIGNAGE

- Outdated Signage Ordinance in Menlo Park
- Summary of existing Menlo Park signage regulations
- Menlo Park, Palo Alto, and Redwood City signage standards and precedent imagery
- Revised proposal addresses Planning Commission comments
- Community outreach



# RECAP OF SIGNAGE ISSUES

- **History:** The current Menlo Park Signage Ordinance was originally designed for small lots or small business in the Downtown Core. A 100 sf cap on primary frontage and 50 sf cap on secondary frontages disproportionately hurt longer frontage/larger developments. **City Council has previously recognized that current signage area limits are not adequate for larger projects (like Springline) in Specific Plan area.**
- **Location:** Signage Amendment is being proposed to apply to the Downtown Specific Plan (ECR/D-SP) zoning district only.
- **Goal of this meeting:** As Springline is currently opening and signage issues have persisted since 2017, retailers have been significantly delayed and project is experiencing urgency to have adequate signage. A City Council approval for amendment will allow for Community Serving Uses and other commercial users to have the reasonable signage rights comparable to neighboring jurisdictions.
- **Master Signage Plan:** All existing signage controls, guidelines, and design standards remain in place except for the 100 and 50 SF Caps. This amendment will provide for adjustments to zoning to enable Springline and Middle Plaza to continue on with the Menlo Park signage protocol process of design, review, and permitting. Amendment includes language pursuant to Planning Commission comments regarding process for approval of Master Signage Plan.

# MENLO PARK SIGNAGE REGULATION AND GUIDELINES – NO CHANGES PROPOSED

## SIGNAGE CODE

- Code 16.92.110 - (7) No sign should be animated by means of flashing or traveling lights, moving or rotating parts or any other methods causing a non stationary condition

## SIGNAGE GUIDELINES

- Be integrated to the façade of the building design, consistent with architecture in terms of style, materials, colors, proportions
- Should be proportionate to the size of buildings and size of site; size compatible with other signs in surrounding area.
- In general, letters between 8-18 inches is acceptable; lettering larger than 24 inches may be considered for buildings with large setbacks from the street.
- Signs lit with external source are recommended over internally lit signs; “halo” illumination is also acceptable.
- Colors, materials, design should be compatible and harmonize with color, materials, design of building and surrounding area.
- Signs using “bright colors” (specified shades of yellow, orange, red) shall require PC review/approval (unless less than 25% of area).
- Building signs shall be flush against building, may not project above eave of roof or top of parapet.
- Each business tenant shall be limited to one building mounted sign on each street frontage. (In addition, each business is allowed a suspended or blade sign.)
- Exposed tube neon signs are not encouraged.
- All signs require approval of Director of Community Development/designee
- (Fair Sharing Concept) - Allocate area of signage based on business frontage
- For Multi-tenant buildings, a coordinated sign program shall be prepared for property with more than one tenant.
- For Multi-tenant buildings, signage for the complex should be coordinated.
- For Multi-tenant building, concept of “fair sharing” shall be used

# EXISTING SIGNAGE STANDARDS – MENLO PARK

## ➤ City of Menlo Park

- Maximum 100 sf of signage capped at 80 linear feet at primary frontage of lot.
- No additional signage at primary façade beyond 100 sf after cap is hit.
- Maximum 50 sf of signage at secondary frontages of lot.
- Master Sign Program for Multi-Tenant Properties.



# EXISTING SIGNAGE – MENLO PARK ON EL CAMINO REAL *(NON-HWY 101)*



# SIGNAGE STANDARDS – PALO ALTO

## ➤ City of Palo Alto

- Sign area allowance broken in freestanding signs and wall signs with a combination of signs allowed as the maximum.
- Freestanding - 1 sign per frontage with an additional sign allowed for frontage beyond 250 lf.
- Wall signs based on square footage of wall – 135 sf of sign for 5,000 sf of wall with 7 sf of signage are added for each additional 500 sf of wall.
- Master Sign Program process with opening to additional signage area.



# EXISTING SIGNAGE – PALO ALTO ON EL CAMINO REAL *(NON-HWY 101)*





# EXISTING SIGNAGE – PALO ALTO OFF OF EL CAMINO REAL *(NON- HWY 101)*



# SIGNAGE STANDARDS – REDWOOD CITY

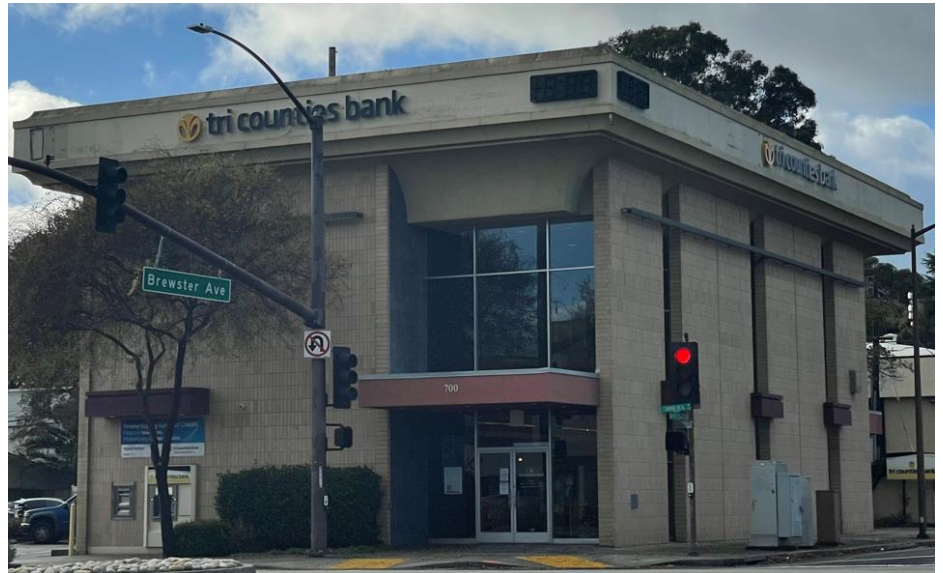
## ➤ City of Redwood City

- Sign area calculated at 1.5 sf of sign area to 1 lf of frontage.
- Each ground floor establishment may display one sign - Each legally recognized tenant is allowed at least 50 sf of sign area.
- Master Sign Program process with opening to additional signage area.



# EXISTING SIGNAGE – REDWOOD CITY

(NON- HWY 101)



# PROPOSED SIGNAGE STANDARD MODIFICATIONS

- i. All existing City rules/guidance on sign colors, lighting etc. would apply to any signage authorized by proposed amendments.
- ii. Eliminate 100 sf and 50 sf area caps, while retaining basic City signage area equation.
- iii. Maximum sign area on any frontage shall be 1,000 sf regardless of the length of frontage.
- iv. Max of 50 sf per commercial sign, current rules have no limit.
- v. Limit on roof parapet tenant signage per frontage.
- vi. Exemption of certain project identification and directional signage from the overall signage area limits (For Example: “Springline” identification and “Parking” directional signage).
- vii. Any increased signage under proposed amendment would be reviewed by Planning Commission as part of a Master Sign Plan; once Master Sign Plan was reviewed/approved by Planning Commission individual signs that were consistent would be approved administratively. Allocation between tenants to be addressed as part of Master Sign Plan.
- viii. Planning Commission review of Master Signage Plan would focus on harmony / compatibility with design and general conformance with City Design Guidelines and some authority to grant exceptions from guidelines.

➤ **Planning Staff Report Note:** Proposed signage revisions result in allocations comparable to neighboring jurisdictions.

# EL CAMINO REAL PERSPECTIVE





# SIGNAGE ILLUSTRATION



# SIGNAGE ILLUSTRATION





# EL CAMINO REAL FRONTAGE ILLUSTRATION



1302 El Camino Real  
North Tower



1300 El Camino Real  
South Tower



# OAK GROVE FRONTAGE ILLUSTRATION



# GARWOOD FRONTAGE ILLUSTRATION



1302 El Camino Real  
North Tower (*East Façade*)

# COMMUNITY OUTREACH

- Residential neighbors, neighboring businesses and visitors.
- The Menlo Chamber has been instrumental in socializing these proposed changes amongst their membership and has graciously hosted us at several farmers markets including, most recently, on 12/5 and 12/8. The Springline team shared our proposed signage massing plan to canvass feedback.
- Feedback to date has been very supportive of allowing commercial (office), retail and project identification/wayfinding, as proposed with the goal of insuring our project is a commercial success to the benefit of activating Downtown.
- No public objection expressed during three separate Planning Commission process.







THANK YOU

Total Springline Signage Requirement					
			Project ID / Wayfinding Excluded		Commercial Visible
El Camino Real			178 SF		477 SF
Visible from Oak Grove			41 SF		90 SF
Visible from Garwood Way			234 SF		150 SF
<b>TOTAL</b>			<b>453 SF</b>		<b>717 SF</b>
<i>Columns above reflect areas of signage shown in massing study sheets</i>					

Proposed Maximum Non-Exempt Commercial Signage Area Under Proposed Amendment
540 SF
165 SF
402 SF
<b>1,107 SF</b>

#### Maximum Signage Area Existing and Proposed Rules

	Total Lot Linear Frontage (in feet) at Springline				Current Signage: Allowable Square footage per Menlo Park City Code (Primary Max 100 Secondary Max 50)	Final Proposed Signage Amendment (Feb. 2022): Primary Façade: $(30 + ((\text{FRONTAGE} - 10) * (8/7)))$  Secondary Façade: $0.5 * (30 + ((\text{FRONTAGE} - 10) * (8/7)))$  Exclusion for Project ID & Wayfining
El Camino Real - Primary	456				100	540 SF
Oak Grove - Secondary	273				50	165 SF
Garwood Way - Secondary	688				50	402 SF
<b>TOTALS</b>	<b>1,417</b>				<b>200 SF</b>	<b>1,107 SF</b>



**STAFF REPORT**

**City Council**  
**Meeting Date:** 2/8/2022  
**Staff Report Number:** 22-026-CC

**Regular Business:** **Authorize the city attorney and city manager to draft and execute an amendment to the professional services agreement with Team Sheeper, Inc. for continued operation of the Burgess Pool for 12 additional months; and direct staff to prepare a Request for Proposals for an aquatics operator at Burgess Pool and the future Menlo Park Community Campus aquatics center now under construction and anticipated to open in Summer 2023**

**Recommendation**

City staff recommends that City Council authorize the city attorney and city manager to draft and execute an amendment to the professional services agreement (Agreement) between the City of Menlo Park (City) and Team Sheeper, Inc. (Provider), (attached hereto as Attachment A), to extend the term of the agreement through August 31, 2023 or the opening of the Menlo Park Community Campus (MPCC) aquatics center, whichever comes first; and direct staff to prepare a request for proposals (RFP) to be issued in Autumn 2022—and to which Provider would be invited and encouraged to respond—for an aquatics operator at Burgess Pool and the future MPCC aquatics center, with said operator agreement to become effective at both locations when the latter opens to the public.

**Policy Issues**

City Council provides policy direction to the city manager regarding service provision to the community; provides authorization to the city manager to negotiate and execute professional services agreements with service providers; and sets prioritization for the use of City resources to serve the community.

**Background**

On March 27, 2018, City Council authorized the city manager to execute an Agreement with Provider to provide aquatics programming at Burgess Pool and Belle Haven Pool (Attachment A.) The Agreement has been amended several times as necessitated by construction of the MPCC project and health regulations resulting from the COVID-19 pandemic. In 2021, at City Council's direction, the Belle Haven Pool was removed from the Agreement due to that pool being closed to make way for a new outdoor aquatics center that is now under construction as part of the MPCC project.

The term of the current Agreement ends August 31, 2022; however, Section 3 of the agreement automatically extends the Agreement for 12 months through August 31, 2023, absent any action by either party. Either party may provide written notification at least 180 days in advance of intent to either: a) terminate the Agreement; or, b) evaluate the terms and conditions of the Agreement. Staff recommends adopting an amendment to the Agreement to establish express terms that the extended Agreement would expire August 31, 2023.

March 4, 2022, is the latest date that notice of intent to evaluate the terms and conditions could be issued 180 days in advance of the agreement's current end date.

Additional timeline-related background information relevant to the Agreement is provided in Attachment C.

## **Analysis**

City staff recommends that City Council authorize the city manager to provide notice to Provider of intent to evaluate the terms and conditions of the current Agreement, for example to negotiate a new or amended agreement end date, or to make programmatic adjustments. Should City Council so authorize, then the City would issue written notification of such to Provider no later than March 4, 2022.

### Annual report

Section 9 of the Agreement stipulates that Provider shall prepare and provide an annual report no later than January 30 of each year to City staff, which will be presented to the City's Parks and Recreation Commission (Commission) for review and comment by the Commission at its February meeting. The annual report should include the following items:

- A. Total program hours by program area;
- B. Participation statistics by program area including resident and non-resident percentages;
- C. Customer satisfaction survey results;
- D. User group feedback by program area or rental;
- E. Pool schedule and allocation by program for previous year and projections to the upcoming year;
- F. Fees by program area and a fee comparison to other public pools in the region;
- G. Annual audits and reviews demonstrating standards of care, outlined in Section 12, below, are met;
- H. Risk management documentation, outlined in Section 13, below; and
- I. Training certifications listed by staff member.

The 2021 annual report prepared by Team Sheepar, Inc. is provided as Attachment B to this report. The Commission is tentatively scheduled to receive a detailed presentation of the report contents at its February 23, 2022 meeting.

### MPCC aquatics center operator

Staff recommends issuing a RFP in Autumn 2022 for an aquatics operator at Burgess Pool and MPCC aquatics center, with the start of the new operator agreement timed to coincide with the projected Summer 2023 opening of the MPCC facility. The current Provider would be invited and encouraged to respond to the RFP.

With the anticipated opening of the MPCC aquatics center in summer 2023—in combination with the current Burgess Pool, the City has an attractive opportunity to update its standards for aquatics operations citywide. Issuing an RFP to select a pool operator for the combined MPCC and Burgess pool facilities in Autumn 2022 will provide sufficient time to select the operator, negotiate the agreement and prepare for start of operations at the new MPCC facility in Summer 2023. With this expectation, City staff recommends extending the current Provider's agreement date to align with the opening of the MPCC aquatics center.

## **Impact on City Resources**

There is no new direct impact to city resources associated with the recommended action. There is some indirect impact to City resources in the form of staff time and effort spent in contract negotiations, analysis, document preparation and related work.



### **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 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. Professional services agreement and amendments
- B. Team Sheepar, Inc. annual report 2021
- C. Timeline-related background information

Report prepared by:

Sean Reinhart, Library and Community Services Director

Report reviewed by:

Nira Doherty, City Attorney

Justin Murphy, Interim City Manager

**SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT**  
(Menlo Park Aquatic Facilities)

This Second Amendment to Professional Services Agreement ("Second Amendment") is made and executed as of September 15, 2020, by and between the City of Menlo Park, a municipal corporation ("City") and Team Sheeper, Inc., a California S Corporation ("Provider"), referred to herein collectively as "Parties." This Second Amendment modifies the Professional Services Agreement dated March 27, 2018 by and between the Parties regarding the provision of recreational aquatics programming ("Agreement"), as amended by the Amendment to Professional Services Agreement dated June 9, 2020 ("First Amendment").

**RECITALS**

The City and Provider are entering into Second this Amendment based on the following facts, understandings and intentions:

- A. On March 27, 2018, the Parties entered into the Agreement whereby Provider agreed to provide recreational aquatics programming at Burgess and Belle Haven Pools in the City of Menlo Park.
- B. On February 24, 2020, by mutual written agreement, the Parties agreed to terminate Provider's services at the Belle Haven Pool effective October 1, 2020 due to a pending construction project at the Onetta Harris Community Center.
- C. The Agreement was renewed for an Extended Term that expires on August 31, 2021 with respect to the Burgess Pool.
- D. The Parties desire to extend the Provider's services at the Belle Haven Pool until the Extended Term of the Agreement expires on August 31, 2021 or until construction commences at the Onetta Harris Community Center, whichever occurs first.

**NOW THEREFORE**, the Parties agree as follows:

- 1. Provider shall continue to provide services at the Belle Haven Pool in accordance with the terms and conditions of the Agreement, as amended by the First Amendment, until the Extended Term of the Agreement expires on August 31, 2021 or until construction commences at the Onetta Harris Community Center, whichever occurs first. If terminated prior to the expiration of the Extended Term, the City will provide at least 30 days written notice to Provider of the date that construction will commence at the Onetta Harris Community Center and Provider's services at the Belle Haven Pool will be terminated.
- 2. The City shall continue to pay Provider the Belle Haven Management Fee until the Extended Term of the Agreement expires on August 31, 2021 or until construction commences at the Onetta Harris Community Center, whichever occurs first.
- 3. Except to the extent expressly modified by this Second Amendment, the terms of the Agreement, as amended by the First Amendment, shall remain effective without impairment or modification.

- 4. This Second Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute one amendment.

**IN WITNESS WHEREOF**, the Parties have executed this Second Amendment by their duly authorized officers as of the date first set forth above.

**CITY OF MENLO PARK**

By: DocuSigned by:  
*Sean Reinhart*  
45C048B0664E4B5

Approved as to Form:

DocuSigned by:  
*Cara E. Silver*  
C8C653C794F6491

Interim City Attorney

**ATTEST:**

DocuSigned by:  
*[Signature]*  
30280A20D08E401

City Clerk

**TEAM SHEEPER, INC**  
501 Laurel Street  
Menlo Park, CA 94025

By: DocuSigned by:  
*Tim Sheeper*  
09EDB12D95194EC

Tim Sheeper, Chief Executive Officer

Approved as to Form:

DocuSigned by:  
*Albert Flor*  
5C72947A53E94D7

Attorney for Team Sheeper

**AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT**  
(Menlo Park Aquatic Facilities)

This Amendment to Professional Services Agreement (“Amendment”) is made and executed as of June 9, 2020, by and between the City of Menlo Park, a municipal corporation (“City”) and Team Sheeper, Inc., a California S Corporation (“Provider”), referred to herein individually as “Party” and collectively as “Parties.” This Amendment modifies the Professional Services Agreement dated March 27, 2018 by and between the Parties regarding the provision of recreational aquatics programming (“Agreement”) and will become effective upon the approval by the City of the reopening the Burgess and Belle Haven Pools in accordance with the standards set by the San Mateo County Health Officer, as provided below.

**RECITALS**

The City and Provider are entering into this Amendment based on the following facts, understandings and intentions:

- A. On March 27, 2018, the Parties entered into the Agreement whereby Provider agreed to provide recreational aquatics programming at Burgess and Belle Haven Pools in the City of Menlo Park.
- B. On February 24, 2020, by mutual written agreement, the Parties agreed to terminate the Belle Haven Pool service effective October 1, 2020 in light of a pending construction project at the Onetta Harris Community Center.
- C. 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 the novel coronavirus named COVID-19.
- D. On March 10, 2020, the San Mateo County Health Officer issued a statement that evidence existed of widespread community transmissions of COVID-19 in San Mateo County.
- E. On March 11, 2020, the City Council of the City of Menlo Park declared a local emergency based on the COVID-19 world pandemic. Effective immediately, all City facilities were closed to the public.
- F. Effective March 12, 2020, Provider closed the Burgess Pool for all services with the goal of keeping people safe and preventing the spread of COVID-19.
- G. On March 16, 2020, the San Mateo 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 (“Shelter-in-Place Order”).
- H. On March 27, 2020, the City pursuant to City of Menlo Park Director of Emergency Services/City Manager Emergency Order No. 2 (“Order No. 2”) closed all public facilities including the Burgess Pool and the Belle Haven Pool to help slow the spread of COVID-19.

- I. The State of California has developed a resilience roadmap that identifies four stages to reopening: stage 1 (safety and preparedness), stage 2 (lower risk workplaces), stage 3 (higher risk workplaces), and stage 4 (end of stay at home order).
- J. On May 15, 2020 the San Mateo County Health Officer issued a revised Shelter-in-Place Order, inclusive of appendixes, that in this second stage allows the reopening of public pools subject to certain safety precautions ("Revised Order"). A copy of the Revised Order is attached hereto as Exhibit A. The Revised Order was subsequently amended on May 29 to allow, with restrictions and safety measures, places of worship to hold services and retail stores to allow customers inside. The Parties anticipate that the County of San Mateo will continue to issue revised orders during this time of local emergency.
- K. On May 19, 2020, Provider submitted a plan to the City to operate the Burgess Pool in accordance with the Revised Order, but it was not legal to reopen based on the City's March 11, 2020 declaration of emergency and Order No. 2 closing public facilities, including the Burgess and Belle Haven pools. On June 2, Provider submitted a revised plan to reopen both the Burgess Pool and the Belle Haven Pool attached hereto as Exhibit B.
- L. The Parties desire to provide for a reopening process for the Burgess Pool and the Belle Haven Pool in the event the Director of Emergency Services modifies Order No. 2 and allows the opening of public facilities.
- M. The City and Provider desire to enter into this Amendment to memorialize the process of reopening the Burgess Pool and Belle Haven Pool throughout the stages, until the local emergency is terminated.

**NOW THEREFORE**, the Parties agree as follows:

- 1. The Parties agree that given the above described conditions, Provider has been unable to perform the Services described in the Agreement since March 12, 2020. The Parties further agree that until the City modifies Order No. 2, Provider is not legally allowed by the City to operate because public facilities are closed. The Parties further agree that the Agreement is in full force and effect and neither Party is in default.
- 2. The parties agree that Provider will resume services under the Agreement within five days, or earlier, of the Emergency Director's modification of Order No. 2 to allow the re-opening the pools.
- 3. While the local emergency is in effect, Provider shall adhere to the social distancing protocols and best practices established by the County of San Mateo Health Officer on May 15, 2020, a copy of which is attached hereto and incorporated herein as Exhibit C, and as may be modified from time to time. In addition, Provider shall comply with all legally required safety precautions identified in the Revised Order and any future orders issued by the Governor, the San Mateo County Health Officer or the City of Menlo Park affecting public swimming pools. Safety precautions include but are not limited to the use of personal protective equipment, social distancing requirements, symptom checks and tracking attendance. Furthermore, Provider shall continue to comply with any and all city,

county, state and federal laws and regulations related to pool and aquatic program operations as required by the Agreement.

4. It is of critical importance to the City that the Belle Haven Pool be reopened at the same time as the Burgess Pool to ensure that recreational aquatics opportunities are available to the whole community. Provider agrees to reopen both the Burgess Pool and the Belle Haven Pool concurrently within five days or earlier from the modification of Order No. 2 allowing the reopening of the pools, consistent with the phases identified in the Provider's reopening plan, attached hereto as Exhibit B and provide any and all services included in the Scope of Services which are legally allowable pursuant to the Revised Order, including but not limited to lap swim. The use of the locker rooms is not allowed in the second phase of reopening. Limited use of bathrooms will be provided for as documented in Exhibit B.
5. Provider agrees to increase the services and provide any and all services included in the Scope of Services at both the Burgess Pool and the Belle Haven Pool as soon as provision of such services is both legally allowable pursuant to any state, county or local law and Provider is reasonably able to comply with any and all legally required safety precautions. SOLO swim team will be allowed to return to pool usage as soon as the Provider and SOLO agree upon and can accommodate the safety precautions required by San Mateo County Health Order. Prior to use of the pool, SOLO shall acknowledge in writing its acceptance of such precautions and agreement to abide by the terms of this Amendment. The City understands that the application of required safety precautions at the Burgess and Belle Haven pools is nuanced and that it is possible that activities that are allowed under existing health orders and directives may still be deemed unsafe by the Provider. In such situation, Provider shall provide written notice to and obtain consent, which may not be unreasonably withheld, from the City Manager or her designee for such adjustments.
6. In accordance with Paragraph 6 of the Agreement, the Parties will work together during the second and third stage to modify operations, access and schedule as appropriate. Provider agrees to provide weekly reports regarding capacity, residents/non-residents use, and fee subsidies provided for each pool and the Parties agree to meet and confer as necessary to address any issues. Any schedule modifications shall be subject to approval by the City Manager or her designee and shall be acted on within a commercially reasonable time (typically within 48 hours of request) and shall not be unreasonably withheld. The Parties acknowledge that the situation relative to COVID-19 may change rapidly and the stage may be increased or decreased. The Parties agree to allow a commercially reasonable time to respond to requests for modification. If the City returns to stage one and public facilities are again closed, Provider will cease operations immediately without need for a modification request.
7. The term of this Amendment shall continue until the fourth stage of the County's Orders and the City's termination of the local emergency after which time this Amendment will terminate and the Agreement will continue unamended.
8. The City shall pay the Provider the Belle Haven Management Fee for the period beginning June 1, 2020 through the pool's scheduled closing on October 1, 2020, as previously agreed.

9. Provider shall be granted access to the Burgess Pool and Belle Haven Pools only for preparation for opening no later than Friday June 5 through Tuesday June 9 and then after the Emergency Director's modification of Order No. 2 reopening the pools. Any time and expense to prepare the use of the pool prior to the modification of Order No. 2 shall be Provider's sole cost and expense understanding Order No. 2 may or may not be modified on June 9.
10. The Parties acknowledge that the COVID-19 crisis has placed Provider in a precarious financial position. Nevertheless, Provider is prepared to move forward and open the pools. In consideration of this Amendment, Provider shall have the right to terminate this Amendment and the original Agreement upon demonstrating to the City Manager that continuing operation would not be financially feasible with 30 days written notice provided to City.
11. In addition to the indemnification identified in Paragraph 24 of the Agreement, Provider specifically agrees to indemnify and hold the City, its Council, Commissions, agents, officers, volunteers or employees harmless from any and all claims, legal action or causes of action related to contraction of the COVID-19 virus at either pool alleged by any source, including but not limited to Provider's employees and pool patrons, during Provider's use of the Premises. Provider's indemnification obligation as set forth herein will include any and all costs, expenses, attorneys' fees and liability incurred by the Provider or any person in defending against such claims, whether the same proceed to judgment or not. The Provider will, at its own expense and upon written request by the City, defend any such suit or action brought against the City, its Council, Commissions, members, agents, officers, volunteers or employees. This section will survive the expiration or termination of this Amendment. This indemnity obligation will not cover any COVID-19 related claims that are based on the actions or negligence of the City, its employees, representatives or contractors (other than the Provider and its employees, subcontractors and agents).
12. Except to the extent expressly modified by this Amendment, the terms of the Agreement shall remain effective without impairment or modification.
13. This Agreement shall be effective only if the City allows Provider to open the pools in accordance with the San Mateo County Health officer's guidelines on or before June 12, 2020.
14. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute one Amendment.

**IN WITNESS WHEREOF**, the Parties have executed this Amendment by their duly authorized officers as of the date first set forth above.

**CITY OF MENLO PARK**

DocuSigned by:  
By: Starla Jerome Robinson  
6BD907BD261744C

Approved as to Form:

DocuSigned by:  
*Cara E. Silver*  
CD6C53C794F6491...

Interim City Attorney

**ATTEST:**

DocuSigned by:  
*[Signature]*  
39280A20D0BE491...

City Clerk

**TEAM SHEEPER, L.L.C.**

501 Laurel Street

Menlo Park, CA 94025

By: DocuSigned by:  
*Tim Sheeper*  
8D6D1B94CF7B4BC...

Tim Sheeper, Chief Executive Officer

Approved as to Form:

DocuSigned by:  
*[Signature]*  
088537C219464F5...

Attorney for Team Sheeper





SAN MATEO COUNTY HEALTH  
**PUBLIC HEALTH,  
POLICY & PLANNING**

Public Health, Policy & Planning  
225 37th Avenue  
San Mateo, CA 94403  
smchealth.org

**Order No. c19-5d – Appendix C-2: Allowed Additional Activities**

**May 15, 2020**

**General Requirements**

The “Additional Activities” listed below may resume, subject to the requirements set forth in the Order and to any additional requirements set forth below or in separate guidance by the Health Officer. These activities were selected to implement an initial measured expansion of activity based on health-related considerations including the risks of COVID-19 transmission associated with types and modes of activity, the ability to substantially mitigate transmission risks associated with the operations, and related factors, such as the following:

- **Increase in mobility and volume of activity**—the overall impact resumption of the activity will have on the number of people leaving their homes and interacting with others in the community;
- **Contact intensity**—the type (close or distant) and duration (brief or prolonged) of the contact involved in the activity;
- **Number of contacts**—the approximate number of people that will be in the setting at the same time;
- **Modification potential**—the degree to which mitigation measures can decrease the risk of transmission.

**List of Additional Activities**

Notwithstanding Section 15.a regarding outdoor recreation areas and shared recreation facilities, for the purposes of this Order Additional Activities include the following:

- (1) Indoor and outdoor pools, outdoor recreation areas, and outdoor shared recreation facilities may be opened, but only if they are actively monitored and managed to ensure that the facility is either (1) only used by members of the same household or (2) used in a manner that ensures that all social distancing, face covering and all other requirements (including the prohibitions against gathering and shared equipment), including Health Officer orders, are enforced. Any measures put in place must be reflected in the required posted written protocols.
  - a. Basis for Addition. Indoor and outdoor pools, outdoor recreation areas, and outdoor shared recreation facilities that are actively managed and monitored in a manner that ensures that the social distancing, face covering and all other requirements (including the prohibitions against gathering and shared equipment), including Health Officer orders, are enforced, the likelihood of transmission is significantly reduced.



**Team Sheepher  
Burgess and Belle Haven Pool  
Covid-19 Operations  
2020 Reopening  
Standard Operating Procedures**

# Table of Contents

<b>General Operations.....</b>	<b>3</b>
Introduction	
Phases in Reopening	
<b>Facility Operations Burgess and Belle Haven Pools.....</b>	<b>4</b>
San Mateo County Operating Guidelines	
Entrance/ Exiting	
Locker rooms/Restrooms	
Cleaning Program	
<b>Staff Operations.....</b>	<b>11</b>
Daily Health checks	
Covid-19 Positive Operations	
Daily PPE Requirements	
<b>Emergency Operations.....</b>	<b>12</b>
EAP	
Rescues	
Patient Care	
Daily PPE/Disposal of PPE	
<b>Program Operations.....</b>	<b>16</b>
Lap Swimming	
Open Swim	
Swim Lessons	
Camps	
Boot Camps	
Aqua-Fit	
<b>Exhibits.....</b>	<b>19</b>
A. Facility Map Burgess and Belle Haven	
B. Health Check Form	
C. Thermometers	
D. General PPE information	
E. County Required Documents	

## **General Operations**

### **Introduction**

This document has been created to operate under the safety guidelines for covid -19 to ensure the safety of staff and participants. These policies and procedures will outline staff, consumer and facility operations. This document will be updated regularly as County, City, CDC guidelines change for the covid-19 response. Our company will align daily on updates and new guidelines, and this document will change as those guidelines are updated.

### **Phases in Reopening**

These Phases are subject to change depending on county and city guidelines. The plan outlines what could be possible for us to offer to the community under current guidelines but could change as far as timeline.

#### **Phase 1.**

This phase will open the facility with minimal programming. The programming will be limited to Lap Swimming and Summer Camps. This will ensure that the facility is operating in a manner that is safe for all and will be able to adhere to county guidelines. We hope to move to phase 2 fairly quickly, once operations are smoothly operating.

#### **Phase 2.**

This phase will begin to add small amounts of programming within the facility. These programs will be Masters Swimming, Swim Lessons and Open Swim for families in the same household in designated areas for their family. Again, this phase will last as long as it takes for smooth operations, then the next phase will be undertaken.

#### **Phase 3.**

Phase 3 will consist of adding in Aqua-fit, potential locker rooms, more restroom usage for patrons, showers, front office and youth sports.

#### **Phase 4.**

This phase will only happen when guidelines allow normal operations with full programming. This will include continued enhanced cleaning and disinfecting. This phase will continue to modify all programming as guided by the county and city recommendations.

## Facility Operations

### San Mateo County Operating Guidelines

#### A letter from the San Mateo County Health Department

Dear Pool Owners,

On Friday, May 15, 2020, the San Mateo County Pool Program received the Health Officer's Order regarding the reopening of public pools. We are excited that San Mateo County residents now have a new option for exercise during this unprecedented time. Spas must continue to remain closed per this Order.

We received many inquiries about how to safely open public pools. The attached documents are guidelines for you to use as a reference. The Order must be adhered to in its entirety while allowing your pool to operate. You must post PROTOCOLS (unique to pools per Appendix C-2) and include all required information for PROTOCOLS FOR BUSINESSES (per May 15 Order, bullet 15.h), and SIGNAGE (per May 15 Order, bullet 15.h.vii). We have attached samples to assist you, but you can create your own. Protocols and signage must be posted conspicuously at the gate entry or other easily viewable location for patrons and law enforcement to review. We recommend that these documents be laminated or placed in plastic sleeves to prevent deterioration or water damage.

Refer to the attachments for details. Feel free to add additional protocols in the attached samples for further safe practices.

Highlights to remember:

- Pool operators (i.e., HOA, apartment and hotel management) are legally responsible for ensuring the pool's operation is compliant with the Order and must actively manage the pool's operation and compliance with the Order.
- Gatherings are still prohibited (i.e., the pool deck cannot be open for lingering/loitering of non-family members)
- Minimum of 6-foot Social Distancing (100% requirement, in and out of the pool)
- Face coverings are mandatory when not in the pool
- Locker rooms cannot be occupied
- Restrooms, if open, must have a rigorous cleaning and disinfection protocol

- Equipment in the pool area, including deck furniture, must be wiped down after EACH use

We will be resuming our inspections but will leave if site conditions are unsafe for our staff. If this occurs, you may be charged a reinspection fee.

Don't hesitate to contact our office (email: [ngwong@smcgov.org](mailto:ngwong@smcgov.org)) if you have any additional questions.

Sincerely,

**San Mateo County Swimming Pool Program**

Environmental Health Services San Mateo County Health (650) 372-6200

**Order No. c19-5d – Appendix C-2: Allowed Additional Activities May 15, 2020**

**General Requirements**

The “Additional Activities” listed below may resume, subject to the requirements set forth in the Order and to any additional requirements set forth below or in separate guidance by the Health Officer. These activities were selected to implement an initial measured expansion of activity based on health-related considerations including the risks of COVID-19 transmission associated with types and modes of activity, the ability to substantially mitigate transmission risks associated with the operations, and related factors, such as the following:

- **Increase in mobility and volume of activity**—the overall impact resumption of the activity will have on the number of people leaving their homes and interacting with others in the community;
- **Contact intensity**—the type (close or distant) and duration (brief or prolonged) of the contact involved in the activity;
- **Number of contacts**—the approximate number of people that will be in the setting at the same time;
- **Modification potential**—the degree to which mitigation measures can decrease the risk of transmission.

**List of Additional Activities**

Notwithstanding Section 15.a regarding outdoor recreation areas and shared recreation facilities, for the purposes of this Order Additional Activities include the following:

**(1)** Indoor and outdoor pools, outdoor recreation areas, and outdoor shared recreation facilities may be opened, but only if they are actively monitored and managed to ensure that the facility is either (1) only used by members of the same household or (2) used in a manner that ensures that all social distancing, face covering and all other requirements (including the prohibitions against gathering and shared equipment), including Health Officer orders, are enforced. Any measures put in place must be reflected in the required posted written protocols.

a. Basis for Addition. Indoor and outdoor pools, outdoor recreation areas, and outdoor shared recreation facilities that are actively managed and monitored in a manner that ensures that the social distancing, face covering and all other requirements (including the prohibitions against gathering and shared equipment), including Health Officer orders, are enforced, the likelihood of transmission is significantly reduced.

## **Burgess Pool**

### **Entrance and Exiting Facility**

#### **Entrance**

To enter the pool facility patrons must comply with county guidelines or will be refused service and not allowed to enter pool.

- 1.Social Distancing
- 2.Wearing a facemask
- 3.Temperature taken before entry

As patrons enter the facility there will be social distancing dots on the ground for them to line up at a minimum of 6ft apart. Patrons not wearing a mask will be asked to please put one on and if they do not have one, they will have to come back when they do have one. There will be a door monitor to ensure patrons are following facility guidelines.

Once patrons have confirmed lane reservation, they will be given a number of a lane and then taken to their appropriate lane. Swimmers will be spaced out on even and odd lanes. (See Exhibit)

#### **Front Desk Entrance**

The location of the front desk will be inside of the building where there will be two open doors to reduce high touch points in building. Patrons will wait outside the front desk area until called in by the entrance monitor. Staff will be trained and prepare to interact with the public in a safe manner. Staff will be required to wear a facemask at all times while on duty. There will be a plexiglass shield installed for the protection of the staff member and patron being served. All payments will be taken prior to patrons' arrival via

registration system online or through our App on Apple or google store or the patron may call in to the pool to reserve a space in the pool.

Extra cleaning of this area will be done on an hourly bases to the entire front desk area. Doors to the facility will be left open to ensure there is no high touch points for staff or patrons.

### **Exiting Pool**

When Patrons lane time is up a whistle will sound and patrons will exit their lane, dress and exit through the back of the facility while continuing to follow social distancing guidelines. Patrons will have 5 minutes to exit pool and leave so that the next set of swimmers can be brought into the facility. There will be an exit door monitor to ensure no patrons enter in the through the exit and to ensure the safety of all exiting the facility. Patrons will exit to the rear of the facility. See Exhibit

### **Locker rooms**

Locker rooms will be closed to the public for the unforeseen future (or phase 3). Patrons will have to come to the pool in their swimsuit prior to arrival to the pool.

### **Bathrooms**

There will be one restroom available for patrons to use. This restroom with be disinfected after each use to ensure safety for anyone using the facility.

There will also be a staff restroom that will be closed to the public and will also be disinfected by a staff member after each use.

## **Belle Haven Pool**

### **Entrance and Exiting Facility**

#### **Entrance**

To enter the pool facility patrons must comply with county guidelines or will be refused service and not allowed to enter pool.

- 1.Social Distancing
- 2.Wearing a facemask
- 3.Temperature taken before entry

As patrons enter the facility there will be social distancing dots on the ground for them to line up at a minimum of 6ft apart. Patrons not wearing a mask will be asked to



please put one on and if they do not have one, they will have to come back when they do have one. There will be a door monitor to ensure patrons are following facility guidelines.

Once patrons have confirmed lane reservation, they will be given a number of a lane and then taken to their appropriate lane. Swimmer will be spaced out on even and odd lanes.

### **Front Desk Entrance**

The location of the front desk will be inside building. Staff will be trained and prepare to interact with the public in a safe manner. Staff will be required to wear a facemask at all times while on duty. There will be a plexiglass shield installed for the protection of the staff member and patron being served. All payments will be taken prior to patrons' arrival via registration system online or through our App on Apple or google store.

Extra cleaning of this area will be done on an hourly bases to the entire front desk area. Doors to the facility will be left open to ensure there is no high touch points for staff or patrons.

### **Exiting Pool**

When Patrons lane time is up a whistle will sound and patrons will exit their lane dress and exit through the back of the facility while continuing to follow social distancing guidelines. Patrons will have 5 minutes to exit pool and leave so that the next set of swimmers can be brought into the facility. There will be a exit door monitor to ensure no patrons enter in the through the exit and to ensure the safety of all exiting the facility. Patrons will exit to the rear of the facility. See Exhibit

### **Locker rooms**

Locker rooms will be closed to the public for the unforeseen future (or phase 3). Patrons will have to come to the pool in their swimsuit prior to arrival to the pool.

### **Bathrooms**

There will be one restroom available for patrons to use. This restroom with be disinfected after each use to ensure safety for anyone using the facility.

There will also be a staff restroom that will be closed to the public and will also be disinfected by a staff member after each use.

## Cleaning/Disinfecting Program

To ensure safe operations of the facility there will be an increase of frequency, documentation and training on proper cleaning, protection and frequency of the facility.

### General cleaning guidelines from the CDC

#### How to clean and disinfect

##### Clean

- **Wear disposable gloves** to clean and disinfect.
- **Clean surfaces using soap and water, then use disinfectant.**
- Cleaning with soap and water **reduces number of germs, dirt and impurities** on the surface. **Disinfecting kills germs** on surfaces.
- **Practice routine cleaning** of frequently touched surfaces.
  - - More frequent cleaning and disinfection may be required based on level of use.
    - Surfaces and objects in public places, such as shopping carts and point of sale keypads should be cleaned and disinfected before each use.
- **High touch surfaces include:**
  - Tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, sinks, etc.

##### Disinfect

- **Recommend use of disinfectant**  
**Follow the instructions on the label** to ensure safe and effective use of the product.  
Many products recommend:
  - Keeping surface wet for a period of time (see product label).
  - Precautions such as wearing gloves and making sure you have good ventilation during use of the product.

**Always read and follow the directions on the label** to ensure safe and effective use.

- Wear skin protection and consider eye protection for potential splash hazards
- Ensure adequate ventilation
- Use no more than the amount recommended on the label
- Use water at room temperature for dilution (unless stated otherwise on the label)
- Avoid mixing chemical products
- Label diluted cleaning solutions
- Store and use chemicals out of the reach of children and pets

You should never eat, drink, breathe or inject these products into your body or apply directly to your skin as they can cause serious harm. Do not wipe or bathe pets with these products or any other products that are not approved for animal use.

- **Diluted household bleach solutions may also be used** if appropriate for the surface.
  - Check the label to see if your bleach is intended for disinfection and has a sodium hypochlorite concentration of 5%–6%. Ensure the product is not past its expiration date. Some bleaches, such as those designed for safe use on colored clothing or for whitening may not be suitable for disinfection.
  - Unexpired household bleach will be effective against coronaviruses when properly diluted.  
**Follow manufacturer’s instructions** for application and proper ventilation. Never mix household bleach with ammonia or any other cleanser.  
**Leave solution** on the surface for **at least 1 minute.**
  - **To make a bleach solution**, mix:
    - 5 tablespoons (1/3rd cup) bleach per gallon of room temperature water  
OR
    - 4 teaspoons bleach per quart of room temperature water
- Bleach solutions will be effective for disinfection up to 24 hours.
- **Alcohol solutions with at least 70% alcohol may also be used.**

### Soft surfaces

For soft surfaces such as carpeted floor, rugs, and drapes

- **Clean the surface using soap and water** or with cleaners appropriate for use on these surfaces.
- **Launder items** (if possible) according to the manufacturer’s instructions. Use the warmest appropriate water setting and dry items completely.

OR

- **Disinfect with an EPA-registered household disinfectant.** These disinfectants meet EPA's criteria for use against COVID-19.
- **Vacuum as usual.**

## Electronics

For electronics, such as tablets, touch screens, keyboards, remote controls, and ATM machines

- Consider putting a **wipeable cover** on electronics.
- **Follow manufacturer's instruction** for cleaning and disinfecting.
  - If no guidance, **use alcohol-based wipes or sprays containing at least 70% alcohol.** Dry surface thoroughly.

Cleaning and disinfecting your building or facility if someone is sick

- **Close off areas** used by the person who is sick.
  - Companies do not necessarily need to close operations, if they can close off affected areas.
- **Open outside doors and windows** to increase air circulation in the area.
- **Wait 24 hours** before you clean or disinfect. If 24 hours is not feasible, wait as long as possible.
- Clean and disinfect **all areas used by the person who is sick**, such as offices, bathrooms, common areas, shared electronic equipment like tablets, touch screens, keyboards, remote controls, and ATM machines.
- **Vacuum the space if needed.** Use vacuum equipped with high-efficiency particular air (HEPA) filter, if available.
  - Do not vacuum a room or space that has people in it. Wait until the room or space is empty to vacuum, such as at night, for common spaces, or during the day for private rooms.
  - Consider temporarily turning off room fans and the central HVAC system that services the room or space, so that particles that escape from vacuuming will not circulate throughout the facility.
- Once area has been **appropriately disinfected, it can be opened for use.**
  - **Workers without close contact** with the person who is sick can return to work immediately after disinfection.
- If **more than 7 days** since the person who is sick visited or used the facility, additional cleaning and disinfection is not necessary.
  - Continue routine cleaning and disinfection. This includes everyday practices that businesses and communities normally use to maintain a healthy environment.

## Cleaning and disinfecting outdoor areas

- Outdoor areas, like **playgrounds in schools and parks** generally require **normal routine cleaning**, but **do not require disinfection.**

- Do not spray disinfectant on outdoor playgrounds- it is not an efficient use of supplies and is not proven to reduce risk of COVID-19 to the public.
- High touch surfaces made of plastic or metal, such as grab bars and railings should be cleaned routinely.
- Cleaning and disinfection of wooden surfaces (play structures, benches, tables) or groundcovers (mulch, sand) is not recommended.
- **Sidewalks and roads should not be disinfected.**
  - Spread of COVID-19 from these surfaces is very low and disinfection is not effective.

### When cleaning

- **Regular cleaning staff** can clean and disinfect community spaces.
  - Ensure they are trained on appropriate use of cleaning and disinfection chemicals.
- **Wear disposable gloves and gowns for all tasks in the cleaning process, including handling trash.**
  - Additional personal protective equipment (PPE) might be required based on the cleaning/disinfectant products being used and whether there is a risk of splash.
  - Gloves and gowns should be removed carefully to avoid contamination of the wearer and the surrounding area.
- **Wash your hands often** with soap and water for 20 seconds.
  - Always wash immediately after removing gloves and after contact with a person who is sick.
  - Hand sanitizer: If soap and water are not available and hands are not visibly dirty, an alcohol-based hand sanitizer that contains at least 60% alcohol may be used. However, if hands are visibly dirty, always wash hands with soap and water.

**Always read and follow the directions on the label** to ensure safe and effective use.

- Keep hand sanitizers away from fire or flame
- For children under six years of age, hand sanitizer should be used with adult supervision
- Always store hand sanitizer out of reach of children and pets
- **Additional key times to wash hands** include:
  - After blowing one's nose, coughing, or sneezing.
  - After using the restroom.
  - Before eating or preparing food.
  - After contact with animals or pets.
  - Before and after providing routine care for another person who needs assistance (e.g., a child).

Training: All staff will be retrained on cleaning practices and what safety precautions are needed to clean facilities. There will be an added segment to this on infections disease and how to prevent spread of bacteria and viruses in a safe manor.

Documentation: All employees must document the time and work done for the cleaning duty. Each location in the facility will have different requirements of frequency and specifics depending on use of location.

## **Staff Operations**

### **GENERAL GUIDELINES**

Staff will be required to check in at the beginning of each shift with a manager at a designated location on site.

1. Temperature will be taken
2. Asked if they have had any symptoms
3. Then assigned duties for the day
4. Safety meeting and education
5. At the end of the day another temperate will be taken on their way out

During Shift:

1. Staff will have to wear a facemask at all times
2. Comply with social distancing guidelines
3. Staff will not share any items to be used for work or any other purposes

### **Daily Health checks**

Employees will be required to fill out a digital daily health check form to ensure of their health and wellness and all others. This form will ask their name, temp, and symptoms in the last 48 hours. Once the form is filled out, they will be cleared for work

Patrons will have their temperature checked before entering the facility and signs will be posted about self-health and wellness checks. Patrons will be asked if they have felt any symptoms of illness at all that they not enter the facility or participate in any program. They will also be asked if they do test positive for covid-19 in the next 14 days of use of facility that they contact by email immediately.

### **Covid-19 Positive Operations**

If an employee is found positive for Covid-19 and has been on site the facility will be closed for a minimum of 24 hours, until all other employees on that shift have been tested and are clear to work. Employees contacts at the facilities will be traced to ensure no others are found ill.

If a patron is found to have been at the facility and tested positive for covid-19 the facility will be shut down for a minimum of 24 hours to ensure we can trace possible infection and notify employees of possible exposure.

### **Daily PPE Requirements**

Staff will be required to wear a facemask and sanitize their hands regularly. During an emergency there will be an increased level of PPE. This will be found in the emergency section of this document.

Patrons will be required to wear a facemask while walking through and around the facility. Patrons are allowed to remove their mask while swimming. They will be asked to wear the mask as they exit the facility.

## **Emergency Operations**

### **Emergency Action Plan**

#### **Whistle Cadences**

*ONE BLAST*: grab the attention of individual patron  
*TWO BLAST*: grab the attention of another guard  
*THREE BLAST*: activate the EAP  
*ONE LONG BLAST*: clear the pool

#### **Primary Guard**

- Identify situation & activate EAP
- Approach Victim
  - Water emergency: Perform appropriate rescue
  - Land emergency: Size up the Scene & acquire Expressed Consent
- Primary assessment
- Perform appropriate care
- Secondary Assessment
- Report, Advise, Release

#### **Secondary Guard (most available guard)**

- Bring necessary equipment
  - Backboard
  - AED
  - First Aid
- \**Bring first what is most important to the situation*
- Assign someone to call 911 & come back

- Assist Primary guard

### ***Assisting Responders***

- Clear pool & deck as needed
- Inform Front Desk of emergency
- Ensure EMS services are on their way
- Assist rescuers

### ***When EMS Arrives***

- Meet EMS on street & direct to emergency

### ***When EMS Leaves***

- *Primary guard & Leadership staff* - Report, Advise, Release

### **Lifeguard Emergency Response**

In the event someone needs CPR staff will put on full PPE to include, Face Mask, Eye Protection and gloves.

### **General Prevention for COVID-19 Transmission During CPR and First Aid**

While there is currently no specific data on COVID-19 transmission while performing CPR or giving first aid, it is reasonable to conclude that chest compressions have the potential to generate respiratory droplets or aerosols and close contact needed for some aspects of first aid may have risk of transmission.

### **PPE**

For responders and those who may need to provide care to someone suspected to have COVID-19. We will require wearing PPE as recommended by CDC, this would be wearing respiratory protection using a respirator (e.g. N-95 mask), eye protection, disposable gloves and a disposable isolation gown if possible. Per CDC guidance facemasks are an acceptable alternative when there is shortage of N-95. During the COVID-19 pandemic, for all persons requiring CPR, personal protective equipment (PPE) such as gloves and face mask should be worn, if available.. We recognize that for lay responders, CPR and first aid is often performed for household members where there would have already been close contact and exposure.

We recommend placing a face mask or cloth covering over the mouth and nose of the victim may reduce the risk of transmission. If only 1 mask is available and it is a simple face mask, we recommend placing it on the victim.



## **Guidance for Performing a Breathing Assessment and Rescue Breaths in Children or Adults**

While CPR with breaths has been shown to be beneficial when compared to compression-only CPR, during the COVID-19 outbreak, it is currently recommended that no rescue breaths be performed for adult cardiac arrest patients with confirmed or suspected COVID-19, due to the risk of disease transmission. The following measures are recommended and may be associated with a decreased risk of transmitting the virus:

- When assessing for normal breathing, we recommended that the CPR/first aid care provider looks for breathing but does not listen or feel for the victim's breathing, as this will minimize potential exposure.
- We recommend that adult victims of sudden cardiac arrest receive continuous compression-only CPR from their CPR/first aid care provider until emergency personnel arrive. *Note: Compression-only CPR saves lives compared to no CPR.*
- Cardiac arrests that occur after a breathing problem (which is often the case in infants and young children), drowning and drug overdoses may benefit from standard CPR that includes compressions and rescue breaths. *Note: It is recognized that in some of the cases, the victim may also have COVID-19. However, if a lay responder is unable or unwilling to provide rescue breathing with CPR, compression-only CPR should be initiated.*

## **Guidance for Compressions**

Chest compressions and use if an AED is available is recommended for every cardiac arrest victim. Whether or not a cardiac arrest victim is suspected of having COVID-19, 9-1-1 should be called and, if available, an AED should be used.

## **Guidance for AED Application & Use**

No studies to date have shown that defibrillation generates respiratory droplets or aerosols, and it is known that prompt use of AEDs save the lives of cardiac arrest victims. In addition, the current methods of automatic external defibrillation use hands-free methods via adhesive pads that allow performance without direct contact with the victim.

- If an AED is available, it should be applied and used consistently with the manufacturer's guidelines while waiting for emergency personnel to arrive.
- If gloves are available, they should be worn.
- The AED device should be cleaned with disinfectant after use.

## **Cleaning & Disinfection After First Aid Care**

While still wearing personal protective equipment, clean and disinfect items that touched the victim. After cleaning, dispose of your personal protective equipment and perform hand hygiene. Surfaces should be cleaned using a detergent or soap and water prior to disinfection.

- For Hard Surfaces:
  - Diluted household bleach solutions, alcohol solutions with at least 70% alcohol and most common EPA-registered household disinfectants should be effective.
  - Products with EPA-approved emerging viral pathogens claims are expected to be effective against COVID-19 based on data for harder to kill viruses. Follow the manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, etc.). In their absence, products with label claims against human coronaviruses or other viruses should be used according to label instructions.
  
- For Soft or Porous Surfaces
  - For surfaces such as carpeted floor, rugs, and drapes; remove visible contamination if present, and clean with appropriate cleaners indicated for use on these surfaces.
  - After cleaning, wash items as appropriate in accordance with the manufacturer's instructions. If possible, wash items using the warmest appropriate water setting and dry completely or use products with the EPA-approved emerging viral pathogens claims that are suitable for porous surfaces.
  
- For Clothing:
  - Do not shake dirty laundry. This will minimize the possibility of dispersing virus through the air.
  - Launder items as appropriate in accordance with the manufacturer's instructions. If possible, launder items using the warmest appropriate water setting for the items and dry items completely.
  - If clothing cannot be immediately laundered, store in a sealed disposable bag.

- Alternatives to EPA-registered disinfectants include:
  - Diluted household bleach: Mix 5 tablespoons (1/3 cup) bleach per gallon of water, or 4 teaspoons bleach per quart of water. Make sure you have proper ventilation and that the bleach is not expired.
  - Alcohol solutions: Ensure your solution has at least 70% alcohol.

## **Program Operations Burgess**

### **Lap Swimming**

Patrons will register for a lane online or by phone prior to arriving at the aquatic facility, to include payment online only. We will not be accepting cash at this time. Patrons will line up on the side gate of the pool where there will be lines for them to stand to stage for their turn to come into the facility. All social distancing guidelines will be adhered to or the patron may be ask to leave to include.

1. Wearing a facemask until about to get into pool
2. Stay 6 feet apart from each other including staff

Once checked-in patrons will be allowed to walk to their lane once the group before them has left the facility. They will have 5 minutes to get into the pool and out of the pool after their swim. Patrons will stagger at either end of the pool to ensure social distancing. There will be only 1 person lane (unless family in the same household is swimming with each other). Once 35 minutes are up a guard will blow a whistle signaling each swimmer has 5 minutes to get out of the pool and exit through the back gate adjacent to the pool.

### **Open Swim**

Open swim will have designated times for families and individuals to come a reserve a space in our play pool. Each family from the same household will have a lane in one of our bigger pools or in our baby pool to ensure social distancing. Each family can reserve a space in pool online for 1-hour increments as space permits.

## **Swim Lessons**

The swim lesson programming guidelines will fully utilize the existing facility plan for covid-19 controls. The goal is to provide the highest level of swim lesson programming while maintaining social distance, minimizing contact to high touch areas and objects, and to maintain a consistent routine of disinfecting swim equipment and facility features.

Social distancing will be adhered to when arriving to the facility, checking in and staging within a designated staging area prior to the swim lesson. Participants will store their belongs at their assigned spot within the staging area.

Lessons will be held in either a private, instructor guided parent/children's lesson, and or a single family from the same household with parent in the water with kids and instructor on the deck with a facemask on. These lessons will also be staggered to avoid gatherings of people.

## **Camps**

The goal of our summer camps will provide care for the children of the community in a fun and safe environment while following all county, city, and cdc guidelines for covid-19. We want to create this environment give families peace of mind while being care for at our facility.

Goal to run 4 morning camps and 4 pm camps in controlled groups of 12.

We will follow guidelines as followed:

Childcare establishments, summer camps, and other educational or recreational institutions or programs providing care or supervision for children of all ages. To the extent possible and compliant with any licensing requirements, these operations must also comply with the following conditions:

1.They must be carried out in stable groups of 12 or fewer children ("stable" means that the same 12 or fewer children are in the same group each day and for at least four consecutive weeks). No child will be added to the group if a child does not come to camp. These groups will remain the same for 3 weeks including staff.

2.Children shall not change from one group to another or attend more than one childcare establishment, summer camp, other educational or recreational instruction or program simultaneously.

3.If more than one group of children is at one facility, each group shall be in a separate rooms or spaces that cannot be accessed by children or adults outside the stable group. Groups shall not mix with each other.

4.Providers, educators and other staff cannot serve more than one group of children and shall remain solely with that group of children during the duration of the childcare establishment, summer camp, other educational or recreational institution or program.

## **Program Operations Belle Haven**

### **Lap Swimming**

Patrons will register for a lane online or by phone prior to arriving at the aquatic facility, to include payment online only. We will not be accepting cash at this time. Patrons will line up on the side gate of the pool where there will be lines for them to stand to stage for their turn to come into the facility. All social distancing guidelines will be adhered to or the patron may be ask to leave to include.

1. Wearing a facemask until about to get into pool
2. Stay 6 feet apart from each other including staff

Once checked-in patrons will be allowed to walk to their lane once the group before them has left the facility. They will have 5 minutes to get into the pool and out of the pool after their swim. Patrons will stagger at either end of the pool to ensure social distancing. There will be only 1-person lane (unless family in the same household is swimming with each other). Once 35 minutes are up a guard will blow a whistle signaling each swimmer has 5 minutes to get out of the pool and exit through the back gate adjacent to the pool.

### **Open Swim**

Open swim will have designated times for families and individuals to come a reserve a space in our play pool. Each family from the same household will have a lane in one of our bigger pools or in our baby pool to ensure social distancing. Each family can reserve a space in pool online for 1-hour increments as space permits.

## **Swim Lessons**

The swim lesson programming guidelines will fully utilize the existing facility plan for covid-19 controls. The goal is to provide the highest level of swim lesson programming while maintaining social distance, minimizing contact to high touch areas and objects, and to maintain a consistent routine of disinfecting swim equipment and facility features.

Social distancing will be adhered to when arriving to the facility, checking in and staging within a designated staging area prior to the swim lesson. Participants will store their belongs at their assigned spot within the staging area.

Lessons will be held in either a private, instructor guided parent/children's lesson, and or a single family from the same household with parent in the water with kids and instructor on the deck with a facemask on. These lessons will also be staggered to avoid gatherings of people.

## **Camps**

The goal of our summer camps will provide care for the children of the community in a fun and safe environment while following all county, city, and cdc guidelines for covid-19. We want to create this environment give families peace of mind while being care for at our facility.

Goal: To run 1 camp in the morning and 1 in the afternoon, following

We will follow guidelines as followed:

Childcare establishments, summer camps, and other educational or recreational institutions or programs providing care or supervision for children of all ages. To the extent possible and compliant with any licensing requirements, these operations must also comply with the following conditions:

- 1.They must be carried out in stable groups of 12 or fewer children ("stable" means that the same 12 or fewer children are in the same group each day and for at least four consecutive weeks). No child will be added to the group if a child does not come to camp. These groups will remain the same for 3 weeks including staff.
- 2.Children shall not change from one group to another or attend more than one childcare establishment, summer camp, other educational or recreational instruction or program simultaneously.
- 3.If more than one group of children is at one facility, each group shall be in a separate rooms or spaces that cannot be accessed by children or adults outside the stable group. Groups shall not mix with each other.

4. Providers, educators and other staff cannot serve more than one group of children and shall remain solely with that group of children during the duration of the childcare establishment, summer camp, other educational or recreational institution or program.

## Exhibit A

### A. Facility Map Entrance and Exit

#### Burgess Pool



### Exhibit A Continued





## Exhibit A Continued



## Exhibit A Continued

### Belle Haven Pool



B.

## Exhibit B: Health Check Form

Questions   Responses **1**

### Employee Covid Check-In Sheet

Form description


---

**Full Name \***

Short answer text


---

**Today's Date \***

Month, day, year 

---

**Time \***

Time 

---







**Temperature \***

Short answer text

---

**Symptoms (if any) \***

Long answer text

C.  
D.

## Exhibit C: Thermometers



## Exhibit D: General PPE information



Infection Prevention and Control

### Taking off (Doffing) Personal Protective Equipment (PPE)

**1 Gloves**

A Grasp the outside edge of the glove near the wrist and peel away from the hand, turning the glove inside-out.

- ◆ Hold the glove in the opposite gloved hand.

B Slide an ungloved finger or thumb under the wrist of the remaining glove.

C Peel the glove off and over the first glove, making a bag for both gloves.

- ◆ Put the gloves in the garbage.

**2 HAND HYGIENE**

A Using an alcohol-based hand rub is the preferred way to clean your hands.

B If your hands look or feel dirty, soap and water must be used to wash your hands.

**3 Gown**

A Carefully unfasten ties.

B Grasp the outside of the gown at the back of the shoulders and pull the gown down over the arms.

C Turn the gown inside out during removal.

- ◆ Put in hamper or, if disposable, put in garbage.

**4 HAND HYGIENE**

- ◆ Clean your hands. (See No. 2)
- ◆ Exit the patient room, close the door and clean your hands again.

**5 Eye protection or face shield**

- ◆ Handle only by headband or ear pieces.
- ◆ Carefully pull away from face.
- ◆ Put reusable items in appropriate area for cleaning.
- ◆ Put disposable items into garbage.

**6 Mask or N95 respirator**

- ◆ Bend forward slightly and carefully remove the mask from your face by touching only the ties or elastic bands.
- ◆ Start with the bottom tie, then remove the top tie.
- ◆ Throw the mask in the garbage.

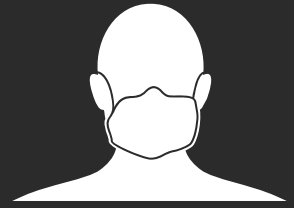
There are different styles of N95 respirators but all styles have the same basic steps for doffing.

**7 HAND HYGIENE**

- ◆ Clean your hands. (See No. 2)

**Exhibit E: Facility Signs**

**EVERYONE  
MUST WEAR A  
FACE COVERING\***



**Covering your face is now mandatory and helps prevent the spread of COVID-19.**

**Masks, bandanas, scarves, and cloth can be used. \*This order does not apply to those 12 years old and less.**

**...AND STAY 6 FEET  
APART**

**FOR MORE INFORMATION**

- [menlopark.org/coronavirus](http://menlopark.org/coronavirus)
- [smchealth.org/coronavirus](http://smchealth.org/coronavirus)
- [cdc.gov/coronavirus](http://cdc.gov/coronavirus)

# EVERYONE MUST WEAR A FACE COVERING\*

Covering your face is now mandatory and helps prevent the spread of COVID-19.



Masks, bandanas, scarves, and cloth can be used.

\* This order does not apply to those 12 years old and less.

## ...AND STAY 6 FEET APART

This business is required to refuse service to anyone who does not comply.

**Todos deben de usar una cobertura facial\***

Cubrirse la cara ahora es obligatorio y ayuda a prevenir la propagación de COVID-19. Se pueden usar máscaras, pañuelos, bufandas y telas.

\* Esta orden no aplica a aquellos que tengan 12 años de edad o menos.

...y mantenerse a 6 pies de distancia.

Este negocio está requerido a negarle el servicio a cualquier persona que no cumpla con este requisito.

## 每个人都必须佩带面罩\*

现在要求强制性佩带面罩，帮助防止新型冠状病毒地传播。口罩，头巾，围巾和布料都可以。

\* 该规定不适用于12岁及以下人群。

...并且保持6尺社交安全距离

商家不得为没有遵守规定的人提供服务。



**COUNTY OF  
SAN MATEO**

[www.smcgov.org](http://www.smcgov.org)



**SAN MATEO  
COUNTY HEALTH**

# SOCIAL DISTANCING DURING CORONAVIRUS

Social distancing is an action encouraged by public health officials to stop or slow down the spread of a highly contagious disease. This information is being provided to help you understand what you are being asked to do by the Health Officer.

## STOP THE SPREAD OF CORONAVIRUS (COVID-19)

If you must be in a public space, maintain 6 feet of distance from others



### What are social distancing measures?

Social distancing measures are taken to restrict when and where people can gather to stop or slow the spread of infectious diseases. Social distancing measures include limiting large groups of people coming together, closing buildings and canceling events. When in public spaces it is important to stay 6 feet away from other people.

### Why would social distancing measures be used?

Since the start of the spread of coronavirus, social distancing measures will be used early on to slow the spread of the disease and provide our community with the valuable time needed to be better prepared.

### What can I do?

Practicing good hygiene habits such as washing your hands and covering your cough will help to stop or slow the spread of many diseases. The San Mateo County Health website ([www.smchealth.org](http://www.smchealth.org)) has 'Wash Your Hands' and 'Cover Your Cough' posters you can download and use.

It is important to follow any social distancing instructions from San Mateo County Health. Please stay informed and plan ahead.

### IMPORTANT RESOURCES DURING THE COVID-19 PANDEMIC

For questions or concerns, please dial 2-1-1

For more information about health issues and emergency preparedness, please visit the following websites:

County Health: [www.smchealth.org/coronavirus](http://www.smchealth.org/coronavirus)

San Mateo County: [www.smcgov.org](http://www.smcgov.org)

U.S. CDC: [www.cdc.gov/coronavirus/2019-ncov](http://www.cdc.gov/coronavirus/2019-ncov)



**SAN MATEO COUNTY HEALTH**

Dial 2-1-1 for non-emergency, non-medical calls  
[smchealth.org/coronavirus](http://smchealth.org/coronavirus)



## Exhibit F: Pool Documents



**SAN MATEO COUNTY HEALTH**  
**ENVIRONMENTAL  
HEALTH SERVICES**

### **PROTECT YOURSELF & OTHERS FROM COVID-19**

**DO:**

- Shower before entering the pool**
- Stay at least 6 feet away from others to maintain social distancing**
- Keep your hands clean by washing hands with soap and water, especially after going to the bathroom, before eating, and after blowing your nose, coughing, or sneezing**
- Wear face coverings except in the pool or exempted by the Health Officer.**

**DON'T:**

- Visit the pool or other public areas** if you are sick with COVID-19, were recently exposed (within 14 days) to someone with COVID-19, or experience the following symptoms: *fever, cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, new loss of taste or smell*
- Gather in large group**

**STAY INFORMED WITH THE SOCIAL DISTANCING PROTOCOL**  
San Mateo County COVID-19: [smchealth.org/coronavirus](https://smchealth.org/coronavirus)  
COVID-19 Hotline: Dial 211



**SAN MATEO COUNTY HEALTH  
ENVIRONMENTAL  
HEALTH SERVICES**

Environmental Health Services  
Pool Program  
2000 Alameda de las Pulgas, Suite #100  
San Mateo, CA 94403  
(650) 372-6200 FAX (650) 627-8224  
smhealth.org/food

**PUBLIC SWIMMING POOLS DAILY CHECKLIST  
AND ATTENDANCE RECORD DURING COVID-19**

A separate copy of this checklist should be maintained for each day a public pool is open during the COVID-19 Shelter in Place Order. One checklist may be kept for multiple pools within the same enclosure. The checklist shall be maintained for at least 90 days for possible review by personnel from the San Mateo County Environmental Health Services.

FACILITY NAME:

DATE:

NAME OF SUPERVISING PARTY:

- |   | YES                      | NO                       |
|---|--------------------------|--------------------------|
| 1. Sign(s) posted at each entrance regarding Guidelines for Pool Users? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Reduced pool capacity sign posted?                                   | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Designated personnel can maintain six-foot separation?               | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Designated personnel has face covering?                              | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Restrooms cleaned & disinfected frequently?                          | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. High touch areas cleaned & disinfected frequently?                   | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Hand washing station or hand sanitizer station stocked & available?  | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Tape/markings to guide six-foot distancing?                          | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Pool water is tested prior to opening the pool?                      | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Pool water is tested at 4 hour intervals until pool is closed?      | <input type="checkbox"/> | <input type="checkbox"/> |

Time	Free Chlorine (ppm)	pH	Notes
Pool Open (i.e. 8:00 am)			
Midday (i.e. 12:00 pm)			
Pool Close (i.e. 4 pm)			



**SAN MATEO COUNTY HEALTH  
ENVIRONMENTAL  
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smhealth.org/food

**APPENDIX C-2 ALLOWED ADDITIONAL ACTIVITIES**

**SAMPLE GUIDELINES FOR PUBLIC SWIMMING POOLS  
SPAS MUST CONTINUE TO REMAIN CLOSED PER THIS ORDER (MAY 22, 2020)**

**FACILITY NAME**

**SITE ADDRESS/CITY/ZIP**

**THE HEALTH OFFICER'S ORDER PROHIBITS GATHERING AT THE POOL. THE POOL MUST BE ACTIVELY MONITORED AND MANAGED TO ENSURE THAT THE HEALTH OFFICER'S ORDERS ARE ENFORCED**

**Pool owner/operator (i.e., HOA, apartment and hotel management) are legally responsible for ensuring the pool's operation is compliant with the Order.**

***SIGNAGE***

- Post a copy of the Social Distancing Sign at each gate entry or other easily viewable location.
- Post a copy of the Social Distancing Guidelines (Appendix C-2) at each gate entry or other easily viewable location.
- Other: \_\_\_\_\_

***MEASURES TO PREVENT GATHERING AND ENSURE SOCIAL DISTANCING***

- Ensure social distancing by (1) having members of the same household use the pool at the same time period or (2) in a manner that ensures the Health Officer orders are enforced (recommend dividing pool occupancy by half). Any measures put in place must be reflected in the required posted written protocols.
- Minimum six feet of social distancing is required in and out of the pool.
- No personal contact in and out of pool unless pool users are from the same household (No contact swim lessons).
- Lap swimming shall be separated by alternate lanes or maintain 6 feet social distancing. Only one person per lane.
- Face covering is required for all those on the pool deck. Do not wear a face covering while in the pool.
- Eliminate shared equipment and pool furniture in the facility or disinfect after each use.
- Place tape or other markings at least six feet apart in pool user line areas or any other area in the pool where pool users congregate (e.g. line for outdoor showers).
- Other: \_\_\_\_\_



**SAN MATEO COUNTY HEALTH  
ENVIRONMENTAL  
HEALTH SERVICES**

**Environmental Health Services**  
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**EXHIBIT C**

## APPENDIX C-2 ALLOWED ADDITIONAL ACTIVITIES

**SAMPLE GUIDELINES FOR PUBLIC SWIMMING POOLS  
SPAS MUST CONTINUE TO REMAIN CLOSED PER THIS ORDER (MAY 22, 2020)**

**FACILITY NAME**

**SITE ADDRESS/CITY/ZIP**

**THE HEALTH OFFICER'S ORDER PROHIBITS GATHERING AT THE POOL. THE POOL MUST BE ACTIVELY MONITORED AND MANAGED TO ENSURE THAT THE HEALTH OFFICER'S ORDERS ARE ENFORCED**

**Pool owner/operator (i.e., HOA, apartment and hotel management) are legally responsible for ensuring the pool's operation is compliant with the Order.**

***SIGNAGE***

- Post a copy of the Social Distancing Sign at each gate entry or other easily viewable location.
- Post a copy of the Social Distancing Guidelines (Appendix C-2) at each gate entry or other easily viewable location.
- Other: \_\_\_\_\_

***MEASURES TO PREVENT GATHERING AND ENSURE SOCIAL DISTANCING***

- Ensure social distancing by (1) having members of the same household use the pool at the same time period or (2) in a manner that ensures the Health Officer orders are enforced (recommend dividing pool occupancy by half). Any measures put in place must be reflected in the required posted written protocols.
- Minimum six feet of social distancing is required in and out of the pool.
- No personal contact in and out of pool unless pool users are from the same household (No contact swim lessons).
- Lap swimming shall be separated by alternate lanes or maintain 6 feet social distancing. Only one person per lane.
- Face covering is required for all those on the pool deck. Do not wear a face covering while in the pool.
- Eliminate shared equipment and pool furniture in the facility or disinfect after each use.
- Place tape or other markings at least six feet apart in pool user line areas or any other area in the pool where pool users congregate (e.g. line for outdoor showers).
- Other: \_\_\_\_\_

## MEASURES TO INCREASE SANITATION

### Cleaning and Disinfecting Pools:

- Maintain proper disinfectant levels:

Type	Free Chlorine	pH
Pools With Cyanuric Acid	2-10 ppm	7.2-7.8
Pools Without Cyanuric Acid	1-10 ppm	7.2-7.8

- Ensure daily monitoring and recording of pool chemicals (chlorine, pH, and cyanuric acid). If the
- operator notices the chemicals are not within their appropriate range, the pool shall be closed until the chemicals are balanced to the correct levels.
- Recommend maintaining a checklist with attendance records to aid in contact tracing as needed.

### Cleaning and Disinfecting Ancillary Areas:

- Keep locker rooms closed.
- Stock handwashing stations with liquid soap and paper towels. Provide hand sanitizer with at least 60% alcohol for pool users/visitors to use.
- Clean and disinfect frequently touched surfaces: handrails and ladders ADA liftdoor/gate handles surfaces of restrooms: handwashing stations diaper changing stations, and showers any multi-touch contact surface that have been identified
- \*Examples of disinfectants: Alcohol solutions with at least 70% alcohol may be used for surfaces. Diluted household bleach solutions may also be used: To make a bleach solution, mix: 5 tablespoons (1/3rd cup) bleach per gallon of water as per CDC Guidelines\**

## MEASURES TO PROTECT EMPLOYEE HEALTH (IF APPLICABLE)

- Distribute a copy of the safety guidelines to each employee.
- Instruct employees not to come to work for at least 14 days if they are exhibiting COVID-19 symptoms and/or seek a health care provider.
- Check employees for symptoms (fever, cough, or shortness of breath) of illness prior to entering work space by following CDC guidelines.
- Employees shall wear face coverings in the workplace.
- Liquid soap, warm water, and paper towels are available to all employees for handwashing.
- Hand sanitizer (at least 60% alcohol) and other EPA approved disinfectants are available to all employees.
- Individual work stations are separated by at least six feet or with a physical barrier.

- All employees/attendants have been instructed to maintain at least six feet distance from pool users and from each other as much as practicable.
- Sanitize all individual work stations and common touch points frequently.
- Common areas such as break rooms and bathrooms are to be sanitized after each use.

For indoor pools, make sure ventilation systems work properly. Increase air circulation by introducing outdoor air as much as possible by opening windows and doors or using fans.; however, do not open windows and doors if doing so poses a safety risk to staff, patrons, or swimmers.

Other: \_\_\_\_\_

**Optional Measures:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

For additional information refer to the latest Health Officer's order:  
<https://www.smchealth.org/post/health-officer-statements-and-orders>

**IT IS THE LEGAL RESPONSIBILITY OF THE POOL OWNER/OPERATOR TO ENSURE ALL APPLICABLE REQUIREMENTS ARE FOLLOWED TO PROTECT THE SAFETY OF THE POOL USERS. IF OPERATORS ARE UNABLE TO DO SO, THE POOL SHALL REMAIN CLOSED.**

**Contact the owner or person in charge listed below with any questions about the following safety measure protocols.**

**NAME** \_\_\_\_\_

**EMAIL** \_\_\_\_\_ **PHONE NUMBER** \_\_\_\_\_

**PROFESSIONAL SERVICES AGREEMENT**  
(Menlo Park Aquatic Facilities)

This Professional Services Agreement (“Agreement”) is made and executed as of March 27, 2018, by and between the City of Menlo Park, a municipal corporation (“City”), and Team Sheeper, Inc., a California S Corporation (“Provider”), referred to herein individually as “Party” and collectively as “Parties”.

**WHEREAS**, City is the owner of certain premises (“Premises”) described below, and desires to provide recreational aquatics programming for the benefit of the community at the Premises;

**WHEREAS**, City desires to engage Provider to provide the recreational aquatics programming, including swim instructors and certified lifeguards to provide lap swim, open swim, youth swim team, youth and adult swim lessons, youth camps, masters swim, aqua-fit classes and lane rentals for community swim teams and other community organizations at the Premises (“Services”) consistent with the current level of programming;

**WHEREAS**, Provider has been providing the Services pursuant to a Lease Agreement, which is expiring on March 31, 2018, and has the necessary professional expertise, qualifications and capability, and all required licenses and/or certificates the provide the services; and

**WHEREAS**, City and Provider desire to enter into this Agreement on the terms and conditions set forth below.

**NOW, THEREFORE**, the Parties agree as follows:

**1. PREMISES.** The Premises includes both the “Burgess Pool”, 501 Laurel Street, Menlo Park, CA and the “Belle Haven Pool”, 100 Terminal Avenue, Menlo Park, CA as defined herein. Burgess Aquatic Facility (“Burgess Pool”) consists of the fenced pool area at the City’s Civic Center campus at Burgess Park. Burgess Pool includes the lap pool, instructional pool, toddler activity pool, locker rooms and restrooms, offices, lawn area, pool mechanical room, lobby area, and all associated areas in the City of Menlo Park, County of San Mateo, State of California, as more particularly shown in Exhibit A, attached hereto and incorporated herein by reference. The Belle Haven Pool (“Belle Haven Pool”) is a six-lane x 25-meter outdoor swimming pool located adjacent to the Onetta Harris Community Center. Belle Haven Pool includes a locker room, shower facilities, mechanical room, office and small children’s wading pool in a fenced area as shown in Exhibit B, attached hereto and incorporated herein by reference.

**2. SCOPE OF SERVICES.** Provider shall perform the Services, as more particularly described in Exhibit C attached hereto and incorporated herein by this reference in accordance with the terms and conditions contained in this

Agreement. Performance of all Services shall be to the reasonable satisfaction of the City.

**3. TERM.** The term of this Agreement shall commence on April 1, 2018 and shall terminate on August 31, 2020 ("Term"). If not terminated as set forth hereinafter, this Agreement shall automatically renew for successive 12-month periods (each year an "Extended Term"), subject to all of the same terms and conditions contained in this Agreement. Not less than 180 days prior to the expiration of the Term or Extended Term, either of the Parties may provide written notice requesting either an evaluation of the terms and conditions of this Agreement or termination of this Agreement. In the event no such notice of termination is given, this Agreement shall automatically continue for an Extended Term.

**4. BELLE HAVEN POOL MANAGEMENT FEE.** The City shall pay Provider a management fee for the operation of the Belle Haven Pool in an amount not to exceed Five Thousand Dollars (\$5,000) per month or Sixty Thousand Dollars (\$60,000) per year, unless otherwise approved by the City Council. The City currently receives annual funding for the Belle Haven Pool from Hibiscus Properties, LLC ("Facebook") pursuant to Section 9.1.1 of the Development Agreement dated December 14, 2016 and recorded in the Official Records of the County of San Mateo as Document Number 2016-133794. In addition to the management fee, pursuant to the terms of the prior Lease Agreement, the City shall pay to Provider Five Thousand Dollars (\$5,000) per month for the period January 1, 2018 through March 31, 2018 for a total of Fifteen Thousand Dollars (\$15,000) for operating the Belle Haven Pool, subject to and upon receipt by the City of funds from Facebook covering that time period. To the extent Provider has been paid all or any portion of the management fee directly by Facebook, the City shall be relieved from the requirement to pay such amount to Provider. If and when such annual funding is reduced or terminated, the City may terminate the Services at the Belle Haven Pool after providing 30 days' advance written notice to Provider. Provider shall be paid pro rata for Services performed at the Belle Haven Pool up to the termination date. If the Services at the Belle Haven Pool are terminated, the management fee shall also terminate.

**5. EXCLUSIVE USE OF PREMISES.** Subject to the terms of this Agreement, Provider shall have exclusive use of the Premises for the purposes of conducting aquatics programs, including, but not limited to, a masters swim program, swim team, swim lessons, fitness training, recreational swimming, community rentals and other aquatics programs and providing for reasonable public access to and use of the Premises pursuant to Section 6 of this Agreement. Provider shall have the exclusive right to staff, supervise and contract for such use of the Premises, subject to the terms of this Agreement. The Parties specifically agree that Provider shall accommodate the SOLO swim team's use of Burgess Pool in accordance with schedule and terms set forth in Exhibit D, which shall not



be modified without mutual agreement of Provider and SOLO, unless SOLO is in breach of its contract with Provider.

Provider shall have non-exclusive use of the locker rooms, as depicted on Exhibit A and Exhibit B, to accommodate Provider's use of the Premises. The Parties agree that use of the locker rooms shall be limited to persons participating in programs and activities offered by Provider or City or other members of the public upon payment to Provider of fees for such use. Specifically, City reserves the right to use the locker rooms for any City program, including facility rentals and programs and for public use on a "pay for use" basis. Provider may only refuse locker room access when patrons fail to follow the rules of conduct approved by the City. Patrons shall have the right to appeal Provider's decision to the Director of Community Services, if the patron feels denial of locker room access was unreasonable. The Director of Community Services' decision shall be final.

**6. OPERATION, COMMUNITY ACCESS AND SCHEDULING.** Provider may operate the Premises between the hours of 5 a.m. to 10 p.m. seven days a week, 365 days a year. Provider currently operates the Burgess Pool from 5:45 a.m. to 8:00 p.m., and until 10:00 p.m. on Tuesdays and Thursdays Monday through Sunday and the Belle Haven Pool from 3:00 p.m. to 7:00 p.m. Monday through Friday. Provider may reasonably modify, subject to prior written approval from the City, which shall not be unreasonably withheld, the current schedule at either the Burgess Pool or the Belle Haven Pool if staffing is not possible or if it is not financially feasible to operate during certain hours. The City will provide its consent or objection to the requested change within 10 business days or the request will be deemed approved.

Provider will be responsible for the scheduling of the Premises. Provider shall provide reasonable public access and community use of the Premises. Provider will not reduce the public access and community use without prior City approval from the Director of Community Services who is authorized to finalize the City's schedule of use of the Premises. When evaluating the pool space and time allocation, Provider shall consider and give scheduling priority for programs based on the number and percentage of City residents.

Burgess Pool: Minimum public access and community use will include:

- a. Year-round lap swim, seven days per week (except holidays);
- b. Seasonal open/recreational swim daily from Memorial Day through Labor Day for a reasonable amount of time and with adequate pool space;
- c. Reasonable availability for other community organizations/users;
- d. Programs and reasonable accommodation for all ages and abilities;
- e. Inclusive programs for people with disabilities when possible; and
- f. Winter programming subject to the City's provision a dome over the instructional pool, if possible.

Belle Haven Pool: Minimum public access and community use will include:

- a. Open to the public for a minimum of 10 weeks during the summer season in June, July, and August. During that time period, the pool shall be open for a minimum of six days a week, Monday through Saturday; and
- b. Open/recreational swim hours will be at least three hours per day, six days per week but will be allowed on a “pool sharing” basis with other programming.

**7. PROGRAM REGISTRATION AND FEES.** Provider shall be responsible for having a method for the public to register and pay for programs. Provider shall collect all program fees for the Services provided pursuant to this Agreement. The program fees charged by Provider shall be as follows:

- a. The fees charged by the Provider for public lap swimming, open/recreational swim, and swim lessons shall be comparable to rates and fees charged by other aquatic facilities in surrounding communities and in alignment with the approved business model.
- b. Provider shall provide rental space for other community organizations and users for competitive youth swimming programs, instructional programs, fitness training, etc., on a reasonable and comparable fee basis.
- c. Review of the program fees shall be included in the annual report to the City. Although Provider is responsible for setting program fees, Provider shall consider both City input and market rates in establishing the program fees.
- d. The City will provide limited conference room space at the Arrillaga Family Gymnasium free of charge for Provider’s team meetings and trainings, subject to availability.
- e. The City will make sports field space at Burgess Park available free of charge for Provider camps and programs in exchange for pool use for City camps and programs, both subject to availability.

**8. REVENUE SHARING.** Provider shall maintain an annual profit and loss statement (“Statement”) during the Term and any Extended Term of this Agreement. The Parties acknowledge that the Provider’s Statement includes revenue from the Services at the Premises and also Menlo Fit/Boot Camp revenue and triathlon team revenue. If Provider’s revenue from the Services provided pursuant to this Agreement, exclusive of Menlo Fit/Boot Camp revenue and 2/3 of the triathlon team revenue, exceeds Three Million One Hundred Forty Thousand (\$3,140,000) in a single calendar year, Provider shall pay to the City 30 percent such revenue within 60 days of the end of the year.

**9. PROGRAM ADMINISTRATION.** Provider shall have adequate administrative staff and assistance to support all hours of operation. Policies and procedures for handling registration, refunds, and complaints are required. Provider shall maintain a customer database and appropriate records retention.

Provider shall develop sufficient communication and marketing in order to inform the public of the programs and services. The City will provide reasonable marketing space in the tri-annual activity guide for the Provider to promote their aquatics programs at the Premises, subject to availability. Provider shall be responsible for meeting the deadlines and providing accurate and sufficient information to City staff.

Provider shall take appropriate steps to maintain a high level of customer service and overall satisfaction at all times. Provider shall be engaged with City staff and regional aquatics groups throughout the year and shall attend an annual meeting convened by the City. Additionally, Provider shall prepare and provide an annual report no later than January 30 of each year to City staff, which will be presented to the City's Parks & Recreation Commission for review and comment by the Commission at its February meeting. The annual report should include the following items:

- a. Total program hours by program area;
- b. Participation statistics by program area including resident and non-resident percentages;
- c. Customer satisfaction survey results;
- d. User group feedback by program area or rental;
- e. Pool schedule and allocation by program for previous year and projections to the upcoming year;
- f. Fees by program area and a fee comparison to other public pools in the region;
- g. Annual audits and reviews demonstrating standards of care, outlined in Section 12, below, are met;
- h. Risk management documentation, outlined in Section 13, below; and
- i. Training certifications listed by staff member.

Provider shall maintain reasonable evidence and documentation of this information and have these records accessible to the City at any time following 10 days written notice.

In the event of a third-party dispute or conflict arising out of or related to this Agreement, the City will use best efforts to notify and discuss the issue with Provider before engaging in any dialogue with the third-party involved.

**10. COMPLIANCE WITH LAWS AND REGULATIONS.** Provider shall comply with all city, county, state, and federal laws and regulations related to pool and aquatic program operations. These regulators and laws include but are not limited to:

- a. City of Menlo Park
- b. Menlo Park Fire Department
- c. San Mateo County Health Department
- d. California Department of Health Services

- e. California Department of Labor
- f. Occupational Safety and Health Administration (OHSA)
- g. Emergency Medical Services Authority (EMSA)
- h. Consumer Product Safety Commission & Virginia Graeme Baker Act
- i. Americans with Disabilities Act
- j. California Department of Fair Employment and Housing

**11. HEALTH AND SAFETY.** Provider shall maintain health and safety standards in a reasonable and acceptable manner for the Premises, participants, and its employees in compliance with City standards and the other regulatory agencies listed in Section 10 above. These standards include but are not limited to:

- a. Employee Injury and Illness Prevention Plan
- b. Hazardous Materials Communications and Business Plan
- c. Blood borne Pathogens and Bio Hazardous Exposure Control Plan
- d. Lifting and Fall Prevention
- e. Electrical Safety
- f. Emergency Action Planning
- g. First Aid
- h. Heat Illness and Sun Protection
- i. Confined Spaces
- j. Chemical Storage
- k. Personal Protective Equipment
- l. Recreational Waterborne Illnesses (RWI's)
- m. Signage

Provider is responsible for keeping up to date with all changes, additions, or amendments to the laws, regulations and codes related to pool operations and aquatics programs.

**12. STANDARD OF CARE.** Provider shall provide aquatic programs and manage the Premises in a manner that is comparable to or above the standard of care that is reasonable and acceptable for a public pool in the surrounding communities. This standard of care should be demonstrated in all areas of operations including: supervision and lifeguard coverage, surveillance techniques, staff training, record keeping, basic maintenance and janitorial services during business hours, cleanliness of facilities, safety, and risk management. Provider is expected to ensure this standard of care by conducting annual audits by qualified external experts and including this information in the annual report to City staff and the City's Parks and Recreation Commission identified in Section 9, above.

**13. RISK MANAGEMENT.** The Provider shall take all appropriate and necessary steps to provide adequate risk management planning to minimize liability or negligence by the Provider. The Provider shall manage their risk by demonstrating proficiency in the following areas:

- a. Emergency Action Plan - staff training plan, drills conducted, emergency equipment and communication process.
- b. Facilities & Equipment - inspection, maintenance, and checklists.
- c. Supervision - quality, quantity, lesson plans and progression.
- d. Training - requirements and appropriate staff.
- e. Documentation - manuals, waivers, medical screening, skills screening, risk information provided to public, policies and evaluations.

**14. EMERGENCY ACTION PLAN AND PROCEDURES.** Provider shall create and maintain all emergency procedures and emergency action plans for the Premises. An emergency action plan is required under Title 29 of Federal Regulations Sections 1910.38/.120/.156, and Title 8 California Code of Regulations, Sections 3220 and 3221. The emergency action plan covers all employees and non-employees who may be exposed to hazards arising from emergency situations. It must contain information for all of the Provider's employees, including administration and line level employees using the plan in order to reduce the severity of emergency situations and minimize the risk to life and property.

**15. MAINTENANCE, REPAIR, CUSTODIAL AND LANDSCAPING.** The City will be responsible for the maintenance and repair of the equipment and facilities at the Premises, including:

- a. Burgess Pool: three pools, appropriate signage, offices, lobby, locker rooms and shower area, restrooms, pool decks, fences and gates, lawn area, supply storage areas, equipment/mechanical rooms, chemical storage areas, and lights.
- b. Belle Haven Pool: two pools, appropriate signage, office, locker rooms and shower area, restrooms, pool decks, fences and gates, supply storage areas, equipment/mechanical rooms, chemical storage areas, and lights.

If in the course of operating the Premises, Provider identifies any equipment, facilities or portion thereof in need of maintenance or repair, Provider shall notify the City's Public Works Director or his/her designee as soon as possible and the City shall be responsible for performing the necessary maintenance or repair work. If any maintenance or repair work requires immediate emergency attention, Provider may engage a preferred City contractor directly after obtaining consent from the City's Public Works Director or his/her designee. Provider shall be reimbursed by the City for any costs incurred by Provider in addressing the immediate/emergency maintain/repair work. If the Facilities or equipment are damaged due to the willful misconduct or negligence of Provider, its employees, subcontractors, or program participants, Provider is responsible for any necessary repair or replacement of such damage at Provider's sole cost and expense.

Provider shall employ or contract one full-time custodial support staff from 3:00 a.m. to noon, consistent with Provider's current practice. The City will provide

janitorial service during midday and Saturday and Sunday evenings. The City and Provider shall coordinate custodial services to ensure the Premises is maintained in an orderly, clean and professional condition. The City shall provide all incidental facility supplies, such as paper towels, toilet paper, etc. The City agrees to reimburse Provider, upon approval by the Public Works Director, or his/her designee, up to Two Hundred Dollars (\$200) per month for the purchase of incidental supplies. The City shall provide landscaping services for the Premises.

The City shall provide and be billed directly for all necessary pool chemicals. Provider shall employ or contract for a Certified Pool Operator. Provider shall maintain standard operation procedure manuals and maintenance records and logs. These records will include: daily pool and chemical log and checklists for routine maintenance and janitorial duties (daily, weekly, monthly, quarterly, bi-annually, and annually).

**16. UTILITIES.** The City shall provide, without cost to Provider, all utilities necessary to operate the Premises for the purposes identified in this Agreement, including water, sewer, stormwater, electricity, gas, telephone and internet. Provider shall modify operations to comply with any conservation requirements imposed by any utility operator. Provider shall consult with and obtain City approval prior to making any operational changes that would impact utility costs and regulatory compliance.

**17. INSURANCE.** Provider shall acquire and maintain Workers' Compensation, Employer Liability, and Commercial General Liability relating to the Provider's use of the Premises. The insurance company or companies must be approved by the City. Provider will furnish City with certificates and copies of information or declaration pages of the insurance required. Provider would need to provide the City with 30 days' notice if any changes, cancellation, or non-renewals. Provider is required to disclose any self-insured retentions or deductibles, which shall be subject to City's approval, not to be unreasonably withheld. Provider's insurance shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of the insurer's liability (cross liability endorsement). Provider's insurance coverage shall be primary insurance with respect to City, its Council, Boards, Commissions, agents, officers, volunteers or employees, and any insurance or self-insurance maintained by City, for themselves, and their Council, Boards, Commissions, agents, officers, volunteers or employees shall be in excess of Provider's insurance and not contributory with it.

The minimum amounts of coverage corresponding to these categories of insurance per insurable event shall be as follows:

<b>Insurance Category</b>	<b>Minimum Limits</b>
Workers' Compensation	Statutory Minimum - include endorsement waiving the insurer's right of subrogation against the City, its

Employer's Liability

officers, officials, employees and volunteers.

One Million Dollars (\$1,000,000) per accident for bodily injury or disease – include endorsement adding the City, its officers, officials, employees and volunteers as additional insured for both ongoing operations as well as products and completed operations; include endorsement to provide primary insurance and waive any rights of contribution from the City's coverage.

Commercial General Liability

Three Million Dollars (\$3,000,000) per occurrence for bodily injury, personal injury and premises damages. Must include all areas in Insurance Service Office (ISO) Form No. CG 00 01 (including Products and Completed Operations if food is served or for repairs done by the tenant, Contractual Liability, Broad form property damage, Participants and spectators coverage, and Personal and Advertising injury liability)

If Provider fails to maintain any of the insurance coverage required herein, then City will have the option to terminate this Agreement or may purchase replacement insurance or pay the premiums that are due on existing policies in order that the required coverage may be maintained. Provider is responsible for any payments made by City to obtain or maintain such insurance.

Provider shall require any subcontractor who uses the Premises more than once in any 12-month period to maintain and carry the same coverage as described above, which policies shall name the City as an additional insured. Provider shall require such subcontractor to obtain and provide a certificate of insurance evidencing said coverage to the City.

Each Party hereby waives and agrees to obtain from each insurance carrier of the insured a "subrogation waiver endorsement" waiving its right of recovery to the extent of insurance proceeds, against the other Party, the other Party's officers, directors, agents, representatives, employees, successors and assigns with respect to any loss or damages, including consequential loss or damage to the insured's property caused or occasioned by any peril or perils (including negligent acts) covered by any policy or policies carried by the Party.

**18. INSPECTIONS AND AUDITS.** The City reserves the right to conduct periodic and regular site inspections and operational audits.

- a. **Safety:** Provider will be required to comply with the City's safety program guidelines and protocol. Quarterly inspections by an outside vendor will be conducted and recommendations for compliance will be enforced. City staff will be responsible for following up with the Provider on specific safety issues identified in the quarterly inspection. The Provider will be required to comply with the City's requests in a timely manner. In addition, documentation demonstrating compliance with all city, county, state and federal regulations will be required to be kept up to date and reviewed on an annual basis or more frequently as deemed necessary by the City.
- b. **Maintenance:** City staff reserves the right to conduct weekly, monthly, quarterly, and annual inspections relative to Provider's responsibilities pursuant to this Agreement, including inspections relating to pool chemistry, pool equipment, and safety practices.
- c. **Operations:** An annual operational audit will be conducted by an external expert and industry professional approved by the City. An observational audit, lifeguard skills assessment, and site inspection shall be conducted annually. An overall operational audit shall be conducted every two years. This audit should include but may not be limited to: staff skills assessment, staff selection and training procedures, policies and procedures review, site inspection, code compliance and record keeping practices, and adherence to aquatic safety standards.
- d. **Financial Review/Audit:** Provider shall provide complete financials for all aquatics programs and/or programs operated out of the Premises (with administrative costs/salaries that may be related to both aquatics and non-aquatics programs fairly allocated between such programs) prepared in accordance with generally accepted accounting principles for each calendar year during the Term of this Agreement for City staff and outside consultant review. The purpose for such review shall be for determining appropriate revenue sharing, if any, pursuant to Section 8. Provider agrees, upon the City's request, to make all books and records available to the City for review such that the City is provided the opportunity to confirm the accuracy of the financial reports provided.

**19. CITY ACCESS.** The City shall have access to the Premises or any part thereof for municipal purposes, which may include the performance of maintenance and repairs in or upon the Premises, the inspection of the Premises, or the use, maintenance, repair of adjoining areas. When City access will be during the Provider's operational hours and may impact the provision of Services, the City shall provide prior notice and coordinate access with the Provider.

**20. IMPROVEMENTS.** Provider shall not make, nor cause to be made, nor allow to be made, alterations or improvements to the Premises, without the prior



written consent of City, not to be unreasonably delayed or withheld. All improvements or alterations constructed or installed shall be removed and the Premises restored to substantially the same condition existing prior to such construction or installation, upon the termination of this Agreement, unless the prior written approval of City is secured, allowing such improvements or alterations to remain in place, in which case, title thereto shall vest in City. All improvements undertaken pursuant to this Agreement will be at City's sole expense and the City will be responsible for the use and maintenance of the improvements.

**21. NOISE.** Except in the event of an emergency, Provider shall not use any amplified sound, whistles, bullhorns, music, etc., between the hours of 5:30 a.m. to 8:00 a.m., and/or from 8:00 p.m. to closing during any day of operation. In order to minimize impacts of major events on residents of the surrounding neighborhood, Provider will notify the City on a quarterly basis of all swimming meets or other large group events beyond normal operations to allow the City to notify the neighborhood in advance of such events.

**22. PARKING.** Provider shall instruct its patrons to park away from the nearest residences before 8:00 a.m. and after 8:00 p.m.

**23. WAIVER OF CLAIMS.** Except as it relates to claims asserted by anyone related to or arising from The City's failure to fulfill its obligations to maintain, repair, clean and/or landscape in accordance with this Agreement, including, without limitation Section 15 hereof, Provider waives all claims against City, its Council, Commissions, agents, officers, volunteers, contractors or employees for any damages to the improvements in, upon or about the Premises and for injuries to any employees of Provider or their agents, invitees or sub-contractors in or about the Premises from any cause arising at any time, where City had no involvement or where such damages or injuries did not arise out of the instruction or guidance of the City. In no event shall the City be responsible for loss of profits or any consequential damages to Provider.

**24. INDEMNIFICATION.** Except as it relates to claims asserted by anyone related to or arising from The City's failure to fulfill its obligations to maintain, repair, clean and/or landscape in accordance with this Agreement, including, without limitation Section 15 hereof, Provider will defend, indemnify and hold City, its Council, Commissions, agents, officers, volunteers or employees harmless from any damage or injury to any person, or any property, from any cause of action arising at any time from the use of the Premises by Provider, and Provider's invitees, program participants, and visitors, or from the failure of Provider to keep the Premises in good condition, including all claims arising out of the negligence of Provider, but excluding any damage or injury caused by the willful misconduct or negligence of City or its employees, agents or contractors. City will defend, indemnify and hold Provider, its members, agents, officers, volunteers or employees harmless from any damage or injury to any person, or any property,

from any cause of action arising at any time from the willful misconduct or negligence of City or its employees, agents or contractors.

Each Party's indemnification obligation set forth above will include any and all costs, expenses, attorneys' fees and liability incurred by any indemnified Party or person in defending against such claims, whether the same proceed to judgment or not. Each Party will, at its own expense and upon written request by a Party to be indemnified as provided hereinabove, defend any such suit or action brought against the Party to be indemnified, its Council, Commissions, members, agents, officers, volunteers or employees (as applicable). This Section will survive the expiration or termination of this Agreement.

**25. HAZARDOUS MATERIALS.** Provider shall not use or store any Hazardous Materials in, on, or about the Premises except in compliance with all applicable federal, state, and local laws, statutes, ordinances, and governmental regulations, and the highest standards prevailing in the industry for storage and use of any such Hazardous Materials, nor allow any Hazardous Materials to be brought in the Premises, except to use in the ordinary course of Provider's business, and then only after written notice to City of the Hazardous Materials to be used by Provider. Provider shall not cause or permit the escape, release, or disposal of any Hazardous Materials in the Premises.

In addition, Provider shall, at City's request, execute affidavits, representations, or other documents concerning Provider's best knowledge and belief regarding the presence of any Hazardous Materials in the Premises. Provider shall indemnify, defend, and hold harmless City from any liability, cost, or expense, including reasonable attorneys' fees, arising from the use, storage, release or disposal of any Hazardous Materials in, on, or about the Premises by Provider, its agents, employees, contractors, or invitees. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

For the purposes of this Agreement, the term "Hazardous Material" shall mean any substance or material which has been designated hazardous or toxic by any federal, state, county, municipal, or other governmental agency or determined by such agency to be capable of endangering or posing a risk of injury to, or adverse effect on, the health or safety of persons, the environment, or property, including without limitation those substances or materials described in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq.

**26. ATTORNEY'S FEES.** In any legal action brought by either Party to enforce the terms of this Agreement, the prevailing party is entitled to all costs incurred in connection with such an action, including reasonable attorneys' fees.

**27. ARBITRATION.** Any dispute regarding the breach of this Agreement shall be decided by binding arbitration pursuant to the rules of the American

Arbitration Association, and not by court action, except as otherwise provided in this Section or as allowed by California law for judicial review of arbitration proceedings. Judgment on the arbitration award may be entered in any court having jurisdiction. The Parties may conduct discovery in accordance with California Code of Civil Procedure. This provision shall not prohibit the Parties from filing a judicial action to enable the recording of a notice of pending action for order of attachment, receivership, injunction, or other provisional remedy. Venue for the resolution of any such dispute or disputes shall be in San Mateo County, California.

BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTER INCLUDED IN THE ARBITRATION OF DISPUTES' PROVISION DECIDED BY NEUTRAL ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR BY JURY TRIAL. BY INITIALING IN THE SPACE BELOW YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS THOSE RIGHTS ARE SPECIFICALLY INCLUDED IN THE ARBITRATION OF DISPUTES PROVISION. IF YOU REFUSE TO SUBMIT TO ARBITRATION AFTER AGREEING TO THIS PROVISION, YOU MAY BE COMPELLED TO ARBITRATE UNDER THE AUTHORITY OF THE CALIFORNIA CODE OF CIVIL PROCEDURE. YOUR AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY.

WE HAVE READ AND UNDERSTAND THE FOREGOING AND AGREE TO SUBMIT DISPUTES ARISING OUT OF THE MATTERS INCLUDED IN THE ARBITRATION OF DISPUTES PROVISION TO NEUTRAL ARBITRATION.

\_\_\_\_\_  
Provider

\_\_\_\_\_  
City

**28. VENUE.** Provider agrees and hereby stipulates that the proper venue and jurisdiction for resolution of any disputes between the parties arising out of this Agreement is San Mateo County, California.

**29. ASSIGNMENT AND NONTRANSFERABILITY.** Provider understands and acknowledges that assignment of this Agreement is absolutely prohibited without the written consent of City, and any attempt to do so without City's written consent may result in termination of the Agreement at the will of City. Notwithstanding the foregoing, City shall grant permission to Provider to contract with other entities or organizations to provide some of the programs at the Premises for certain hours, subject to prior approval by the City, which shall not be unreasonably withheld. Such use is contingent, in part, upon said entity or organization indemnifying and insuring City in the same manner and amount that Provider has indemnified and insured City under this Agreement. City, its Council, Boards, Commissions, agents, officers, volunteers and employees shall be named

as additional insureds. Any insurance policy maintained by a such an entity organization will be in addition to, and shall not replace, any insurance required of Provider.

**30. LIENS AND ENCUMBRANCES.** Provider shall have no authority to do anything that may result in a lien or encumbrance against the Premises. Without limiting the foregoing, however, Provider agrees to pay promptly all costs associated with the activities associated with this Agreement and not to cause, Agreement, or suffer any lien or encumbrance to be asserted against the Premises. In the event that Provider causes, leases, or suffers any lien or encumbrance to be asserted against the Premises related to activities associated with this Agreement, Provider, at its sole cost and expense, shall promptly cause such lien or encumbrance to be removed.

**31. TERMINATION OF AGREEMENT.**

a. Default. City or Provider shall have the right to terminate this Agreement by written notice to the other party for any default or breach of any term or condition of this Agreement by the other Party; provided, however, the non-defaulting and non-breaching Party must first deliver written notice to the other Party of any such default or breach, and if such breach or default exists for more than 30 days after the delivery of such notice without being cured, the non-defaulting and non-breaching Party may elect to terminate this Agreement by giving written notice of such termination to the defaulting Party. Termination shall be effective on the date specified in the notice, which date shall not be less than 30 days nor more than 180 days following such notice. In addition to termination, the non-defaulting and non-breaching Party shall be entitled to pursue any and all other remedies provided by law.

b. City Dissatisfaction. If City and/or Menlo Park community believes Provider has not satisfied community needs with respect to public access, service and program quality, public safety, noise restrictions and/or parking, City may deliver written notice to Provider of such dissatisfaction and the Parties shall meet and confer within 15 days of Provider's receipt of such notice. If the matter is not resolved to the City Manager's satisfaction, City may terminate this Agreement by giving written notice of such termination to Provider. Termination shall be effective not less than 90 days after the date of such notice. Provider shall have the right to appeal such termination to the City Council within 10 days of Provider's receipt of such notice. Upon receipt of Provider's timely appeal, the Council shall place the matter on the City Council agenda and make the final determination with regard to the termination of the Agreement and shall give written notice to Provider of such final determination. If the City Council determines the Agreement

should be terminated, termination of the Agreement shall be effective not less than 90 days after the date of such notice.

c. City Expense. The City may terminate this Agreement, effective 90 days from the date of the notice, if the City's costs for maintenance and repair (Section 15), and utilities (Section 16) are exceeding the amounts budgeted by the City for such costs.

d. Provider's Option. Provider may terminate the Agreement at Provider's option upon the occurrence of any of the following: (1) upon the death of Tim Sheeper; (2) upon the disability of Tim Sheeper, if such disability prevents him from running Provider's business operations for a continuous period of 60 consecutive days; or (3) upon financial hardship, which shall require not less than six month written notice to terminate Agreement based on financial hardship.

Termination shall be effective on the later of 90 days after the date of any such notice, the date of termination specified in the notice or such later effective date as is required pursuant to any specific provision of this Agreement. In the event Provider does not elect to terminate the Agreement as permitted herein, the Agreement shall remain in full force and effect for the remainder of the Term, unless subsequently terminated for another cause or event as specified herein.

**32. CONDITION OF PREMISES UPON TERMINATION.** Upon the effective termination of the Agreement, Provider shall restore the Premises to its condition prior to the execution of this Agreement, excluding (a) wear and tear and natural deterioration based on the passage of time, (b) items subject to the City's obligations to maintain, repair, clean and/or landscape in accordance with this Agreement, including, without limitation Section 15 hereof, and (c) other changes or improvements to the Premises previously approved by the City, remove all personal property, including furniture, furnishings, vehicles, and equipment, belonging to Provider or Provider's employees, invitees, and agents. Should Provider fail to perform those obligations by the effective termination date, the Parties agree to the following:

- a. Such remaining property shall be deemed abandoned and Provider waives all provisions for disposition of abandoned personal property required by California law including but not limited to California Code of Civil Procedure Section 1980 et. seq. (requiring notice for reclaiming abandoned property and public sale for disposition).
- b. City has the right to take action to remove Provider's personal property. Should City exercise this right, Provider shall be liable to City for:
  - i. the actual cost of this removal, demonstrated by valid receipts and invoices;
  - ii. a 15 percent overhead to City for reasonable costs in contracting and supervising the removal work; and

- iii. any attorneys' fees incurred by City to remove Provider from the Property after termination, if necessary. Invoices must be paid within 10 days of submission of invoice to Provider. If not paid within this time, then interest will be charged at 10 percent or the maximum extent allowed by law, whichever is less.

**33. NOTICE.** All notices under this Agreement shall be in writing and, unless otherwise provided herein, shall be deemed validly given if sent by certified mail, return receipt requested, or via recognized overnight courier service, addressed as follows (or to any other mailing address which the party to be notified may designate to the other party by such notice). All notices properly given as provided for in this section shall be deemed to be given on the date when sent. Should City or Provider have a change of address, the other party shall immediately be notified as provided in this section of such change.

**Provider**

Team Sheepier, Inc.  
 Attn: Tim Sheepier  
 501 Laurel Street  
 Menlo Park, CA 94025  
 (650) 369-7946

**City**

City of Menlo Park  
 Attn: City Manager  
 701 Laurel Street  
 Menlo Park, CA 94025  
 (650) 330-6610

**34. COMPLETE AGREEMENT.** This Agreement contains the entire agreement between the Parties with respect to the matters set forth herein and supersedes all prior or contemporaneous agreements (whether oral or written) between the Parties with respect to the matters set forth herein.

**35. AMENDMENT.** This Agreement may be amended only by a written instrument executed by the Parties.

**36. AUTHORITY.** The individuals executing this Agreement on behalf of Provider represent and warrant that they have the legal power, right and actual authority to bind Provider to the terms and conditions of this Agreement.

**37. NO WAIVER.** Waiver by either Party of a breach of any covenant of this Agreement will not be construed to be a continuing waiver of any subsequent breach. City's receipt of rent with knowledge of Provider's violation of a covenant does not waive City's right to enforce any covenant of this Agreement. No waiver by either Party of a provision of this Agreement will be considered to have been made unless expressed in writing and signed by all parties.

**IN WITNESS WHEREOF,** the Parties have executed this Agreement by their officers therein duly authorized as of the date and year first written above.

**CITY OF MENLO PARK**

By: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
City Clerk

**TEAM SHEEPER, L.L.C.**  
501 Laurel Street  
Menlo Park, CA 94025

By: \_\_\_\_\_  
Tim Sheeper, Chief Executive Officer

## Exhibits

- A. Burgess Pool Site Map
- B. Belle Haven Pool Site Map
- C. Scope of Services
- D. SOLO Schedule and Terms



# EXHIBIT A

## BURGESS POOL MAP

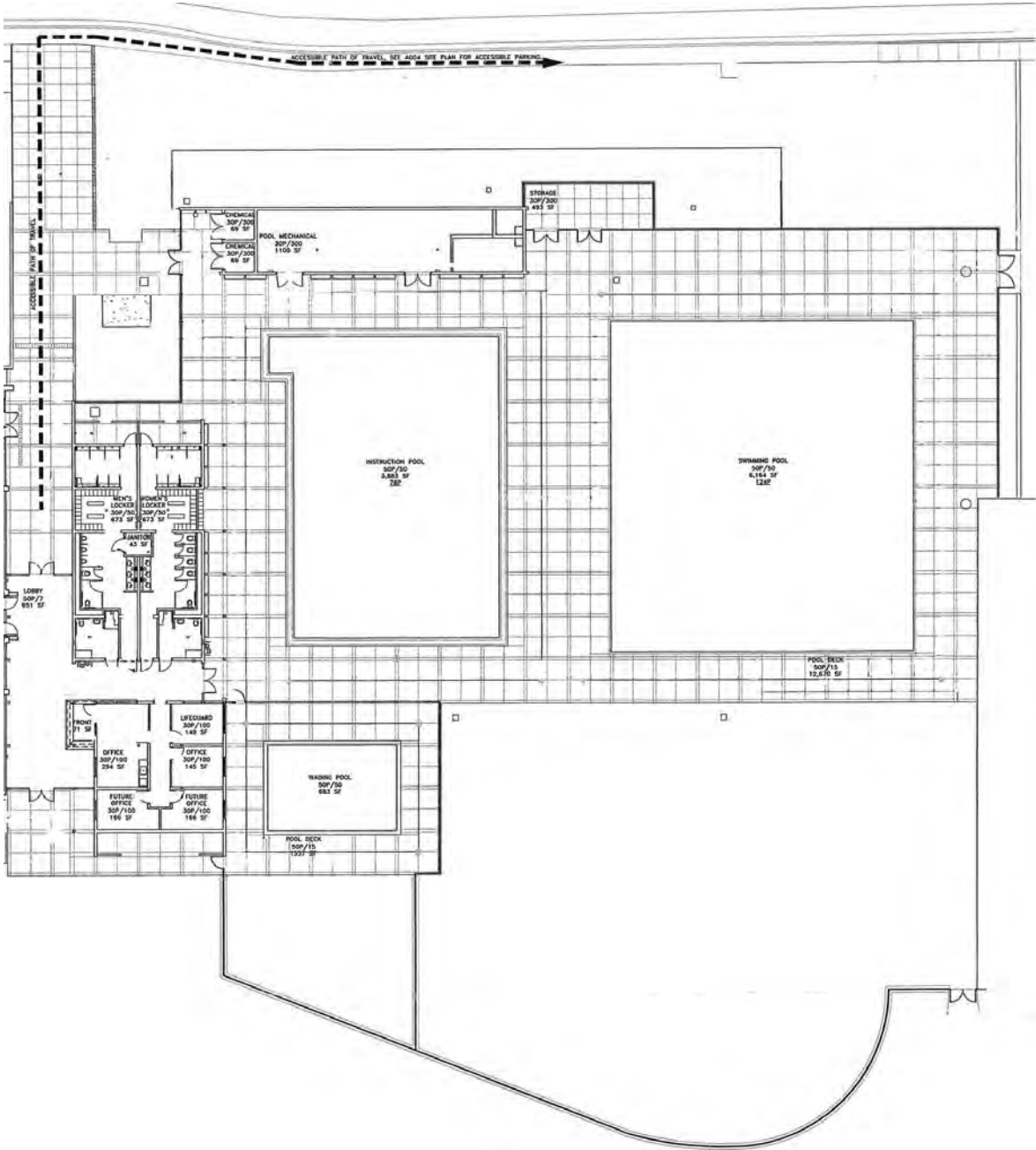
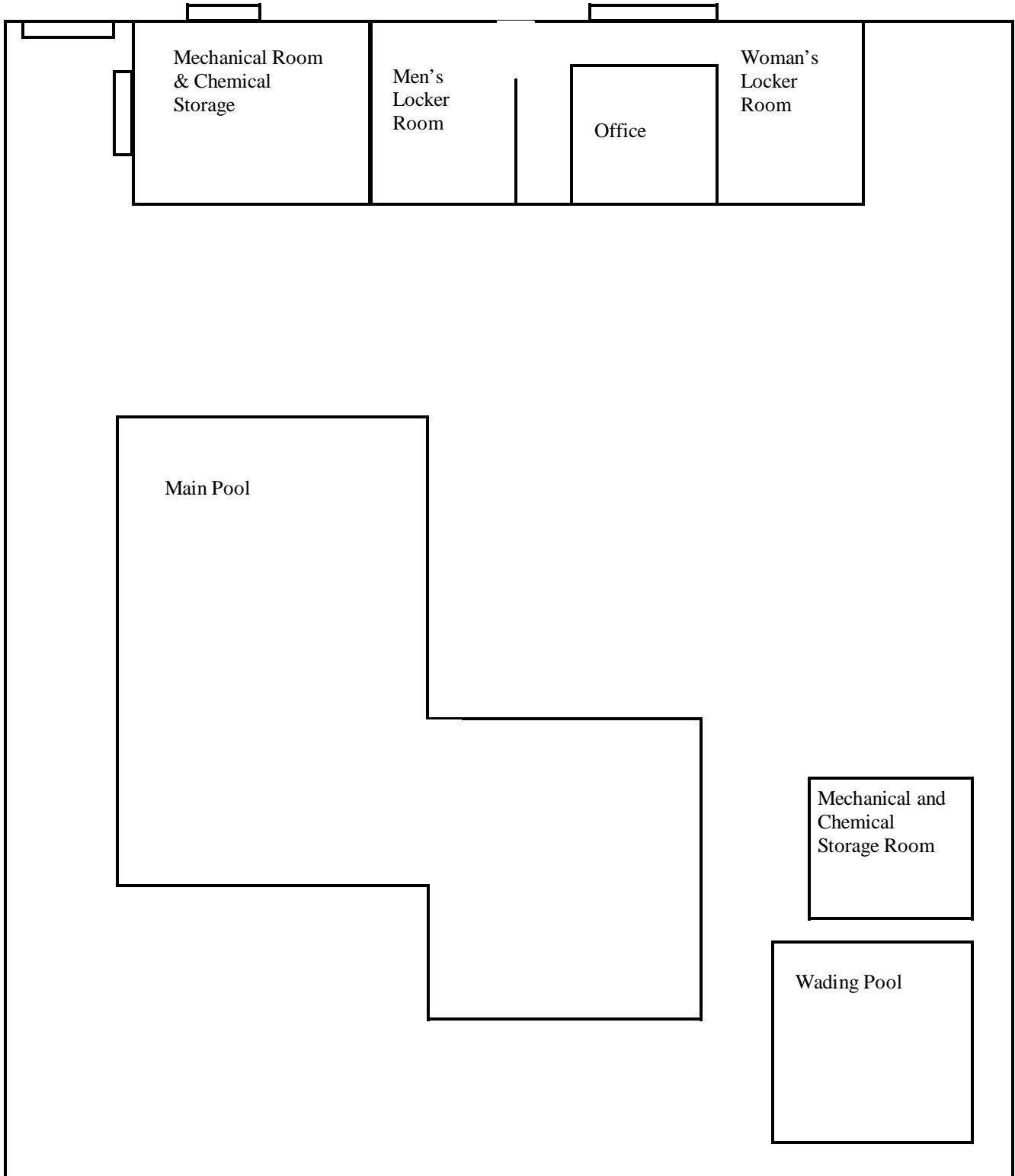


EXHIBIT B

**BELLE HAVEN POOL MAP :**

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**Parking Lot**



Menlo Swim and Sport  
2018 Scope of Services

**1. Lap Swim**

Description: Community based, non-structured, fitness swimming in both performance and instructional pools with the goal of having lane availability whenever the business is open. Drop-in and membership options

Frequency: 7 days/wk, year-round

Times: Opening to closing

Belle Haven: Weekdays during all open hours, year-round

**2. Open Swim**

Description: Community-based, non-structured, play and family time in both the performance and instructional pool. Increasing pool availability during warmer high demand seasons. Drop-in and seasonal memberships options.

Frequency: 7 days/wk, year-round

Times: Late morning to evening hours, all-day on weekends

Belle Haven: Summer focus-4 hours/daily

**3. Menlo Aquatics-Youth Year-Round Swim Team**

Description: Community-based, structured and programmed with performance incentives including weekend off-site coached events and competitions. Segmented and serving various age-groups from 6-18 year olds. Monthly memberships.

Frequency: 6 days/wk, year-round

Times: After school to late evening weekdays and late morning on Saturdays

Belle Haven: Full program not available, but Belle Haven is used during summer.

**4. Menlo Mavericks-Youth Summer Swim Team**

Description: Community-based, introductory-level, structured and coached 10-week program that is part of a regional competitive league with weekday and weekend events. Monthly memberships.

Frequency: Monday-Saturday, summer only

Times: Morning and afternoon hours throughout the summer

Belle Haven: Not available

**5. Menlo Mavericks-Youth Water Polo Team**

Description: Community-based, year-round team that serves introductory and intermediate level players that compete locally and regionally. Monthly memberships.

Frequency: 3 days/wk

Times: Afternoons year round

Belle Haven: Only available at Belle Haven

**6. Menlo Swim School**

Description: Community-based, year-round service that targets individuals 6 months to adults. Small group, semi-private and private instruction that teaches to class ability level. Various segmented levels that supports time efficient and optimum improvement. Monthly membership.

Frequency: 7 days/wk, year-round.

Times: Mornings to late evening with a long lunch break.

Belle Haven: Available spring, summer and fall

**7. Camp Menlo-Summer and School Holiday Camps**

Description: Community based, seasonal program that serves youth from 4.5-15 year olds with 5 different offerings of week-long camps. Pre and post camp care is available. Most campers take part in a small group swim lesson each day. Weekly fee.

Frequency: Monday-Friday for 10 weeks spanning the summer months.

Times-Early morning to late afternoon options.

Belle Haven: Not available at Belle Haven

**8. Menlo Masters-Adult Swim Team**

Description: Community-based, year-round team that serves introductory to advanced participants. Stroke and fitness improvement along with growth of interpersonal relationships and connection to the community are the goals. Local, regional and international competitions are a part of the curriculum. Monthly memberships and daily drop-ins available.

Frequency: Several daily workouts available

Times: Before work, lunch-time and weekend morning offerings

Belle Haven: Not available

**9. Team Sheeper Triathlon-Adult Triathlon Program**

Description: Community-based, year-round team that serves introductory to advanced participants. Improving personal skills and fitness along with community connection are the main goals. Monthly membership.

Frequency: A few workouts on daily basis year round

Times: Before work, lunch-times and evenings during the week and morning on weekends

Belle Haven: Not available

**10. Aqua Fit-Adult Water Exercise**

Description: Community based, year-round program that targets the non-swimming fitness seekers including the senior population seeking respite from gravity based land exercises. Cardio-vascular and muscular strength improvement is focused upon. Monthly memberships and daily drop-ins available.

Frequency: Offered daily, excluding Saturday

Times: Early mornings weekdays and Sunday, evenings on Tuesday and Thursday

Belle Haven: Not available

**11. Aqua Wellness- Adult Water Therapy**

Description: Community based, year-round program that targets individuals who need assistance with range-of-motion in joints, muscular strength and coordination or are in recovery from an illness or surgical procedure. Monthly memberships or daily drop-ins available.

Frequency: 3 mornings per week

Times: Mid to late morning hours

Belle Haven: Not available

**12. Menlo Mavens-Women's Water Polo Team**

Description: Community based, year-round program that attracts beginners to high level players. The uniqueness of the program serves as a connection point for many women who thrive on interacting with other inspiring and courageous women in the community. The team competes locally, regionally and internationally. Monthly membership and drop-in options available.

Frequency: 2 time per week

Times: Weekday evening and weekend morning

Belle Haven: Annual weekend tournament is hosted at Belle Haven

**13. Pro Services-Private Premium Coaching**

Description: Personal and tailored premium coaching available for clients who do not fit into our established group structure or for those who want the extra attention from a professional level instructor. Monthly memberships or per session fee available.

Frequency: Daily, year-round

Time: Flexible and available all open hours

Belle Haven: Available during open hours with a highly experienced professional

**14. Safety Academy-Lifeguard Certification Courses**

Description: Red Cross certified lifeguard classes are instructed by our Red Cross certified instructors for anyone in the community or region who are seeking their Red Cross lifeguarding certification. A 3-day, 30+ hour course that blends on-site learning and on-line learning. Certification class fee.

Frequency: Monthly year-round, and weekly during peak summer months

Times: Friday evenings, and full day Saturdays and Sundays.

Belle Haven: A portion of the classes are conducted at Belle Haven

**15. Community Rentals and Clinics**

Description: For profit and not for profit community based rentals agreements are entered into throughout the year. An underwater hockey team, a youth swim team (SOLO), a triathlon team (Team in Training) are the year-long agreements. Along with Boy scouts, Cub scouts, Girl Scouts and public and private schools, personal swim clinics. Full pool and individual lane rentals are available

Frequency: Daily, year-round

Time: Various times throughout the year

Belle Haven: Synchronized swimming is the predominant agreement

**16. Menlo Boot Camp-Adult Land Based Exercise Classes**

Description: Community based, year-round program focused on improving general functional strength and well-being for adults. Strength and endurance exercises are used in a group setting that forms community and purpose for life-long vitality and mobility. Monthly memberships and daily drop-in options available.

Frequency: Weekdays, year-round

Times: Early and mid-morning hours

Belle Haven: Not available

**17. Pro Shop-Food and Merchandise**

Description: Support of fuel and gear for the community members using the aquatic or surrounding campus at Burgess Park. Low prices on food and merchandise and the high accessibility of the store make it a convenience for staff and participants.

Frequency: Daily, year-round

Times: During all open hours

Belle Haven: Available on a reduced scale.

## **EXHIBIT D SOLO SCHEDULE AND TERMS**

The SOLO Aquatics swim team (“SOLO”) will be able to use Burgess Pool and Belle Haven Pool on the following terms:

- a. Lane space will be provided from 4:00 to 5:30 p.m., Monday through Friday, eight (8) lanes in Burgess performance pool September 1<sup>st</sup> through May 31<sup>st</sup>.
- b. Lane space will be provided from 4:00 to 5:30 p.m., Monday through Friday, four (4) lanes in Burgess performance pool June 1<sup>st</sup> through August 31<sup>st</sup>. Additional lanes may be provided at current rental rates during summer if Provider agrees and open swim attendance allows.
- c. Rental rate will be \$14 per lane hour for the term of the Agreement.
- d. SOLO may elect to opt out of any of the hours provided for herein with 30 days notice.
- e. SOLO will be billed thirty (30) days in advance and on a monthly basis. Any payment not received by Provider within fifteen (15) days of the due date shall be subject to a late payment penalty of five percent (5%) of the amount due.
- f. When the Belle Haven Pool is operational, youth swim team rental shall have the option to use the Belle Haven Pool at agreed upon rates and times.
- g. Youth swim team will have access lobby area of the Burgess Pool for marketing purposes to be approved by Provider in advance.
- h. SOLO shall provide proof of insurance listing the Provider and City as additional insureds.
- i. SOLO shall comply with all of the facilities policies and rules of conduct.
- j. SOLO may not allow any other organization or individual to use any of the privileges or services provided by the Provider
- k. SOLO is responsible for the control and supervision of all participants in their program.
- l. If storage is provided for equipment at the request by SOLO, the Provider is not responsible for any damages or losses to the SOLO’s equipment.
- m. They City and Provider reserve the right to close the pool(s) at any time for maintenance or any safety reason. Provider will make every attempt to give notice when possible and assist with informing the SOLO and its participants.
- n. Provider shall have the right to terminate its agreement with SOLO by written notice to the SOLO for any default or breach of any term or condition herein. SOLO will be provided not less than thirty (30) days notice and opportunity to cure any notice of default. Provider shall provide City with a copy of any notice of default provided to SOLO.

- o. City requires a written agreement on a form approved by the City Attorney between the two parties with a copy provided to the City no later than the commencement of the Term of the Agreement between the City and Provider; provided however, Provider shall not be considered in default of the terms and provisions of the Agreement if SOLO has refused to execute a written agreement with Provider on such form approved by the City Attorney.





# 2021 ANNUAL AQUATIC REPORT

January, 2022

Presented by  
Team Sheeper Inc./Menlo Swim and  
Sport

Prepared for the City of Menlo  
Park Parks and Recreation  
Commission

# Table of Contents

Introduction .....	2
Program Statistics (2019, 2020 and 2021 Comparison).....	3
Burgess.....	3
Belle Haven .....	7
Program Fees .....	9
Local Pool Comparisons .....	11
Survey Responses .....	12
Employee Data.....	18
Risk Management Documentation .....	18
Summary.....	26
Appendix A Facility Audit .....	27



## Introduction

We are once again proud to be in the position to deliver this annual report to the City of Menlo Park Parks and Recreation Commission. This submission signifies that we were able to survive a year that included:

1. 6 months of regulated and competitive reservations for pool usage
2. Highly restrictive guidelines impacting and limiting community usage of the facility.
3. Pandemic weariness from all involved.

This year also included:

1. 6 months of unrestricted usage for lap and team swimmers.
2. Community and staff members making the awkward transition from isolation to integration in the aquatic setting
3. Working to rebuild a decimated work force and resurrect pandemic deleted programming.

Navigating the path forward to provide the best service in the safest environment was a chore that required constant interpretation of data and information distributed by various governmental sources that required us to then package and deliver evolving rules of engagement to our sometimes anxious but always supportive community of swimmers. We discovered through the survey that they most always felt safe and protected.

A highlight in this report is showing with supporting data how the Menlo Park lap swim program has risen to prominence and is the leader in the Bay Area as measured in time available to swim, space available to swim and value of that swim experience.

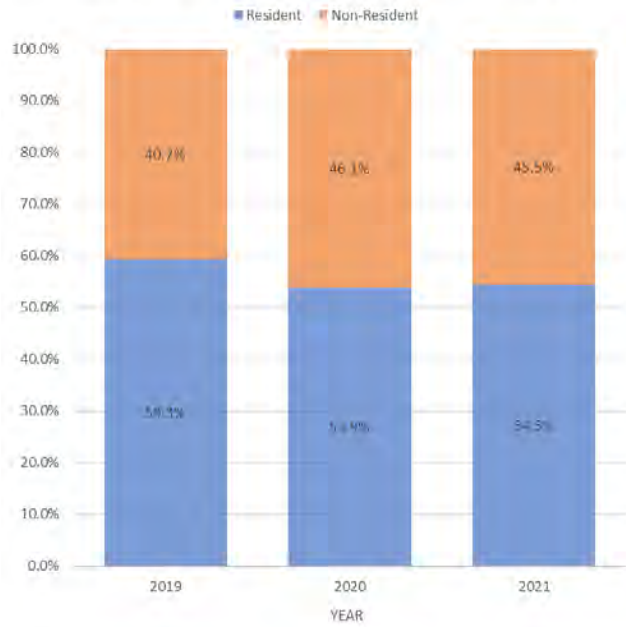
Needless to say, 2021 had plenty of distractions and complexities. Many of the hurdles have been thankfully cleared. We are looking forward to the New Year with the intention to settle into a rhythm of serving, rebuilding, and rejuvenating.

We will continue our search to strike the balance to achieve peace and contentment for all user groups of Burgess Pool.

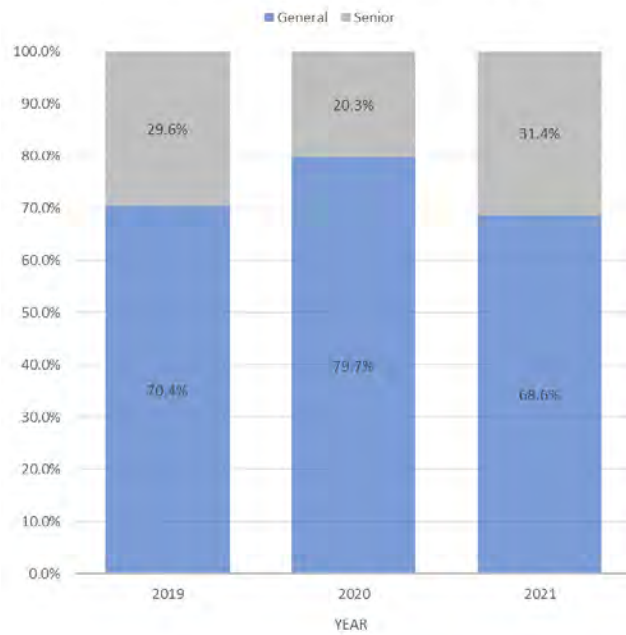


Program Statistics (2019, 2020 and 2021 Comparison)  
 Burgess

**LAP SWIM VISITS  
 RESIDENT & NON-RESIDENT BY YEAR**



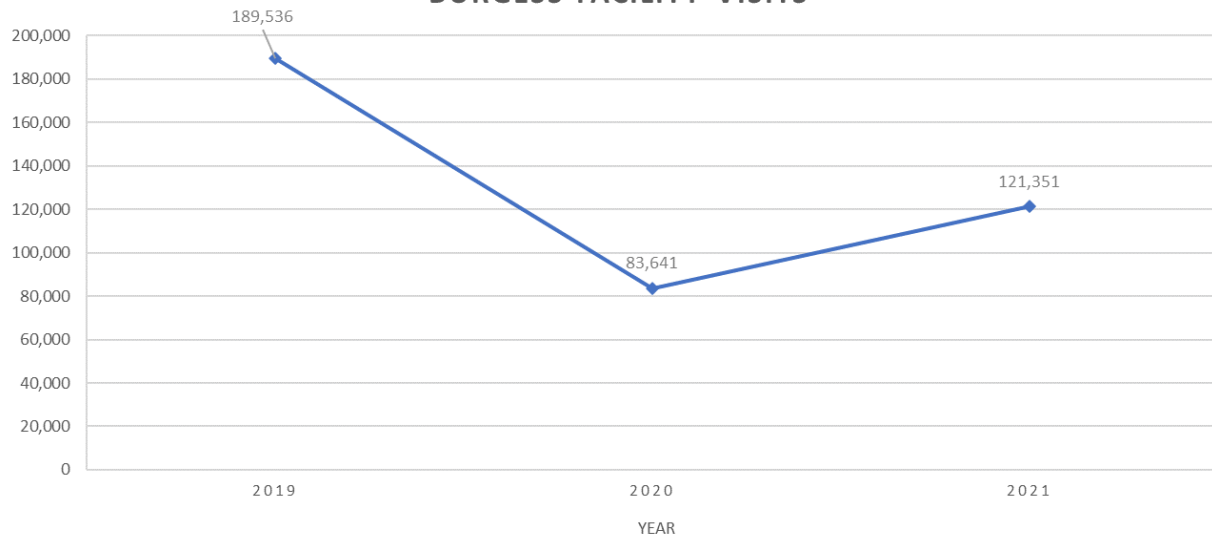
**LAP SWIM VISITS  
 GENERAL & SENIOR BY YEAR**



## LAP SWIM VISITS MEMBER & DROP-IN BY YEAR

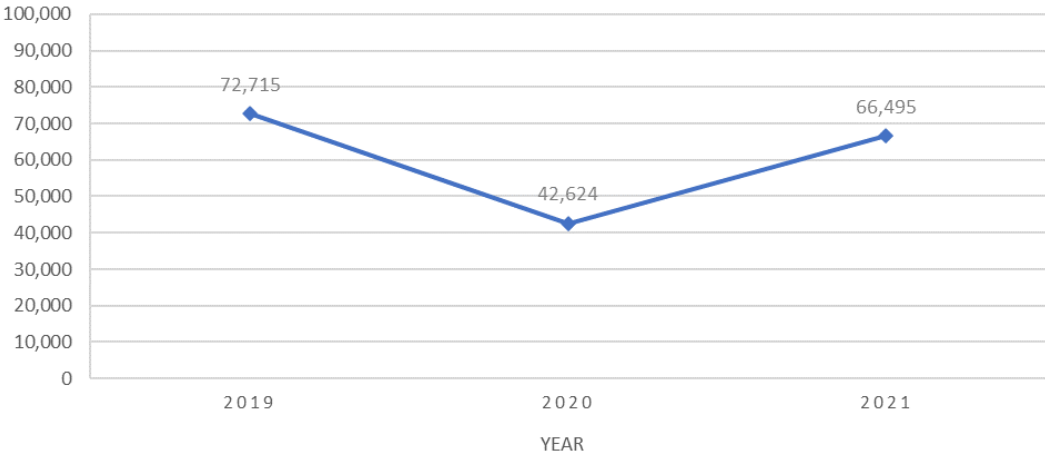


## BURGESS FACILITY VISITS

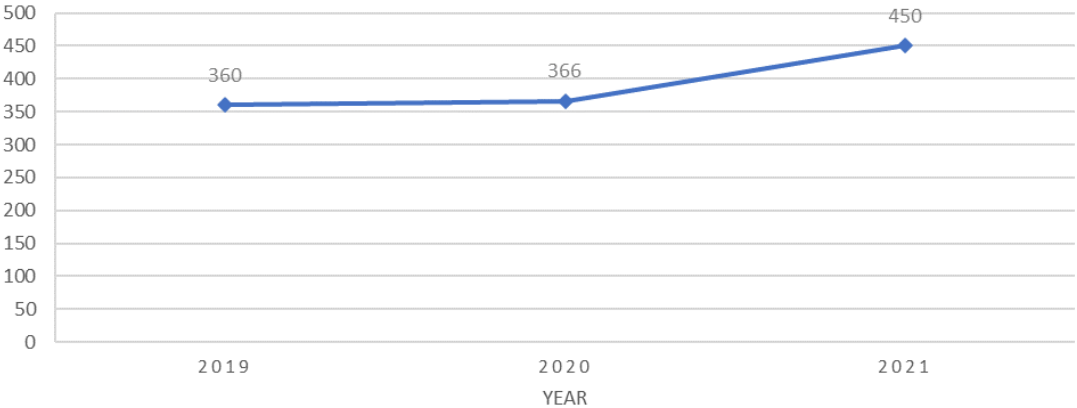


Facility visits	2019	2020	2021
Lap Member Visits	55,801	26,364	45,895
Lap Drop Ins	16,914	16,260	20,600
Open Drop Ins	19,980	2,328	7,805
Menlo Masters	17,164	9,273	15,749
Camp	6,030	4,830	5,730
Swim Lessons	44,558	9,576	5,242
Bridge Swim	0	0	2,600
Aqua Fit	9,089	1,010	930
Youth Teams	24,200	14,000	16,800
<b>TOTAL</b>	<b>189,536</b>	<b>83,641</b>	<b>121,351</b>

**BURGESS TOTAL LAP SWIM VISITS**



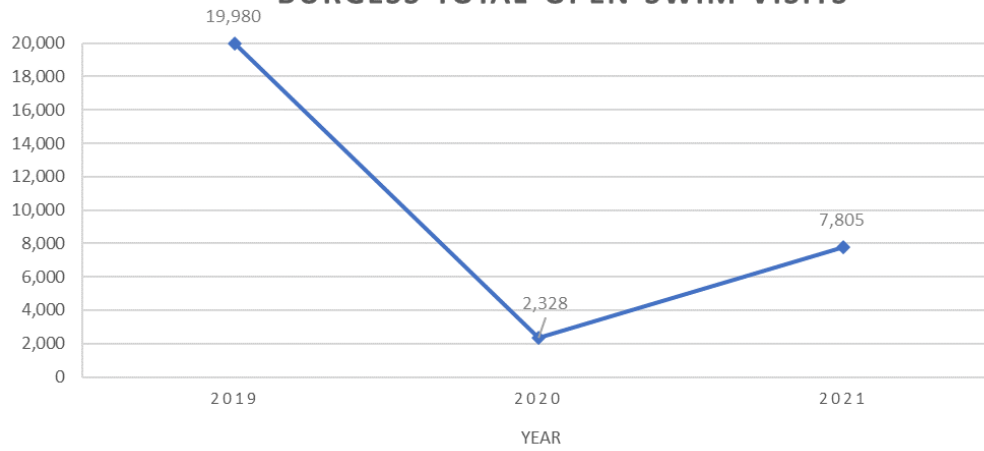
**BURGESS LAP SWIM  
AVERAGE MONTHLY MEMBERS**



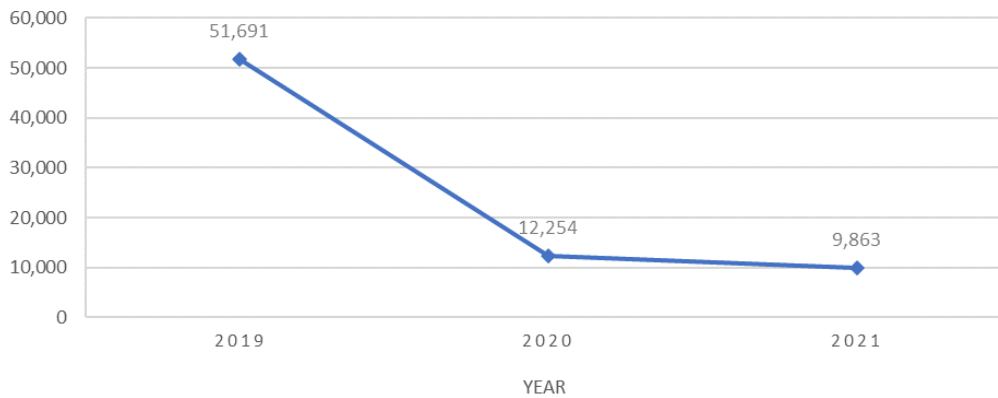
### BURGESS LAP SWIM MEMBER VISITS & DROP-INS



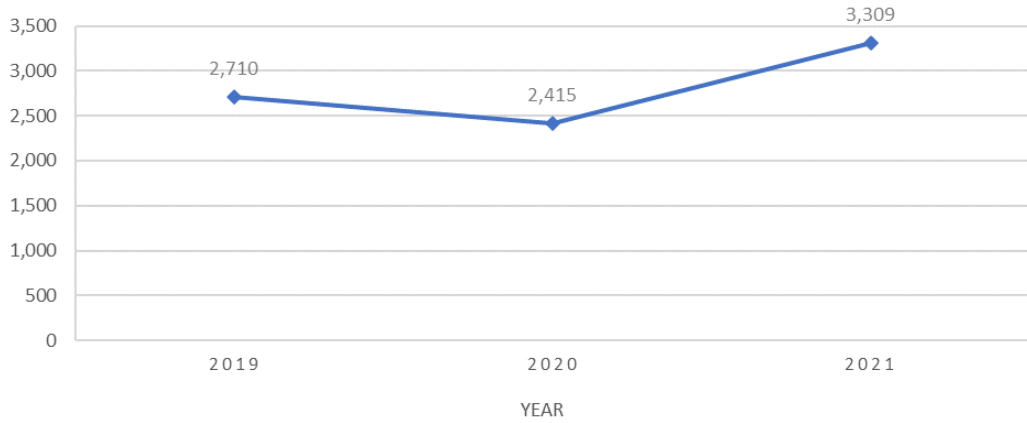
### BURGESS TOTAL OPEN SWIM VISITS



### BURGESS SWIM LESSONS

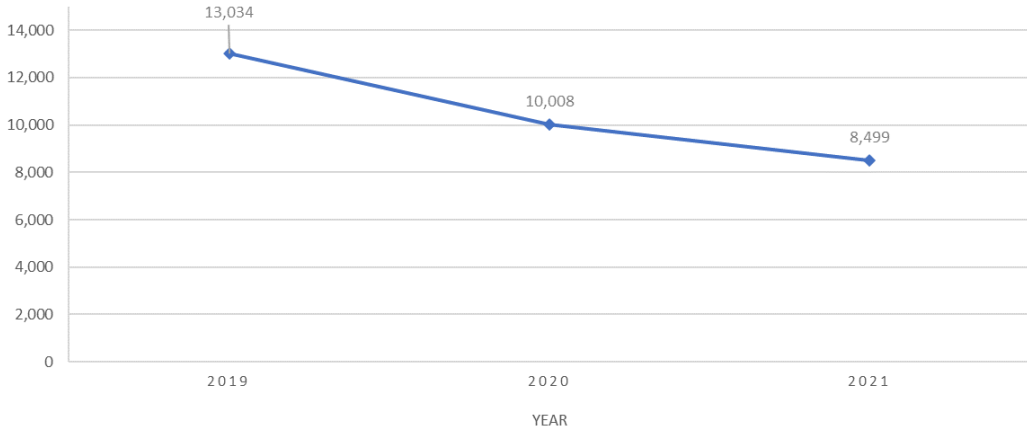


### BURGESS CAMP LESSONS



### Belle Haven

#### BELLE HAVEN FACILITY VISITS

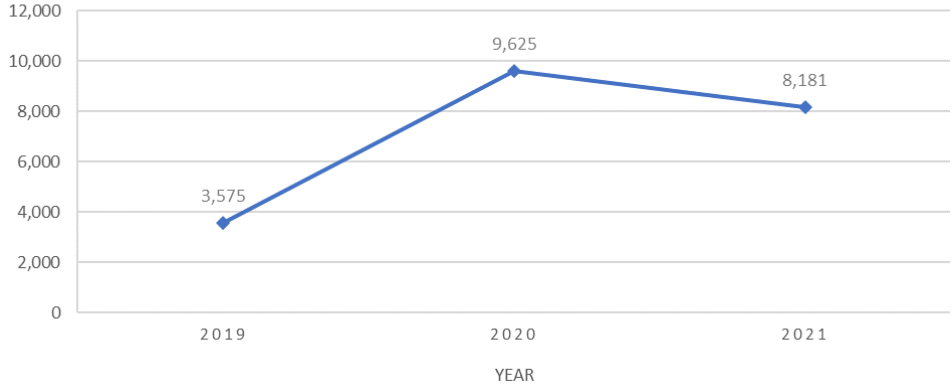


Belle Haven Facility visits	2019	2020	2021 (Jan-May)
Lap Member Visits	1,351	4,481	4,979
Lap Drop-Ins	2,224	5,144	3,202
Open Drop-Ins	3,485	319	318
Swim Lessons	4,354	64	0
Youth Water Polo	1,620	0	0
<b>TOTAL</b>	<b>13,034</b>	<b>10,008</b>	<b>8,499</b>

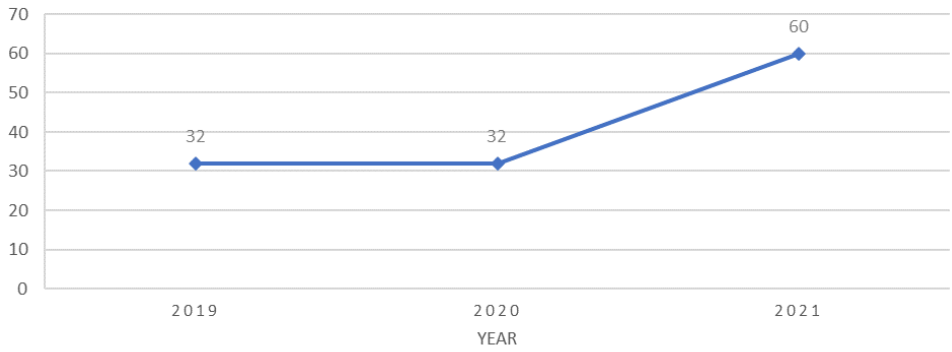




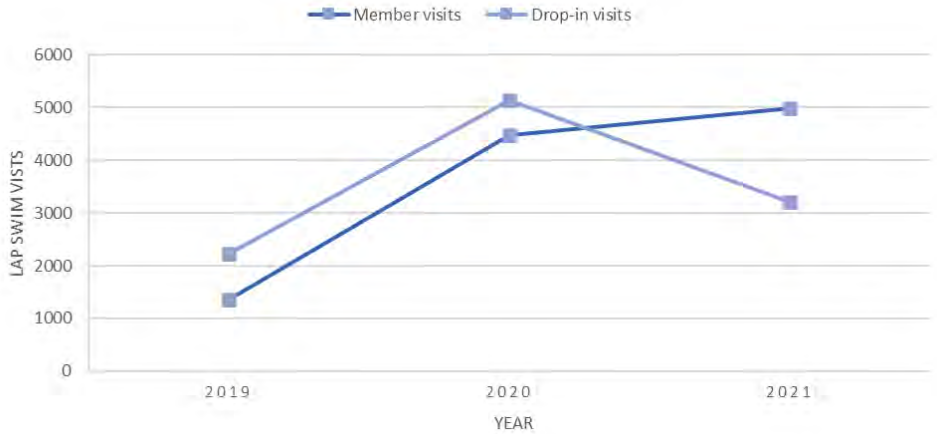
### BELLE HAVEN TOTAL LAP SWIM VISITS



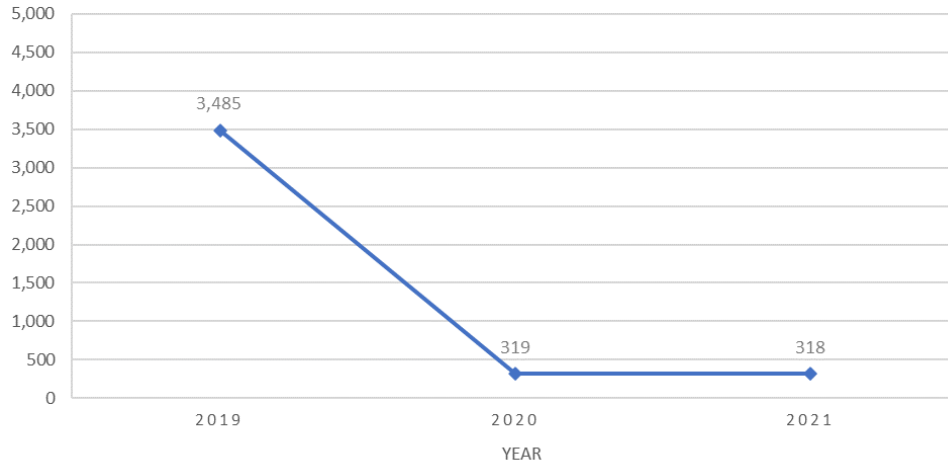
### BELLE HAVEN LAP SWIM AVERAGE MONTHLY MEMBERS



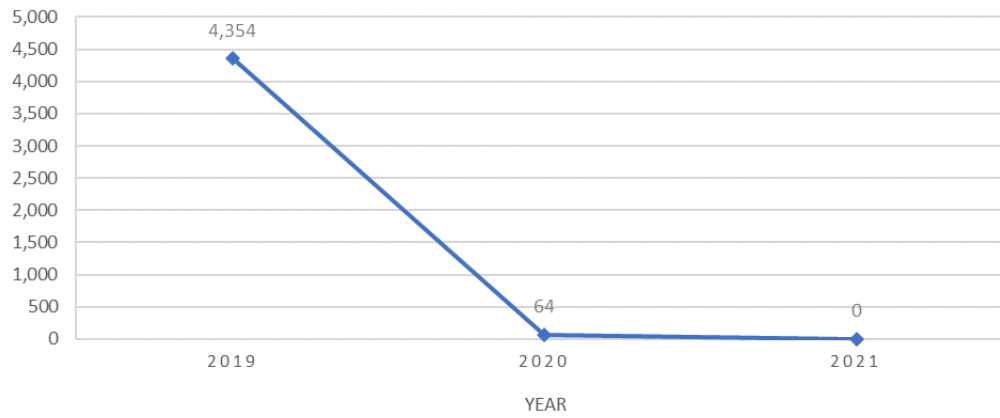
### BELLE HAVEN LAP SWIM MEMBER VISITS & DROP-INS



### BELLE HAVEN TOTAL OPEN SWIM VISITS



### BELLE HAVEN SWIM LESSONS



### Burgess Program Hours

Pool Schedule allocation by program for previous year and projections for upcoming year.

Program	2021		2022 (Projected)	
	Summer	Non-Summer	Summer	Non-Summer
Lap Swim	92	92	92	92
Open Swim	48	14	54	18
Swim School	56	56	56	56
Menlo Masters	17	17	17	17
Aqua Fit	2	3	10	10
Camp	35	0	35	0
Youth Teams	22	21	22	22

### Program Fees



Membership Pricing	Monthly Fee						Annual Team Fee
	Resident			Non-Resident			
	General	Senior	Student	General	Senior	Student	
Lap Swim	\$64	\$54	—	\$69	\$59	—	—
Menlo Masters	\$114	\$104	\$104	\$114	\$104	\$104	\$30
Aqua Fit	\$78	\$70	—	\$78	\$70	—	—
Triathlon	\$180	—	—	\$180	—	—	\$60

Average swims per member per month: 8.5

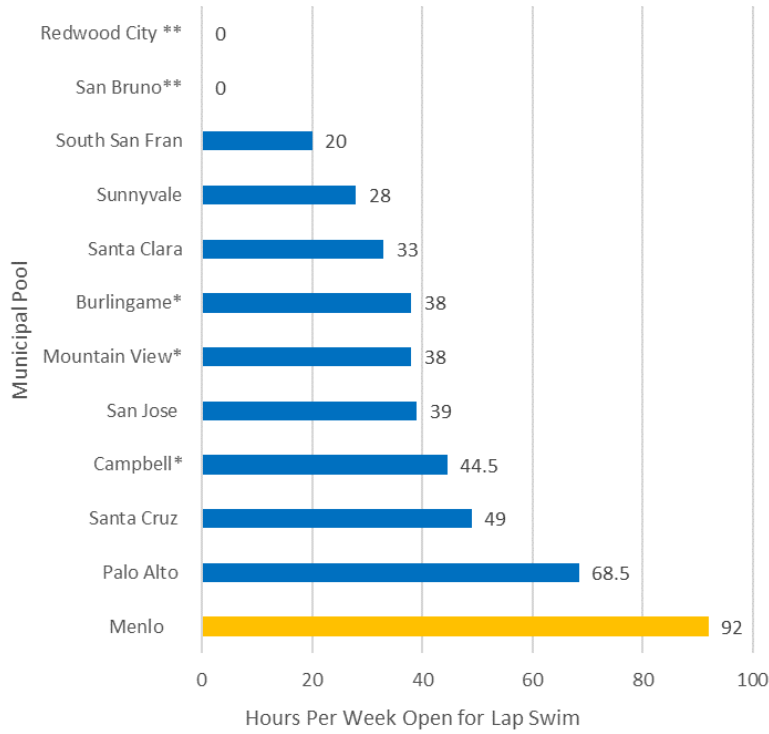
Average cost per swim	Resident	Non-Resident
General	\$7.53	\$8.12
Senior	\$6.35	\$6.94

Drop In Pricing	Resident				Non-Resident			
	General	Senior	Child	Family	General	Senior	Child	Family
Lap Swim	\$9	\$8	—	—	\$10	\$9	—	—
Open Swim	\$9	—	\$5	\$28	\$10	—	\$6	\$30
Masters	\$20	—	—	—	\$20	—	—	—
Aqua Fit	\$20	—	—	—	\$20	—	—	—

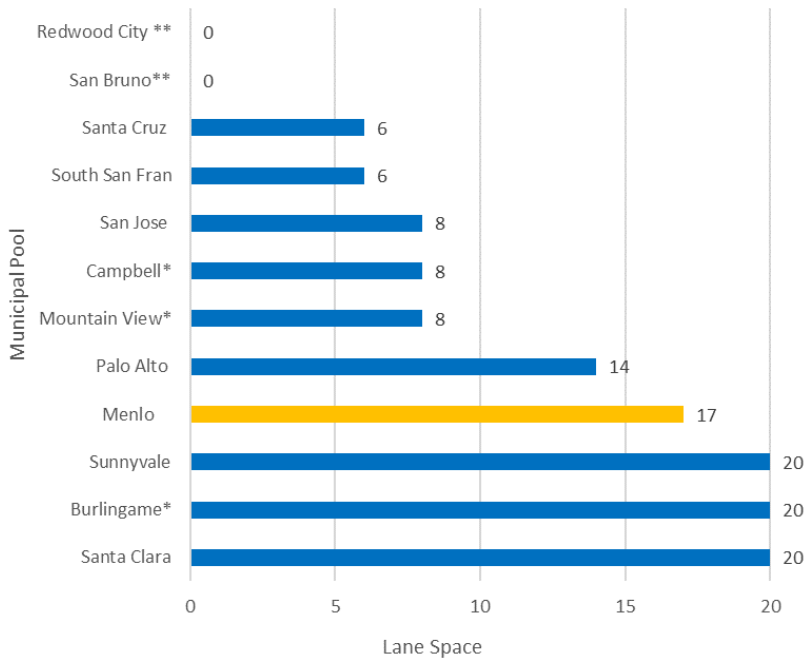


# Local Pool Comparisons

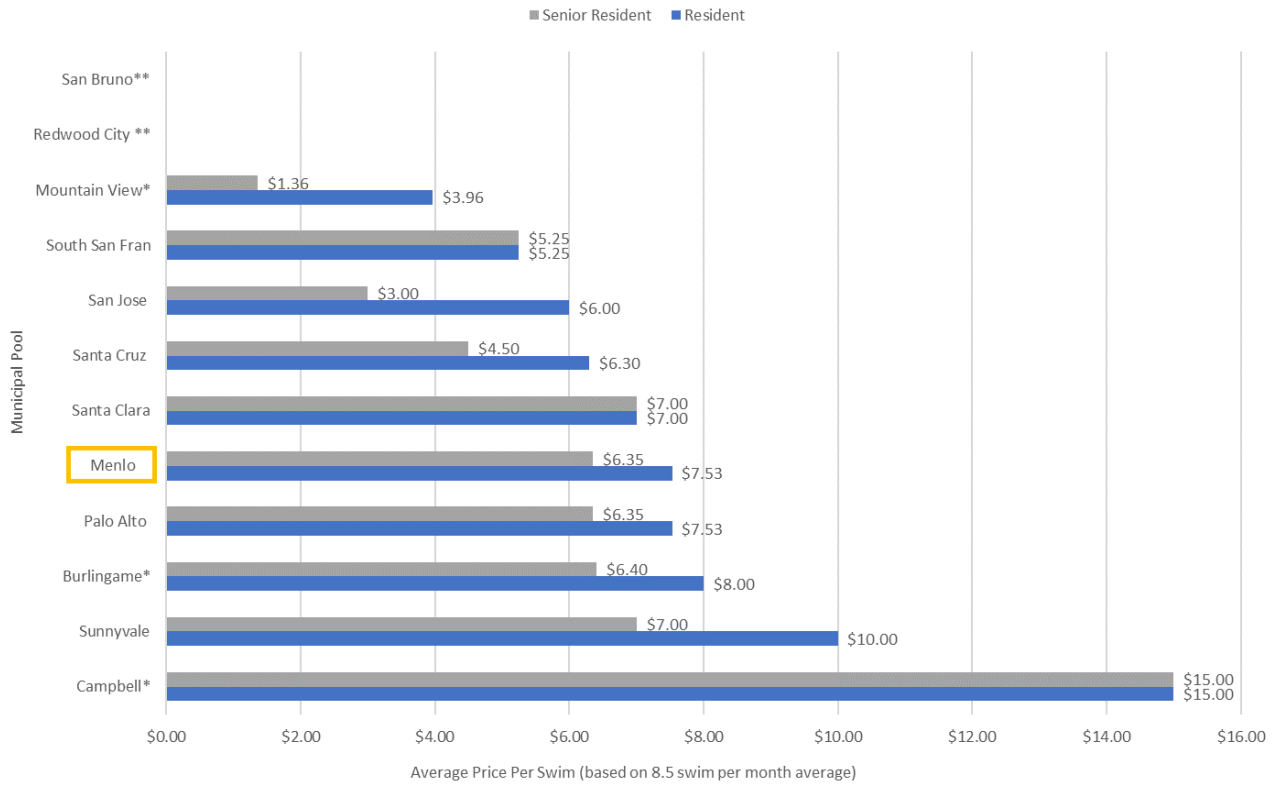
## Pool Comparison Lap Swim Availability



## Pool Comparison Lane Space

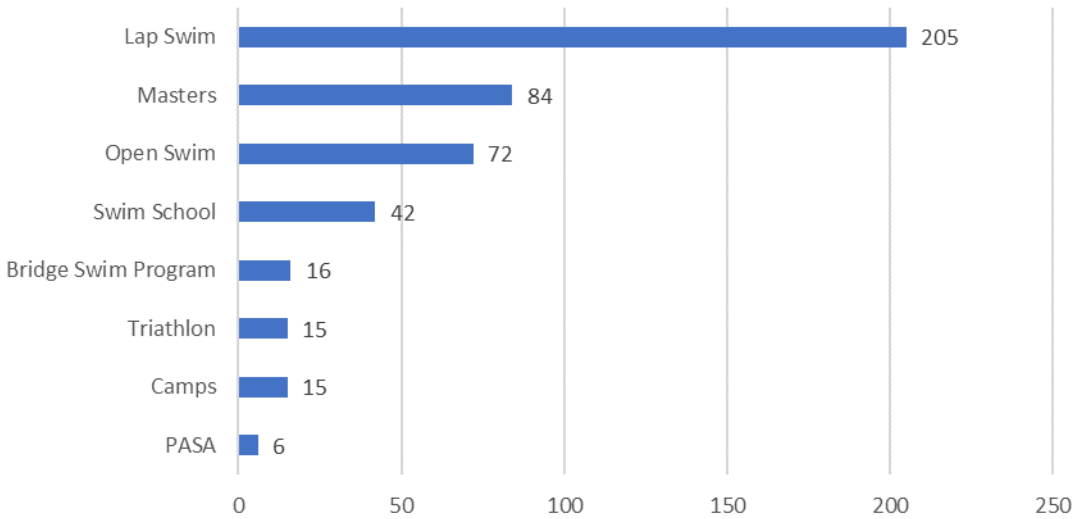


### Pool Comparison Average Price of Resident Swim

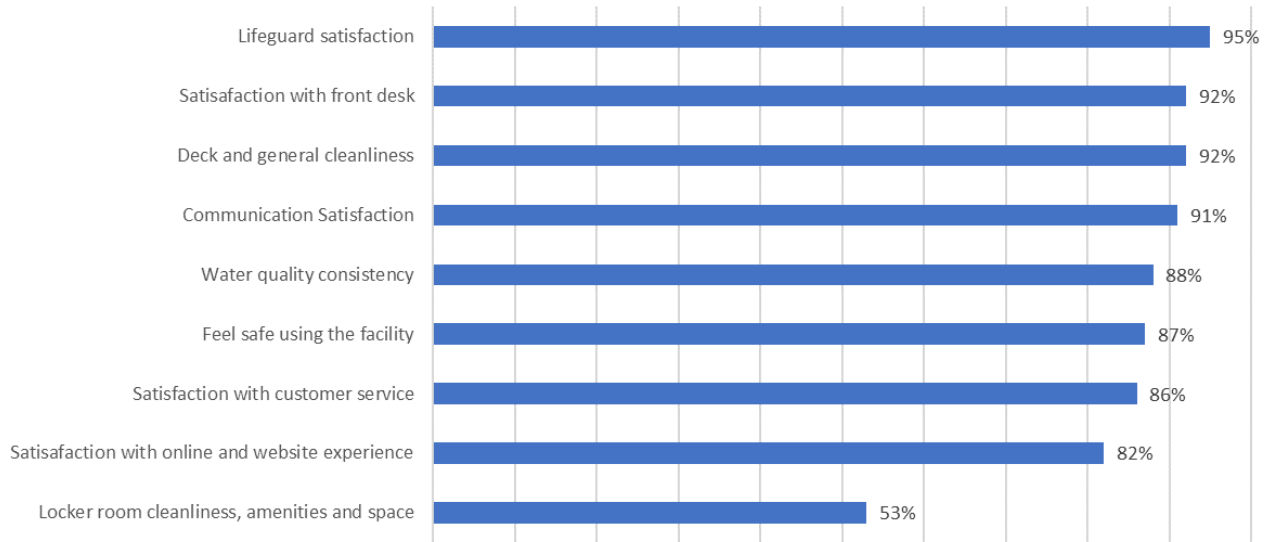


### Survey Responses

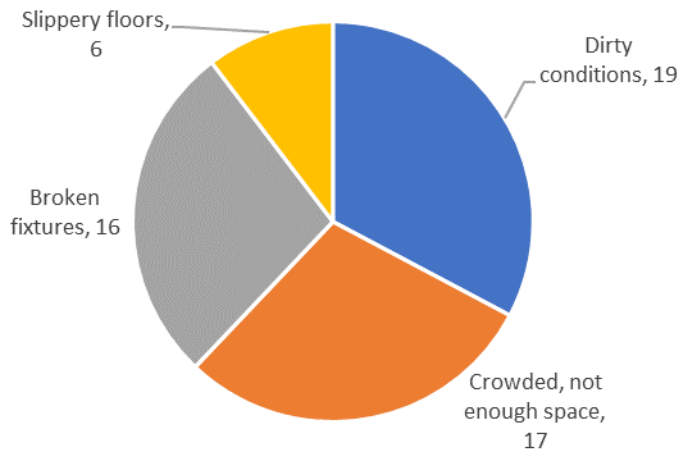
#### Number of Survey Responsents by Program Area



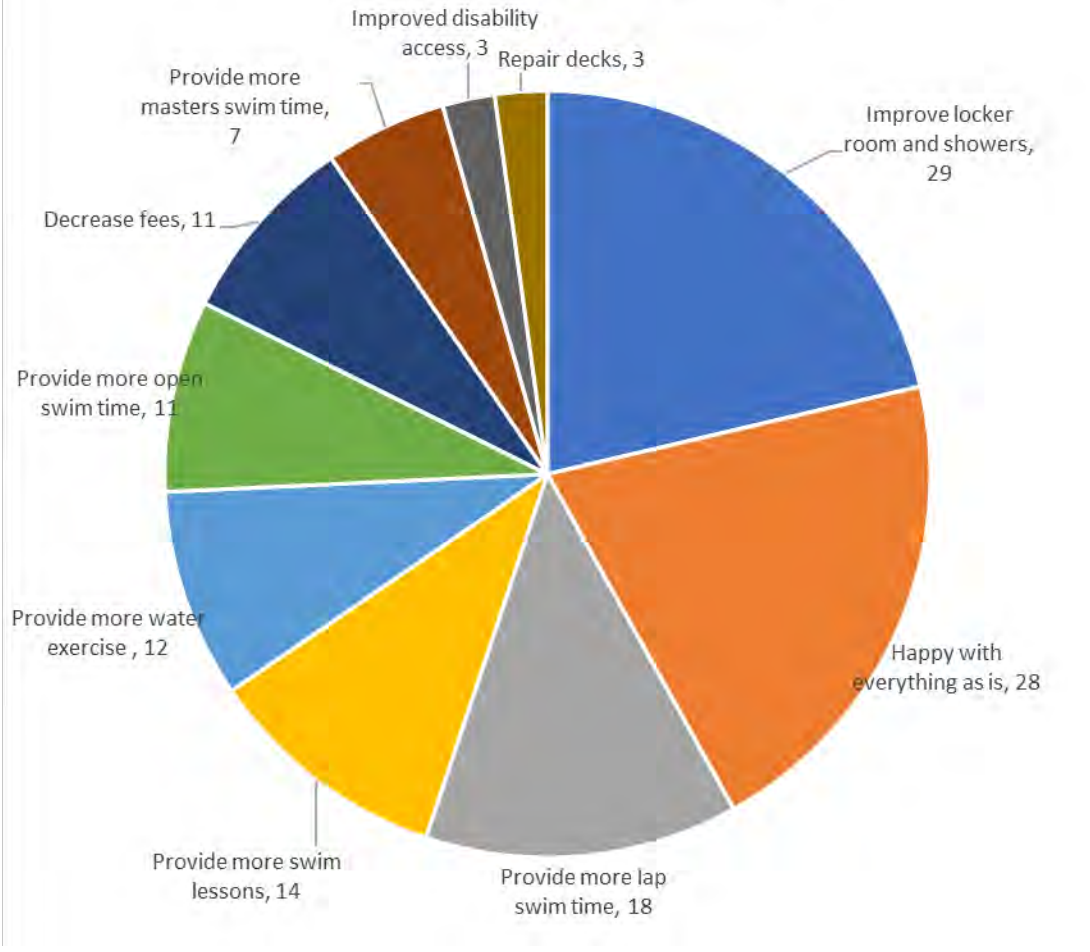
### Survey Responses- Overall Experience



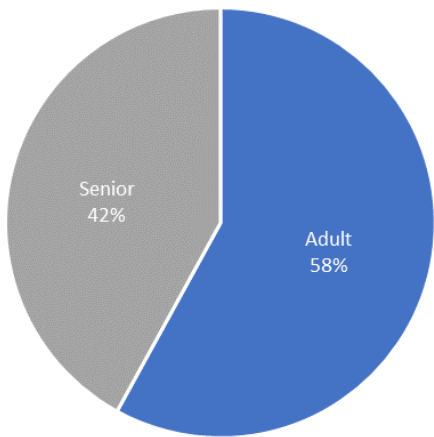
### Locker Rooms Summary Survey Comments



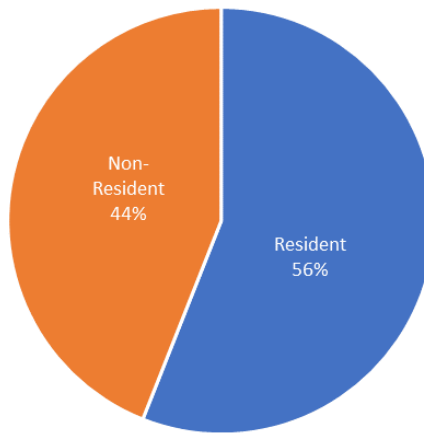
### What We Can Improve Summary of Survey Comments



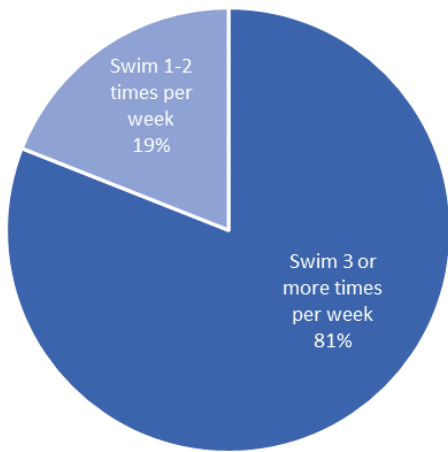
Lap Swim Survey Respondents



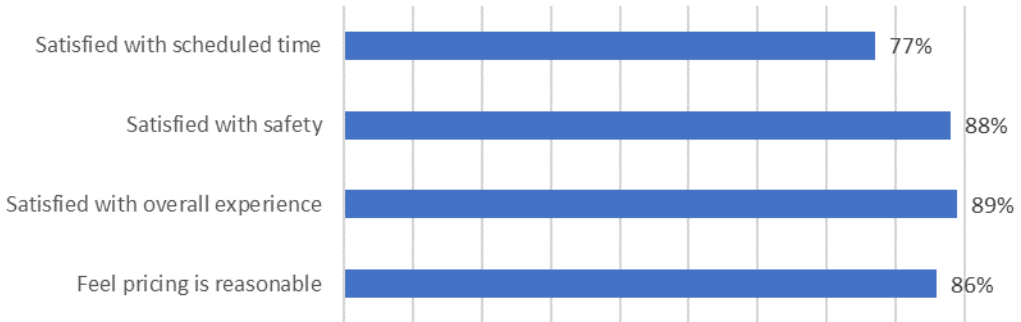
Lap Swim Survey Respondents



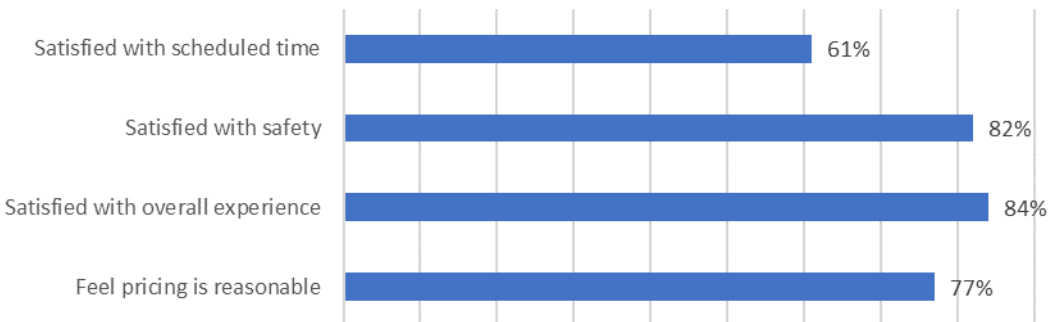
### Lap Swim Survey Respondents



### Lap Swim Survey Responses

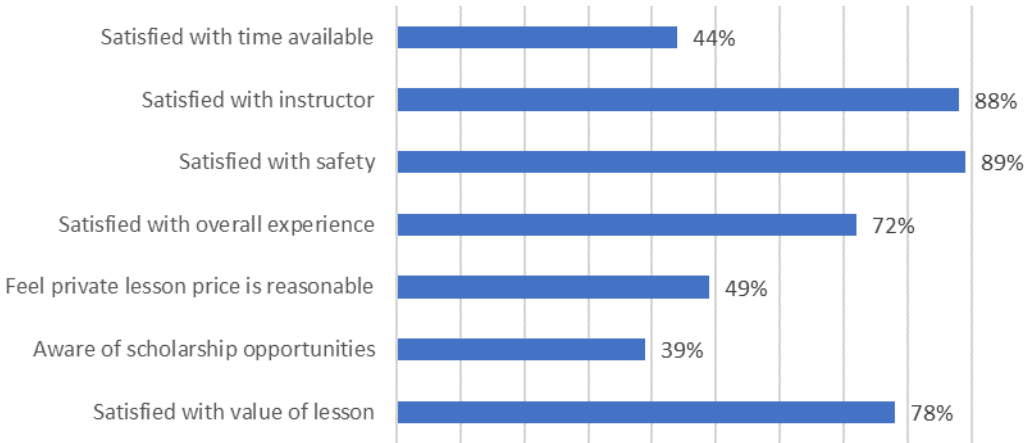


### Open Swim Survey Responses





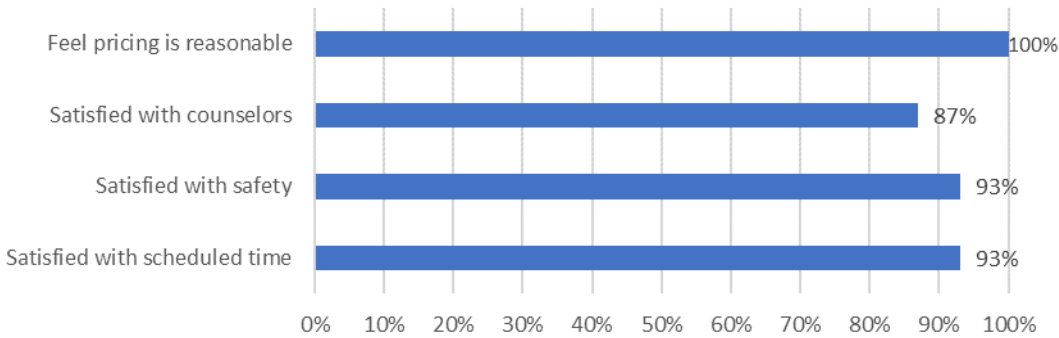
### Swim School Survey Responses



### Bridge Swim Program Survey Responses



### Camps Survey Responses



### Triathlon Survey Responses



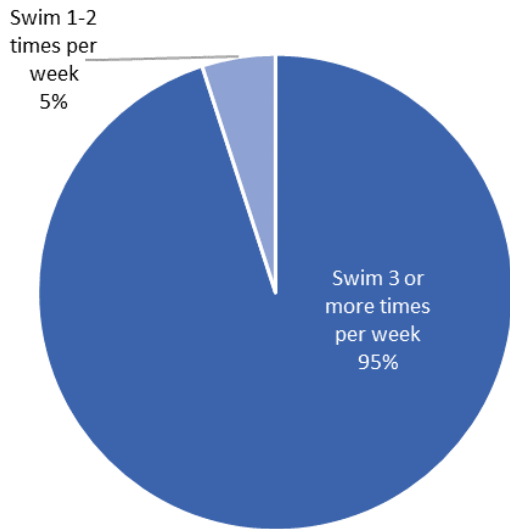
### PASA Survey Responses



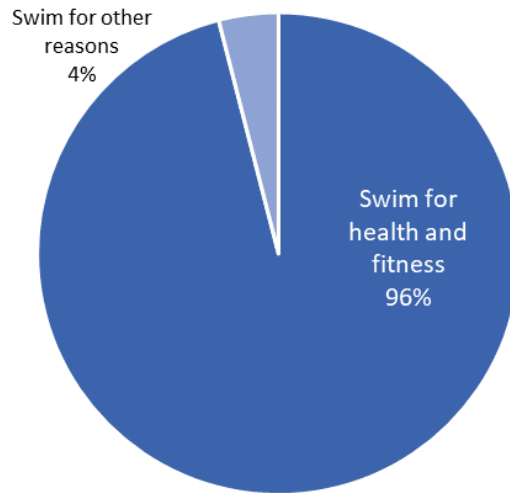
### Bridge Swim Program Survey Responses



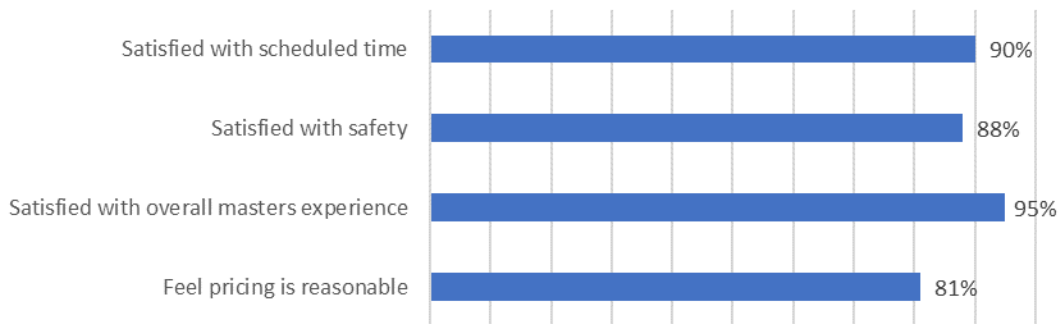
### Masters Survey Respondents



### Masters Survey Respondents



### Masters Survey Responses



## Employee Data

<b>Employees</b>	
Lifeguards	27
Managers	3
Swim Instructors	5
Coaches	5
Team Managers	2
Custodian/Maintenance	1
Service Center/Front Desk	6
CEO, CFO, Director of Operations	3
<b>Total</b>	<b>52</b>

All Lifeguards, Managers, Swim Instructors are Red Cross First Aid, CPR and AED certified. Managers Custodian and Director of Operations are Certified Pool Operators.

## Risk Management Documentation

### Emergency Action Procedures (EAP)

The Emergency Action Plan (EAP) is a protocol that describes the roles and responsibilities of the staff during an emergency. EAPs are a very important aspect of lifeguarding because by designating roles prior to emergencies, lifeguards can rescue and treat victims more quickly and effectively. This can only be achieved when the EAP is known by all and practiced with regularity. Emergencies are not all the same, it follows that the response to a passive drowning victim in the water would differ from that of a stroke victim on land. While there will be areas of crossover from one plan to the next, it is important that you are aware of each plan and when to activate them. Palo Alto Swim and Sport has three main EAPs: Water Based Emergency, Land Based Emergency, and Environmental Emergency.

### Water Based Emergency

Reacting to water based emergencies is the main reason lifeguarding exists as a profession. Three common examples of water-based emergencies include: distressed swimmers, drowning victims and nonfatal submersion victims. Injuries and sudden illness can occur either in or out of the water. When incidents occur in water then you have a water based emergency.

Common examples of injuries and sudden illness may include: head, neck or back injuries, severe bleeding, wounds, fractures, dislocations; heart attacks, breathing and cardiac emergencies, seizures and strokes, temperature-related emergencies such as cramps, heat exhaustion, heat stroke and hypothermia.



Water based emergencies require at least two guards in order to extricate the victim from the water, meaning that those lifeguards cannot perform patron surveillance. To speed rescue and prevent collateral damage the pool must be empty of patrons, or in the process of being evacuated, while extricating a victim. Because of these reasons the pool will remain closed until the emergency is over and all lifeguards can return to duty.

### **EAP - Water Based Emergency**

1. Primary rescuer performs 3 short, loud whistle blasts and yells “WATER EMERGENCY, CLEAR THE POOL”. All guards on deck respond by echoing the 3 whistle blasts and yelling “WATER EMERGENCY, CLEAR THE POOL” [SEP]
2. Secondary rescuer tells the front desk and informs them as to the nature of the emergency and if they need to call 911- if that has been determined yet. [SEP]
3. Primary rescuer performs rescue and calls for backboard if needed. [SEP]
4. Secondary rescuer gathers equipment such as, the AED, Oxygen, and backboard and then assists with rescue. [SEP]
5. Other guards will take on the role first of assisting with treatment by obtaining equipment (oxygen, AED, BVM, etc.) and communicating with front desk to ensure 911 has been called; and second by assisting with crowd control – pool evacuation, keeping walkways clear and directing EMS personnel to the appropriate location.
6. Primary and secondary rescuers should stabilize and treat victim until EMT’s arrive.

Treatment should always be performed by the person with the highest level of training. This means that after water extrication a different lifeguard may take over treatment. Lifeguards will only stop treatment once EMS personnel take over treatment. [SEP]

**\*\*Pool will remain closed until emergency is over and all lifeguards can return to duty\*\***

### **Land Based Emergency**

Land based emergencies are another type of emergency that lifeguards must be able to react to. As stated above, injuries and sudden illness can occur either in or out of the water.

Common examples of injuries and sudden illness include: head, neck or back injuries, severe bleeding, wounds, fractures, dislocations, heart attacks, breathing and cardiac emergencies, seizures and strokes, temperature- related emergencies such as cramps, heat exhaustion, heat stroke and hypothermia.

All of these are examples are land based emergencies, provided of course that they take place on land. Unlike water based emergencies, the pool may be able to stay open during a land based emergency. This is because treatment of the victim may only require one guard.

The following conditions would require shutting down the facility to allow for enough room to treat the victim and to prevent secondary injuries due to normal facility operation: head, neck or back injuries, heart attacks, breathing and cardiac emergencies, seizures and strokes.



## EAP - Land Based Emergency

1. Primary rescuer communicates to other guards that someone has been injured, and tells them that another guard needs to come out to cover primary rescuer's pool, or to assess the victim. [L] [SEP]
2. Primary rescuer then assesses victim to determine if 911 needs to be called. If 911 needs to be called, perform 3 short, loud whistle blasts and yell "LAND EMERGENCY, CLEAR THE POOL" All guards on deck respond by echoing the 3 whistle blasts and yelling "LAND EMERGENCY CLEAR THE POOL". [L] [SEP]
3. Secondary rescuer tells the front desk to call 911, include a short explanation such as "we have an unconscious adult male, approximately 30 years of age..." then proceed with appropriate treatment. [L] [SEP]
4. Secondary rescuer gathers equipment, such as, AED and Oxygen, and assists with rescue. [L] [SEP]
5. Other guards will take on the role first of assisting with treatment by obtaining equipment (oxygen, AED, BVM, etc.) and communicating with front desk to ensure 911 has been called; and second by assisting with crowd control – pool evacuation, keeping walkways clear and directing EMS personnel to the appropriate location.
6. Primary and secondary rescuers stabilize and treat victim until EMS arrives. Treatment for a victim should always be performed by the person with the highest level of training. This means that after the assessment or starting of treatment, a different lifeguard may take over treatment. Lifeguards will only stop treatment once EMS personnel take over treatment. [L] [SEP]

\*\*Pool will remain closed until emergency is over and all lifeguards can return to duty\*\*

## When to Call 911

### Land EAP -

1. The primary rescuer then does a primary assessment of the victim to determine if 911 needs to be called. If 911 does not need to be called, they begin the secondary assessment of the victim. When in doubt about whether or not to call 911, ask your supervisor for help. If your supervisor is not present, then 911 should be called. If a patron refuses 911 assistance, the patron must sign a refusal of care form that EMS will provide. [L] [SEP]
2. If victim is a minor, then all efforts should be made to locate their parent or guardian. The secondary rescuer assesses patient and will determine if 911 need to be called.
3. Not all land-based emergencies require 911 to be called. This decision to close the pool should be made by the lifeguard who is watching the pool, taking into account bather load and the programs in the water at the time. If the lifeguard feels uncomfortable with their bather load, or feels that patron safety is compromised, close the pool. [L] [SEP]

### Land Based Emergency (non-911) [L] [SEP]

1. Primary rescuer communicates to other guards that someone has been injured, and tells another guard

- a) will need to come out to cover primary rescuer's pool or to assess the victim.



b) can communicate with the front desk to call the parent/guardian if needed.

The victim should be moved to the first aid station if injuries allow movement.

c) The primary rescuer then treats victim according to their injuries. Once

treatment is complete, release victim back to coach or parent/guardian, if a minor and fill out all necessary paperwork and attempt to notify guardians. <sup>[1]</sup><sub>[SEP]</sub>

\*\* It is always important to remember that a victim's condition can always deteriorate. Primary rescuer must constantly reassess and be prepared to call 911 if victim's condition worsens. \*\*

### **Environmental Emergency**

Environmental emergencies happen when the surrounding environment poses a risk of injury to staff and patrons. Severe weather and natural disasters are an example of environmental emergencies. Severe weather and natural disasters can involve violent winds, thunderstorms, tornadoes, lightning, earthquakes, mudslides and flash floods. In addition, certain emergencies may result from a specific facility problem, such as a fire or chemical

spill. Communication is of utmost importance. Lifeguards should be communicating with supervisors, front desk and other staff during an environmental emergency. It is also important to communicate the nature of the emergency to the patrons; however stopping to answer questions is rarely possible during an emergency. The first two steps for these EAPs are the same; the latter steps are determined by the nature of the environmental emergency.

### **EAP – Fire**

1. Lifeguard observes an environmental emergency that warrants immediate pool closure such as: thunderstorms, tornadoes, lightning, earthquakes, or fire. Lifeguard performs one, loud and long whistle blast, and yells "ENVIRONMENTAL EMERGENCY, CLEAR THE POOL." All guards on deck respond by echoing the whistle blast and yelling "ENVIRONMENTAL EMERGENCY, CLEAR THE POOL." <sup>[1]</sup><sub>[SEP]</sub>

2. Establish communication with front desk and supervisors to inform them as to the nature of the emergency while clearing the pool. The next steps are determined by the nature of the environmental emergency. <sup>[1]</sup><sub>[SEP]</sub>

3. Each lifeguard clears his or her own pool and directs patrons to the closest emergency exit. Lifeguards must inform patrons that they CANNOT go back into the building to obtain any personal belongings due to risk of <sup>[1]</sup><sub>[SEP]</sub>injury. Guards must make sure all patrons exit through the closest exit, and that patrons do not crowd around the other side of these exits. Once all patrons have exited, guards must check in with a supervisor. After supervisor is aware of the deck being cleared, lifeguards exit through the emergency exit closest to them.

4. Supervisors and other staff will be responsible for clearing the building and bathrooms. In the absence of supervisors the highest ranking lifeguard will clear the building and bathrooms. After patrons have exited the pool deck through the emergency exits the building must be cleared. Clear the break room



and office first, then the bathrooms. Move into the bathroom and check each stall, while stating loudly, "Everyone out of the building there is a fire!" Once the bathrooms are clear, lock the door and exit through the main entrance. If anyone is in the building they should exit through the closest exit as long as it is not blocked by fire. <sup>[1]</sup><sub>[SEP]</sub>

5. Patrons and staff then wait for the fire department to come fight the fire or to give the "all clear." <sup>[1]</sup><sub>[SEP]</sub>

### **EAP - Earthquake**

1. Lifeguard observes an environmental emergency that warrants immediate pool closure such as thunderstorms, tornadoes, lightning, earthquakes, or fire. Lifeguard performs one, loud and long whistle blast, and yells "ENVIRONMENTAL EMERGENCY, CLEAR THE POOL." All guards on deck respond by echoing the whistle blast and yelling "ENVIRONMENTAL EMERGENCY, CLEAR THE POOL." <sup>[1]</sup><sub>[SEP]</sub>

2. Establish communication with front desk and supervisors to inform them as to the nature of the emergency while clearing the pool. Beware that during an earthquake pool water can violently slosh over the edges. For this reason it is important to quickly get patrons out of the pool and to ensure patrons promptly get away from sides of pool. <sup>[1]</sup><sub>[SEP]</sub>

3. Each lifeguard clears his or her pool and directs patrons to the closest emergency exit. Lifeguards must inform patrons that they CANNOT go back into the building to obtain any personal belongings due to risk of injury. Guards must make sure all patrons exit through the closest exit, and that patrons do not crowd around the other side of these exits. Once all patrons have exited, guards must check in with a supervisor. After supervisor is aware of the deck being cleared, lifeguards exit through the emergency exit closest to them. <sup>[1]</sup><sub>[SEP]</sub>

4. Lifeguards must keep in contact with a supervisor. If no supervisors are working at the time of the earthquake, lifeguards must wait for about five minutes after all shaking has stopped then check the building for injured staff and patrons. If injuries are found call 911 if warranted, or if unsure about how to treat victims. If any small fires are discovered use fire extinguishers to put them out and/or call 911 if fire is not easily dealt with. Leave building as soon as it has been swept through, do not stay in building longer than absolutely necessary. <sup>[1]</sup><sub>[SEP]</sub>

5. Emergency personnel or official media broadcasts (radio, TV, internet) will inform the patrons and staff when it is safe to re-enter buildings and obtain their possessions. <sup>[1]</sup><sub>[SEP]</sub>

### **Chemical Spill**

Chemical spills are a very rare but serious emergency. While there are many chemicals utilized for the proper functioning of a pool, there is only one chemical that would cause an emergency related spill, Hydrochloric Acid (Muriatic Acid). It is stored in a tank, in a room, near the front of the building.

If a spill were to take place it may happen in the following areas: 1) when the tank is being filled; or 2) because of material failure of the storage tank. Either way the spill will mostly likely occur near the front entrance of the building.



## EAP - Chemical Spill

1. Lifeguard observes an environmental emergency that warrants immediate pool closure such as: thunderstorms, tornadoes, lightning, earthquakes, or fire. Lifeguard performs one, loud and long whistle blast, and yells “ENVIRONMENTAL EMERGENCY, CLEAR THE POOL.” All guards on deck respond by echoing the whistle blast and yelling “ENVIRONMENTAL EMERGENCY, CLEAR THE POOL.” [L] [SEP]
2. Establish communication with front desk and supervisors to inform them as to the nature of the emergency while clearing the pool. Beware of the fumes and do not let the liquid touch you or any patrons. Tell front desk to call 911 and immediately direct all patrons to exit the facility through the closest exit away from the spill. [L] [SEP]
3. Each lifeguard clears his or her own pool and directs patrons to the closest exit away from the spill. Lifeguards must inform patrons that they CANNOT go back into the building to obtain any personal belongings due to risk of injury. Guards must make sure all patrons exit through the closest exit, and that patrons do not crowd around the other side of these exits. Once all patrons have exited, guards must check in with supervisor via [L] [SEP] radios. Ensure 911 has been notified of the spill. After supervisor is aware of the deck being cleared, lifeguards then exit through the closest emergency exit that is away from the spill. [L] [SEP]
4. Supervisors and other staff will be responsible for clearing the building and bathrooms. In the absence of supervisors the highest ranking lifeguard will clear the building and bathrooms. After patrons have exited the pool deck the building must be cleared. Clear the bathrooms first, and then move to the rest of the [L] [SEP] building. Move into the bathroom and check each stall, while saying loudly, “Everyone out of the building there is a chemical spill!” If anyone is in the bathrooms they must exit through the exits on the pool deck. Once the bathroom is clear, lock the doors. After bathrooms are cleared and locked, clear the rest of the building, starting with the front office and the break room. If anyone is in the building they should exit through the exits on the pool deck. [L] [SEP]
5. Patrons and staff then wait for the fire department to respond to the spill and give the “all clear.” If the chemical smell becomes strong enough to be painful to eyes and lungs, the lifeguards must move everyone farther away from the spill. [L] [SEP]

## Pool Closure

There are a many reasons why the pool may be closed due to non-medical emergencies. The most common issues are: biohazards, pump room issues and weather conditions.

## Biohazard Procedure

If a biohazard happens, you must take immediate and swift action. Biohazards range from fecal incidents to large volumes of blood contamination. Once aware of the situation immediately blow your whistle and yell, “Clear The Pool Please!”

In the event of solid fecal matter, vomit or excessive blood, notify the front desk of pool closure and estimated 16





time of reopening. The chlorine level must be raised to 2 parts per million (ppm) and the pool closed for 30 minutes to properly decontaminate the area. The pool are normally kept at a higher level than 2 ppm, see Pool Closure Binder for proper dosing charts.

Once the pool is evacuated obtain the following items:

- The proper amount of chlorine from the wet chemical storage area
- A biohazard disposal bin
- A pool scoop and gloves
- Put on gloves and proceed to scoop the contaminate out of the pool. Place the net and contents into the biohazard disposal bin and add the chlorine to affected area. Collect all items and return to the pump room for complete decontamination and disposal.
- Place contents of scoop into the biohazard bin and rinse the scoop under running water
- Fill a five gallon bucket 3/4 full with a chlorine/water solution: one part chlorine for every nine parts water
- Detach the net from the pole and place the net in the solution for 20 minute
- Once clean, dispose the gloves in the biohazard bag, tie the bag off and then place the bag in the garbage receptacle. When this last step has been completed, obtain and complete a "pool closure form" from the pump room desk. Pump Room Issues As lifeguards, there are few times that you will be in the pump room however, it is important to know what issues may require the pool being closed. The first thing to do when coming across most of these problems is to notify your manager or call individuals on the Facility/Maintenance Contacts list to receive further instructions. **Circulatory Pump** If the circulatory pump for a pool is turned off then the pump is off and the filters cannot function, and without filters patron cannot be in the pool. To determine if a given pump is on or off look at the breaker panel; if the light is off then the pump is off. First notify your supervisor, and then clear the affected pool. If no supervisor is present, first clear the affected pool and then call individuals on the Facility/Maintenance Contacts List to receive further instructions. **Pool Chemistry Issues** **pH Levels** pH levels that are out of prescribed ranges have the potential to cause injury or illness to those in the water. If the pH is lower than 7.2 or higher than 7.8, notify your supervisor or call individuals on the Facility/Maintenance Contacts List to receive further instructions. A pH level that is out of the prescribed range may require the pool to be cleared. **Chlorine** It is imperative to ensure that the pool has the proper part per million (ppm) of chlorine. If the chlorine levels are below 1 ppm or above 10 ppm then notify your supervisor or call individuals on the Facility/Maintenance Contacts List to receive further instructions. With this issue the pool may need to be cleared. **Hazardous Weather** Lightning, thunder, hail, and tornado watches or warnings are all possible reasons for pool closure due to weather. However, the most common of these are thunder and lightning. If you hear thunder or see lightning, then the pool must be closed and the deck must be cleared. The deck and pool must remain closed for 30 minutes after each instance of thunder or lightning. For example, a lightning strike occurs so you close the pool for 30 minutes. If 25 minutes passes and you see lightning again, the clock would reset. Everyone must wait 30 minutes from the last lightning strike before reentering the water.



## Air Quality Facility and Program Closure Protocol:

Due to the common occurrence of wildfires in the Northern California region, Team Sheeper Inc has implemented our own Air Quality Facility and Program Closure Protocol. The data in which we will use to implement our company protocol comes from the website [PurpleAir.com](https://purpleair.com) as it displays a more accurate and current air quality reading.

The primary colors you should be aware of when the air quality starts to become hazardous are: **Orange** (Unhealthy for sensitive groups) – With an air quality index between **101-150**  
**Red** (Unhealthy) – With an air quality index between **151-200**

Please check [PurpleAir.com](https://purpleair.com) and add our zip code “94303” as well as set the ‘conversion’ to “AQandU” to get a more current reading for our location. The AQandU conversion is the closest to what the EPA calculations.

### Orange Protocol

It’s **OK** to be active outside, especially for **SHORT ACTIVITIES** such as recess and physical education. For **LONGER ACTIVITIES** such as athletic practice, take more breaks and do less intense activities. All long-duration, high-intensity activity groups, including Swim School will be **cancelled** when air quality reaches **130**.

### Red Protocol

The Rinconada Aquatic Facility will be **CLOSED** and all staff sent home when air quality reaches **150**. Open Swim and Lap Swimming will be the only programs operational between the air quality of **130-150**.

\*Current Covid-19 Standard Operating Procedures at Burgess Pool is available upon request as these protocols change to match the state and county guidelines in current time.



## Summary

Each year an annual report is prepared, it demands an extreme team effort to collect, analyze and display data that we believe best and truly depicts our motives and intentions as a community pool operator.

Each year an annual report is prepared, it allows us to reflect on our daily responsibilities and listen to the collection of individuals and families that make up the Menlo Park Aquatic Community. We are able to learn more about their interactions and experiences as they engage in the aquatic programming. We learn how, why, and when the community engages with the facility. We are afforded the opportunity to read community members feelings and thoughts about a very important place that allows them to enter a liquid environment that calms and heals as well as invigorates and centers them.

Each year an annual report is prepared, we as operators revisit how vital and important the usage of this shared and somewhat scarce body of water is to thousands of individuals. Information gathered reaffirms the importance of our role as stewards of the facility. A role we assume with great care and sensitivity. We rely heavily on our company core values to make objective and equitable decisions that benefit the most, while inhibiting the least.

Each year, the annual report allows us to set the course for the upcoming year. The five main objectives for the new year are:

1. Retain our current aquatics staff
2. Recruit new aquatic staff members and partners to assist in rebuilding our legacy programs.
3. Provide youth group swim lessons.
4. Provide an abundance of low cost open/family swim opportunities.
5. Provide a comprehensive water therapy program.

We are proud of the body of work that our community of swimmers in collaboration with our organization has been able to present to the Menlo Park, Parks and Recreation Commission.



# Appendix A Facility Audit

## Aquatic Observational, Facility and Skill Audit Form

CLIENT FACILITY: Menlo Swim & Sport - Burgess Pool

DATE: 01/15/2022  
TIME: 8:38am

AUDITOR  
JCW

### Water Safety Staff and Operations

Evaluation Categories	Comments	NI, S, AA, O	Video/Photo
The number of lifeguards was appropriate for the activities taking place at the time of the audit	One lifeguard on duty for lap and swim team activities taking place during the observation is appropriate.	AA	Video
Supervisor/Lifeguards were positioned effectively for the number of guests and the activity taking place.	The lifeguard was roaming between the two pools, which was good positioning. Lifeguard number two was positioned by the elevated chair between the pools with a view of both, which is also excellent.	AA	Video
Supervisors were proactively watching the lifeguards perform their duties.	I observed the supervisor on deck during the surveillance portion of the audit. This is excellent.	AA	Video
Continuous surveillance of swimmers was maintained. Lifeguard appeared to be scanning their entire zone using bottom up scanning when appropriate	The surveillance was good. Both of the lifeguards that I observed were watching the water. Make sure to look down from the edge and into the corners.	AA	Video
All aquatic staff was easily identifiable and their appearance was professional.	The staff were wearing appropriate clothing for winter lifeguarding with parkas over sweats and swimwear in case they need to go into the pool.	AA	Video
Lifeguards performed no other activities while "on duty"	While on deck, the lifeguards only job was to watch the pool. This is also excellent.	O	Video
Whistles or signal devices were readily available for emergency use.	The lifeguards had whistles. The facility also uses radios to communicate.	AA	Video
Lifeguards Enforced rules and communicated professionally with the guests	I did not witness any rule enforcements, but did observe interactions with guests that were polite and helpful.	AA	
On deck supervisors have had some type of formal lifeguard management, supervisor or other aquatic management training	The supervisory staff should have certification and/or training beyond Basic Lifeguard Training. Lifeguard Management, TOTAL Guard course or aquatic schools or institutions.	S	Video
Lifeguards were "rescue ready", straps on and leaning in when at seated stations or walking on deck.	Lifeguards were in standing/walking stations with the tube strap on and were very attentive and rescue ready.	AA	Video
Lifeguards were wearing appropriate face covering	The lifeguards were wearing masks.	AA	Video
There was a monitor on deck enforcing face coverings and social distancing	The guests were on deck with masks and were monitored by the counter staff, Supervisor on Duty and Lifeguards.	AA	Video
Zone coverage was maintained through out the rotation of Lifeguards. Rotating Lifeguards were watching the pool.	The first rotation was OK, the guards during the second rotation spent some time talking but were still watching the pool.	AA	Video
Certifications for lifeguards are on file at the facility.	Yes, certificates are on file.	AA	

Section  
Overall



Additional Notes	It was a good observation, especially on a cold winter day. The guards and supervisor understand principles of patron supervision and safety.
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### Customer Service

Evaluation Categories	Comments	NI, S, AA, O	Photo #	
Facility schedule and fees are posted,	The pricing on the white board in the lobby. The schedule is on the front counter.	O		
Lobby and customer service counters are clean.	The lobby looks great! It is neat, clean and inviting.	AA		
Fee collection process and staff services.	The front counter staff was welcoming and attentive.	AA		
Changing area is clean and well attended to.	The changing areas look neat and clean.	AA		
Locker room electrical outlets are GFIC and are functional	I checked the GI outlets. All were good but someone should check the outlet in the family changing room.	AA		
Restroom toilets and sinks are functional and clean with towels, TP and/or hand dryers	All of the toilets and sinks were functional. The towels were provided and stocked.	AA		
Shower area is clean, showers are functional and have soap dispensers, ADA shower(s) is/are working	The showers were clean. Two showers in the men's room need handles affixed, staff were working on these. The ADA shower in the men's has no ADA shower head. This is very common as they get vandalized.	S	P1, P2	Section Overall
Floors and walkways are clean, walking surfaces are appropriate.	All of the floors are clean and the surface is appropriate to reduce potential for slipping.	AA		

### Equipment

Evaluation Categories	Comments	NI, S, AA, O	Photo #	
Lanes lines are in good condition, stored properly with minimal cracked or broken floats	All of the lane lines in the pools are in excellent condition.	O		
Swimming gear is stored properly and in good condition.	The swimming gear was very organized in the gear storage systems.	O		
Rescue tubes are in good condition and those not in use are stored well	The rescue tubes are in good condition and are stored well.	AA		
Back board is on deck, stored appropriately and has functional head stabilizers and proper straps.	I inspected the backboard on deck. It is functional and in good condition.	AA		
Crash bag or other portable medical kit is located in a good location and has equipment "bundled" in it.	The crash box is located in the center of the facility which is excellent. It is well stocked and ready to go. Make sure you have a BVM in or around the Crash Box	AA	P3	
Facility has a working AED per State code	I inspected the AED and it is in working order with the proper pads.	AA		
Correct number of reaching hooks are available and ready for use.	The facility has two reaching hooks and meets code.	AA		



Correct number of ring buoys are available and ready for use.	The facility has three well placed ring buoys exceeding code.	AA		
OSHA 10 person first aid kit	The crash box on deck far exceeds the OSHA First Aid requirement.	O	P4	
Water slides are in good condition, registered with DOSH and maintained and operated by properly trained staff.	NA			
Play structures are in good condition, with no sharp edges, protruding bolts and functional	I inspected the mushroom "waterfall". It is in good condition with no hazards under the waterline or on the touchable areas.	AA		Section Overall
Diving boards are well maintained, stands/bases, fulcrums, steps, mounting bolts, hand rails and board surface are in good condition	NA			AA
Additional Notes	The indoor facilities and entry area are well kept and in good condition. The safety equipment is in working order, readily available and in good working condition.			

### Pool Area

Evaluation Categories	Comments	NI, S, AA, O	Photos #
General appearance of the pool area.	The pool area looks clean and all is well organized.	AA	
Large equipment is properly stored away from the pool.	The pool cover reels, lane line reel and polo goals are well stocked.	AA	
Drinking Fountains are clean and functional	The drinking fountain is clean and functional.	AA	
Decks are clean and free of cracks, chips and standing water.	The chemical pitting on many areas of the pool deck is close to being an area of concern. Some of the cracks and pitting are approaching hazard levels.	S	P5-P10
Deck expansion joints are well sealed and impenetrable	Expansion joint sealant is still acceptable but will need resealing soon. The bad seals let water intrude and can undermine the structure integrity of the concrete slabs.	AA	P11, P12
Deck drains are in good condition and functional.	The drains look good. One needs patching around the frame.	AA	P13
Depth markers are of proper size are posted on deck and pool walls, they are not faded.	I inspected all on deck and vertical depth markers. All meet code and are in good condition.	AA	
No diving is marked on the deck in areas of less than 5 feet of water depth.	No diving markers on deck are in place and meet code with international "no diving" symbol in place.	AA	
Starting Blocks if in place are secure and covered or signed "not for use"	The blocks are secure with cones in place so they do not get used without supervision	O	
Condition of pool coping stones, gutter tiles, rim flow grates or skimmers.	The rim flow grates are in good condition. The gutter tile in the main pool is good. There are some small tiles that are missing around the instructional pool. This is a very standard issue with 1" tile perimeters.	AA	P14 -P17
Built in stairs and their edges are in good condition. Handrails are tight.	All of the built in stairs in the instructional and top pool are in good condition.	AA	



Ladder handrails are tight, ladder steps are in good condition	I checked all the handrails. They are in good condition. Some of the steps have brown staining from re-bar close to the plaster surface. This is standard issue and should be addressed next plaster job.	AA	P18-P19	
Functional lifeguard stands, includes; steps, rails, platforms, seat and no potential "strap hooks"	I inspected all three lifeguard stands, steps, bolts, surfaces, seats and all are safe and in good working order.	AA		
Pool cover and lane line reels, handles, wheels, brakes, bearings.	I inspected all four pool cover reels and found them to be in good condition.	AA		
ADA Compliance for means of pool entry, placement of pool lifts and alternate means of entry ramps, stairs	ADA lifts are in place. They are to be accessible and working and in place whenever the pool is open. They should be able to be operated by the user without assistance.	AA		
Pool surface is uniform in color and surface is acceptable, lane markings are visible and in good condition.	The lane markings and hockey bottom are in good condition. There is rust staining on the bottom due to re-bar proximate to plaster surface "bleeding" through. This is a standard issue and should be addressed next plaster job.	AA	P20-P22	
Pool drain covers are VGB Compliant, Inlets and other covers are in good condition.	The drains appear to be VGB compliant. They need inspection, replacement and certification every 5, 7 or 10 years depending on the type of drain.	AA		
Pool signs meet code requirements, including: Capacity, 911, RB/CPR, Active Diarrhea, Pool Rules. No Diving; No LG on Duty,	Fill in signs for all three pool areas. Need capacity, pool address and emergency hospital, urgent care or closest facility address and phone number. Pool capacity is determined by multiplying length times width of the pool and divide by 20.	AA	P23	
Additional signs depending on facility amenities and type of use; No Swimming After Dark, No Running, Shower Before Entering, and others	Good extra signs are posted; shower, no diving, no breath holding, watch your children, non-swimmers wear a PFD.	O		Section Overall
Water appearance is not turbid or cloudy, looks clean and pool bottom is clearly visible at main drain.	The water looks great.	AA		AA
Facility fences and barriers meet State code	I inspected the entire fence line and found no openings or gaps beyond code.	AA		
Additional Notes	The pool area looks clean and is well organized and maintained. There are some issues surrounding the pool deck surface, pool plaster and expansion joint sealant that will require significant repairs (capital level for deck and plaster) that will need to be planned to address in the future.			

### Mechanical Room

Evaluation Categories	Comments	NI, S, AA, O	Photos #
Entrance to mechanical areas and chemical storage areas are well marked, hazardous material signs and precautions are appropriate,	Need to put sign on the mechanical room door indicating it is a mechanical room. All the hazardous material storage area signs meet code!	AA	
Mechanical and chemical storage areas are easily accessible for staff and not accessible to all others.	Yes, these areas are locked to the public.	AA	



Safety Data Sheets are on file or in a binder and readily available. A facility map with an evacuation plan is posted and visible.	SAS' are in a binder in the mechanical room.			
Area is clean and not cluttered. Working surfaces are well maintained and ready for use.	The area is very clean and well maintained.			
Chemicals and flammables are stored properly. Incompatible materials are not stored improperly.	All of the chemicals and flammables are stored safely.			
There is at least three feet of clearance in front of all electrical panels.	Yes, there is no clutter in front of the panels.			
Portable tools and equipment are stored correctly. and other equipment is stored correctly and in a proper location.	Everything is put away neatly and well taken care of.			
Extra pool mechanical equipment is stored correctly and in a proper location.	The pool vacuum's and other equipment is stored properly.			
Pipe contents and flow direction are well marked on the appropriate plumbing.	Yes, it is well marked, easy to understand the flow and contents.			
Pipe valves, pressure and flow gauges, and water shut-off points are well marked, visible and easily accessible to ensure operational readiness in the event of an emergency	The room is very neat and all the gauges and valve handles, wheels, etc. are visible and accessible.			
Daily pool log is kept and up to date, test times, routine maintenance and regular inspections, are noted.	I inspected all daily logs and maintenance logs. All of the logs are up to date. Excellent record keeping system.			
Additional chemicals if added are noted in pool log (anything not from automated chemical controllers)	Yes, additional chemical additions are noted in the log.			
Special projects and equipment replacements are recorded and tracked for long range maintenance planning	Yes, this information is also documented.			
Slides are in good condition and are properly maintained.	NA			
Water play features and other special aquatic amusements are in good condition and properly maintained	Yes, they are in good condition and properly maintained.			
Diving Boards are in good condition and properly maintained.	NA		AA	
Maintenance staff is properly trained and/or certified and receives safety and compliance training, and is well supervised.	Yes, the maintenance staff is CPO certified			
				Section Overall





Additional Notes	This is the cleanest and best maintained mechanical room I have inspected in a long time! The equipment is in good condition and record keeping is excellent. These "capital" assets are being well taken care of.
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### Lifeguard Practical Skills

Evaluation Categories	Comments			
Lifeguard # 1 Active Rescue	Name: Cameron Merrells	NI, S, AA, O	Video/Photo	
Signals other guards and enters water safely	Remember to hold the tube cord.	AA	Video	Section Overall
Effectively handles victim and brings them to safety	Great rescue!	O	Video	AA/O
Lifeguard # 1 Submerged Rescue	Name: Cameron Merrells	NI, S, AA, O	Video/Photo	
Spots victim, signals other Guards and enters safely	Great signal and entry.	O	Video	
Performs effective surface dive and retrieves victim off the bottom.	Great surface dive.	O	Video	Section Overall
Effectively places the victim on the rescue tube and moves to the wall.	Great placement on the tube.	O	Video	O
Lifeguard # 2 Active Rescue	Name: John Tupper	NI, S, AA, O	Video/Photo	
Signals other guards and enters water safely	Great!	O	Video	Section Overall
Effectively handles victim and brings them to safety	Great handling of the victim.	O	Video	O
Lifeguard # 2 Submerged Rescue	Name: John Tupper	NI, S, AA, O	Video/Photo	
Spots victim, signals other Guards and enters safely	Great entry.	O	Video	
Performs effective surface dive and retrieves victim off the bottom.	Great victim retrieval.	O	Video	Section Overall
Effectively places the victim on the rescue tube and moves to the wall.	Great rescue!	O	Video	O

Ratings Key: NI = Needs Improvement, S = Satisfactory, AA = Above Average, O = Outstanding

#### Overall Audit Comments:

This was a good operational audit, the staff were supervising patrons and the facility in a very safe manner, all of the required and necessary equipment are on site and all staff carries state required certifications. The facility is showing some age in the form of very standard/common issues. The deck pitting and surface should be addressed in the future, at some point the health department may require this work. The pool plaster should be addressed when the surface cycles for replastering. The deck expansion joints should be resealed in the next year or two. The mechanical room and maintenance practices are excellent and the City's facility is being well taken care of by your leasee. Staff testing was a good indicator that staff possess a level of competence that comes through good supervision and training. Overall this was a very good and above average audit.

Audit Overall



Total Aquatic Management  
2022

Menlo Swim and Sport – City of Menlo Park Burgess Pool - Site Visit Photos 1/15/2022 –  
Photos 1 & 2 Men’s Shower Rooms















Photos 11 and 12 Expansion joint sealant



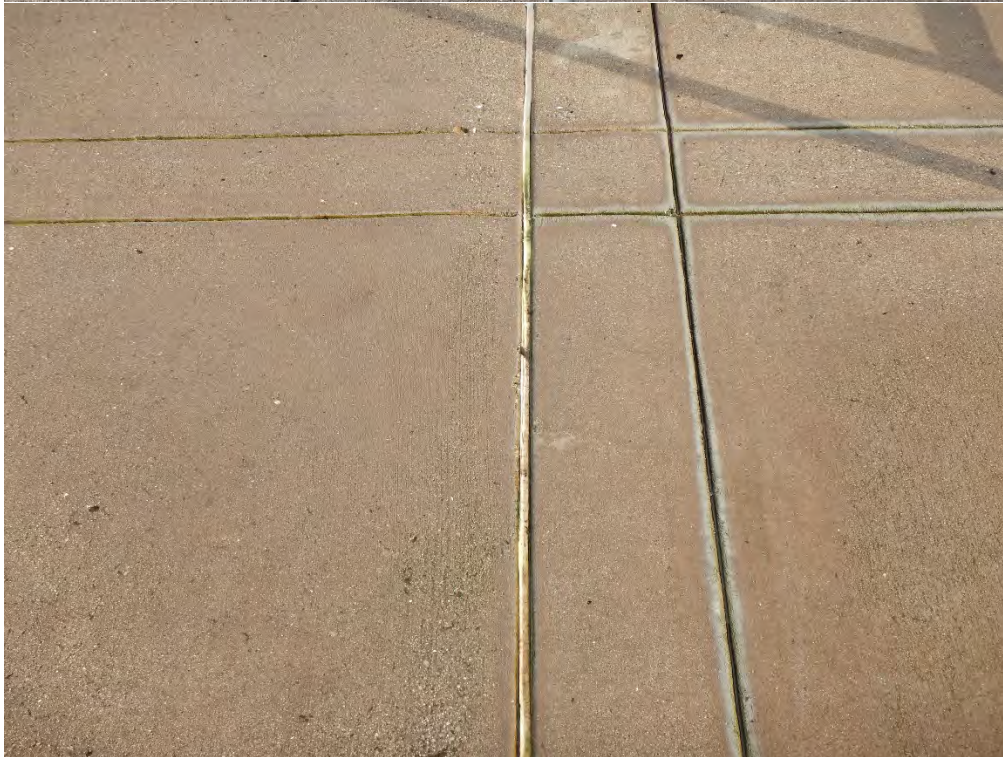




Photo 13 Deck Drain





Photos 14 through 17 Perimeter Tiles

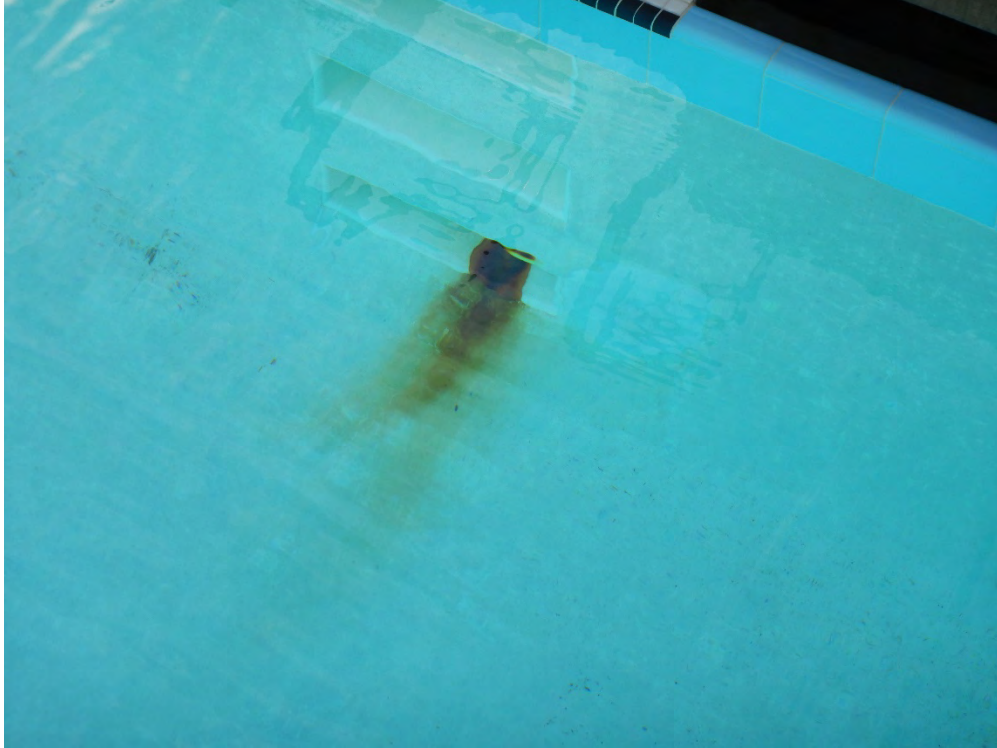




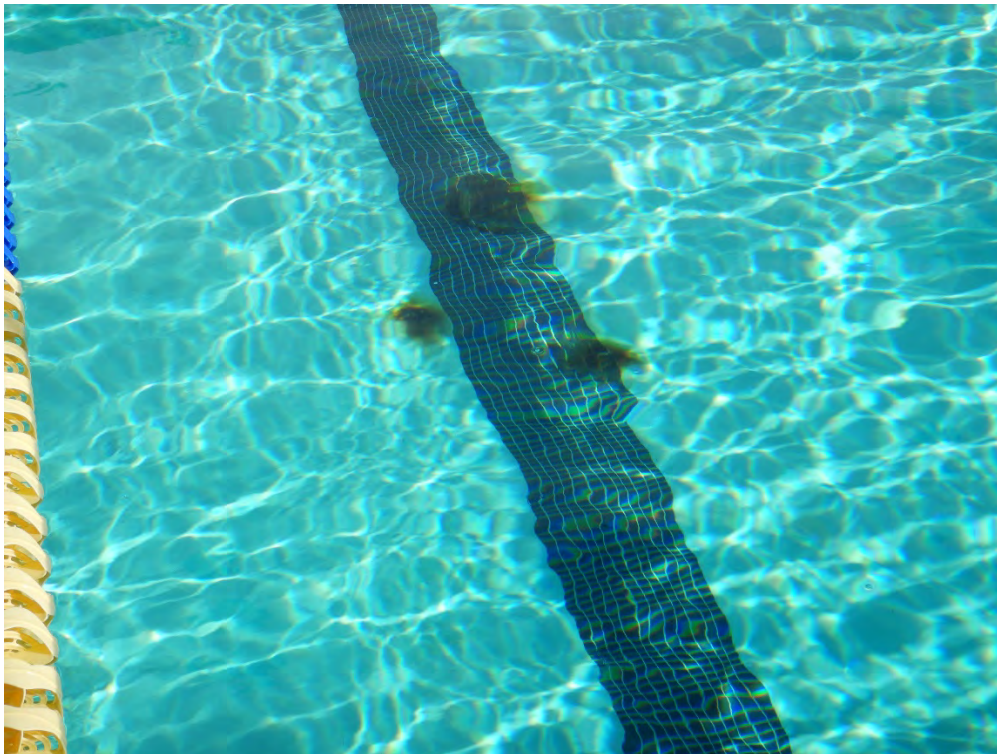


Photos 18 and 19 Staining from rebar “seep” on two sets of built-in ladder stairs

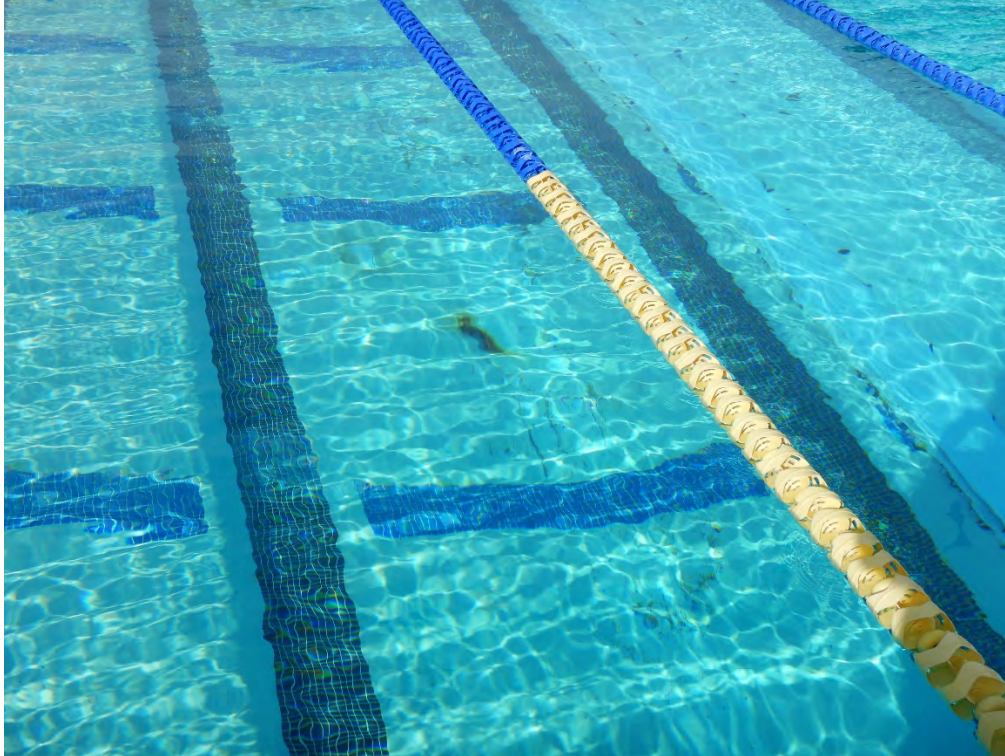




Photos 20 and 21







# Pool Code Compliance Signs





CITY OF MENLO PARK  
TIMELINE-RELATED BACKGROUND INFORMATION  
AQUATICS OPERATOR AGREEMENT

On March 27, 2018<sup>1</sup>, City Council authorized the city manager to execute a professional services agreement with Team Sheeper, Inc. (Provider) to provide aquatics programming at Burgess Pool and Belle Haven Pool.

On February 11, 2020<sup>2</sup>, City Council approved an agreement amendment with Provider to extend their operation of the Burgess pool through August 31, 2021 and to terminate services at Belle Haven Pool in preparation for construction of the Belle Haven Community Center and Library project (now known as the Menlo Park Community Campus or MPCC project)

On March 11, 2020<sup>3</sup>, City Council declared a local emergency closing all City facilities to the public, including Belle Haven pool and Burgess pool, to protect public health during the COVID-19 pandemic.

On June 9, 2020<sup>4</sup>, City Council approved an agreement amendment with Provider to update terms and conditions permitting operational modifications and health precautions at both pools to protect public health and comply with health orders made necessary by the COVID-19 pandemic.

On July 28, 2020<sup>5</sup>, City Council reviewed a revised timeline for the MPCC project in light of delays caused by the COVID-19 pandemic, which indicated that MPCC construction activity would commence in summer 2021 instead of October 2020 as previously planned.

On August 31, 2020, the agreement's 12-month extension clause was allowed to take effect and the agreement end date was automatically extended through August 31, 2021.

On September 15, 2020<sup>6</sup>, City Council authorized the city manager to amend the agreement to extend Provider's services at Belle Haven pool until the agreement expires August 31, 2021, or until MPCC construction commences, whichever occurs first, at which time Provider's services at Belle Haven Pool would cease. The amendment had no effect on the Burgess Pool portion of the agreement.

On February 9, 2021<sup>7</sup>, City Council approved an automatic extension to Provider's professional services agreement to continue Provider's services at Burgess Pool through August 31, 2022.

On May 30, 2021, Provider ceased operations at Belle Haven Pool and vacated the facility to allow for MPCC construction activities to commence.

On June 15, 2021, City relocated operations from Onetta Harris Community Center to interim service locations and vacated the former facilities to allow MPCC construction activities to commence.

On June 28, 2021<sup>8</sup>, MPCC facility construction activities commenced with soft demolition and building abatement activities.

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<sup>1</sup> Hyperlink: [menlopark.org/DocumentCenter/View/17063](https://www.menlopark.org/DocumentCenter/View/17063)

<sup>2</sup> Hyperlink: [menlopark.org/DocumentCenter/View/24179/J1-20200211-CC-Team-Sheeper-Agreement-for-Belle-Haven-Pool](https://www.menlopark.org/DocumentCenter/View/24179/J1-20200211-CC-Team-Sheeper-Agreement-for-Belle-Haven-Pool)

<sup>3</sup> Hyperlink: [menlopark.org/AgendaCenter/ViewFile/Agenda/03112020-3409](https://www.menlopark.org/AgendaCenter/ViewFile/Agenda/03112020-3409)

<sup>4</sup> Hyperlink: [menlopark.org/DocumentCenter/View/25287/H8-Amend-Team-Sheeper-agree-pool-reactivation](https://www.menlopark.org/DocumentCenter/View/25287/H8-Amend-Team-Sheeper-agree-pool-reactivation)

<sup>5</sup> Hyperlink: [menlopark.org/DocumentCenter/View/25806/G2-20200728-CC-Update-Belle-Haven-community-center-and-library-project](https://www.menlopark.org/DocumentCenter/View/25806/G2-20200728-CC-Update-Belle-Haven-community-center-and-library-project)

<sup>6</sup> Hyperlink: [menlopark.org/DocumentCenter/View/26122/D1-20200915-CC-BH-pool-sec-amend-Sheeper](https://www.menlopark.org/DocumentCenter/View/26122/D1-20200915-CC-BH-pool-sec-amend-Sheeper)

<sup>7</sup> Hyperlink: <https://www.menlopark.org/DocumentCenter/View/27336/F5-20210209-CC-Burgess-pool-contract-extension>

<sup>8</sup> Hyperlink: <https://beta.menlopark.org/Government/Departments/Community-Development/Projects/Under-construction/Menlo-Park-Community-Campus>



# AQUATICS SERVICE AGREEMENT

February 8, 2022



## RECOMMENDATION

- Authorize the city attorney and city manager to draft and execute an amendment to the professional services agreement with Team Sheeper, Inc. for continued operation of the Burgess Pool through August 31, 2023 or the opening of the Menlo Park Community Campus aquatics center, whichever comes first; and
- Direct staff to prepare a Request for Proposals (RFP) for an aquatics operator at Burgess Pool and the future Menlo Park Community Campus aquatics center now under construction and anticipated to open in Summer 2023



## BACKGROUND

- Team Sheeper, Inc. is the current operator of Burgess Pool, and previously operated Belle Haven Pool until it closed for construction in 2021
- Current agreement ends August 31, 2022; automatically extends for 12 additional months absent any action
- Either party may provide written notification at least 180 days in advance of intent to amend the terms of the agreement
- Staff recommends amending the agreement to establish express terms that the extended agreement would expire August 31, 2023, or when the MPCC aquatics center opens, whichever comes first.



# ANNUAL AQUATICS REPORT



- Required by Section 9 of the agreement by January 30 of each year
- Prepared by Team Sheeper Inc.
- Includes program statistics, resident and non-resident participation data, customer survey results, current and projected schedules, fees by program area, fee comparisons to other area aquatics centers, certifications, and other relevant data
- Attachment B to the staff report
- Scheduled to be presented to the Parks and Recreation Commission at its February 23 regular meeting.

## MPCC AQUATICS OPERATOR



- Staff recommends issuing a Request for Proposals (RFP) in Autumn 2022 for an aquatics operator at Burgess Pool and MPCC aquatics center
- The start of the new agreement would be timed to coincide with the projected Summer 2023 opening of the MPCC aquatics center
- The current aquatics service provider, Team Sheeper, Inc. would be invited and encouraged to respond to the RFP
- Issuing the RFP in Autumn 2022 will provide the City sufficient time to select the operator, negotiate the agreement, and prepare for the start of operations at the new MPCC facility in Summer 2023.



## RECOMMENDATION

City staff recommends that the City Council:

- Authorize the city attorney and city manager to draft and execute an amendment to the professional services agreement with Team Sheeper, Inc. for continued operation of the Burgess Pool through August 31, 2023 or the opening of the Menlo Park Community Campus aquatics center, whichever comes first; and
- Direct staff to prepare a Request for Proposals (RFP) for an aquatics operator at Burgess Pool and the future Menlo Park Community Campus aquatics center now under construction and anticipated to open in Summer 2023



**STAFF REPORT**

**City Council**  
**Meeting Date:** 2/8/2022  
**Staff Report Number:** 22-027-CC

**Regular Business:** Consider and adopt resolution approving the Water Supply Assessment for the Willow Village mixed-use masterplan project

**Recommendation**

Staff recommends that the City Council adopt a resolution approving the water supply assessment (WSA) prepared for the Willow Village mixed-use masterplan project (Attachment A.)

**Policy Issues**

In determining whether to approve the WSA, the City Council is acting as the governing body for Menlo Park Municipal Water (MPMW) and shall consider if sufficient water supply is available during normal, single dry, and multiple dry years within a 20-year projection to meet the projected demand associated with the proposed project. In considering water supply availability, MPMW is charged with determining if the City's water supplies are sufficient to serve the proposed project, taking into consideration planned growth within MPMW's service area. In considering the water availability, MPMW is not considering the merits of the proposed project and approving the WSA is not equivalent to a commitment to serve the proposed project. Further, this action does not obligate the City Council to approve the proposed project. The State Water Code requires that the governing body of the water provider approve the WSA. These requirements were subsequently added to Section 15155(b) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA.) The proposed project requires an environmental impact report (EIR) pursuant to CEQA. Approving the WSA allows the City to incorporate the WSA into the EIR for the proposed project.

The Planning Commission and the City Council will ultimately be required to consider the merits of the proposed project, including its consistency with the city's general plan and zoning ordinance, along with the municipal code, and other adopted policies and programs of the city such as the below market rate housing program and the provision of community amenities in exchange for bonus level development. The proposed project would require a general plan circulation element amendment to modify the on-site circulation network. The City Council will be the final decision-making body on the certification of the EIR, general plan amendment, rezoning, conditional development permit (CDP), major subdivision, circulation changes and development agreement (DA.) The Planning Commission will be the final decision making body on the architectural control permits for each building/site plans.

**Background**

Beginning January 1, 2002, Senate Bill 610 added Section 10910 to the California State Water Code

requiring that the availability of water supplies be considered for large development projects, including office complexes with more than 250,000 square feet of office space and residential development with more than 500 dwelling units. Both criteria are applicable to the proposed project. The State Water Code requires that a WSA analyze current and future water supplies as well as the current and projected water demands within the utility's service area. If the assessment identifies deficiencies in the local water supplies, the water provider is required to identify measures to reduce water usage or to identify additional water supplies.

The proposed project is within the Bayfront Area that was comprehensively rezoned to office, life sciences and residential mixed-use zoning districts as part of the City's general plan update (known as ConnectMenlo.) ConnectMenlo enabled the development potential for up to 4,500 new multifamily residential units, 2.3 million square feet of new non-residential uses (including 1.4 million square feet of Life Sciences research and development uses), and 400 new hotel rooms. The proposed project is located within the ConnectMenlo study area, and is included within the development capacity. MPMW's 2020 Urban Water Management Plan subsequently accounted for the development potential from ConnectMenlo in its water demand projections.

#### Site location

The project includes a main project site, the realignment of Hamilton Avenue and the associated parcel on the north and south of Hamilton Avenue, and the tunnel access on the Meta (formerly Facebook) West Campus adjacent to Building 20 along Willow Road. The main project components are discussed below for reference. The project location map is included in Attachment B.

#### *Main project site*

The approximately 59-acre main project site is generally located east of Willow Road between Hamilton Avenue and Ivy Drive, previously referred to as the ProLogis Menlo Science and Technology Park. The project site currently contains 20 buildings with approximately 1 million square feet of gross floor area.

#### *Hamilton Avenue parcels*

The proposed project includes the realignment of Hamilton Avenue west of Willow Road, and the environmental review for the proposed project will study potential reconstruction of the Chevron station on the parcel to the south of Hamilton Avenue (referred to as Hamilton Avenue Parcel South) and the potential expansion of retail uses on the parcel north of Hamilton Avenue (referred to as Hamilton Avenue Parcel North.)

#### Proposed project

The applicant, Signature Development Group (SDG) on behalf of Peninsula Innovation Partners, Inc., is proposing to redevelop the project site through the masterplan process. The summary below is intended to provide an overview of the proposed project for the City Council. The current proposed plans are available on the City's project page included in Attachment C.

The location map in Attachment B identifies the main project site and off-site components of the proposed project, including the Hamilton Avenue parcels. More information on the proposed project is available in

the Planning Commission presentation staff report (dated January 24, 2022), included in Attachment D. The City anticipates releasing the Draft EIR for the proposed project in the first quarter of 2022.

*Main project site*

The proposed project would demolish the existing buildings and landscaping and construct new buildings within a town square district, a residential/shopping district, and a campus district. The campus district is intended to be occupied by Meta. The proposed project would result in a net increase of approximately 800,000 square feet of nonresidential uses (office space and non-office commercial/retail,) for a total of approximately 1.8 million square feet of nonresidential uses at the project site. In addition, the proposed project would include multifamily housing units, a hotel, publicly accessible open space (i.e., elevated linear park, town square, dog park and 3.5 acre publicly accessible park.)

The following table summarizes proposed development at the project site.

Table 1: Main project site project data		
	Proposed project (CDP standards)	Zoning ordinance bonus level standards (maximums)*
Residential dwelling units	1,730 units*	1,730 units
Residential square footage	1,695,975 s.f.	1,695,975 s.f.
Residential floor area ratio	225%	225%
Commercial retail square footage	200,000 s.f.	396,578 s.f.
Commercial retail floor area ratio	0%	25%
Office square footage	1,600,000 s.f.**	1,774,755 s.f.
Office floor area ratio	113%	125%
Hotel rooms	193	n/a

\*The total units would include a minimum of 15 percent of the residential units as below market rate (BMR) units to satisfy the City's inclusionary requirements. Additional BMR units would be incorporated to comply with the commercial development requirement.

\*\* Proposed office square footage includes 1.25M s.f. of office use and up to 350,000 s.f. of meeting and collaboration space use if the office s.f. is maximized within the Campus District; the total s.f. includes the 25 percent non-residential FAR permitted in the R-MU portion of the project site.

*Hamilton Avenue parcels and Willow Road grade separated crossings*

The proposed project includes off-site improvements, such as the realignment of Hamilton Avenue and the Willow Road undercrossing and elevated park (over Willow Road.) The realignment of Hamilton Avenue and resulting reconstruction of the Chevron station are components of the proposed project. However, the potential improvements on Hamilton Avenue Parcels North and South that could occur as a result of the realignment of Hamilton Avenue would be enabled through separate permitting processes. The draft WSA considers the potential development on these parcels.

Table 2 below summarizes the potential development on the two Hamilton Avenue Parcels and the maximum permitted by the underlying zoning district (C-2-S district.)

Item	Type	Total
Hamilton Avenue parcel North	22,400 s.f.	48,134 s.f. (FAR 0.5)
Hamilton Avenue parcel South	5,700 s.f.	21,126 s.f. (FAR 0.5)

\*Zoning ordinance maximums represent maximum development potential after realignment of Hamilton Avenue, which includes re-subdividing the parcel to reduce the size of Hamilton Avenue Parcel South and increase the size of Hamilton Avenue Parcel North.

### Project variants

The environmental analysis considers four possible project variants. These variants include:

- An increase in residential units by up to 200 units;
- No realignment of Hamilton Avenue;
- No undercrossing below Willow Road; and
- On-site recycled water treatment plant.

The purpose of studying these variants is to allow for the potential increase in units to be incorporated into the project and to account for scenarios where some improvements (e.g., Hamilton Avenue realignment and the undercrossing below Willow Road) are unable to be secured by the applicant team from Caltrans and other responsible agencies. The project would utilize recycled water and studying the possible on-site recycled water treatment plant enables the project to meet its recycled water needs if the regional system planned by West Bay Sanitary District (WBSD) is not implemented. The WSA for the project considered these four variants. To be conservative, the WSA assumes water needs associated with the increased housing variant, since the water needs of the proposed project would be encompassed within the higher water figures for the variant.

### *Menlo Park Municipal Water*

MPMW provides water service to approximately half of the City in two zones (the Upper Zone and Lower Zone), with 4,296 service connections as of 2020. The remainder of the City is served by California Water Service, O'Connor Tract Co-operative Water Company, and Palo Alto Park Mutual Water Company. MPMW purchases all portable water supplies as a wholesale customer from the Regional Water System, which is operated by the San Francisco Public Utilities Commission (SFPUC.) The WSA included as Exhibit A to Attachment A provides more detail on MPMW and its water supply.

The SFPUC Regional Water System supplies water to both retail and wholesale customers. Retail customers include residents, businesses, and industries located within the City and County of San Francisco's boundaries. Wholesale customers include 26 cities and water supply agencies in Alameda, San Mateo and Santa Clara counties, including MPMW.

MPMW is a member agency of Bay Area Water Supply and Conservation Agency (BAWSCA) and purchases treated water from the SFPUC Regional Water System in accordance with the November 2018 Amended and Restated Water Supply Agreement between the City and County of San Francisco and Wholesale Customers in Alameda, San Mateo and Santa Clara counties, which was adopted in 2019. The term of the agreement is 25 years, with a beginning date of July 1, 2009, and an expiration date of June

30, 2034. Per the agreement, MPMW has an individual supply guarantee of 1,630 million gallons per year (MG/yr), supplied by the SFPUC Regional Water System. Over the last five years (2016-2020) MPMW has purchased between 52 percent and 66 percent of its Individual Supply Guarantee.

As summarized in the WSA, the reliability of the MPMW potable water supply is described in the 2020 Urban Water Management Plan, adopted by the City Council in May 2021, and the SFPUC 2020 Urban Water Management Plan, adopted in June 2021. The reliability of the potable water supply via the SFPUC Regional Water System is highly dependent on the potential implementation of the 2018 Bay-Delta Plan Amendment, which requires release of 40 percent of the “unimpaired flow” on the Stanislaus, Merced, and Tuolumne Rivers in order to increase the salmonid populations from February to June in wet, normal and critically dry years. This leads to uncertainty in future supply reliability, and as such, the WSA includes analysis of scenarios with and without implementation of the Bay-Delta Plan. Consistent with assumptions in the 2020 Urban Water Management Plan, implementation of the Bay-Delta Plan is assumed to begin in 2023.

### **Analysis**

The WSA evaluates the demand for water and available water supplies over a 20-year period, in five year increments, starting in 2025 through 2040. The WSA considered the demand for the main project site, the potential increase in square footage at the Hamilton Avenue parcels, and considered the potential project variants. The WSA determined that the potential increase in dwelling units as part of the increased residential project variant would be the most water intensive. The WSA’s findings of water availability and service were based on this project component.

According to the WSA, the projected total net increase in water demand for the proposed project is 143 million gallons per year (MG/yr), of which 58 MG/yr would be non-potable applications and would be met through the provision of recycled water (purple pipe) from either a regional system being developed by West Bay Sanitary District or an on-site facility. The use of recycled water for non-potable applications such as irrigation and toilet flushing, would reduce the water demand of the project by approximately 36 percent. After accounting for the existing water demand for the project site, the total increase in water demand on MPMW would be 85 MG/yr or about 25 percent of the ConnectMenlo total potable water demand at buildout.

In the MPMW 2020 Urban Water Management Plan, projected normal year supplies are shown to be adequate to satisfy MPMW’s projected normal year demands. However, MPMW’s purchased supplies from the SFPUC Regional Water System assume dry year supply reductions as a result of the implementation of the Bay-Delta Plan Amendment, which significantly reduces dry year allocations for SFPUC wholesale customers. Based on this uncertainty, the project WSA analyzes two scenarios, with and without the implementation of the Bay-Delta Plan Amendment. The findings in each scenario are summarized in Table 3 below.



Table 3: Summary of WSA findings		
Item	Type	Total
Normal years	Sufficient supply exists	Sufficient supply exists
Single dry year	27 to 32 percent reductions required	Sufficient supply exists
Multiple dry years	27 to 44 percent reductions required	16.5 percent reduction required in fourth and fifth consecutive dry years
Actions required to respond to shortfalls	Implementation of water shortage contingency plan, up to shortage level 5	Implementation of water shortage contingency plan, up to shortage level 2

As shown, under the scenario where implementation of the Bay-Delta Plan Amendment is assumed (the most conservative scenario from a water supply perspective), there are significant water reductions required in single and multiple dry years. In case there is a shortage, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions by implementation of its Water Shortage Contingency Plan, which was adopted by the City Council along with the 2020 Urban Water Management Plan in May 2021. Additional information on MPMW’s Water Shortage Contingency Plan is provided in Chapter 8 of MPMW’s 2020 UWMP. A link to the 2020 UWMP is included in Attachment E.

Assuming implementation of the Bay-Delta Plan Amendment, up to shortage level 5 of the Water Shortage Contingency Plan may be reached. These shortage levels include actions such as the following to reduce water consumption:

- Increase public outreach, with a focus on the top 30 percent of water users in each customer category
- Set limits on irrigation, including frequency, hours, new installations, and methods (such as drip, microspray and hand watering), and more significant restrictions on turf irrigation
- Set limits on use of potable water for pools, washing vehicles, construction and dust control, and commercial vehicles (street sweeping, cleaning, etc.)
- Halt installations of new connections (for projects that are not necessary to protect health, safety and welfare) and halt statements of availability to serve new potable water connections
- Develop water budgets for all customers

Under the scenario where the Bay-Delta Plan Amendment is not implemented, the projected supply shortfalls are significantly less. Similar to the above described scenario, should a water supply shortage occur, MPMW expects implementation of its Water Shortage Contingency Plan, but at a less significant shortage level with less severe restrictions.

Other actions that MPMW will take in the event of a shortage include utilizing its recently constructed emergency supply well as supply augmentation, coordination with other agencies, implementing drought surcharge, and increasing water waste education and patrols. Future emergency water supply and storage projects are also continuing to be developed.

The water demand associated with buildout of ConnectMenlo, which includes the proposed project, is included in the MPMW water demand projections in its 2020 UWMP, and the proposed project would be subject to the same water conservation and water use restrictions as other water users within the MPMW

system. Based on the data and analysis in the WSA and the 2020 Urban Water Management Plan, MPMW would have an adequate supply to provide water for the project during normal, single dry year, and multiple dry years for at least a period of 20-years, and that actions have been identified by the 2020 Urban Water Management Plan and Water Shortage Contingency Plan that would help address any potential shortages if the Bay-Delta Plan Amendment is implemented, to ensure that water deliveries are available for all service connections within the MPMW service area and would apply to all users.

The City Council's action at this time is limited to approving the WSA. The approval does not commit the City to approve the proposed project or certify the EIR when those are eventually considered by the Planning Commission and the City Council. The recommended resolution approving the WSA is included in Attachment A.

### **Impact on City Resources**

The project sponsor is required to pay planning, building and public works permit fees, based on the City's master fee schedule, to fully cover the cost of staff time spent on the review of the proposed project. The project sponsor is also required to fully cover the cost of work by consultants performing environmental review and additional analyses to evaluate potential impacts of the project, including the WSA.

### **Environmental Review**

City Council approval of the WSA does not require review under the CEQA. The proposed project for which the WSA was prepared, will be evaluated for its environmental impacts in compliance with CEQA. The EIR for the project is being prepared to evaluate the effects of the project on the environment. The EIR will be considered by the Planning Commission and City Council as the project proceeds through the public hearing process.

### **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. Draft City Council resolution approving the water supply assessment for the Willow Village mixed-use masterplan project
- B. Project location map
- C. Hyperlink – Masterplan plan set:  
[menlopark.org/Government/Departments/Community-Development/Projects/Under-review/Willow-Village](https://menlopark.org/Government/Departments/Community-Development/Projects/Under-review/Willow-Village)
- D. January 24, 2022 Planning Commission staff report
- E. Hyperlink – to 2020 Urban Water Management Plan: [menlopark.org/files/sharedassets/public/public-works/documents/water/2020-urban-water-management-plan-june-2021\\_202107152258020921.pdf](https://menlopark.org/files/sharedassets/public/public-works/documents/water/2020-urban-water-management-plan-june-2021_202107152258020921.pdf)

Report prepared by:  
Kyle Perata, Acting Planning Manager

Report reviewed by:  
Deanna Chow, Assistant Community Development Director  
Anna Shimko, Assistant City Attorney  
Nikki Nagaya, Public Works Director

**RESOLUTION NO. XXXX****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
APPROVING THE WATER SUPPLY ASSESSMENT FOR THE WILLOW  
VILLAGE MIXED-USE MASTERPLAN PROJECT**

WHEREAS, the City of Menlo Park (“City”) through Menlo Park Municipal Water is the public water supplier; and

WHEREAS, the City Council of the City is the governing body of Menlo Park Municipal Water; and

WHEREAS, the City approved and adopted the 2020 Urban Water Management Plan on May 25, 2021; and

WHEREAS, in 2001 the State of California enacted Senate Bill 610 adding Section 10910 et. seq. to the California Water Code that became effective January 1, 2002; and

WHEREAS, the Guidelines for the Implementation of the California Environmental Quality Act (“CEQA Guidelines”) were subsequently modified to incorporate similar provisions in Section 15155; and

WHEREAS, California Water Code Section 10910 and Section 15155 of the CEQA Guidelines require a water utility to prepare a water supply assessment for development applications for “water-demand projects” which include, but are not limited to, commercial office projects having more than 250,000 square feet of office space and residential development with more than 500 dwelling units; and

WHEREAS, Section 10910(g) of the California Water Code and Section 15155(b) of the CEQA Guidelines require the governing body of a public water system that will serve a “water-demand project” to consider a water supply assessment at a regular or special meeting; and

WHEREAS, the Signature Development Group and Peninsula Innovation Partners, Inc., on behalf of Meta Platforms, Inc. are requesting to develop the Willow Village mixed-use masterplan project with up to 1,730 multi-family residential dwelling units, up to 200,000 square feet of retail and non-office commercial uses, a hotel with up to 193 rooms, up to 1.6 million square feet of office and accessory space, consisting of up to 1.25 million square feet of office space and the balance (i.e., 350,000 square feet if office space is maximized) of accessory space in multiple buildings, and publically accessible open space, including an approximately 3.5-acre public neighborhood park, a dog park, a town square, and an elevated park, located at an approximately 59-acre site generally located east of Willow Road between Hamilton Avenue and Ivy Drive; and

WHEREAS, the proposed project includes the realignment of Hamilton Avenue that could result in an increase in up to 6,700 square feet of retail uses off-site and the reconstruction of an existing service and fueling station; and

WHEREAS, the proposed project includes four variants, including a potential increase in residential dwelling units by up to 200 units for a total of 1,930 units, which was studied in the WSA as the most water intensive project variant; and

WHEREAS, the City required the applicant to fund the contract for the preparation of a Water Supply Assessment for the Project; and

WHEREAS, the Water Supply Assessment for the Project was completed in February 2022; and

WHEREAS, the Water Supply Assessment for the Project was provided to the City Council at a regularly scheduled meeting on February 8, 2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

BE IT FURTHER RESOLVED that the City Council of the City of Menlo Park hereby resolves as follows:

1. The Water Supply Assessment for the Willow Village mixed-use masterplan project (Project WSA) identified in this resolution is incorporated as if fully set forth herein as Exhibit A of this resolution.
2. The City Council hereby approves the Project WSA as a water supply assessment for the Project in compliance with Water Code section 10910 *et seq.* and CEQA Guidelines section 15155, and directs City staff to include the Project WSA in CEQA environmental review of the Project.
3. The City Council's approval of the Project's WSA is limited to approving the WSA. Nothing in this resolution or the Council's approval of the Project WSA shall be construed as requiring the City or its Council to consider, act on, approve, conditionally approve, deny, or take any other action on the Project applications.

SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

I, Judi A. Herren, Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said City Council on the eighth day of February, 2022, 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 eighth day of February, 2022.

---

Judi A. Herren, City Clerk

Exhibits

- A. Project Water Supply Assessment

FEBRUARY 2022

# Willow Village Project Water Supply Assessment

PREPARED FOR

Menlo Park Municipal Water



PREPARED BY



# Willow Village Project Water Supply Assessment

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Prepared for

## Menlo Park Municipal Water

Project No. 648-60-20-08



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Project Manager: Elizabeth Drayer, PE

02-02-22

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Date

*Polly L. Boissevain*

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QA/QC Review: Polly Boissevain, PE

02-02-22

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Date



# Table of Contents

<b>Executive Summary</b> .....	<b>1</b>
Overview.....	1
Projected Water Demands .....	1
Water Supply Availability and Reliability.....	2
<b>1.0 Introduction</b> .....	<b>4</b>
1.1 Legal Requirement for a Water Supply Assessment .....	4
1.2 Need for and Purpose of Water Supply Assessment .....	5
1.3 Water Supply Assessment Preparation, Format, and Organization.....	5
<b>2.0 Description of the Proposed Project</b> .....	<b>6</b>
2.1 Proposed Project Location and Overview .....	6
2.2 Projected Water Demand for the Proposed Project .....	9
2.3 Proposed Project Relationship to ConnectMenlo .....	12
<b>3.0 Required Determinations</b> .....	<b>14</b>
3.1 Does SB 610 Apply to the Proposed Project?.....	14
3.2 Does SB 221 Apply to the Proposed Project?.....	15
3.3 Who is the Identified Public Water System?.....	15
3.4 Does the Identified Public Water Supplier have an adopted UWMP and does the UWMP include the projected water demand for the Proposed Project?.....	16
<b>4.0 Menlo Park Municipal Water System</b> .....	<b>17</b>
4.1 Water Service Area.....	17
4.2 Population .....	17
<b>5.0 Menlo Park Municipal Water Demands</b> .....	<b>18</b>
5.1 Historical and Existing Water Demand.....	18
5.2 Future Water Demand.....	18
5.3 Dry Year Water Demand.....	19
<b>6.0 Menlo Park Municipal Water Supplies</b> .....	<b>20</b>
6.1 Water Supply Overview .....	21
6.2 Water Supply from the SFPUC RWS .....	21
6.3 Groundwater Supply .....	21
6.3.1 Groundwater Basin Description.....	21
6.3.2 MPMW Emergency Water Storage/Supply Project .....	22
6.4 Recycled Water Supply.....	23
6.5 Summary of Existing and Additional Planned Future Water Supplies .....	23

# Table of Contents

<b>7.0 Water Supply Reliability .....</b>	<b>24</b>
7.1 SFPUC RWS Reliability .....	24
7.1.1 Potential Impacts of the 2018 Bay-Delta Plan Amendment on SFPUC RWS Reliability .....	24
7.1.2 Allocation of RWS Supplies During Supply Shortages.....	26
7.1.3 Alternative Water Supply Program.....	28
7.2 MPMW Water Supply Reliability .....	29
<b>8.0 Determination of Water Supply Sufficiency Based on the Requirements of SB 610 .....</b>	<b>31</b>
<b>9.0 Verification of Water Supply Sufficiency Based on the Requirements of SB 221.....</b>	<b>35</b>
9.1 Historical Water Deliveries.....	35
9.2 Projected Water Demand by Customer Sector .....	36
9.3 Water Shortage Contingency Analysis .....	36
9.4 Verification of Sufficient Water Supply .....	37
<b>10.0 Water Supply Assessment Approval Process.....</b>	<b>38</b>
<b>11.0 References .....</b>	<b>39</b>

## LIST OF TABLES

Table 2-1. Projected Water Demand for the Proposed Project .....	11
Table 2-2. Proposed Project Impact on ConnectMenlo Study Area Potable Water Demand.....	13
Table 3-1. Does the Proposed Project Meet the SB 610 Definition of a “Project”?.....	14
Table 3-2. Projected Future Water Demand – Normal Years.....	16
Table 4-1. MPMW Service Area Existing and Projected Population .....	17
Table 5-1. Historical Water Demand .....	18
Table 5-2. Projected Future Water Demand – Normal Years.....	19
Table 5-3. Projected Future Water Demand – Dry Years .....	19
Table 6-1. MPMW Current and Projected Future Water Supplies – Normal Years .....	23
Table 7-1. Tier One Plan Water Shortage Allocations .....	27
Table 7-2. Projected MPMW Water Supplies with Bay-Delta Plan Amendment.....	29
Table 7-3. Projected MPMW Water Supplies without Bay-Delta Plan Amendment .....	30
Table 8-1. MPMW Summary of Water Demand Versus Supply with Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years .....	32
Table 8-2. MPMW Summary of Water Demand Versus Supply without Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years .....	34
Table 9-1. MPMW Historical Water Supplies .....	35
Table 9-2. Actual and Projected Potable Water Demands.....	36

# Table of Contents

## LIST OF FIGURES

Figure 2-1. Proposed Project Location .....	6
Figure 2-2. Proposed Project Site Plan .....	7
Figure 2-3. Proposed Development Plan for Hamilton Avenue Parcels North and South .....	8

## LIST OF APPENDICES

Appendix A. Willow Village Project Water Demand, Alternative Water Source Assessment and Water Modeling Memorandum (January 2022)	
Appendix B. Regional Water System Supply Reliability and UWMP 2020 Memorandum (June 2021)	

## LIST OF ACRONYMS AND ABBREVIATIONS

AF	Acre-Feet
AWSP	Alternative Water Supply Planning Program
BAWSCA	Bay Area Water Supply and Conservation Agency
CEQA	California Environmental Quality Act
City	City of Menlo Park
DWR	State of California Department of Water Resources
EIR	Environmental Impact Report
FERC	Federal Energy Regulatory Commission
gpm	Gallons Per Minute
ISG	Individual Supply Guarantee
MG	Million Gallons
MG/yr	Million Gallons Per Year
mgd	Million Gallons Per Day
MPMW	Menlo Park Municipal Water
MWELO	Model Water Efficient Landscape Ordinance
Proposed Project	Willow Village Project
RWS	San Francisco Public Utilities Commission Regional Water System
SB	Senate Bill
SFPUC	San Francisco Public Utilities Commission
SGMA	Sustainable Groundwater Management Act
SWRCB	State Water Resources Control Board
UWMP	Urban Water Management Plan
WBSD	West Bay Sanitary District
WRF	Water Reuse Facility

# Table of Contents

WSA	Water Supply Assessment
WSAP	Water Shortage Allocation Plan
WSCP	Water Shortage Contingency Plan
WSE Study	Water Supply Evaluation Study
WSIP	Water System Improvement Program

# Willow Village Project Water Supply Assessment

## EXECUTIVE SUMMARY

### Overview

This Water Supply Assessment (WSA) has been prepared for Menlo Park Municipal Water (MPMW) by West Yost in accordance with California Water Code sections 10910 through 10915 in connection with the proposed Willow Village Project (Proposed Project). The Proposed Project is located in the Bayfront Area of the City of Menlo Park (City) within the Lower Zone of MPMW's service area. The Bayfront Area is between Highway 101 and Bayfront Expressway and is generally comprised of office, life sciences, mixed use residential, light industrial, commercial, and commercial business park land uses.

In 2016, the City completed a multi-year planning effort to update the Land Use and Circulation Elements of its General Plan for the 2040 planning horizon. This General Plan Update process was known as ConnectMenlo. ConnectMenlo reaffirmed existing remaining development potential throughout the City and incorporated land use changes in the Bayfront Area, including development potential for up to 4,500 new multi-family residential units, 2.3 million square feet of new non-residential uses, and 400 new hotel rooms.

The Proposed Project is within this development capacity and includes up to 1,730 multi-family residential dwelling units (with the potential for an additional 200 dwelling units under one of the project variants), up to 200,000 square feet of retail and non-office commercial uses, a hotel with up to 193 rooms, up to 1.6 million square feet of office and accessory space, consisting of up to 1.25 million square feet of office space and the balance (i.e., 350,000 square feet if office space is maximized) of accessory space in multiple buildings, and an approximately 3.5-acre public neighborhood park.

The Proposed Project would also alter parcels west of the industrial site, across Willow Road, on both the north and south sides of Hamilton Avenue (Hamilton Avenue Parcels North and South) to support realignment of the Hamilton Avenue right-of-way and provide access to the new elevated park. This would require demolition and reconstruction of a service station (Chevron gas station) at Hamilton Avenue Parcel South and possibly include the addition of up to 6,700 square feet of retail uses at the existing neighborhood shopping center (Belle Haven Retail Center) on Hamilton Avenue Parcel North.

### Projected Water Demands

The projected water demands for buildout of the Proposed Project and the project variants have been calculated based on CALGreen and Model Water Efficient Landscape Ordinance (MWELO) standards. The total projected water demand for the Proposed Project ranges from 150 to 162 million gallons per year (MG/yr), depending on the project variant. Approximately 63 to 64 percent of the total water demand is potable water demand and the remaining 36 to 37 percent is non-potable water demand that will be met with recycled water. The existing potable water demand at the project site is estimated to be approximately 19 MG/yr and is assumed to be entirely replaced by the Proposed Project demand. Therefore, the net increase in potable water demand for the Proposed Project is estimated to range from 75 to 85 MG/yr, depending on the project variant.



## **Willow Village Project Water Supply Assessment**

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ConnectMenlo identifies the maximum development that could occur in the ConnectMenlo study area, including potential bonus-level increased development, and the ConnectMenlo EIR further studied the maximum development potential by more specific land uses. MPMW and the City’s Planning Division are actively tracking projects within the ConnectMenlo study area on a cumulative basis to ensure that developed projects remain within the maximum development permitted through ConnectMenlo and that the approved projects would be consistent with the ConnectMenlo EIR. The Proposed Project, if approved, would be within this permitted cumulative development total identified in ConnectMenlo and studied in the EIR. Because the Proposed Project is within the maximum development studied in ConnectMenlo, the water demand for the Proposed Project is included in the ConnectMenlo EIR and MPMW 2020 Urban Water Management Plan (UWMP) water demand assumptions.

The Proposed Project will include the use of recycled water to meet non-potable water demands and will include the installation of water efficient fixtures and implementation of water conservation practices.

### **Water Supply Availability and Reliability**

As discussed in this WSA, MPMW purchases all of its potable water supplies from the Regional Water System (RWS), which is operated by the San Francisco Public Utilities Commission (SFPUC). MPMW is a Wholesale Customer of the SFPUC. The availability and reliability of MPMW’s water supplies as described in this WSA are based primarily on information contained in the MPMW 2020 UWMP and the SFPUC 2020 UWMP. The MPMW 2020 UWMP is incorporated by reference into this WSA.

The reliability of the SFPUC RWS supply is highly dependent on the assumption of whether or not the 2018 Bay-Delta Plan Amendment is implemented. The Bay-Delta Plan Amendment was adopted in December 2018 by the State Water Resources Control Board (SWRCB) to establish water quality objectives to maintain the health of the Bay-Delta ecosystem. The adopted Bay-Delta Plan Amendment was developed with the stated goal of increasing salmonid populations in three San Joaquin River tributaries (the Stanislaus, Merced, and Tuolumne Rivers) and the Bay-Delta. The Bay-Delta Plan Amendment requires the release of 40 percent of the “unimpaired flow” on the three tributaries from February through June in every year type, whether wet, normal, dry, or critically dry. The implementation of the Bay-Delta Plan Amendment significantly impacts the SFPUC RWS supply reliability in dry years; however, the actual implementation of the Bay-Delta Plan Amendment is uncertain.

Because of the uncertainties surrounding the implementation of the Bay-Delta Plan Amendment, this WSA presents findings for two scenarios, one assuming the Bay-Delta Plan Amendment is implemented and one assuming that the Bay-Delta Plan Amendment is not implemented.

Under the scenario where it is assumed the Bay-Delta Plan Amendment is implemented, the total projected water supplies determined to be available for the Proposed Project in normal years will meet the projected water demand associated with the Proposed Project, in addition to MPMW’s existing and planned future uses through 2040. However, with the implementation of the Bay-Delta Plan Amendment, significant supply shortfalls are projected in dry years for agencies that receive water supplies from the SFPUC RWS, as well as other agencies whose water supplies would be affected by the Amendment. For MPMW, supply shortfalls are projected in single dry years (ranging from 27 to 32 percent) and in multiple dry years (ranging from 27 to 44 percent) through 2040, with similar supply shortfalls through 2045 based on SFPUC’s analysis.



## Willow Village Project Water Supply Assessment

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If supply shortfalls do occur, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions by implementation of its Water Shortage Contingency Plan (WSCP). The projected single dry-year shortfalls would require implementation of Stage 3 or 4 of the MPMW WSCP, and the projected multiple dry-year shortfalls would require implementation of Stage 3, 4 or 5 of the MPMW WSCP. The Proposed Project would be subject to the same water conservation and water use restrictions as other water users within the MPMW system.

Under the scenario where it is assumed the Bay-Delta Plan Amendment is not implemented, the total projected water supplies determined to be available for the Proposed Project in normal years, single dry years, and multiple dry years will meet the projected water demand associated with the Proposed Project, in addition to MPMW's existing and planned future uses through 2040. A 16.5 percent supply shortfall is projected during the fourth and fifth consecutive dry years for base year 2045 based on SFPUC's analysis. These projected supply shortfalls are significantly less than the projected supply shortfalls if the Bay-Delta Plan Amendment is implemented. If supply shortfalls do occur, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions by implementation of its WSCP. The projected multiple dry year shortfall in 2045 would require implementation of Stage 2 of the MPMW WSCP. The Proposed Project would be subject to the same water conservation and water use restrictions as other water users within the MPMW system.

As described in this WSA, the SFPUC is implementing an Alternative Water Supply Planning Program to investigate and plan for new water supplies to address future long-term water supply reliability challenges and vulnerabilities on the RWS. Also, MPMW is implementing an Emergency Water Storage/Supply Project to provide a backup water supply to MPMW's Lower Zone, which the project site is located within.

A significant portion of the projected water demand for the Proposed Project (about 37 percent) is non-potable water demand that will be met with recycled water. The Project Applicant has evaluated two alternative scenarios to provide recycled water for the Proposed Project: Scenario 1 involves connecting to a new off-site water reuse facility owned and operated by the West Bay Sanitary District (WBSD) and Scenario 2 involves constructing on-site water reuse facilities to treat wastewater from the site. Under both scenarios, the Proposed Project would be able to achieve an approximate 37 percent reduction in potable water demand by serving nearly all of the non-potable water demands (including cooling, irrigation, and toilet flushing) with recycled water. The Project Applicant is currently pursuing Scenario 1 in coordination with WBSD. WBSD has completed a feasibility study exploring the viability of a Resource Recovery Center at WBSD's former treatment plant behind Bedwell Bayfront Park, which could produce approximately 500,000 gallons per day of recycled water for reuse (the MPMW 2020 UWMP projects an annual recycled water supply of 72 MG/yr from this new facility). The study concluded that the project is feasible. In a public/private partnership with Meta (the Project Applicant), the WBSD Board of Directors spearheaded the effort to install 2,800 feet of purple recycled water pipe parallel with the storm drainpipe Meta was replacing on Chilco Street. This pipe will be used to distribute recycled water in the area. According to WBSD, recycled water will be used for irrigation, industrial purposes, firefighting, public fill stations and toilet flushing in the Bayfront Area. Recycled water is estimated to be available during all hydrologic years at a volume that meets MPMW's projected recycled water demands.



## Willow Village Project Water Supply Assessment

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### 1.0 INTRODUCTION

The Willow Village Project (Proposed Project) would comprehensively redevelop an approximately 59-acre project site in the Bayfront Area of the City of Menlo Park (City) in the Menlo Park Municipal Water (MPMW) service area. The site would be redeveloped to remove existing non-residential uses on the site and construct new infrastructure, housing, office uses, commercial uses (including a 193-room hotel), open space, and bicycle and pedestrian paths.

The purpose of this Water Supply Assessment (WSA) is to support the Environmental Impact Report (EIR) for the Proposed Project. The following sections describe the legal requirement for the WSA and the project background.

### 1.1 Legal Requirement for a Water Supply Assessment

California Senate Bill 610 (SB 610) and Senate Bill 221 (SB 221) amended state law, effective January 1, 2002, to improve the link between information on water supply availability and certain land use decisions made by cities and counties. SB 610 and SB 221 were companion measures which sought to promote more collaborative planning between local water suppliers and cities and counties. Both statutes require detailed information regarding water availability to be provided to the city and county decision-makers prior to approval of specified large development projects. The purpose of this coordination is to ensure that prudent water supply planning has been conducted, and that planned water supplies are adequate to meet existing demands, anticipated demands from approved projects and tentative maps, and the demands of proposed projects.

SB 610 amended California Water Code sections 10910 through 10915 (inclusive) to require land use lead agencies to:

- Identify any public water purveyor that may supply water for a proposed development project<sup>1</sup>
- Request a WSA from the identified water purveyor

The purpose of the WSA is to demonstrate the sufficiency of the purveyor's water supplies to satisfy the water demands of the proposed project, while still meeting the water purveyor's existing and planned future uses. Water Code sections 10910 through 10915 delineate the specific information that must be included in the WSA.

SB 221 amended State law (California Government Code section 66473.7) to require that approval by a city or county of certain residential subdivisions<sup>2</sup> requires an affirmative written verification of sufficient water supply. SB 221 was intended as a failsafe mechanism to ensure that collaboration on finding the needed water supplies to serve a new large residential subdivision occurs before construction begins.

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<sup>1</sup> The definition of a "project" is provided in Water Code section 10912(a) and is discussed further in Section 3.1 of this WSA.

<sup>2</sup> Per Government Code Section 66473.7(a)(1) subdivision means a proposed residential development of more than 500 dwelling units.





## Willow Village Project Water Supply Assessment

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### 1.2 Need for and Purpose of Water Supply Assessment

The purpose of this WSA is to perform the evaluation required by SB 610 (Water Code sections 10910 through 10915) in connection with the Proposed Project, located within MPMW's service area. This WSA also satisfies the SB 221 requirements as the Proposed Project does include a residential subdivision with more than 500 dwelling units.

This WSA does not reserve water, or function as a "will serve" letter or any other form of commitment to supply water (see Water Code section 10914). The provision of water service will continue to be undertaken in a manner consistent with applicable policies and procedures, consistent with existing law.

This WSA for the Proposed Project has been prepared by West Yost, as requested by MPMW, the responsible water purveyor for the Proposed Project.

### 1.3 Water Supply Assessment Preparation, Format, and Organization

The format of this WSA is intended to follow Water Code sections 10910 through 10915 to clearly delineate compliance with the specific requirements for a WSA. This WSA includes the following sections:

- Section 1: Introduction
- Section 2: Description of the Proposed Project
- Section 3: Required Determinations
- Section 4: Menlo Park Municipal Water System
- Section 5: Menlo Park Municipal Water Demands
- Section 6: Menlo Park Municipal Water Supplies
- Section 7: Water Supply Reliability
- Section 8: Determination of Water Supply Sufficiency Based on the Requirements of SB 610
- Section 9: Verification of Water Supply Sufficiency Based on the Requirements on SB 221
- Section 10: Water Supply Assessment Approval Process
- Section 11: References

Relevant citations of Water Code sections 10910 through 10915 are included throughout this WSA in *italics* to demonstrate compliance with the specific requirements of SB 610.

## Willow Village Project Water Supply Assessment

### 2.0 DESCRIPTION OF THE PROPOSED PROJECT

The following sections describe the Proposed Project, including the Proposed Project's location, proposed land uses, and projected water demand.

#### 2.1 Proposed Project Location and Overview

The Proposed Project is located in the Bayfront Area of the City, in MPMW's service area. The Bayfront Area is generally comprised of office, life sciences, mixed use residential, light industrial, commercial, and commercial business park land uses between Highway 101 and the Bayfront Expressway.

The 59-acre Proposed Project main site currently consists of approximately 1 million square feet (sf) of existing non-residential uses to be redeveloped. The Proposed Project main site is bounded by Willow Road to the west, the Joint Powers Board (JPB) rail corridor to the north, the Hetch Hetchy right of way and Mid-Peninsula High School to the south, and an existing life sciences complex to the east. The Proposed Project main site is shown on Figure 2-1.



Source: Willow Village Master Plan Conditional Development Permit, Existing Condition Aerial Map, prepared by Peninsula Innovation Partners, dated December 2021.

**Figure 2-1. Proposed Project Location**

## Willow Village Project Water Supply Assessment

The Proposed Project includes up to 1,730 multi-family residential dwelling units (with the potential for an additional 200 dwelling units under one of the project variants), up to 200,000 square feet of retail and non-office commercial uses, a hotel with up to 193 rooms, up to 1.6 million square feet of office and accessory space, consisting of up to 1.25 million square feet of office space and the balance (i.e., 350,000 square feet if office space is maximized) of accessory space in multiple buildings, and an approximately 3.5-acre public neighborhood park. The Proposed Project site plan is shown on Figure 2-2.



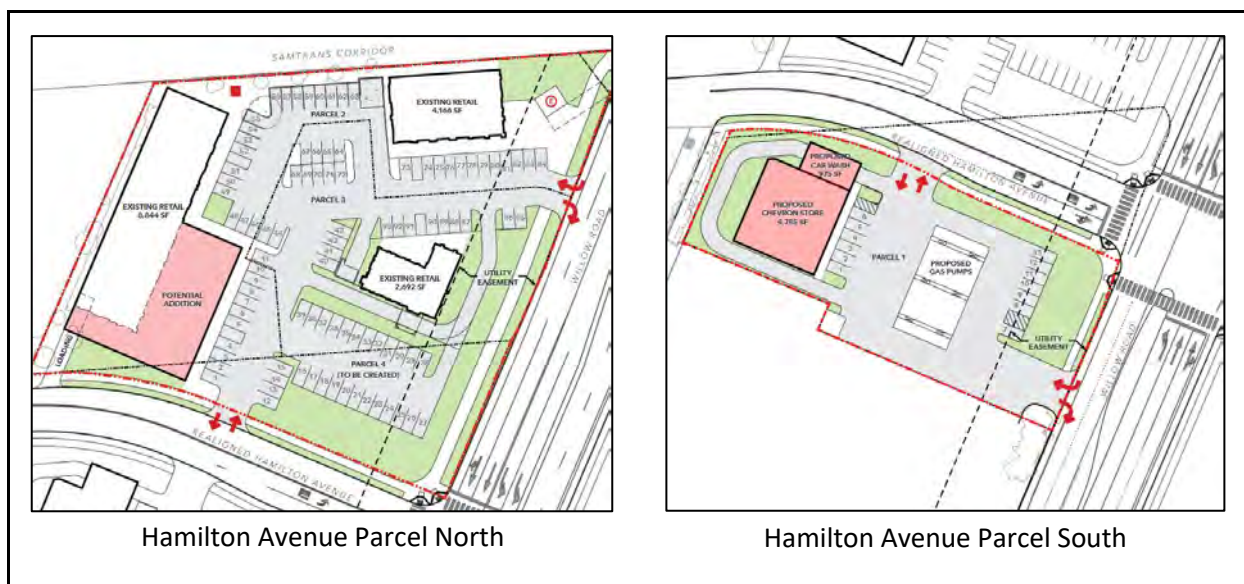
Source: Willow Village Master Plan Conditional Development Permit, Conceptual Master Plan, prepared by Peninsula Innovation Partners, dated December 2021.

**Figure 2-2. Proposed Project Site Plan**

The Proposed Project would also alter parcels west of the industrial site, across Willow Road, on both the north and south sides of Hamilton Avenue (Hamilton Avenue Parcels North and South) to support realignment of the Hamilton Avenue right-of-way and provide access to the new elevated park. This would require demolition and reconstruction of a service station (Chevron gas station) at Hamilton Avenue Parcel South and possibly include the addition of up to 6,700 square feet of retail uses at the existing neighborhood shopping center (Belle Haven Retail Center) on Hamilton Avenue Parcel North. Proposed development plans for the Hamilton Avenue Parcels North and South are shown on Figure 2-3.



## Willow Village Project Water Supply Assessment



Source: Willow Village Master Plan Conditional Development Permit, Conceptual Hamilton Parcels, prepared by Peninsula Innovation Partners, dated December 2021.

**Figure 2-3. Proposed Development Plan for Hamilton Avenue Parcels North and South**

The City has identified four project variants for the Proposed Project for analysis in the EIR:

- **Variant I: Increased Residential Density.** The Increased Residential Density Variant would increase the number of residential dwelling units by approximately 200 units, to a total of 1,930 residential units. No other changes to the Project development program would occur under this variant.
- **Variant II: No Hamilton Avenue Realignment.** In the event that the Project Applicant does not receive approval from Caltrans or affected property owners for the modifications to Willow Road necessary to realign Hamilton Avenue, the intersection of Willow Road and Hamilton Avenue would remain in the existing location and the circulation network east of Willow Road would be altered. In addition, West Street would be adjusted to terminate into Willow Road. The overall Project development program would remain unchanged; however, under this variant, no changes would occur to the existing land uses on the Hamilton Avenue Parcels North and South.
- **Variant III: No Willow Road Tunnel.** In the event that Caltrans does not approve the proposed Willow Road Tunnel, the Meta trams would utilize the public street network, Bayfront Expressway and Willow Road to access the Campus District. The overall Project development program would remain unchanged.
- **Variant IV: On-site Recycled Water.** In the event that that West Bay Sanitary District (WBSD) does not construct its proposed Bayfront Recycled Water Plant (which would be a source to provide recycled water to the Proposed Project), the On-Site Recycled Water Variant would provide recycled water to the Proposed Project through the on-site treatment of wastewater. Under this variant, the on-site treatment and production of recycled water would capture wastewater supplies, including blackwater (toilet flushing, food preparation drains), from all buildings within the Proposed Project. The overall Project development program would remain unchanged.



## Willow Village Project Water Supply Assessment

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### 2.2 Projected Water Demand for the Proposed Project

The Proposed Project site has General Plan Land Use Designations of Office and Mixed-Use Residential. The site is zoned Office-Bonus (O-B) and Residential Mixed Use-Bonus (R-MU-B) under the Menlo Park Zoning Ordinance. As such, its development is required to comply with the City Municipal Code Chapter 16.43 O Office District and Chapter 16.45 R-MU Residential Mixed Use District. Both chapters of the Municipal Code include requirements for green and sustainable building, including the following specific requirements for water use efficiency and recycled water use:

16.43.140 (3) and 16.45.140 (3) Water Use Efficiency and Recycled Water.

- A. Single pass cooling systems shall be prohibited in all new buildings.
- B. All new buildings shall be built and maintained without the use of well water.
- C. Applicants for a new building more than one hundred thousand (100,000) square feet of gross floor area shall prepare and submit a proposed water budget and accompanying calculations following the methodology approved by the City. For all new buildings two hundred fifty thousand (250,000) square feet or more in gross floor area, the water budget shall account for the potable water demand reduction resulting from the use of an alternative water source for all City-approved non-potable applications. The water budget and calculations shall be reviewed and approved by the City's Public Works Director prior to certification of occupancy. Twelve (12) months after the date of the certification of occupancy, the building owner shall submit data and information sufficient to allow the City to compare the actual water use to the allocation in the approved water budget. In the event that actual water consumption exceeds the water budget, a water conservation program, as approved by the City's Public Works Director, shall be implemented. Twelve (12) months after City approval of the water conservation program, the building owner shall submit data and information sufficient to allow the City to determine compliance with the conservation program. If water consumption exceeds the budgeted amount, the City's Public Works Director may prohibit the use of water for irrigation or enforce compliance as an infraction pursuant to Chapter 1.12 until compliance with the water budget is achieved.
- D. All new buildings shall be dual plumbed for the internal use of recycled water.
- E. All new buildings two hundred fifty thousand (250,000) square feet or more in gross floor area shall use an alternate water source for all City-approved non-potable applications. An alternative water source may include, but is not limited to, treated non-potable water such as graywater. An alternate water source assessment shall be submitted that describes the alternative water source and proposed non-potable application. Approval of the alternate water source assessment, the alternative water source and its proposed uses shall be approved by the City's Public Works Director and Community Development Director. If Menlo Park Municipal Water has not designated a recycled water purveyor and/or municipal recycled water source is not available prior to planning project approval, applicants may propose conservation measures to meet the requirements of this section subject to approval of the City Council. The conservation measures shall achieve a reduction in potable water use equivalent to the projected demand of City-approved non-potable applications, but in no case shall the reduction be less than 30 percent (30%) compared to the water budget in subsection (3)(C) of this section. The conservation measures may include on-site measures, off-site measures or a combination thereof.



## Willow Village Project Water Supply Assessment

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- F. Potable water shall not be used for dust control on construction projects.
- G. Potable water shall not be used for decorative features, unless the water recirculates.

As required by the City Municipal Code described above, the Project Applicant prepared a Water Use Budget for the Proposed Project. Also, because the Proposed Project includes more than 250,000 square feet of gross floor area in its proposed new buildings, an Alternative Water Source Assessment is also required and has been prepared. A copy of the Willow Village Project Water Demand, Alternative Water Source Assessment and Water Modeling Memorandum prepared by Freyer & Laureta, Inc., a consulting firm retained by the Project Applicant to prepare the water demand estimates for the Proposed Project, is included in Appendix A of this WSA. The Alternative Water Source Assessment examined two scenarios to supply the Proposed Project with non-potable water:

- Scenario 1: Connect to a new off-site water reuse facility owned and operated by the West Bay Sanitary District (WBSD)
- Scenario 2: Construct on-site water reuse facilities (WRFs) to treat wastewater from the site

Under both scenarios, the Proposed Project would be able to achieve a 36 to 37 percent reduction in potable water demand by serving nearly all of the non-potable water demands (including cooling, irrigation, and toilet flushing) with recycled water.

The Project Applicant is currently pursuing Scenario 1 in coordination with WBSD. WBSD has completed a feasibility study exploring the viability of a Resource Recovery Center at WBSD's former treatment plant behind Bedwell Bayfront Park, which could produce 500,000 gallons per day of recycled water for reuse (the MPMW 2020 UWMP projects an annual recycled water supply of 72 MG/yr from this new facility). The study concluded that the project is feasible. In a public/private partnership with Meta (the Project Applicant), the WBSD Board of Directors spearheaded the effort to install 2,800 feet of purple recycled water pipe parallel with the storm drainpipe Meta was replacing on Chilco Street. This pipe will be used to distribute recycled water in the area. According to WBSD, recycled water will be used for irrigation, industrial purposes, firefighting, public fill stations and toilet flushing in the Bayfront Area.

The Project Applicant estimated water use for the Proposed Project using the following assumptions:

- Water usage for plumbing fixtures (including water closets, urinals, public lavatories, kitchen faucets and showerheads) was estimated using 2019 CALGreen flow rates and LEED frequency of fixture use and duration times
- Water usage factors from literature were used for some retail programs such as grocery and food and beverage
- Water usage for water-based cooling systems for office building and event space was estimated using the variance in the mean monthly temperature for Menlo Park
- Water usage for irrigation was estimated in accordance with Menlo Park Municipal Code Chapter 12.44 Water Efficient Landscape Ordinance
- All non-potable demands were applied a leakage factor of 10 percent to account for losses in fixtures, broken sprinkler head, etc.

## Willow Village Project Water Supply Assessment



A summary of the water demands for the Proposed Project, as well as the four project variants, as estimated by the Project Applicant, is provided in Table 2-1. As shown, the total projected water demand for the Proposed Project ranges from 150 to 162 MG/yr, depending on the project variant. Approximately 63 to 64 percent of the total water demand is potable water demand and the remaining 36 to 37 percent is non-potable water demand that will be met with recycled water. As shown in Table 2-1, the existing potable water demand at the project site is estimated to be approximately 19 MG/yr and is assumed to be entirely replaced by the Proposed Project demand. Therefore, the net increase in potable water demand for the Proposed Project is estimated to range from 75 to 85 MG/yr, depending on the project variant.

Water Use	Projected Annual Water Demand, MG/yr			
	Proposed Project	Variant I: Increased Residential Density	Variant II: No Hamilton Avenue Realignment	Variant III: No Willow Road Tunnel and Variant IV: On-Site Recycled Water
Indoor Potable	98	104	94	98
Toilet Flushing (non-potable)	21	22	21	21
Cooling (non-potable)	9	9	9	9
Irrigation (non-potable)	27	27	26	27
<b>Total Projected Water Demand</b>	<b>155</b>	<b>162</b>	<b>150</b>	<b>155</b>
Projected Water Demand (potable)	98 (63%)	104 (64%)	94 (63%)	98 (63%)
Projected Water Demand (non-potable)	57 (37%)	58 (36%)	56 (37%)	57 (37%)
Existing Potable Water Use at Proposed Project Site <sup>(a)</sup>	19	19	19	19
<b>Net increase in Potable Water Demand<sup>(b)</sup></b>	<b>79</b>	<b>85</b>	<b>75</b>	<b>79</b>

Source: Freyer & Laureta, Inc., January 2022.

(a) Existing potable water demand at the project site based on 2015 data (18.2 MG/yr plus 6 percent for unaccounted for water) and is assumed to be replaced by the Proposed Project.

(b) Assumes the existing potable water demand at the project site is replaced by the Proposed Project demand.

As shown in Table 2-1, Variant I: Increased Residential Density has the highest water demand, with a total water demand of 162 MG/yr, a potable water demand of 104 MG/yr and a non-potable water demand of 58 MG/yr. As such, the remainder of this WSA is based on the projected water demand for Variant I, as it represents the highest potential water demands for the Proposed Project, and therefore includes within it the projected water demand associated with development of the Proposed Project or any of the project variants described above.

Additional information on the water demand projections for the Proposed Project and the project variants is provided in Appendix A.



## Willow Village Project Water Supply Assessment

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### 2.3 Proposed Project Relationship to ConnectMenlo

In 2016, the City completed a multi-year planning effort to update the Land Use and Circulation Elements of its General Plan for the 2040 planning horizon. This General Plan Update process was known as ConnectMenlo. ConnectMenlo reaffirmed existing remaining development potential within the City and incorporated land use changes in the Bayfront Area, including development potential for up to 4,500 new multi-family residential units, 2.3 million square feet of new non-residential uses, and 400 new hotel rooms.

A program-level EIR was prepared for ConnectMenlo. In conjunction with the ConnectMenlo EIR, a Water Supply Evaluation Study (WSE Study) was prepared to evaluate whether there would be sufficient water supply to meet the current and planned water demands within the service area during normal and dry hydrologic years over a 20-year time horizon. More specifically, the WSE Study includes:

- A summary of the WSA requirements articulated in Water Code §10910-10915 and a description of how they have been addressed in the WSE Study
- A description and analysis of the current and projected future water demands for ConnectMenlo through the year 2040
- A description and analysis of the historical, current, and projected future water demands for the MPMW service area through the year 2040
- A description and analysis of the current and projected future water supplies for the MPMW service area through the year 2040
- A comparison of the water supplies and demands for MPMW's water service area, including the projected water demands associated with ConnectMenlo

The data in the WSE Study were based primarily on the MPMW 2010 UWMP, the draft MPMW 2015 UWMP (which was being developed at the same time as the WSE Study), information from City staff, and specific information from PlaceWorks (preparer of the 2016 ConnectMenlo General Plan Update and program-level EIR). The final adopted MPMW 2015 UWMP and the MPMW 2020 UWMP incorporated the ConnectMenlo projections.

ConnectMenlo identifies the maximum development potential that could occur within the ConnectMenlo study area, including potential bonus-level increased development, and the associated program-level EIR further defines the maximum development that can occur by specific land uses. MPMW and the City's Planning Division are actively tracking projects within the ConnectMenlo study area on a cumulative basis to ensure that developed projects remain within the maximum development permitted by ConnectMenlo and are consistent with the program-level EIR.<sup>3</sup> The Proposed Project, if approved, would be within this permitted cumulative development total for both ConnectMenlo and the associated program-level EIR.

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<sup>3</sup> For projects that require a water budget, the City includes Conditions of Approval requiring annual monitoring to document water usage at or below the limits identified in the approved water budget. Exempt projects (below the water budget threshold) are not tracked.





## Willow Village Project Water Supply Assessment

Table 2-2 shows the Proposed Project’s impact on the cumulative water demand permitted for the ConnectMenlo study area based on the potable water demand for Variant I, which represents the highest potential water demand for the Proposed Project or any of the project variants discussed above. As such, the projected water demand associated with development of the Proposed Project or any of the project variants described above is included within the demand estimate for Variant I.

<b>Table 2-2. Proposed Project Impact on ConnectMenlo Study Area Potable Water Demand</b>	
<b>Demand Source</b>	<b>Annual Water Demand, MG/yr</b>
ConnectMenlo Total Potable Water Demand at Buildout <sup>(a)</sup>	343
Proposed Project Net Potable Water Demand Increase <sup>(b)</sup>	85
<b>Remaining Potable Water Demand for Other Projects within ConnectMenlo Study Area<sup>(c)</sup></b>	<b>258</b>
<p>(a) Water Supply Evaluation Study for ConnectMenlo – General Plan and M-2 Area Zoning Update (Table 2), prepared by EKI, February 2016. The Water Supply Evaluation Study assumed that total water demand in the ConnectMenlo study area would be met using potable water.</p> <p>(b) From Table 2-1 above; net increase in Potable Water Demand due to Proposed Project (Variant I).</p> <p>(c) Other projects in the ConnectMenlo study area currently in the planning stages include 1350 Adams Court with a projected potable water demand of approximately 5 MG/yr and Commonwealth Building 3 with a projected potable water demand of approximately 14 MG/yr. These projects are still in the planning stage, so their projected water demands are subject to change. Recently approved projects subject to water budgets and annual water usage limits include Menlo Portal and Menlo Uptown which are anticipated to use 12.6 and 9.1 MG/yr, respectively.</p>	

The remaining potable water demand for other projects within the ConnectMenlo study area shown in Table 2-2 is available to serve both approved, but not yet constructed, and future projects (whether or not they require a WSA).

## Willow Village Project Water Supply Assessment



### 3.0 REQUIRED DETERMINATIONS

The following sections describe the required determinations for a WSA.

#### 3.1 Does SB 610 Apply to the Proposed Project?

*10910 (a) Any city or county that determines that a project, as defined in Section 10912, is subject to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) under Section 21080 of the Public Resources Code shall comply with this part.*

*10912 (a) "Project" means any of the following:*

- (1) A proposed residential development of more than 500 dwelling units.*
- (2) A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.*
- (3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.*
- (4) A proposed hotel or motel, or both, having more than 500 rooms.*
- (5) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.*
- (6) A mixed-use project that includes one or more of the projects specified in this subdivision.*
- (7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.*

As shown in Table 3-1, the Proposed Project does meet the definition of a "Project" as specified in Water Code section 10912(a). The Proposed Project has not been the subject of a previously adopted WSA and has not been included in an adopted WSA for a larger project. Therefore, according to Water Code section 10910(a), a WSA is required for the Proposed Project.

SB 610 Project Definition Components	Proposed Project Quantity	Meets the SB 610 Definition of a "Project"?
Residential > 500 dwelling units	Up to 1,730 units (or up to 1,930 units under Variant I)	YES
Retail > 1,000 employees or > 500,000 sf	200,000 sf	NO
Commercial Office Building > 1,000 employees or > 250,000 sf	1.6 million sf	YES
Hotel/Motel > 500 rooms	193 rooms	NO
Industrial Plant/Park > 1,000 employees or > 40 acres or > 650,000 sf	N/A	NO
Mixed Use Project that includes one or more of the above	YES	YES
A Project that would demand the amount of water required by a 500-dwelling unit project	YES	YES
<b>SB 610 Required?</b>	--	<b>YES</b>



## Willow Village Project Water Supply Assessment

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The City has also determined that the Proposed Project is subject to the California Environmental Quality Act (CEQA) and that an EIR is required. Because the Proposed Project's location and development parameters are consistent with ConnectMenlo, the ConnectMenlo Program-level EIR serves as the first tier environmental analysis for the Project. However, an EIR will be prepared for the Proposed Project to address impacts that need further discussion and/or mitigation beyond that provided in the ConnectMenlo EIR, as well as to satisfy the requirements of a settlement agreement between the City of Menlo Park and the City of East Palo Alto. The EIR will utilize the findings of this WSA as appropriate in the EIR for the Proposed Project.

### 3.2 Does SB 221 Apply to the Proposed Project?

In 2001, SB 221 amended State law to require that approval by a city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply. Per California Government Code section 66473.7(a)(1), a subdivision means a proposed residential development of more than 500 dwelling units. The Proposed Project, with up to 1,730 new residential dwelling units (with the potential for an additional 200 dwelling units under one of the project variants) in MPMW's water service area, is therefore subject to the requirements of SB 221.

### 3.3 Who is the Identified Public Water System?

*10910(b) The city or county, at the time that it determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration is required for any project subject to the California Environmental Quality Act pursuant to Section 21080.1 of the Public Resources Code, shall identify any water system that is, or may become as a result of supplying water to the project identified pursuant to this subdivision, a public water system, as defined by Section 10912, that may supply water for the project*

*10912 (c) "Public water system" means a system for the provision of piped water to the public for human consumption that has 3,000 or more service connections...*

The Proposed Project is located in the City within MPMW's service area. MPMW's service area consists of three zones: the Lower Zone (located north and east of El Camino Real and serves residential, small commercial, and light industrial land uses), the High Pressure Zone (located in northern Menlo Park between Highway 101 and Bayfront Expressway, north of Chilco Street, and serves multi-family residential, commercial and light industrial, and a mobile home park outside the City's northern-most boundary), and the Upper Zone (located in the southwest portion of Menlo Park near Interstate 280 and geographically and hydraulically disconnected from the other pressure zones). The Proposed Project is located in MPMW's Lower Zone. Therefore, MPMW is the identified public water system for the Proposed Project.



## Willow Village Project Water Supply Assessment

### 3.4 Does the Identified Public Water Supplier have an adopted UWMP and does the UWMP include the projected water demand for the Proposed Project?

*10910(c)(1) The city or county, at the time it makes the determination required under Section 21080.1 of the Public Resources Code, shall request each public water system identified pursuant to subdivision (b) to determine whether the projected water demand associated with a proposed project was included as part of the most recently adopted urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610).*

The City’s most recently adopted UWMP is the 2020 UWMP, which was adopted in May 2021. The MPMW 2020 UWMP is incorporated by reference into this WSA.

The MPMW 2020 UWMP incorporated the future population, employment and water demand projections for buildout of the General Plan, including the additional allowable development associated with ConnectMenlo and other major development projects within the MPMW service area.<sup>4</sup> As described in Section 2.3 of this WSA, ConnectMenlo identifies the maximum development potential that could occur within the ConnectMenlo study area, including potential bonus-level increased development, and the associated program level EIR further defines the maximum development that can occur by specific land uses. MPMW and the City’s Planning Division are actively tracking projects within the ConnectMenlo study area on a cumulative basis to ensure that developed projects remain within the maximum development permitted in ConnectMenlo and would be consistent with the program-level EIR. The Proposed Project, if approved, would be within this permitted total development potential permitted for both ConnectMenlo and the associated program-level EIR. Therefore, the water demand for the Proposed Project is included in the MPMW 2020 UWMP water demand.

Table 3-2 presents the projected future water demand for buildout of the General Plan, which would include the Proposed Project, in normal years as presented in the MPMW 2020 UWMP. Additional discussion on the MPMW’s existing and projected water demands is provided in Section 5 of this WSA.

2020 (Actual), MG	Projected Water Demand after Passive and Active Conservation, MG			
	2025	2030	2035	2040
1,069	1,296	1,345	1,410	1,483

*Source: MPMW 2020 UWMP, Table 4-5.*

<sup>4</sup> MPMW 2020 UWMP, Section 3.2 Land Uses within Service Area, page 18.



## Willow Village Project Water Supply Assessment

### 4.0 MENLO PARK MUNICIPAL WATER SYSTEM

The following sections describe the MPMW existing water service area, including existing and projected population.

#### 4.1 Water Service Area

MPMW is located within the City, along the San Francisco Peninsula in San Mateo County, between the cities of Palo Alto, East Palo Alto, and Redwood City. MPMW provides water service to approximately half of the City, serving an area of approximately 9 square miles. The remainder of the City is served by California Water Service, O’Connor Tract Co-operative Water Company, and Palo Alto Park Mutual Water Company.

There were 4,296 MPMW service connections as of 2020. Land uses throughout the water service area consist primarily of residential, commercial, and industrial land uses. Customer service connections include residential users, industrial connections, commercial service connections, irrigation accounts, and ‘Other’ connections (including temporary services and sales, private fire services, and hydrant services).

#### 4.2 Population

The MPMW service area is largely built-out, with future growth trends principally due to redevelopment within the Bayfront Area. As shown in Table 4-1, the total population within the MPMW service area is projected to increase to 30,184 people by 2040, a 65 percent increase from the current 2020 population of 18,276 people. The City’s Planning Division expects more than 40 percent of the projected population increase to occur within the next five years (2020 through 2025) based on approved and pending projects in the Bayfront Area (driven by the ConnectMenlo General Plan). The MPMW service area includes areas outside of the Bayfront Area; however, given the focus of the ConnectMenlo General Plan Update on land use changes within the Bayfront Area, most population growth through 2040 is expected to occur in that geographic area.<sup>5</sup>

Year	2020	2025	2030	2035	2040
Population Served	18,276	23,383	25,166	27,675	30,184

*Source: MPMW 2020 UWMP, Table 3-1.*

<sup>5</sup> The City is conducting the required update to its Housing Element that would likely increase population growth outside of the Bayfront Area, some of which may be located within the MPMW’s Upper Zone.

## Willow Village Project Water Supply Assessment



### 5.0 MENLO PARK MUNICIPAL WATER DEMANDS

*10910(c)(2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f) and (g).*

The descriptions provided below for the City’s water demands are based on the MPMW 2020 UWMP (adopted in May 2021).

#### 5.1 Historical and Existing Water Demand

Table 5-1 shows the MPMW water demand (based on water production) for 2010 through 2020. According to MPMW’s 2020 UWMP, from 2010 through 2020, the service area population had grown by about 24 percent, while the total volume of water sold increased by just 1.6 percent. The decrease in water demand from 2013 to 2016 can be attributed to mandatory statewide restrictions issued by the State Water Resources Control Board (SWRCB) during the drought and water conservation efforts by the City’s residents and businesses. Since 2016, there has been a rebound in demand.

Year	Potable Water Demand, MG
2010	1,052
2011	1,033
2012	1,079
2013	1,189
2014	1,030
2015	883
2016	898
2017	1,003
2018	1,108
2019	1,028
2020	1,069

*Source: MPMW 2020 UWMP, Table 4-2.*

#### 5.2 Future Water Demand

Table 5-2 shows MPMW’s projected normal year water demands through 2040 as included in MPMW’s 2020 UWMP. These projections are based on anticipated future water demands corresponding to buildout of the City’s current General Plan, including development of ConnectMenlo and other planned projects within MPMW’s service area. The projected increase in demand reflects a rebound in water use following the end of the suppressed demands due to the 2015-2016 drought and an accelerated growth in employment due to planned development projects.

## Willow Village Project Water Supply Assessment



**Table 5-2. Projected Future Water Demand – Normal Years**

2020 (Actual), MG	Projected Water Demand after Passive and Active Conservation, MG			
	2025	2030	2035	2040
1,069	1,296	1,345	1,410	1,483

*Source: MPMW 2020 UWMP, Table 4-5.*

### 5.3 Dry Year Water Demand

As shown in Table 5-1, MPMW’s 2015 and 2016 demands were significantly lower than the demand in previous years. This reduction in demands occurred in response to the drought and mandated statewide reductions in urban potable water usage.

Following the drought, MPMW updated the stages of action to be taken in response to water supply shortages. The updated stages of action are reflected in MPMW’s Water Shortage Contingency Plan (WSCP) and are included in Chapter 8 of the MPMW 2020 UWMP. MPMW has also implemented a demand management program with mandatory prohibitions that are in force at all times, as described in Chapter 8 of the MPMW 2020 UWMP. The projected future water demand presented in Table 5-2 includes continued implementation of the existing demand management program and is based on future normal hydrologic years.

Under dry water year conditions, MPMW anticipates implementing the demand reduction measures outlined in the WSCP as appropriate to reduce water demands to match the reduction in the supply. However, to be conservative, the MPMW 2020 UWMP and this WSA do not assume additional water conservation will occur in single dry or multiple dry years, even though additional water conservation is likely to occur during dry years or other water supply shortages as a result of MPMW implementing additional water conservation measures.

Table 5-3 presents the projected future single and multiple dry year water demand, as presented in the MPMW 2020 UWMP.

**Table 5-3. Projected Future Water Demand – Dry Years**

Hydrologic Condition	Demand Reduction <sup>(a)</sup>	Projected Water Demand, MG			
		2025	2030	2035	2040
Single Dry Year <sup>(b)</sup>	0%	1,296	1,345	1,410	1,483
Multiple Dry Years <sup>(c,d)</sup>	0%	1,296	1,345	1,410	1,483

(a) Conservatively assumes no demand reduction in dry years. Demands may be reduced in dry years as a result of MPMW’s implementation of its Water Shortage Contingency Plan; however, such a demand reduction is not assumed or relied upon for the purposes of the Single Dry Year and Multiple Dry Year evaluations for this WSA.

(b) Source: MPMW 2020 UWMP, Table 7-5.

(c) Source: MPMW 2020 UWMP, Table 7-6.

(d) Represents demands for each year of the 5-year multiple dry year period.





## Willow Village Project Water Supply Assessment

### 6.0 MENLO PARK MUNICIPAL WATER SUPPLIES

*10910(c)(2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f) and (g).*

*10910(d)(1) The assessment required by this section shall include an identification of any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project, and a description of the quantities of water received in prior years by the public water system...under the existing water supply entitlements, water rights, or water service contracts.*

*10910(e) If no water has been received in prior years by the public water system...under the existing water supply entitlements, water rights, or water service contracts, the public water system...shall also include in its water supply assessment...an identification of the other public water systems or water service contract holders that receive a water supply or have existing water supply entitlements, water rights, or water service contracts, to the same source of water as the public water system.*

*10910(f) If a water supply for a proposed project includes groundwater, the following additional information shall be included in the water supply assessment.*

- (1) A review of any information contained in the urban water management plan relevant to the identified water supply for the proposed project.*
- (2) A description of any groundwater basin or basins from which the proposed project will be supplied. For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most recent bulletin of the department that characterizes the condition of the groundwater basin, and a detailed description by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), of the efforts being undertaken in the basin or basins to eliminate the long-term overdraft condition.*
- (3) A detailed description and analysis of the amount and location of groundwater pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), for the past five years from any groundwater basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historical use records.*
- (4) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), from any basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historical use records.*
- (5) An analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project. A water assessment shall not be required to include the information required by this paragraph if the public water system determines, as part of the review required by paragraph (1), that the sufficiency of groundwater necessary to meet the initial and projected water demand associated with the project was addressed in the description and analysis required by paragraph (4) of subdivision (b) of Section 10631.*





## **Willow Village Project Water Supply Assessment**

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As described in Section 3.4 of this WSA, the projected water demand associated with buildout of ConnectMenlo, which includes the Proposed Project, was accounted for in MPMW's most recently adopted Urban Water Management Plan. The descriptions provided below for MPMW's water supplies are based on the MPMW 2020 UWMP (adopted in May 2021) and the SFPUC 2020 UWMP (adopted in June 2021).

### **6.1 Water Supply Overview**

MPMW currently purchases all of its potable water supplies from the SFPUC RWS. MPMW has reservoirs in its Upper Zone to provide for emergency supply and an emergency groundwater well has been constructed at MPMW's Corporation Yard. Additional groundwater wells and reservoirs for emergency supply are in the planning stages for the Lower Zone and the High Pressure Zone.

Recycled water supplied by West Bay Sanitary District (WBSD) is currently utilized within the MPMW service area for irrigation at the Sharon Heights Golf & Country Club and is under development for the Bayfront Area. According to the MPMW 2020 UWMP, MPMW plans to utilize up to 120 MG/yr of recycled water from WBSD for landscape and golf course irrigation and commercial non-potable applications at Sharon Heights and in the Bayfront Area.

### **6.2 Water Supply from the SFPUC RWS**

The SFPUC RWS supplies water to both retail and wholesale customers. Retail customers include residents, businesses, and industries located within the City and County of San Francisco's boundaries. Wholesale customers include 26 cities and water supply agencies in Alameda, San Mateo and Santa Clara counties, including MPMW.

MPMW is a member agency of Bay Area Water Supply and Conservation Agency (BAWSCA) and purchases treated water from the SFPUC RWS in accordance with the November 2018 Amended and Restated Water Supply Agreement between the City and County of San Francisco and Wholesale Customers in Alameda, San Mateo and Santa Clara Counties, which was adopted in 2019. The term of the agreement is 25 years, with a beginning date of July 1, 2009 and an expiration date of June 30, 2034. Per the agreement, MPMW has an Individual Supply Guarantee (ISG) of 4.456 million gallons per day (mgd), or 1,630 million gallons per year, supplied by the SFPUC RWS. Over the last five years (2016-2020) MPMW has purchased between 52 percent and 66 percent of its ISG.

Additional discussion of the SFPUC RWS water supplies is provided in MPMW's 2020 UWMP and SFPUC's 2020 UWMP.

### **6.3 Groundwater Supply**

MPMW does not rely upon groundwater supplies for its potable water supply since the entirety of the MPMW supply is purchased from the SFPUC RWS. However, MPMW has undertaken a multi-year Emergency Water Storage/Supply Project to construct emergency groundwater wells. As such, this WSA evaluates groundwater basin conditions pursuant to Section 10910(f).

#### **6.3.1 Groundwater Basin Description**

The MPMW service area overlies the southern end of the Santa Clara Valley Groundwater Basin's San Mateo Plain Groundwater Subbasin (DWR basin number 2-9.03; DWR, 2004; or "subbasin"). The



## **Willow Village Project Water Supply Assessment**

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subbasin is not adjudicated, nor has it been found by the Department of Water Resources (DWR) to be in a condition of overdraft. As part of the implementation of the Sustainable Groundwater Management Act (SGMA), the subbasin was ranked as a “very low priority” basin under the California Statewide Groundwater Elevation Monitoring basin prioritization process. As such, the basin is not subject to the requirements of SGMA.

Located within the 45-square mile San Francisquito Creek Watershed, the MPMW service area contains both mountainous bedrock terrain and comparatively flat alluvial deposits. Coarse- and fine-grained alluvial deposits from the San Francisquito Creek can be found in the MPMW service area. There is a shallow aquifer and a deep aquifer that has an upper and a lower zone in the MPMW service area. Both aquifers lie beneath a laterally extensive confining layer. The shallow aquifer is unconfined while the deep aquifer is semi-confined. Pump tests and empirical transmissivity data show that it is feasible to develop a municipal supply from the groundwater subbasin. It is estimated that the groundwater subbasin can be as thick as 1,000 feet in some locations.

Groundwater in the Santa Clara Valley Groundwater Basin naturally flows toward the San Francisco Bay from the uplands in the southwest. Reverse groundwater gradients, from the San Francisco Bay toward the uplands, have been seen when pumping has exceeded the rate of recharge. The estimated annual recharge rate of the San Francisquito Creek watershed ranges from 4,000 to 8,000 acre-feet per year, equivalent to 3.6 to 7.2 mgd.

Additional discussion of the groundwater conditions and groundwater management is provided in MPMW’s 2020 UWMP.

### ***6.3.2 MPMW Emergency Water Storage/Supply Project***

The MPMW Emergency Water Storage/Supply Project intends to provide a backup water supply to MPMW’s Lower Zone, which lacks emergency storage, in the event water from the SFPUC RWS is reduced or unavailable. The MPMW Emergency Water Storage/Supply Project will provide a total capacity of up to 3,000 gpm, or approximately 4.32 mgd, between two to three wells at separate locations. MPMW initiated the project in 2010 and completed site screening, site ranking, and detailed engineering and hydrologic evaluation in 2013, including extensive community engagement. The City selected the Corporation Yard at 333 Burgess Drive for the first well, completed the CEQA evaluation in 2016, and drilled the well in 2017. Construction of the well facility (e.g., generator, disinfection equipment, associated piping) was completed in late 2020, and MPMW is working with the State Water Resources Control Board (SWRCB) to permit the well. MPMW is also investigating locations for a future underground reservoir for the Lower Zone and High Pressure Zone.

The SWRCB Division of Drinking Water classifies wells as “active” or “standby.” Active wells, with water quality testing requirements every 3 years, must meet all primary and secondary standards and have no restrictions on when the well can be used. Standby wells, with water quality testing requirements every 9 years, must meet all primary standards (but not secondary standards) and have restrictions that the well cannot be used for more than 14 days per year or more than 5 consecutive days. To provide flexibility, the City plans to permit its emergency wells as “active” wells as long as primary and secondary standards can be met. The City’s plan is to use the wells for emergency purposes only but have the flexibility to provide well water during emergencies that last more than 14 days per year or more than 5 consecutive days.

## Willow Village Project Water Supply Assessment



### 6.4 Recycled Water Supply

WBSD provides wastewater collection services to the MPMW service area. WBSD also acts as the recycled water purveyor in MPMW’s Upper Zone and WBSD is developing a recycled water system to serve the Lower Zone and High Pressure Zone.

Currently, recycled water is only used at the Sharon Heights Golf & Country Club, which is a 170-acre property located in the Upper Zone of MPMW’s service area. The recycled water system consists of the Sharon Heights Recycled Water Facility, a pump station, recycled water distribution pipelines to the golf course irrigation system, and a solids disposal pipeline. In 2020, the satellite wastewater treatment plant (WWTP) provided 20 MG of recycled water to the Sharon Heights Golf & Country Club, offsetting demand in potable water purchased from SFPUC. A second phase of the project, in the very early planning stages, could supply approximately 28 MG of recycled water over seven months a year to the Stanford Linear Accelerator Center for irrigation and industrial uses such as for cooling towers.

Planning for a similar recycled water facility in the Bayfront Area is ongoing. WBSD has completed a feasibility study exploring the viability of a Resource Recovery Center at WBSD’s former treatment plant behind Bedwell Bayfront Park, which could produce approximately 500,000 gallons per day of recycled water for reuse (the MPMW 2020 UWMP projects an annual recycled water supply of 72 MG/yr from this new facility). The feasibility study concluded that the project is feasible. In a public/private partnership with Meta (the Project Applicant), the WBSD Board of Directors spearheaded the effort to install 2,800 feet of purple recycled water pipe parallel with the storm drainpipe Meta was replacing on Chilco Street. This pipe will be used to distribute recycled water in the area. According to WBSD, recycled water will be used for irrigation, industrial purposes, firefighting, public fill stations and toilet flushing in the Bayfront Area.

### 6.5 Summary of Existing and Additional Planned Future Water Supplies

Table 6-1 provides a summary of MPMW’s current and projected future normal year supplies as presented in MPMW’s 2020 UWMP. The availability and reliability of MPMW’s water supplies in dry years is discussed in Section 7 of this WSA.

Water Source	Water Supply, MG				
	2020 Actual <sup>(a,b)</sup>	2025 <sup>(c)</sup>	2030 <sup>(c)</sup>	2035 <sup>(c)</sup>	2040 <sup>(c)</sup>
Potable Water - Purchased from SFPUC RWS	1,069	1,630	1,630	1,630	1,630
Recycled Water – Sharon Heights Recycled Water Facility	20	48	48	48	48
Recycled Water – Bayfront Recycled Water Facility	--	0	72	72	72
<b>Total</b>	<b>1,089</b>	<b>1,678</b>	<b>1,750</b>	<b>1,750</b>	<b>1,750</b>

(a) 1,069 MG represents only 65.5% of the ISG to MPMW.  
 (b) Source: MPMW 2020 UWMP, Table 4-7.  
 (c) Source: MPMW 2020 UWMP, Table 6-9.



## Willow Village Project Water Supply Assessment

### 7.0 WATER SUPPLY RELIABILITY

*10910(c)(4) If the city or county is required to comply with this part pursuant to subdivision (b), the water supply assessment for the project shall include a discussion with regard to whether the total projected water supplies, determined to be available by the city or county for the project during normal, single dry, and multiple dry water years during a 20-year projection, will meet the projected water demand associated with the proposed project, in addition to existing and planned future uses, including agricultural and manufacturing uses.*

*10911(a) If, as a result of its assessment, the public water system concludes that its water supplies are, or will be, insufficient, the public water system shall provide to the city or county its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies. If the city or county, if either is required to comply with this part pursuant to subdivision (b), concludes as a result of its assessment, that water supplies are, or will be, insufficient, the city or county shall include in its water supply assessment its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies. Those plans may include, but are not limited to, information concerning all of the following:*

- (1) The estimated total costs, and the proposed method of financing the costs, associated with acquiring the additional water supplies.*
- (2) All federal, state, and local permits, approvals, or entitlements that are anticipated to be required in order to acquire and develop the additional water supplies.*
- (3) Based on the consideration set forth in paragraphs (1) and (2), the estimated timeframes within which the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), expects to be able to acquire additional water supplies.*

The current reliability of MPMW's water supply is largely dependent upon its water supply contract with SFPUC and SFPUC's water supply reliability. The reliability discussion provided below is based on the MPMW 2020 UWMP (adopted in May 2021) and the SFPUC 2020 UWMP (adopted in June 2021). It should be noted that SFPUC's 2020 UWMP extends to a 2045 horizon year, which is beyond the statutorily required horizon year of 2040 presented in the MPMW 2020 UWMP.

#### 7.1 SFPUC RWS Reliability

Information regarding the reliability of the SFPUC RWS was provided to MPMW by BAWSCA, in coordination with SFPUC, during the preparation of the MPMW 2020 UWMP. The following sections describe the potential impacts of the 2018 Bay-Delta Plan Amendment on SFPUC RWS reliability, allocation of RWS supplies during supply shortages, as well as SFPUC's Alternative Water Supply Planning Program designed to investigate and plan for new water supplies to address future long-term water supply reliability challenges and vulnerabilities on the RWS.

##### 7.1.1 Potential Impacts of the 2018 Bay-Delta Plan Amendment on SFPUC RWS Reliability

In December 2018, the SWRCB adopted amendments to the Water Quality Control Plan for the San Francisco Bay Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment) to establish water quality objectives to maintain the health of the Bay-Delta ecosystem. The SWRCB is required by law to regularly review this plan. The adopted Bay-Delta Plan Amendment was developed with the stated goal of increasing salmonid populations in three San Joaquin River tributaries (the Stanislaus, Merced, and Tuolumne Rivers) and the Bay-Delta. The Bay-Delta Plan Amendment requires the release of 40 percent of the "unimpaired flow" on the three tributaries from February through June in every year type, whether wet, normal, dry, or critically dry.

## Willow Village Project Water Supply Assessment



The SWRCB has stated that it intends to implement the Bay-Delta Plan Amendment on the Tuolumne River in 2022, assuming all required approvals are obtained by that time. But implementation of the Plan Amendment is uncertain for several reasons:

- Since adoption of the Bay-Delta Plan Amendment, over a dozen lawsuits have been filed in both state and federal court, challenging the SWRCB’s adoption of the Bay-Delta Plan Amendment, including two legal challenges filed by the federal government, at the request of the U.S. Department of Interior, Bureau of Reclamation in state and federal courts. These cases are in the early stage and there have been no dispositive court rulings to date.
- The Bay-Delta Plan Amendment is not self-implementing and does not allocate responsibility for meeting its new flow requirements to the SFPUC or any other water rights holders. Rather, the Plan Amendment merely provides a regulatory framework for flow allocation, which must be accomplished by other regulatory and/or adjudicatory proceedings, such as a comprehensive water rights adjudication or, in the case of the Tuolumne River, the 401 certification process in the Federal Energy Regulatory Commission’s (FERC) relicensing proceeding for Don Pedro Dam. The license amendment process is currently expected to be completed in the 2022-23 timeframe. This process and the other regulatory and/or adjudicatory proceedings would likely face legal challenges and have lengthy timelines, and quite possibly could result in a different assignment of flow responsibility (and therefore a different water supply impact on the SFPUC).
- In recognition of the obstacles to implementation of the Bay-Delta Plan Amendment, SWRCB Resolution No. 2018-0059 adopting the Bay-Delta Plan Amendment directed staff to help complete a “Delta watershed-wide agreement, including potential flow measures for the Tuolumne River” by March 1, 2019, and to incorporate such agreements as an “alternative” for a future amendment to the Bay-Delta Plan to be presented to the SWRCB “as early as possible after December 1, 2019.” In accordance with the SWRCB’s instruction, on March 1, 2019, SFPUC, in partnership with other key stakeholders, submitted a proposed project description for the Tuolumne River that could be the basis for a voluntary substitute agreement with the SWRCB (“March 1st Proposed Voluntary Agreement”). On March 26, 2019, the Commission adopted Resolution No. 19-0057 to support SFPUC’s participation in the Voluntary Agreement negotiation process. To date, those negotiations are ongoing under the California Natural Resources Agency and California Environmental Protection Agency and the leadership of the Newsom administration. The negotiations for a voluntary agreement have made significant progress since an initial framework was presented to the SWRCB on December 12, 2018. The package submitted on March 1, 2019 is the product of renewed discussions since Governor Newsom took office. While significant work remains, the package represents an important step forward in bringing together diverse California water interests.<sup>6</sup>

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<sup>6</sup> In late October 2021, State regulators announced that these negotiations stopped before an agreement was reached. It is unclear whether or when negotiations might be reinitiated.



## Willow Village Project Water Supply Assessment

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Because of the uncertainties surrounding the implementation of the Bay-Delta Plan Amendment, the SFPUC 2020 UWMP analyzed two supply scenarios, one with the Bay-Delta Plan Amendment assuming implementation starting in 2023, and one without the Bay-Delta Plan Amendment. Results of these analyses are summarized as follows<sup>7</sup>:

- If the Bay-Delta Plan Amendment is implemented, SFPUC will be able to meet its contractual obligations to its wholesale customers as presented in the SFPUC 2020 UWMP in normal years but would experience significant supply shortages in dry years. In single dry years, supply shortages would range from 36 to 46 percent. In multiple dry years, supply shortages would range from 36 to 54 percent. Implementation of the Bay-Delta Plan Amendment will require rationing in all single dry and multiple dry years through 2045.
- If the Bay-Delta Plan Amendment is not implemented, SFPUC would be able to meet 100 percent of the projected purchases of its wholesale customers during all year types through 2045 except during the fourth and fifth consecutive dry years for base year 2045 when 15 percent wholesale supply shortages are projected.

In June 2021, in response to various comments from wholesale customers regarding the reliability of the RWS as described in SFPUC's 2020 UWMP, the SFPUC provided a memorandum describing SFPUC's efforts to remedy the potential effects of the Bay-Delta Plan Amendment. As described in the memorandum (included in Appendix B of this WSA), SFPUC's efforts include the following:

- Pursuing a Tuolumne River Voluntary Agreement
- Evaluating the drought planning scenario in light of climate change
- Pursuing alternative water supplies
- In litigation with the State over the Bay-Delta Plan Amendment
- In litigation with the State over the proposed Don Pedro FERC Water Quality Certification

### ***7.1.2 Allocation of RWS Supplies During Supply Shortages***

The wholesale customers and SFPUC adopted the November 2018 Amended and Restated Water Supply Agreement in 2019, which included a Water Shortage Allocation Plan (WSAP) to allocate water from the RWS to retail and wholesale customers during system-wide shortages of 20 percent or less, including such shortages occurring as a result of implementation of the Bay-Delta Plan Amendment. The WSAP has two tiers which are described below.

- The Tier One Plan allocates water between SFPUC and the wholesale customers collectively based on the level of the shortage (up to 20 percent). This plan applies only when SFPUC determines that a system-wide water shortage exists and issues a declaration of a water shortage emergency under California Water Code Section 350. The SFPUC may also opt to request voluntary cutbacks from San Francisco and the wholesale customers to achieve

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<sup>7</sup> BAWSCA Drought Allocation Tables by Agency (Table E: Percent Cutback to the Wholesale Customers with Bay-Delta Plan and Table N: Percent Cutback to the Wholesale Customers Without Bay-Delta Plan), dated April 1, 2021.





## Willow Village Project Water Supply Assessment

necessary water use reductions during drought periods. The allocations outlined in the Tier One Plan are provided in Table 7-1.

System-Wide Reduction Required, percent	Share of Available Water, percent	
	SFPUC	Wholesale Customers
≤ 5	35.5	64.5
6 to 10	36.0	64.0
11 to 15	37.0	63.0
16 to 20	37.5	62.5

- The Tier Two Plan allocates the collective wholesale customer share among the wholesale customers based on a formula that accounts for each wholesale customer’s ISG, seasonal use of all available water supplies, and residential per capita use. BAWSCA calculates each wholesale customer’s Allocation Factors annually in preparation for a potential water shortage emergency.

BAWSCA recognizes that the Tier Two Plan was not designed for RWS shortages greater than 20 percent, and in a memorandum dated March 1, 2021, BAWSCA provided a refined methodology to allocate RWS supplies during projected future single dry and multiple dry years in the instance where supply shortfalls are greater than 20 percent for the purposes of the BAWSCA member agencies’ 2020 UWMPs. The revised methodology developed by BAWSCA allocates the wholesale supplies as follows:

- When the average Wholesale Customers’ RWS shortages are 10 percent or less, an equal percent reduction will be applied across all agencies. This is consistent with the existing Tier Two requirements in a Tier Two application scenario.
- When average Wholesale Customers’ shortages are between 10 and 20 percent, the Tier Two Plan will be applied.
- When the average Wholesale Customers’ RWS shortages are greater than 20 percent, an equal percent reduction will be applied across all agencies.

In another memorandum dated February 18, 2021, BAWSCA explains that in actual RWS shortages greater than 20 percent, BAWSCA Member Agencies would have the opportunity to negotiate and agree upon a more nuanced and equitable approach. This would likely consider basic health and safety needs, the water needs to support critical institutions, and minimizing economic impacts on individual communities and the region. As such, the allocation method described in the MPMW 2020 UWMP is only intended to serve as the preliminary basis for the 2020 UWMP supply reliability analysis. The analysis provided in the SFPUC 2020 UWMP and the MPMW 2020 UWMP does not in any way imply an agreement by BAWSCA member agencies as to the exact allocation methodology. BAWSCA member agencies are in discussions about jointly developing an allocation method that would consider additional equity factors in the event that SFPUC is not able to deliver its contractual supply volume, and its cutbacks to the RWS supply exceed 20 percent.



## Willow Village Project Water Supply Assessment

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### 7.1.3 Alternative Water Supply Program

In early 2020, the SFPUC began implementation of the Alternative Water Supply Planning Program (AWSP), a program designed to investigate and plan for new water supplies to address future long-term water supply reliability challenges and vulnerabilities of the RWS particularly in light of the possible implementation of the Bay-Delta Plan Amendment.

Included in the AWSP is a suite of diverse, non-traditional supply projects that, to a great degree, leverage regional partnerships and are designed to meet the water supply needs of the SFPUC Retail and Wholesale Customers through 2045. As of the most recent Alternative Water Supply Planning Quarterly Update, SFPUC has budgeted \$264 million over the next ten years to fund water supply projects. The drivers for the program include: (1) the adoption of the Bay-Delta Plan Amendment and the resulting potential limitations to RWS supply during dry years; (2) the net supply shortfall following the implementation of SFPUC's Water System Improvement Plan (WSIP)<sup>8</sup>; (3) San Francisco's perpetual obligation to supply 184 mgd to the Wholesale Customers; (4) adopted Level of Service Goals to limit rationing to no more than 20 percent system-wide during droughts; and, (5) the potential need to identify water supplies that would be required to offer permanent status to interruptible customers.

The SFPUC is considering several water supply options and opportunities to meet all foreseeable water supply needs, including surface water storage expansion, recycled water expansion, water transfers, desalination, and potable reuse. These efforts and their expected benefit to supply reliability are listed below, and described in further detail in the MPMW 2020 UWMP and SFPUC 2020 UWMP:

- Daly City Recycled Water Expansion (Regional; Normal and Dry-Year Supply)
- Alameda County Water District – Union Sanitary District Purified Water Partnership (Regional; Normal and Dry-Year Supply)
- Crystal Springs Purified Water (Regional; Normal and Dry-Year Supply)
- Los Vaqueros Reservoir Expansion (Regional; Dry Year Supply)
- Bay Area Brackish Water Desalination (Regional; Normal and Dry-Year Supply)
- Calaveras Reservoir Expansion (Regional; Dry Year Supply)
- Groundwater Banking (Dry Year Supply)
- Inter-Basin Collaborations

Capital projects under consideration would be costly and are still in the early feasibility and conceptual planning stages. The exact yields from these projects are not quantified at this time, as these supply

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<sup>8</sup> The Water System Improvement Program (WSIP) is a \$4.8 billion dollar, multi-year capital program to upgrade the SFPUC's regional and local water systems. The program repairs, replaces, and seismically upgrades crucial portions of the Hetch Hetchy Regional Water System. The program consists of 87 projects (35 local projects located within San Francisco and 52 regional projects) spread over seven counties from the Sierra foothills to San Francisco. The San Francisco portion of the program is 100 percent complete as of October 2020. The Regional portion is approximately 99 percent complete. The current forecasted date to complete the overall WSIP is May 2023. Additional information on the WSIP is provided in Chapter 7 of MPMW's 2020 UWMP.



## Willow Village Project Water Supply Assessment



projects would take 10 to 30 years to implement and the exact amount of water that can be reasonably developed is currently unknown.

As with traditional infrastructure projects, there is a need to progress systematically from planning to environmental review, and then on to detailed design, permitting and construction of these alternative water supply projects. Given the complexity and inherent challenges, these projects will require a long lead time to develop and implement. SFPUC staff have developed an approach and timeline to substantially complete planning and initiate environmental review by July 2023 for a majority of the alternative water supply projects under consideration.

Additional information on the AWSP is provided in Chapter 7 of MPMW’s 2020 UWMP.

### 7.2 MPMW Water Supply Reliability

In the MPMW 2020 UWMP, projected normal year supplies are shown to be adequate to satisfy MPMW’s projected normal year demands. However, in the MPMW 2020 UWMP, and this WSA, MPMW’s purchased supplies from the SFPUC RWS assume dry year supply reductions as a result of the implementation of the Bay-Delta Plan Amendment, which significantly reduces dry year allocations for SFPUC wholesale customers. Recycled water is estimated to be available during all hydrologic years at a volume that meets MPMW’s projected recycled water demands.

Table 7-2 shows MPMW’s projected supplies during normal, single dry and multiple dry years through 2040 based on the assumptions in the MPMW 2020 UWMP which assumes implementation of the Bay-Delta Plan Amendment. Based on the SFPUC’s analysis, similar water supply quantities would be available to MPMW in 2045 under the various hydrologic conditions.<sup>9</sup>

Hydrologic Condition	Projected Water Supply, MG <sup>(a)</sup>			
	2025	2030	2035	2040
Normal Year <sup>(b)</sup>	1,678	1,750	1,750	1,750
Single Dry Year <sup>(c)</sup>	877	978	1,018	1,062
Multiple Dry Years – Year 1 <sup>(d)</sup>	877	978	1,018	1,062
Multiple Dry Years – Year 2 <sup>(d)</sup>	760	854	887	827
Multiple Dry Years – Year 3 <sup>(d)</sup>	760	854	887	827
Multiple Dry Years – Year 4 <sup>(d)</sup>	760	854	887	827
Multiple Dry Years – Year 5 <sup>(d)</sup>	760	854	824	827

(a) Includes projected potable water supply from the SFPUC RWS and projected recycled water supply (48 MG/yr in 2025 and 120 MG/yr for 2030 to 2040) (see Table 6-1).  
 (b) Source: MPMW 2020 UWMP, Table 7-4.  
 (c) Source: MPMW 2020 UWMP, Table 7-5.  
 (d) Source: MPMW 2020 UWMP, Table 7-6

<sup>9</sup> BAWSCA Drought Allocation Tables by Agency (Table K: Individual Agency Drought Allocations, Base Year 2045, With Bay-Delta Plan), dated April 1, 2021.



## Willow Village Project Water Supply Assessment

The water supply estimates provided in Table 7-2 use the best available data at the time of the MPMW 2020 UWMP, but do not account for the following factors:

- Potential changes to the implementation of the Bay-Delta Plan Amendment as discussed in Section 7.1.1 of this WSA
- Climate change impacts on the SFPUC RWS
- Potential delays in completion of the WSIP<sup>10</sup>

For comparison purposes, the SFPUC 2020 UWMP also evaluated a scenario without implementation of the Bay-Delta Plan Amendment. Table 7-3 shows MPMW’s projected supplies during normal, single dry and multiple dry years for 2025 through 2040 assuming that the Bay-Delta Plan Amendment is not implemented. SFPUC’s analysis indicated that it would be able to meet 100 percent of the wholesale projected purchases during all year types through 2045 except during the fourth and fifth consecutive dry years for base year 2045 when a 16.5 percent supply shortfall is projected for MPMW (note that 2045 supplies are not shown in Table 7-3 as they were not shown in MPMW’s 2020 UWMP).

As required under SB 610, in light of these identified water supply shortages, Section 8 of this WSA describes MPMW’s proposals for reducing water demands and developing additional water supplies, including measures that are being undertaken to acquire and develop those water supplies.

Hydrologic Condition	Projected Water Supply, MG <sup>(a)</sup>			
	2025	2030	2035	2040
Normal Year <sup>(b)</sup>	1,678	1,750	1,750	1,750
Single Dry Year <sup>(c)</sup>	1,344	1,465	1,530	1,603
Multiple Dry Years – Year 1 <sup>(c)</sup>	1,344	1,465	1,530	1,603
Multiple Dry Years – Year 2 <sup>(c)</sup>	1,344	1,465	1,530	1,603
Multiple Dry Years – Year 3 <sup>(c)</sup>	1,344	1,465	1,530	1,603
Multiple Dry Years – Year 4 <sup>(c,d)</sup>	1,344	1,465	1,530	1,603
Multiple Dry Years – Year 5 <sup>(c,d)</sup>	1,344	1,465	1,530	1,603

(a) Includes projected potable water supply from the SFPUC RWS (based on projected purchases) and projected recycled water supply (48 MG/yr in 2025 and 120 MG/yr for 2030 to 2040) (see Table 6-1).

(b) Source: MPMW 2020 UWMP, Table 7-4.

(c) Source: BAWSCA Drought Allocation Tables by Agency (Table A: Wholesale RWS Actual Purchases in 2020 and Projected Purchases for 2025, 2030, 2035, 2040 and 2045), dated April 1, 2021. Totals include projected recycled water supply.

(d) A 16.5 percent reduction in supply from the SFPUC RWS is projected for MPMW in the fourth and fifth years of a multiple dry year drought, but not until 2045 (BAWSCA Drought Allocation Tables by Agency (Table O2: Individual Agency Drought Allocations, Base Year 2045, Without Bay-Delta Plan), dated April 1, 2021).

<sup>10</sup> The San Francisco portion of the WSIP is 100 percent complete as of October 2020. The Regional portion of the WSIP is approximately 99 percent complete. The current forecasted date to complete the overall WSIP is May 2023.



## Willow Village Project Water Supply Assessment

### 8.0 DETERMINATION OF WATER SUPPLY SUFFICIENCY BASED ON THE REQUIREMENTS OF SB 610

*10910(c)(4) If the city or county is required to comply with this part pursuant to subdivision (b), the water supply assessment for the project shall include a discussion with regard to whether the total projected water supplies, determined to be available by the city or county for the project during normal, single dry, and multiple dry water years during a 20-year projection, will meet the projected water demand associated with the proposed project, in addition to existing and planned future uses, including agricultural and manufacturing uses.*

*10911 (a) If, as a result of its assessment, the public water system concludes that its water supplies are, or will be, insufficient, the public water system shall provide to the city or county its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies.*

Because of the uncertainties surrounding the implementation of the Bay-Delta Plan Amendment, this WSA presents findings for two scenarios, one assuming the Bay-Delta Plan Amendment is implemented and one assuming that the Bay-Delta Plan Amendment is not implemented.

Table 8-1 summarizes the scenario where it is assumed the Bay-Delta Plan Amendment is implemented. Under this scenario, the total projected water supplies determined to be available for the Proposed Project in normal years will meet the projected water demand associated with the Proposed Project, in addition to MPMW's existing and planned future uses, through 2040. However, with the implementation of the Bay-Delta Plan Amendment, significant supply shortfalls are projected in dry years for agencies that receive water supplies from the SFPUC RWS, as well as other agencies whose water supplies would be affected by the Amendment. For MPMW, supply shortfalls are projected in single dry years (ranging from 27 to 32 percent) and in multiple dry years (ranging from 27 to 44 percent) through 2040. Based on SFPUC's analysis, similar supply shortfalls would occur through 2045.

If supply shortfalls do occur, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions by implementation of its WSCP.<sup>11</sup> The projected single dry year shortfalls would require implementation of Stage 3 or 4 of the MPMW WSCP, and the projected multiple dry year shortfalls would require implementation of Stage 3, 4 or 5 of the MPMW WSCP.

As described in Section 7.1.3 of this WSA, the SFPUC is implementing an Alternative Water Supply Planning Program to investigate and plan for new water supplies to address future long-term water supply reliability challenges and vulnerabilities on the RWS. Also, as described in Section 6.3.2 of this WSA, MPMW is implementing an Emergency Water Storage/Supply Project to provide a backup water supply to MPMW's Lower Zone. However, because these potential additional supplies are still being developed, they are not included in Table 8-1.

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<sup>11</sup> A main focus of MPMW's planned demand reduction measures is to increase public outreach and keep customers informed of the water shortage emergency and actions they can take to reduce consumption. The City will utilize its emergency supply well(s) as supply augmentation during WSCP Stages 5 and 6. Other actions that the City will take will include coordination with other agencies, implementing drought surcharge, increasing water waste patrols, etc. Additional information on MPMW's WSCP is provided in Chapter 8 of MPMW's 2020 UWMP.

## Willow Village Project Water Supply Assessment



**Table 8-1. MPMW Summary of Water Demand Versus Supply with Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years**

Hydrologic Condition	Supply and Demand Comparison, MG				
	2025	2030	2035	2040	
<b>Normal Year</b>					
Available Water Supply <sup>(a)</sup>	1,678	1,750	1,750	1,750	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	382	405	340	267	
Percent Shortfall of Demand	-	-	-	-	
<b>Single Dry Year</b>					
Available Water Supply <sup>(c)</sup>	877	978	1,018	1,062	
Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	(419)	(367)	(392)	(421)	
Percent Shortfall of Demand	32%	27%	28%	28%	
<b>Multiple Dry Years</b>					
Multiple-Dry Year 1	Available Water Supply <sup>(c)</sup>	877	978	1,018	1,062
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(419)	(367)	(392)	(421)
	Percent Shortfall of Demand	32%	27%	28%	28%
Multiple-Dry Year 2	Available Water Supply <sup>(c)</sup>	760	854	887	827
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(656)
	Percent Shortfall of Demand	41%	37%	37%	44%
Multiple-Dry Year 3	Available Water Supply <sup>(c)</sup>	760	854	887	827
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(656)
	Percent Shortfall of Demand	41%	37%	37%	44%
Multiple-Dry Year 4	Available Water Supply <sup>(c)</sup>	760	854	887	827
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(656)
	Percent Shortfall of Demand	41%	37%	37%	44%
Multiple-Dry Year 5	Available Water Supply <sup>(c)</sup>	760	854	824	827
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(586)	(656)
	Percent Shortfall of Demand	41%	37%	42%	44%
(a) From Table 6-1 of this WSA. (b) From Table 5-2 of this WSA. (c) From Table 7-2 of this WSA. (d) From Table 5-3 of this WSA.					



## Willow Village Project Water Supply Assessment

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Table 8-2 summarizes the scenario where it is assumed the Bay-Delta Plan Amendment is not implemented. Under this scenario, the total projected water supplies determined to be available for the Proposed Project in normal years, single dry years and multiple dry years will meet the projected water demand associated with the Proposed Project, in addition to MPMW's existing and planned future uses through 2040. As described in Section 7.2 of this WSA, based on SFPUC's analysis, a 16.5 percent supply shortfall is projected during the fourth and fifth consecutive dry years for base year 2045 (note that 2045 supplies and demands are not shown in Table 8-2 as they were not shown in MPMW's 2020 UWMP). These projected supply shortfalls are significantly less than the projected supply shortfalls if the Bay-Delta Plan Amendment is implemented.

If supply shortfalls do occur, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions by implementation of its WSCP.<sup>12</sup> The projected multiple dry year shortfalls in 2045 would require implementation of Stage 2 of the MPMW WSCP.

The water demand associated with buildout of ConnectMenlo, which includes the Proposed Project, is included in the MPMW water demand projections in its 2020 UWMP, and the Proposed Project would be subject to the same water conservation and water use restrictions as other water users within the MPMW system.

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<sup>12</sup> A main focus of MPMW's planned demand reduction measures is to increase public outreach and keep customers informed of the water shortage emergency and actions they can take to reduce consumption. The City will utilize its emergency supply well(s) as supply augmentation during WSCP Stages 5 and 6. Other actions that the City will take will include coordination with other agencies, implementing drought surcharge, increasing water waste patrols, etc. Additional information on MPMW's WSCP is provided in Chapter 8 of MPMW's 2020 UWMP.

## Willow Village Project Water Supply Assessment



**Table 8-2. MPMW Summary of Water Demand Versus Supply without Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years**

Hydrologic Condition	Supply and Demand Comparison, MG				
	2025	2030	2035	2040	
<b>Normal Year</b>					
Available Water Supply <sup>(a)</sup>	1,678	1,750	1,750	1,750	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	382	405	340	267	
Percent Shortfall of Demand	-	-	-	-	
<b>Single Dry Year</b>					
Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603	
Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	48	120	120	120	
Percent Shortfall of Demand	-	-	-	-	
<b>Multiple Dry Years</b>					
Multiple-Dry Year 1	Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 2	Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 3	Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 4	Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 5	Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
(a) From Table 6-1 of this WSA. (b) From Table 5-2 of this WSA. (c) From Table 7-3 of this WSA. (d) From Table 5-3 of this WSA.					



## Willow Village Project Water Supply Assessment

### 9.0 VERIFICATION OF WATER SUPPLY SUFFICIENCY BASED ON THE REQUIREMENTS OF SB 221

The Proposed Project, with up to 1,730 residential dwelling units, is also subject to the requirements of SB 221 (Government Code section 66473.7). SB 221 applies to residential development projects of more than 500 dwelling units (such as the Proposed Project) and requires that the water supplier (MPMW) provide a written verification that the water supply for the Proposed Project is sufficient.

Verification must demonstrate supply sufficiency by showing that water supplies available during Normal, Single Dry and Multiple Dry years within a projected 20-year period will meet the projected demand associated with the Proposed Project, in addition to existing and planned future uses, including, but not limited to, agriculture and industrial uses. Per the requirements of SB 221, the following must be considered:

- Historical water deliveries for the previous 20 years
- Urban water shortage contingency analysis prepared for the UWMP
- Supply reduction for specific water use sectors
- Amount of water expected from specified supply projects

The specific considerations to be evaluated for the SB 221 verification are described below and reference applicable sections of the MPMW 2020 UWMP and this WSA.

#### 9.1 Historical Water Deliveries

MPMW’s water supplies are described in Section 6 of this WSA and Chapter 6 of the MPMW 2020 UWMP. Table 9-1 presents MPMW’s historical use of these supplies over the past 20 years. The use of these supplies will continue into the future with increasing recycled water usage, as described in Section 6 of this WSA.

Water Source	Historical Water Supply, MG				
	2000	2005	2010	2015	2020
Potable Water Purchased Water from the SFPUC RWS	1,354 <sup>(a)</sup>	1,268 <sup>(b)</sup>	1,052 <sup>(c)</sup>	883 <sup>(c)</sup>	1,069 <sup>(c)</sup>
Recycled Water Purchased from WBSD	--	--	--	--	20 <sup>(d)</sup>
<b>Total</b>	<b>1,354</b>	<b>1,268</b>	<b>1,052</b>	<b>883</b>	<b>1,089</b>

(a) MPMW 2015 UWMP, Appendix E, Table 4  
 (b) MPMW 2015 UWMP, Table 3-1.  
 (c) MPMW 2020 UWMP, Table 4-2.  
 (d) MPMW 2020 UWMP, Table 4-7.

Water supply availability and reliability during Normal, Single Dry and Multiple Dry years is described in Section 7 of this WSA.





## Willow Village Project Water Supply Assessment

### 9.2 Projected Water Demand by Customer Sector

Projected potable and recycled water demands in the MPMW service area are described in Section 5.2 of this WSA based on information provided in Chapter 4 of MPMW’s 2020 UWMP. Projected potable water demand by customer sector within MPMW’s service area is documented in the MPMW’s 2020 UWMP (Chapter 4) and is summarized in Table 9-2.

Water Use Type	Water Demand, MG				
	2020 (Actual) <sup>(a)</sup>	2025 <sup>(b)</sup>	2030 <sup>(b)</sup>	2035 <sup>(b)</sup>	2040 <sup>(b)</sup>
Single Family	361	306	299	293	288
Multi-Family	113	158	176	203	230
Commercial	203	346	345	373	401
Industrial	140	134	122	112	102
Institutional/ Governmental	98	98	105	115	126
Landscape	139	95	61	71	85
Losses	12	110	116	122	128
Other Potable	3	1	1	1	2
<b>Total</b>	<b>1,069</b>	<b>1,248</b>	<b>1,225</b>	<b>1,290</b>	<b>1,362</b>

(a) MPMW 2020 UWMP, Table 4-1.  
(b) MPMW 2020 UWMP, Table 4-6.

As described in Section 2.2 of this WSA, the water demand for the Proposed Project is included in the MPMW 2020 UWMP under the approved ConnectMenlo development limit. The projected potable water demand for the Proposed Project will be reduced through the use of recycled water supplies to meet the non-potable water demands for the Proposed Project.

### 9.3 Water Shortage Contingency Analysis

Chapter 8 and Appendix J of the MPMW 2020 UWMP provide a Water Shortage Contingency Plan to address situations when catastrophic water supply interruptions occur due to regional power outage, earthquake, or other disasters; and when drought occurs. The primary objective of the WSCP is to ensure that MPMW has adequate resources and management responses needed to protect health and human safety, minimize economic disruption, and preserve environmental and community assets during a water supply shortage or interruption. The plan is based on Menlo Park Municipal Code Section 7.35, requiring water rationing and conservation and granting MPMW the authority to enforce penalties.

The MPMW 2020 WSCP builds upon the WSCP established in 2015, including additional provisions required by California Water Code. On an annual basis, MPMW in coordination with BAWSCA will evaluate water supply information provided by SFPUC or BAWSCA to determine if a water shortage exists, as well as the severity of a particular water shortage. In response to water use reductions required by SFPUC or another governing body, City Council may declare a water shortage. The MPMW 2020 WSCP defines six water shortage stages ranging from 10 percent to greater than 50 percent water shortage, in addition to





## **Willow Village Project Water Supply Assessment**

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water waste prohibitions that are in effect at all times. MPMW monitors water use in its service area through monthly meter readings, which allows high water use to be identified and resolved during a water shortage. In addition, MPMW plans to install advanced metering infrastructure over the next two fiscal years to provide automated real-time water use data, and allow MPMW to aggressively target leaks and high water use.

If an emergency or drought condition were to occur that requires MPMW to implement its WSCP, all MPMW customers, including those within the Proposed Project, would be subject to the same water conservation and water use restrictions included in the 2020 WSCP.

### **9.4 Verification of Sufficient Water Supply**

As described in Section 8 of this WSA, the sufficiency of supplies to meet the Proposed Project demands depends on the assumed reliability of the SFPUC RWS supplies, which depends on the assumed implementation of the Bay-Delta Plan Amendment. If it is assumed the Bay-Delta Plan Amendment is implemented, projected supplies during normal years are sufficient to meet the Proposed Project demands, but significant supply shortfalls are projected in dry years for agencies that receive water supplies from the SFPUC RWS, as well as other agencies whose water supplies would be affected by the Amendment. For MPMW, supply shortfalls are projected in single dry years (ranging from 27 to 32 percent) and in multiple dry years (ranging from 27 to 44 percent) through 2040, with similar findings through 2045 based on SFPUC's analysis. If it is assumed the Bay-Delta Plan Amendment is not implemented, projected supplies during normal years, single dry years and multiple dry years are sufficient to meet the Proposed Project demands through 2040; a 16.5 percent supply shortfall is projected during the fourth and fifth consecutive dry years for base year 2045 based on SFPUC's analysis.

As described in Section 8 of this WSA, if supply shortfalls occur, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions by implementation of its WSCP. Under the scenario which assumes the Bay-Delta Plan Amendment is implemented, the projected single dry year and multiple dry year shortfalls would require implementation of Stages 3, 4 or 5 of the MPMW WSCP. Under the scenario which assumes the Bay-Delta Plan Amendment is not implemented, the projected multiple dry year shortfalls in 2045 would require implementation of Stage 2 of the MPMW WSCP. The Proposed Project would be subject to the same water conservation and water use restrictions as other water users within the MPMW system.



## Willow Village Project Water Supply Assessment

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### 10.0 WATER SUPPLY ASSESSMENT APPROVAL PROCESS

*10910 (g)(1) Subject to paragraph (2), the governing body of each public water system shall submit the assessment to the city or county not later than 90 days from the date on which the request was received. The governing body of each public water system, or the city or county if either is required to comply with this act pursuant to subdivision (b), shall approve the assessment prepared pursuant to this section at a regular or special meeting.*

The Menlo Park City Council must approve this WSA at a regular or special meeting. This WSA will be included in the Draft EIR being prepared for the Proposed Project.



## Willow Village Project Water Supply Assessment

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### 11.0 REFERENCES

- Bay Area Water Supply and Conservation Agency, 2021. Drought Allocation Tables by Agency. April 1, 2021.
- City of Menlo Park. City Municipal Code Chapters 16.43 O Office District and 16.45 R-MU Residential Mixed Use District.
- Erler & Kalinowski, Inc., 2016a. *Water Supply Evaluation Study, ConnectMenlo – General Plan and M-2 Area Zoning Update, Menlo Park, California*. Prepared for City of Menlo Park. February 2016.
- Erler & Kalinowski, Inc. 2016b. *2015 Urban Water Management Plan for Menlo Park Municipal Water District*. June 2016.
- EKI Environment and Water, Inc. 2021. *2020 Urban Water Management Plan for Menlo Park Municipal Water District*. June 2021.
- Freyer & Laureta, Inc. 2022. *Willow Village Project Water Demand, Alternative Water Source Assessment and Water Modeling Memorandum*. January 2022.
- Peninsula Innovation Partners, 2021. Willow Village Master Plan Conditional Development Permit Exhibits. December 2021.
- PlaceWorks. 2016. *ConnectMenlo Draft Environmental Impact Report*. General Plan Land Use & Circulation Elements and M-2 Area Zoning Update. June 2016
- San Francisco Public Utilities Commission. 2019. *Water Supply Reliability Information for BAWSCA Member Agencies' Water Supply Assessments*. July 2019.
- San Francisco Public Utilities Commission. 2021. *2020 Urban Water Management Plan for the City and County of San Francisco*. June 2021.
- San Francisco Public Utilities Commission. 2021. Memorandum regarding Regional Water System Supply Reliability and UWMP 2020. June 2, 2021.
- Winzler & Kelly. 2014. *City of Menlo Park Final 2010 Urban Water Management Plan and Update to the Water Shortage Contingency Plan*. Originally published June 2011 and amended November 2014.

## Appendix A

# Willow Village Project Water Demand, Alternative Water Source Assessment and Modeling Memorandum (January 2022)



## TECHNICAL MEMORANDUM

January 27, 2022

To: Eric Harrison  
Senior Vice President  
Signature Development Group

From: Richard Laureta, PE

RE: Willow Village Project Water Demand, Alternative Water Source Assessment,  
and Water Modelling Memorandum

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### BACKGROUND

This memorandum presents how the subject project is meeting the City's Water Use Budget Guidelines for New Developments in the Office, Life Sciences and Residential Mixed-Use Zoning Districts as described in Sections 16.43.140 and 16.45.130 "Green and sustainable building" of the Municipal Code. The anticipated water consumption for the proposed development has been developed using industry-standard literature references, information from similar, mixed-use developments and from applicable building certification programs, such as USGBC's LEED framework and the CALGreen code. While water use by parcel and by program are provided herein, our understanding is that the City will take a comprehensive look at the water budget across all parcels and programs. The data presented in the Technical Memorandum includes data for the baseline project and updated values for an increase of 200 residential units to the baseline project. This Technical Memorandum also presents the estimated percent savings the total Water Demand for the project will benefit from with the use of recycled water for non-potable uses, for both the baseline and 200-unit variant scenarios.

Also attached to this Technical Memorandum as Appendices are the Water Use Budget per Parcel for both the baseline and 200-unit variant scenarios, and the Water Flow Rate Criteria for Water System Modelling Technical Memorandum.

The Project team is available to meet and discuss this information with the City staff and their consultants should any questions arise or should any additional information be required. Thank you for the opportunity to present this information to the City of Menlo Park.

## **WATER USE BUDGET**

The Willow Village Project exceeds 250,000 square feet in gross floor area and thus must submit a proposed water budget with accompanying calculations, per Section 16.43.140.3.C and 16.45.130.3.C of the Municipal code. The water budget accounts for the potable water demand reduction resulting from the use of an alternative water source for all City-approved non-potable applications. Table 1 below presents a summary of the Baseline Project water use budget. Please refer to the accompanying Microsoft Excel spreadsheet document titled “Willow Village Water Use Budget baseline” for the supporting calculations for Table 1. Table 2 below presents a summary of the Project EIR Increased Residential Density Variant. Please refer to the accompanying Microsoft Excel spreadsheet document titled “Willow Village Water Use Budget residential 200-unit variant” for the supporting calculations for Table 2.

### Indoor Water Demands

Water budget calculations are presented in terms of building use (program) for non-residential and residential mixed-use spaces. Occupancy information was either provided by the Project architects or is based off Table 1004.5 Occupant Load in the 2019 California Building Code (CBC). Fixture demands are developed based on 2019 CALGreen fixture flow rates and LEED frequency of fixture use and duration times. Note that water demand factors from literature were used for some retail programs (grocery and food and beverage) to better represent water demands for these water-intense retail spaces. Refer to “Indoor” tab in the attached spreadsheet for the unit demands and estimated water demands.

Cooling demands are presented for the two programs that will be met with water-based cooling: office buildings and event space. Monthly water use demands are calculated using the variance in mean monthly temperature for Menlo Park. Refer to “Cooling” tab in the attached spreadsheet for cooling demands for these two spaces.

### Outdoor Water Demands

Planning level irrigation demands are calculated in accordance with Menlo Park Municipal Code Chapter 12.44 Water-Efficient Landscaping Ordinance. Evapotranspiration data was found in the CIMIS Reference Evapotranspiration Zone Map, Department of Water Resources, 1999. Per Section 12.44.030.xxx, areas irrigated with recycled water are deemed a “Special landscape area (SLA)”. Section 12.44.030.s states that special landscape areas shall not exceed an ET adjustment factor (ETAF) value of 1.0. As outlined in a following section of this memo, an alternate water supply is expected for this project and thus an ETAF of 1.0 was used in the calculations. Refer to the “Irrigation” tab in the previously described spreadsheets for these planning level demands.

### Water Losses

It is anticipated that some water losses would occur on-site through the distribution system and fixtures. For example, leaky fixtures, pipe connections, broken sprinkler heads and taps unintentionally left running can be sources of unplanned water use. The Project team has included a 10% leakage factor in each water demand to adequately account for these scenarios. As a nearby jurisdictional precedent, this buffer aligns with values used by the SFPUC potable water allocation program.

**Table 1 Water Use Budget Summary – Baseline Project**

<b>TOTAL DEMANDS</b>					
<b>Month</b>	<b>Demand (Mgal/month)</b>				
	<b>Indoor Potable</b>	<b>Toilet Flushing</b>	<b>Irrigation</b>	<b>Cooling</b>	<b>Total</b>
January	8.30	1.80	1.02	0.20	11.32
February	7.49	1.62	1.23	0.24	10.58
March	8.30	1.80	1.87	0.62	12.59
April	8.03	1.74	2.63	0.59	12.99
May	8.30	1.80	3.06	0.92	14.08
June	8.03	1.74	3.45	1.10	14.32
July	8.30	1.80	3.57	1.11	14.77
August	8.30	1.80	3.40	1.39	14.88
September	8.03	1.74	2.63	1.00	13.40
October	8.30	1.80	2.04	0.94	13.07
November	8.03	1.74	1.32	0.43	11.52
December	8.30	1.80	1.02	0.26	11.37
<b>Annual</b>	<b>97.67</b>	<b>21.17</b>	<b>27.24</b>	<b>8.80</b>	<b>154.89</b>

**Table 2 Water Use Budget Summary – Increase Residential Density Variant**

<b>TOTAL DEMANDS</b>					
<b>Month</b>	<b>Demand (Mgal/month)</b>				
	<b>Indoor Potable</b>	<b>Toilet Flushing</b>	<b>Irrigation</b>	<b>Cooling</b>	<b>Total</b>
January	8.79	1.88	1.02	0.20	11.90
February	7.94	1.70	1.23	0.24	11.11
March	8.79	1.88	1.87	0.62	13.17
April	8.51	1.82	2.63	0.59	13.55
May	8.79	1.88	3.06	0.92	14.66
June	8.51	1.82	3.45	1.10	14.89
July	8.79	1.88	3.57	1.11	15.35
August	8.79	1.88	3.40	1.39	15.47
September	8.51	1.82	2.63	1.00	13.96
October	8.79	1.88	2.04	0.94	13.65
November	8.51	1.82	1.32	0.43	12.08
December	8.79	1.88	1.02	0.26	11.96
<b>Annual</b>	<b>103.55</b>	<b>22.18</b>	<b>27.24</b>	<b>8.80</b>	<b>161.77</b>

## UNIT WATER DEMAND FACTORS

Water demand factors for similar, mixed-use projects are presented below for interior demands and seasonal demands (cooling demands and irrigation demands). It is our project team’s understanding that the WSA study will use these values to calculate water demands for the Project. The following sections describe the proposed water demand factors for each program area.

### Interior Demands

Table 3 presents water demands for each program per person and per area for ease of reference and includes the increased residential variant. Office, residential and hotel demands were developed by “building-up” an occupant’s daily water demand through fixture flow rates and expected frequency of use. These values were equated to water demand per area for comparison to the retail demands, available as gallon per building floor area in the literature. References are provided for each demand factor.

**TABLE 3: Interior demands and associated water demand factors (Increased Residential Variant)**

Program	Water Demand, MGY (excluding leakage factor)	Gross Floor Area (GFA, sq. ft.)	Occupancy (capita)	Water Demand Factors		Demand Breakdown		Reference
				gal/ca-d	gal/sf-d	Potable (%)	Non-Potable (%)	
Office	30.3	1,250,000	7,993	14.16	0.07	78	22	4
Event Space	1.6	350,000	320	13.7	0.01	78	22	4
Residential (per unit)	61.9	1,930	3,860	44.0	87.90	80	20	4
Hotel (per room)	6.6	193	444	40.7	93.56	85	15	1, 4
Grocery	1.9	36,500	-	-	0.14	73	27	5
Food and Beverage	6.4	23,000	441	39.9	0.77	73	27	1,2,3,4
Coworking / Office	0.2	6,000	92	6.2	0.10	51	49	4
Fitness	0.6	20,000	460	3.5	0.08	83	17	4
Pharmacy	0.1	14,000	268	1.1	0.02	43	57	2, 4
Cinema	0.2	20,000	383	1.1	0.02	43	57	2, 4
Bowling	0.2	20,000	383	1.1	0.02	43	57	2, 4
Parcels West of Willow								
Retail	0.2	11,339	247	1.98	0.04	44	56	4
Food Service	3.7	11,339	247	41.1	0.90	98	2	1,2,3,4
Service Station	0.5	5,500	120	10.8	0.24	8	92	
<b>TOTAL</b>	<b>114.3</b>							



References:

1. Pacific Institute, "Waste Not, Want Not: Appendix E", 2003
2. California Building Code 2019, Table 1004.5 Occupant Load
3. Crites & Tchobanoglous, "Small and Decentralized Wastewater Management Systems", Table 4-2
4. Build-up based on anticipated occupancy, CalGreen fixture flows and LEED frequency of use.
5. AWWA, "Commercial and Institutional End Uses of Water", 2000

**Office**

The proposed office demand factor of 14.16 gal/ca-d is based primarily on CalGreen fixture flow rates for offices and fixture frequency of use per LEED. Water demands for offices include restrooms and the occasional shower user. Additional amenities are planned as part of the proposed office program including onsite cafe and a private fitness center. The water use associated with these amenities has been estimated using data measured at similar facilities in operation. Water demand at the cafes is built up based on meals per person per day and gallons of water use per meal using these data. Water demand at the fitness center includes additional showering.

The projected average daily occupancy in the proposed offices is calculated at the annual level to account for weekends and holidays. Occupancy values anticipate that 100% of staff are present on weekdays and 15% of staff occupy the office buildings on weekends and holidays; an additional 15% of unseated, support staff are also included. The resulting occupancy factor is 73%, or about 268 days of the year when offices are at full occupancy. Accounting for this anticipated occupancy, the proposed demand factor is 0.07 gal/sf-d.

**Event Center**

Events of varying scales will be held at the proposed event center throughout the year, ranging from 100 to 5,000 occupants per event. It is estimated that the event center will host 55 events per year. The proposed demand factor is estimated by assuming those participating in events would use an equivalent amount of water per day to that of a full-time employee (restroom and food facilities). Over the course of a year, it is estimated that there will be 117,500 event attendees. The total annual water demand for the events center is divided across the 350,000 square feet of gross floor area to calculate a proposed water demand factor of 0.01 gal/sf-d.

**Residential**

The Project plan proposes 1,930 residential units and estimates an average of two occupants per unit. Using residential fixture flow rates from the 2019 CalGreen Building Standards Code, Section 4.303, a residential demand factor of 44.0 gal/ca-d was developed. This value aligns with published municipal values such as in San Francisco, where SFPUC reports residential water demand to be approximately 41 gal/ca-d.<sup>1</sup> Each residential unit is estimated to use 88.0 gal/d.

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<sup>1</sup> SFPUC Water Resources Report FY '16-'17: <https://sfwater.org/modules/showdocument.aspx?documentid=11472>

## Hotel

The Project proposes 193 hotel rooms and estimates an average of two occupants per room. It is assumed that there would be an additional 15% support staff. Similar to the residential demand factors, the hotel demand factor was built-up using CalGreen fixture flow rates for toilets, sinks and showers. CalGreen does not present values for commercial laundry in hotels nor demands for the hotel kitchen and icemakers. As such a demand factor for these additional demands was applied using another reference.<sup>2</sup> These sources yield a demand factor of 93.6 gallons per room per day.

## Retail and Commercial

Demands at retail and commercial spaces can vary depending on the type of establishment. Retail spaces are expected to have demands associated with restrooms for employees and transients (customers). Restaurants have a much higher water demand for activities including cooking, cleaning, and consumption.

Typical retail demands, which were applied to pharmacy, cinema, and bowling areas, were developed using CalGreen fixture flow rates and an expected customer load of 60 sf/ca based on the 2019 California Building Code (CBC), Table 1004.5. Transients demands are associated with using retail restroom facilities. Retail employees are estimated to be 15% of total customers and are expected to use the same amount of water as someone in an office building over the course of a day. This approach yields a demand factor of 0.02 gal/sf-d.

The American Water Works Association (AWWA) conducts a water submetering study periodically that provides demand factors for program types not available in other literature. The grocery store demand factor is taken from the most recent such study.<sup>3</sup>

The food and beverage unit demand factor is built up from a gallon per restaurant seat value. The CBC density for restaurants (60 sf/ca) was used to estimate that there would be 383 restaurant seats. Each seat serves 5 meals per day<sup>2</sup> and 9 gallons per meal.<sup>4</sup> Accounting for an additional 15% occupancy for employees yields a unit demand for restaurants of 0.77 gal/sf-d.

The public retail fitness water demands were built up using CalGreen fixture flow rates and an increased shower and laundry demand. Using a density of 50 sf/ca<sup>5</sup> and accounting for an additional 15% occupancy for employees yields a unit demand factor for fitness of 0.08 gal/sf-d.

Lastly, the coworking and office space is estimated to have the same core fixture demands as the campus office space, excluding cafe and fitness amenities. It is expected that the

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<sup>2</sup> 2000 Pacific Institute study "Commercial Water Use and Potential Savings: Appendix E"

<sup>3</sup> 2000 AWWA study "Commercial and Institutional End Uses of Water".

<sup>4</sup> Crites & Tchobanoglous, "Small and Decentralized Wastewater Management Systems", Table 4-2

<sup>5</sup> California Building Code 2019, Table 1004.5 Occupant Load

coworking and office space would have twice the density of the campus office and will use 0.10 gal/sf-d.

### Seasonal Demands

#### Cooling Demand

It is anticipated that retail and residential program areas will employ air-based cooling technologies; therefore, a water demand for mechanical cooling has not been assigned to those buildings. Water demands for cooling were estimated for the campus and event space only. Cooling technology selection has not been finalized and will impact these demands. Project mechanical engineers estimate that cooling demands for the campus space will range between 2.8-4.8 gal/sf-year and the event space will use 1.4 - 4.5 gal/sf-year. Conservatively using the high end of these ranges results in an annual demand of 8.0 MGY.

#### Irrigation Demand

There will be an estimated 18 acres of irrigated landscape within the Project area, including potential green roofs. Irrigated areas are outlined in Table 3. These are estimated values and are based on preliminary landscape concepts that will be further refined during the design process.

**TABLE 4: Planning level irrigated areas and potential annual irrigation demands**

Parcel	Area	Irrigated Area (gsf)	Irrigation Demands (gallons per year)	Notes
Parcels 2 – 7	Retail/Residential	292,000	9,043,000	Irrigated area is calculated as 50% of parcel area.
Parcel 1	Event Building	161,032	4,987,000	Includes 2.1-acre elevated park.
Parcel 1	Office Campus	103,623	3,209,000	
Parcels A & B	Park	169,884	5,261,000	Assume 100% of parcel is irrigated.
Parcels C, D, E	Private Street Medians	42,000	1,301,000	Assumes equivalent of 10% of parcel is street median and irrigated area.
Public ROW	Public ROW Street Medians	19,000	-	
<b>TOTAL IRRIGATED AREA</b>		768,539	23.8 MGY	
Parcels West of Willow		31,117	1.0 MGY	
<b>TOTAL</b>		799,656	24.8 MGY	

#### Water Losses

This water budgets presented in Tables 1 and 2 include a 10% leakage factor for water losses. It is anticipated that some water losses would occur on-site through leaky fixtures, pipe connections and taps unintentionally left running, for example.

## ALTERNATIVE WATER SOURCE ASSESSMENT

As previously noted, the proposed project exceeds 250,000 square feet of new construction, which under Section 16.43.140.3.E and 16.45.130.3.E of the Municipal code, requires an alternative water source assessment. Two scenarios to supply the project with recycled water for non-potable water uses have been contemplated:

- Scenario 1: Connect to a new off-site water reuse facility owned and operated by the West Bay Sanitary District (WBSD)
- Scenario 2: Construct on-site water reuse facilities (WRFs) to treat wastewater from the site

Under both scenarios, the proposed project with increased residential units would be able to achieve an approximate 36 percent reduction in potable water demand by serving nearly all of the non-potable water demands (including cooling, irrigation, and toilet flushing) with recycled water.

The Project Applicant is currently pursuing Scenario 1 in coordination with WBSD. WBSD has completed a feasibility study exploring the viability of a Resource Recovery Center at WBSD's former treatment plant behind Bedwell Bayfront Park, which could produce 500,000 gallons per day of recycled water for reuse. In a public/private partnership with Facebook (the Project Applicant), the WBSD Board of Directors spearheaded the effort to install 2,800 feet of purple recycled water pipe parallel with the sanitary sewer and storm drainpipe Facebook was replacing on Chilco Street. This pipe will be used to distribute recycled water in the area. Recycled water will be used for irrigation, industrial purposes, firefighting, public fill stations and toilet flushing in the Bayfront Area.

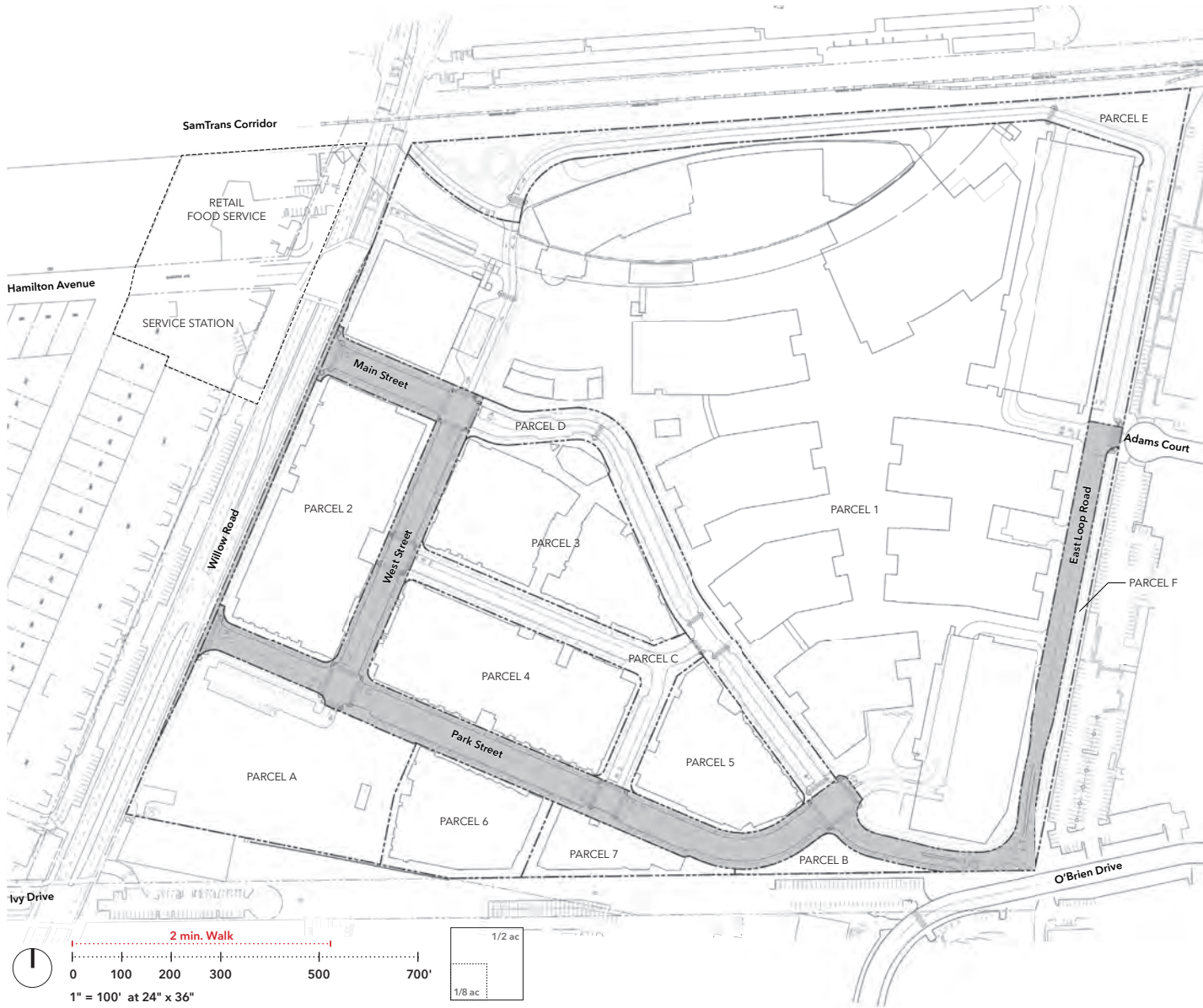
Table 5 below presents a summary of the reduction in potable water demand for both the baseline and 200-unit variant scenarios, by serving nearly all non-potable water demands with recycled water.

**TABLE 5: Percentage of Water Demand Savings**

<b>Development Scenario</b>	<b>Total Water Demand (Mgal/year)</b>	<b>Recycled Water Use (Mgal/year)</b>	<b>Reduction Percentage (%)</b>
Baseline	154.89	57.21	37
Baseline with 200 Unit Variant	161.77	58.22	36

## **APPEDIX A**

### **Water Use Budget per Parcel Baseline and Residential Unit Variant Scenarios**



<b>PARCEL BY PARCEL</b>						
<b>Land Use</b>	<b>Parcel</b>	<b>Demand (MGY)</b>				<b>Total</b>
		<b>Indoor Water Use</b>		<b>Irrigation</b>	<b>Cooling</b>	
		<b>Potable</b>	<b>NP</b>			
<u>Willow Village</u>						
Retail	Parcel 1	30.79	8.01	10.89	8.00	57.70
Park + Open Space	Parcel A	0.00	0.00	4.86	0.00	4.86
Park + Open Space	Parcel B	0.00	0.00	0.40	0.00	0.40
Roads	Parcel C	0.00	0.00	0.14	0.00	0.14
Retail + Residential	Parcel 2	11.50	2.24	1.54	0.00	15.27
Retail + Residential	Parcel 3	16.28	3.77	1.38	0.00	21.43
Residential	Parcel 4	11.24	1.92	1.27	0.00	14.43
Retail + Residential	Parcel 5	7.93	1.48	0.78	0.00	10.19
Residential	Parcel 6	4.55	0.78	0.72	0.00	6.04
Residential	Parcel 7	2.74	0.47	0.36	0.00	3.57
Roads	Public ROW	0.00	0.00	0.23	0.00	0.23
Roads	Parcel D	0.00	0.00	0.37	0.00	0.37
Roads	Parcel E	0.00	0.00	0.56	0.00	0.56
Park + Open Space	Parcel F	0.00	0.00	0.30	0.00	0.30
<b>Sub-Total Willow Village</b>		<b>85.04</b>	<b>18.65</b>	<b>23.80</b>	<b>8.00</b>	<b>135.49</b>
<u>Parcels West of Willow (proposed total)</u>						
Retail	871-883 Hamilton Ave.	0.08	0.10			
Food Service	and 1401 Willow Road	3.64	0.06	0.96	0.00	5.32
Service Station	1399 Willow Road	0.04	0.43			
<b>Sub-Total Parcels West of Willow</b>		<b>3.76</b>	<b>0.60</b>	<b>0.96</b>	<b>0.00</b>	<b>5.32</b>
Leakage Factor		10%	10%	10%	10%	10%
<b>TOTAL</b>		<b>97.67</b>	<b>21.17</b>	<b>27.24</b>	<b>8.80</b>	<b>154.89</b>

<b>PARCEL BY PARCEL</b>						
<b>Land Use</b>	<b>Parcel</b>	<b>Demand (MGY)</b>				<b>Total</b>
		<b>Indoor Water Use</b>		<b>Irrigation</b>	<b>Cooling</b>	
		<b>Potable</b>	<b>NP</b>			
<u>Willow Village</u>						
Retail	Parcel 1	30.79	8.01	10.89	8.00	57.70
Park + Open Space	Parcel A	0.00	0.00	4.86	0.00	4.86
Park + Open Space	Parcel B	0.00	0.00	0.40	0.00	0.40
Roads	Parcel C	0.00	0.00	0.14	0.00	0.14
Retail + Residential	Parcel 2	11.50	2.24	1.54	0.00	15.27
Retail + Residential	Parcel 3	16.28	3.77	1.38	0.00	21.43
Residential	Parcel 4	16.58	2.83	1.27	0.00	20.68
Retail + Residential	Parcel 5	7.93	1.48	0.78	0.00	10.19
Residential	Parcel 6	4.55	0.78	0.72	0.00	6.04
Residential	Parcel 7	2.74	0.47	0.36	0.00	3.57
Roads	Public ROW	0.00	0.00	0.23	0.00	0.23
Roads	Parcel D	0.00	0.00	0.37	0.00	0.37
Roads	Parcel E	0.00	0.00	0.56	0.00	0.56
Park + Open Space	Parcel F	0.00	0.00	0.30	0.00	0.30
<b>Sub-Total Willow Village</b>		<b>90.38</b>	<b>19.56</b>	<b>23.80</b>	<b>8.00</b>	<b>141.74</b>
<u>Parcels West of Willow (proposed total)</u>						
Retail	871-883 Hamilton Ave.	0.08	0.10			
Food Service	and 1401 Willow Road	3.64	0.06	0.96	0.00	5.32
Service Station	1399 Willow Road	0.04	0.43			
<b>Sub-Total Parcels West of Willow</b>		<b>3.76</b>	<b>0.60</b>	<b>0.96</b>	<b>0.00</b>	<b>5.32</b>
Leakage Factor		10%	10%	10%	10%	10%
<b>TOTAL</b>		<b>103.55</b>	<b>22.18</b>	<b>27.24</b>	<b>8.80</b>	<b>161.77</b>



## **APPEDIX B**

# **Water Flow Rate Criteria for Water System Modelling Technical Memorandum**

**WATER FLOW RATE CRITERIA  
FOR WATER SYSTEM MODELLING  
TECHNICAL MEMORANDUM**

**WILLOW VILLAGE**

**100% Submittal**

**January 27, 2022**

Prepared by:



## 1.0 Background

This Technical Memorandum provides criteria for water system modeling for the Willow Village Development. Willow Village has two development scenarios, a Baseline Scenario and a scenario that increases the Baseline Scenario by 200 residential units, referred to as the Residential Variant Scenario in this technical memorandum. The Baseline development scenario includes up to 1,730 multi-family residential dwelling units, up to 200,000 square feet of retail and non-office commercial uses, a hotel with up to 193 rooms, up to 1.6 million square feet of office and accessory space, consisting of up to 1.25 million square feet of office space and the balance (i.e., 350,000 square feet if office space is maximized) of accessory space in multiple buildings, and an approximately 3.5-acre public neighborhood park. The Residential Variant development scenario increase residential units to up to 1,930 multi-family residential dwelling units.

## 2.0 Criteria for Water Model

### Water Connections

There are four (4) connections to existing water mains proposed for the Willow Village water system, as shown in Figure 1.

### Domestic Water Demand

Water demands for each scenario is presented in the Willow Village Project Water Demand and Alternative Source Assessment Technical Memorandum dated January 26, 2022, and shown in Table 1 below.

**TABLE 5: Percentage of Water Demand Savings**

<b>Development Scenario</b>	<b>Total Water Demand (Mgal/year)</b>	<b>Potable Water Use (Mgal/year)</b>	<b>Recycled Water Use (Mgal/year)</b>
Baseline	154.89	97.68	57.21
Residential Variant	161.77	103.55	58.22

Projected potable water demand for the site is much less than the fire flow required for each building, and fire flow is typically the water demand volume used in system modeling. For this model, we recommend using the Fire Flow Demand for the system water model.

Fire Flow Demand

Specific building types are still being determined and hydrant spacing may be subject to change, however Fire Flow Demand is derived from the Menlo Fire Protection District Ordinance No. 45-2019, an Ordinance of the Menlo Park Fire Protection District Adopting the 2018 Edition of the International Fire Code with the 2018 California Fire Code and Local Amendments.

Table B105.2 from Ordinance No.45-2019 lists allowed fire flow reductions should sprinkler systems be installed. As shown in the table, the Ordinance allows for 50% reduction for sprinklered buildings.

<b>TABLE B105.2 REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE-AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOMES</b>		
<b>AUTOMATIC SPRINKLER SYSTEM (Design Standard)</b>	<b>MINIMUM FIRE FLOW (gallons per minute)</b>	<b>FLOW DURATION (hours)</b>
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the California Fire Code	50% of the value in Table B105.1(2) <sup>a</sup>	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2) <sup>b</sup>	Duration in Table B105.1(2) at the reduced flow rate
For SI: 1 gallon per minute = 3.785L/m a. The reduced fire flow shall not be less than 1,000 gallons per minute b. The reduced fire flow shall not be less than 1,500 gallons per minute		

Table B105.1(2) lists fire flow requirements in gallons per minute and flow duration required. For purposes of this modeling effort, the maximum flow rate in the Table is used, which is 8,000 gpm at 20 pounds per square inch (psi) with 4 hours of flow duration. Since buildings will be sprinkled, the flow rate value is reduced by 50%.

For modeling purposes to size the on-site water system, the flow rate per building should be 4,000 gpm at 20 psi at 4 hours of flow duration. As also shown in Table B105.2, reduced fire flow shall not be less than 1,500 gpm. For purposes of the model, 4,000 gpm fire flow demand is proposed to be modeled distributed across two fire hydrants closest to each building, using two hydrants at 2,000 gpm each. Fire hydrants are numbered and shown on Figure 1. Proposed fire flow distribution modeling is shown in Table 2.










### Recycled Water Demand

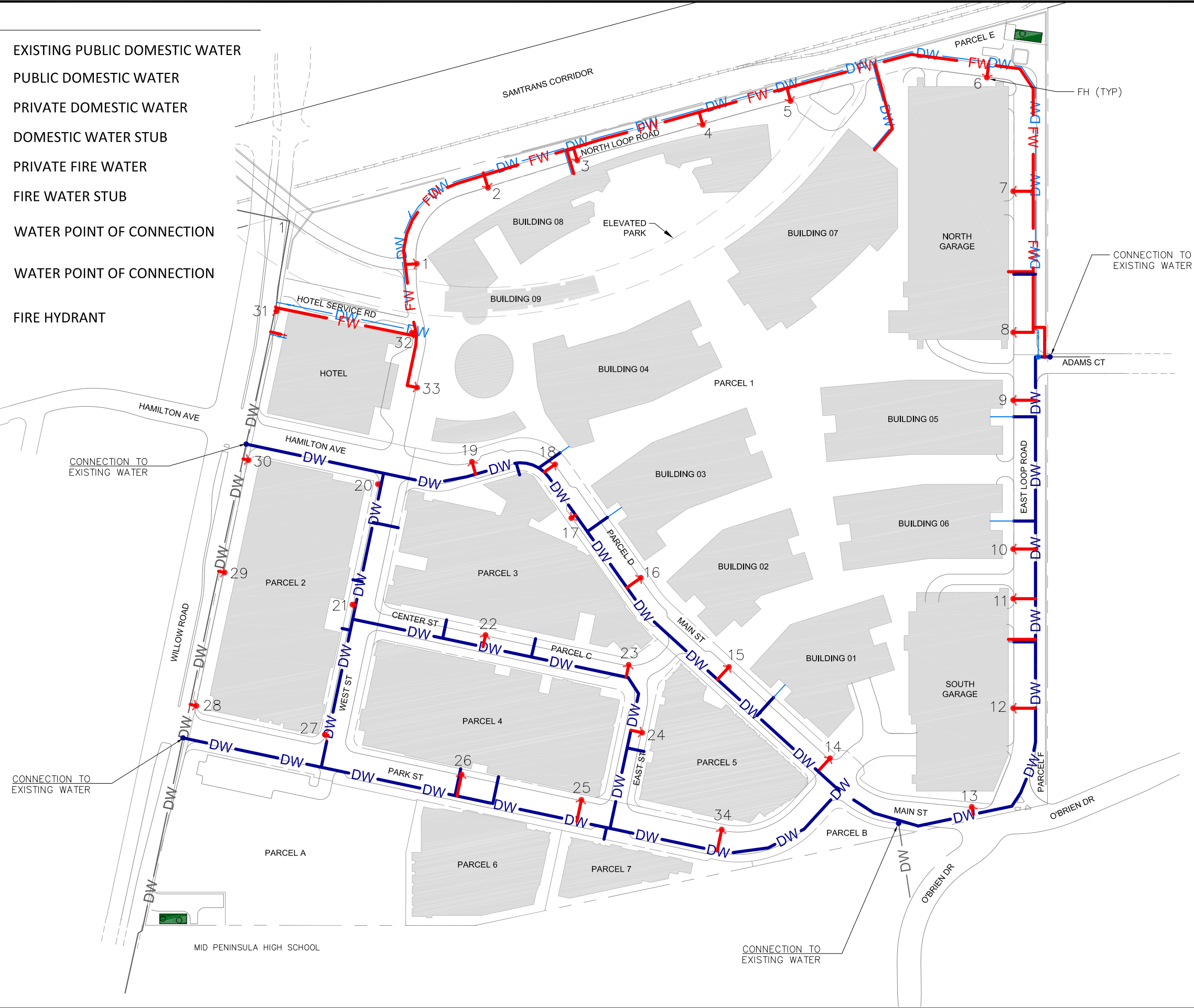
It is anticipated that recycled water will be used for a portion of the site including irrigation at the parks at Parcels A, B and the elevated park at Parcel 9. Potential sources of recycled water include an off-site water reuse facility, currently being actively pursued with the West Bay Sanitary District, or onsite water reuse facilities. Recycled water demands for the site include landscape irrigation, toilet fixture flushing and cooling applications for mechanical systems.

### Fire Flow Hydrant Tests

Fire flow tests have been on two existing hydrants on-site. The flow test results are included in this memo.

**LEGEND**

-  EXISTING PUBLIC DOMESTIC WATER
-  PUBLIC DOMESTIC WATER
-  PRIVATE DOMESTIC WATER
-  DOMESTIC WATER STUB
-  PRIVATE FIRE WATER
-  FIRE WATER STUB
-  WATER POINT OF CONNECTION
-  WATER POINT OF CONNECTION
-  FIRE HYDRANT



**FIGURE 1  
PROPOSED WATER SYSTEM**

**FREYER & LAURETA, INC.**  
 CIVIL ENGINEERS • SURVEYORS • CONSTRUCTION MANAGERS  
 144 North San Mateo Drive • San Mateo, CA 94401  
 (650)344-9901 • Fax (650)344-9920 • www.freyerlaureta.com

DATE:	11/27/22
SCALE:	AS SHOWN
DESIGNED:	IRP
DRAWN:	RJL
CHECKED:	LH
PROJ. ENGR:	



# Fire Flow Test Report

## City of Menlo Park - Fire Flow Test Data

Test Crew Names

Test Date

Press Zone

Test Hydrant Location

Hydrant No.

Static  PSI

Residual  PSI

Flow Hydrant #1 Location

Hydrant No.

Pitot  PSI

coefficient

Flow  GPM

Flow Hydrant #2 Location

Hydrant No.

Pitot

coefficient

Flow

Flow Hydrant #3 Location

Hydrant No.

Pitot

coefficient

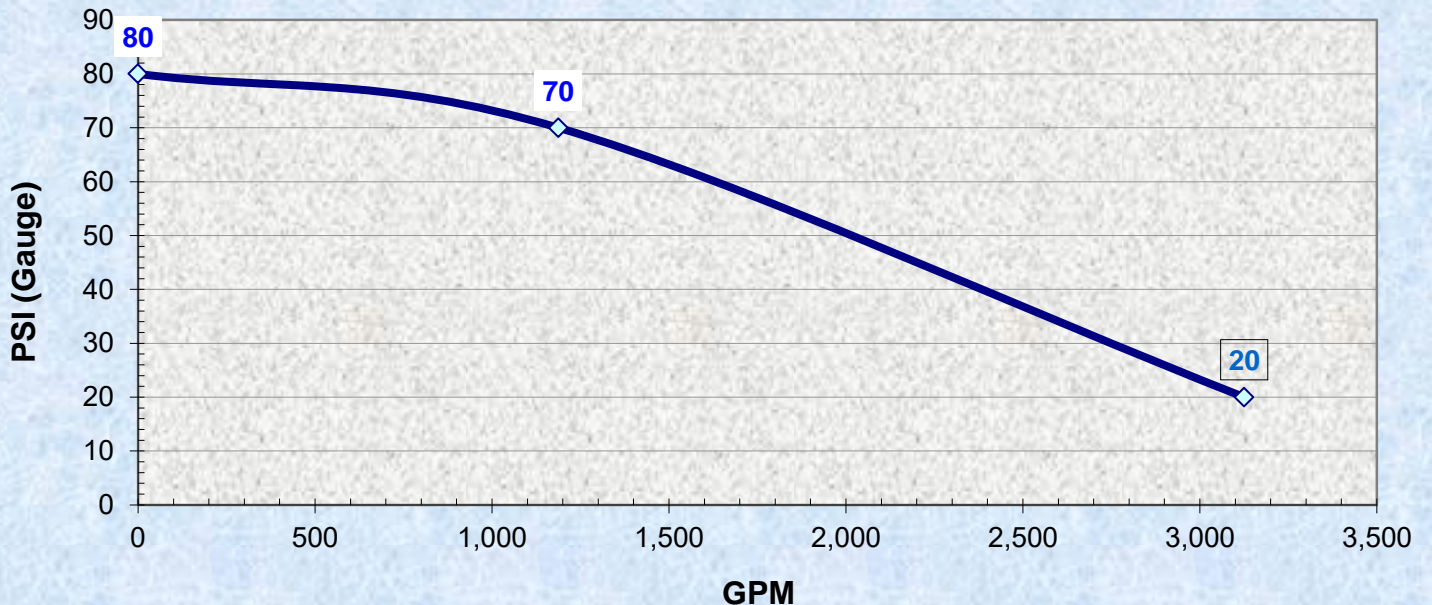
Flow

**Total Flow**  GPM

**Fire Flow Test Calculator**

**Calculated Flow @ 20 PSI**  GPM

## Hydrant Flow Curve





# Fire Flow Test Report

## City of Menlo Park - Fire Flow Test Data

Test Crew Names

Test Date

Press Zone

Test Hydrant Location

Hydrant No.

Static  PSI

Residual  PSI

Flow Hydrant #1 Location

Hydrant No.

Pitot  PSI

coefficient

Flow  GPM

Flow Hydrant #2 Location

Hydrant No.

Pitot

coefficient

Flow

Flow Hydrant #3 Location

Hydrant No.

Pitot

coefficient

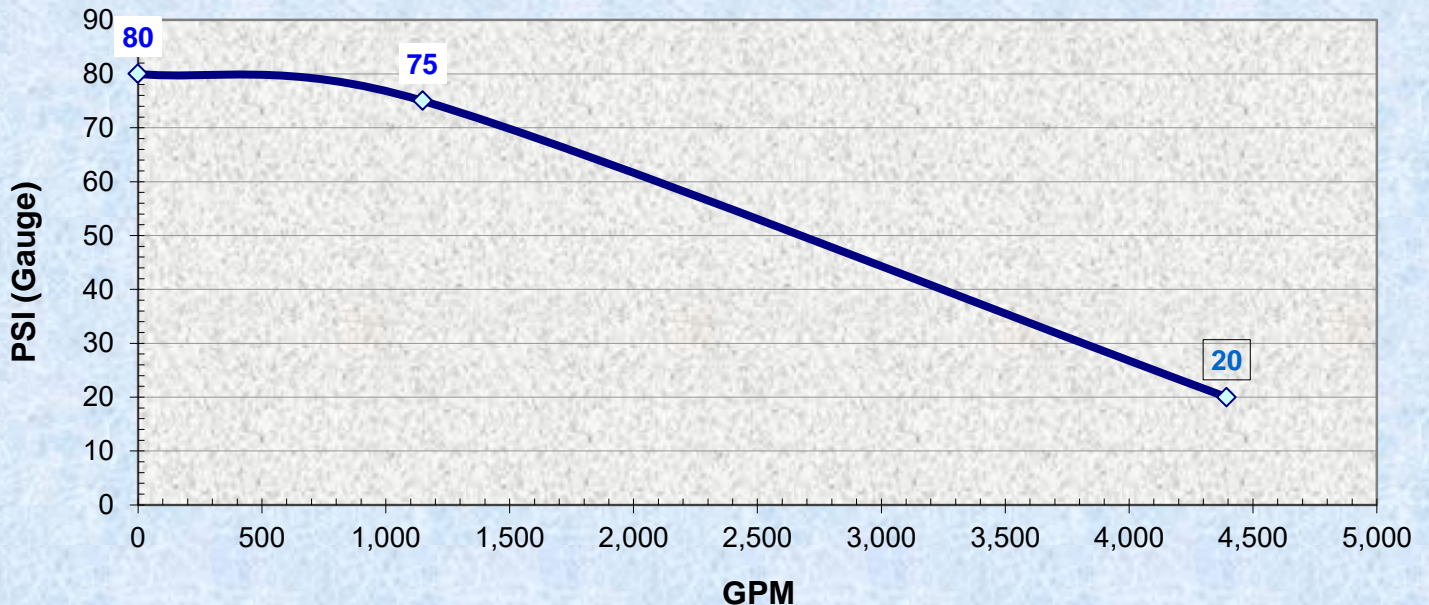
Flow

**Total Flow**  GPM

**Fire Flow Test Calculator**


**Calculated Flow @ 20 PSI**  GPM

## Hydrant Flow Curve



## Appendix B

# Regional Water System Supply Reliability and UWMP 2020 Memorandum (June 2021)

TO: SFPUC Wholesale Customers 

FROM: Steven R. Ritchie, Assistant General Manager, Water

DATE: June 2, 2021

RE: Regional Water System Supply Reliability and UWMP 2020

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This memo is in response to various comments from Wholesale Customers we have received regarding the reliability of the Regional Water System supply and San Francisco's 2020 Urban Water Management Plan (UWMP).

As you are all aware, the UWMP makes clear the potential effect of the amendments to the Bay-Delta Water Quality Control Plan adopted by the State Water Resources Control Board on December 12, 2018 should it be implemented. Regional Water System-wide water supply shortages of 40-50% could occur until alternative water supplies are developed to replace those shortfalls. Those shortages could increase dramatically if the State Water Board's proposed Water Quality Certification of the Don Pedro Federal Energy Regulatory Commission (FERC) relicensing were implemented.

We are pursuing several courses of action to remedy this situation as detailed below.

**Pursuing a Tuolumne River Voluntary Agreement**

The State Water Board included in its action of December 12, 2018 a provision allowing for the development of Voluntary Agreements as an alternative to the adopted Plan. Together with the Modesto and Turlock Irrigation Districts, we have been actively pursuing a Tuolumne River Voluntary Agreement (TRVA) since January 2017. We believe the TRVA is a superior approach to producing benefits for fish with a much more modest effect on our water supply.

Unfortunately, it has been a challenge to work with the State on this, but we continue to persist, and of course we are still interested in early implementation of the TRVA.

**Evaluating our Drought Planning Scenario in light of climate change**

Ever since the drought of 1987-92, we have been using a Drought Planning Scenario with a duration of 8.5 years as a stress test of our Regional Water System supplies. Some stakeholders have criticized this methodology as being too conservative. This fall we anticipate our Commission convening a workshop

**London N. Breed**  
Mayor

**Sophie Maxwell**  
President

**Anson Moran**  
Vice President

**Tim Paulson**  
Commissioner

**Ed Harrington**  
Commissioner

**Newsha Ajami**  
Commissioner

**Michael Carlin**  
Acting  
General Manager



regarding our use of the 8.5-year Drought Planning Scenario, particularly in light of climate change resilience assessment work that we have funded through the Water Research Foundation. We look forward to a valuable discussion with our various stakeholders and the Commission.

### **Pursuing Alternative Water Supplies**

The SFPUC continues to aggressively pursue Alternative Water Supplies to address whatever shortfall may ultimately occur pending the outcome of negotiation and/or litigation. The most extreme degree of Regional Water System supply shortfall is modeled to be 93 million gallons per day under implementation of the Bay-Delta Plan amendments. We are actively pursuing more than a dozen projects, including recycled water for irrigation, purified water for potable use, increased reservoir storage and conveyance, brackish water desalination, and partnerships with other agencies, particularly the Turlock and Modesto Irrigation Districts. Our goal is to have a suite of alternative water supply projects ready for CEQA review by July 1, 2023.

### **In litigation with the State over the Bay-Delta Plan Amendments**

On January 10, 2019, we joined in litigation against the State over the adoption of the Bay-Delta Water Quality Control Plan Amendments on substantive and procedural grounds. The lawsuit was necessary because there is a statute of limitations on CEQA cases of 30 days, and we needed to preserve our legal options in the event that we are unsuccessful in reaching a voluntary agreement for the Tuolumne River. Even then, potential settlement of this litigation is a possibility in the future.

### **In litigation with the State over the proposed Don Pedro FERC Water Quality Certification**

The State Water Board staff raised the stakes on these matters by issuing a Water Quality Certification for the Don Pedro FERC relicensing on January 15, 2021 that goes well beyond the Bay-Delta Plan amendments. The potential impact of the conditions included in the Certification appear to virtually double the water supply impact on our Regional Water System of the Bay-Delta Plan amendments. We requested that the State Water Board reconsider the Certification, including conducting hearings on it, but the State Water Board took no action. As a result, we were left with no choice but to once again file suit against the State. Again, the Certification includes a clause that it could be replaced by a Voluntary Agreement, but that is far from a certainty.

I hope this makes it clear that we are actively pursuing all options to resolve this difficult situation. We remain committed to creating benefits for the Tuolumne River while meeting our Water Supply Level of Service Goals and Objectives for our retail and wholesale customers.

cc.: SFPUC Commissioners

Nicole Sandkulla, CEO/General Manager, BAWSCA





# CITY OF MENLO PARK

## LOCATION MAP

### WILLOW VILLAGE



CITY OF MENLO PARK

Scale: 1:7,000

Drawn By: KTP

Checked By: KTP

Date: 1/10/2022 Page 1 of 2





## STAFF REPORT

### Planning Commission

Meeting Date: 1/10/2022  
Staff Report Number: 22-005-PC

**Presentation:** Receive a presentation from the applicant team for the proposed Willow Village mixed-use masterplan development project

### Recommendation

Staff recommends that the Planning Commission receive a presentation from the applicant team for the proposed Willow Village mixed-use project. This presentation is an opportunity for the community to learn more about the proposed project and the next steps in the environmental and entitlement review processes.

### Policy Issues

No actions will be taken as part of the presentation from the applicant team. The Planning Commission and the City Council will ultimately be required to consider the merits of the proposed project, including its consistency with the city's general plan and Zoning Ordinance, along with the municipal code, and other adopted policies and programs of the city such as the below market rate housing program and the provision of community amenities in exchange for bonus level development. The proposed project would require a general plan circulation element amendment to modify the on-site circulation network. The proposed project requires an EIR pursuant to the California Environmental Quality Act (CEQA.) The City Council will be the final decision-making body on the certification of the EIR, General Plan amendment, rezoning, conditional development permit (CDP), major subdivision and the realignment of Hamilton Avenue, and development agreement (DA). The Planning Commission will be the final decision making body on the architectural control permits for each building/site plans.

### Background

#### **Site location**

The project includes a main project site, the realignment of Hamilton Avenue and the associated parcel on the north and south of Hamilton Avenue, and the tunnel access on the Meta (formerly Facebook) West Campus adjacent to Building 20 along Willow Road. Each component is discussed below for reference.

#### Main project site

The approximately 59-acre main project site is generally located along Willow Road between Hamilton Avenue and Ivy Drive, previously referred to as the ProLogis Menlo Science and Technology Park. The main project site contains 20 existing buildings, encompassing the following addresses 1350-1390 Willow Road, 925-1098 Hamilton Avenue and 1005-1275 Hamilton Court. The project site currently contains 20 buildings with approximately 1 million square feet of gross floor area. Meta (formerly Facebook) Building 20 is located to the northwest and multifamily and neighborhood commercial uses are to the west, across Willow Road. The property is generally bordered by the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy right of way and Mid-Peninsula High School to the south, the Dumbarton Corridor to the

north, and properties within the Menlo Park Labs (formerly Menlo Business Park) to the east.

### Hamilton Avenue Parcels

The proposed project includes the realignment of Hamilton Avenue west of Willow Road, and the environmental review for the proposed project studies potential redevelopment of the Chevron station on the parcel to the south of Hamilton Avenue (referred to as Hamilton Avenue Parcel South) and the potential expansion of retail uses on the parcel north of Hamilton Avenue (referred to as Hamilton Avenue Parcel North). Hamilton Avenue parcel north is bounded by Willow Road to the east, Hamilton Avenue to the south, and the Dumbarton Rail Corridor to the north. Multifamily dwelling units at the 777 Hamilton Avenue property are located to the west. Hamilton Avenue parcel south is bounded by Hamilton Avenue to the north, Willow Road to the east, and Carlton Avenue to the west. To the south of the site is a 140-unit multifamily below market rate residential project that is currently under construction.

### Willow Road undercrossing and overcrossing

The main project site would be connected to the Meta West Campus by an undercrossing and an elevated parkway would connect the main project site with the Hamilton Avenue parcel north. Both the undercrossing and elevated park would include public access for bicyclists and pedestrians.

The location map in Attachment A identifies the main project site and off-site components of the proposed project, including the Hamilton Avenue parcels.

### ***Proposed Project***

The applicant, Signature Development Group (SDG) on behalf of Peninsula Innovation Partners, Inc., is proposing to redevelop the project site through the masterplan process, as provided for in the Zoning Ordinance, by utilizing a CDP and entering into a DA, to secure vested rights, with the city. As stated in the site location, the proposed project includes a main project site and off-site components along Hamilton Avenue. The applicant team's presentation will provide more detailed information on the overall project, including the site layout/planning, land uses, architectural design, and project phasing. The summary below is intended to provide an overview of the proposed project for the Planning Commission.

### Main project site

The proposed project would demolish existing on-site buildings and landscaping and construct new buildings within a town square district, a residential/shopping district, and a campus district. The campus district is intended to be occupied by Meta. The proposed site plan is included in Attachment B and a hyperlink to the project plans is included in Attachment C. The proposed project would result in a net increase of approximately 800,000 square feet of nonresidential uses (office space and non-office commercial/retail,) for a total of approximately 1.8 million square feet of nonresidential uses at the project site. In addition, the proposed project would include multifamily housing units, a hotel, publicly accessible open space (i.e. elevated linear park, town square, dog park, and 3.5 acre publicly accessible park).

The project site is zoned O-B (Office, bonus) and R-MU-B (Residential mixed-use, bonus). Through the application of a CDP, the applicant is proposing to redevelop the project site through the masterplan provisions of the Zoning Ordinance. These provisions allow a project to aggregate development potential across the entire site, including square footage, open space requirements, parking, etc.

The following table summarizes proposed development at the project site.

Table 1: Main Project Site Project Data		
	Proposed Project (CDP Standards)	Zoning Ordinance bonus level standards (maximums)*
Residential dwelling units	1,730 units**	1,730 units
Residential square footage	1,695,975 s.f.	1,695,975 s.f.
Residential floor area ratio	225%	225%
Commercial Retail square footage	200,000 s.f.	396,578 s.f.
Commercial Retail floor area ratio	0%	25%
Office square footage	1,600,000 s.f.*	1,774,755 s.f.
Office floor area ratio	113%	125%
Hotel rooms	193	n/a

\*Proposed office square footage includes 1.25M s.f. of office use and up to 350,000 s.f. of meeting and collaboration space use within the Campus District; the total s.f. includes the 25% non-residential FAR permitted in the R-MU portion of the project site.

\*\*The total units would include a minimum of 15 percent of the residential units as below market rate (BMR) units to satisfy the City’s inclusionary requirements. Additional BMR units would be incorporated to comply with the commercial development requirement.

The proposed project would also include a minimum of approximately 19.6 acres of open space, including a minimum of approximately 8.2 acres of publicly accessible open space, both of which exceed the minimum required acreage set by the Zoning Ordinance. The proposed building heights would range from approximately 15 feet to approximately 117 feet for the glass dome enclosing the meeting and collaboration space. The proposed project includes modification requests for various design standards enumerated by the Zoning Ordinance and an increase in height above the maximum height for the mixed-use building identified as Residential Parcel 3. The proposed project would comply with the height (average) for all buildings within each respective zoning district.

Hamilton Avenue Parcels and Willow Road grade separated crossings

The proposed project includes off-site improvements, such as the realignment of Hamilton Avenue and the Willow Road undercrossing and elevated park (over Willow Road). The realignment of Hamilton Avenue would result in the demolition and potential reconstruction of the existing Chevron station (Hamilton Avenue Parcel South) and the potential future expansion of retail uses at the existing Belle Haven neighborhood shopping center (Hamilton Avenue Parcel North).

The realignment of Hamilton Avenue and resulting demolition of the Chevron station are components of the proposed project. However, the potential improvements on Hamilton Avenue Parcels North and South that could occur as a result of the realignment of Hamilton Avenue would be enabled through separate permitting processes. The conceptual site plans for the Hamilton Avenue Parcels are included in Appendix 7 of the masterplan plan set (link in Attachment B) for reference.

The table below summarizes the potential development on the two Hamilton Avenue Parcels and the maximum permitted by the underlying zoning district (C-2-S district). The potential future projects on each parcel are listed below and studied for environmental clearance in the project EIR; however, subsequent



permitting would be required for each parcel individually, including use permits and architectural control permits. Specific designs for developments on each parcel have not been submitted at this time.

Table 2: Hamilton Avenue Parcels North and South Project Data		
Project Site	Potential Future Projects	Zoning Ordinance maximums*
Hamilton Avenue Parcel North	22,400 s.f.	48,134 s.f./(FAR 0.5)
Hamilton Avenue Parcel South	5,700 s.f.	21,126 s.f./(FAR 0.5)

\*Zoning Ordinance maximums represent maximum development potential after realignment of Hamilton Avenue, which includes re-subdividing the parcel to reduce the size of Hamilton Avenue Parcel South and increase the size of Hamilton Avenue Parcel North.

**Project history**

The City received the initial submittal for the proposed project in July 2017 and issued a notice of preparation (NOP) for the environmental impact report for an updated proposed project on September 18, 2019 and the Planning Commission held an EIR scoping session on October 7, 2019. The City Council received an overview of public comments on the NOP and confirmed the scope and content of the environmental impact report to be prepared at its meeting on December 16, 2019. Since December 2019, the City has continued to review the masterplan proposal, the site-wide infrastructure plans, the tentative map including the realignment of Hamilton Avenue, individual architectural control packages for specific buildings, and develop the EIR to disclose potential environmental effects of the proposed project.

**Analysis**

This presentation reintroduces the proposed project to the Planning Commission and members of the community. The City is in the process of completing the environmental analysis and anticipates releasing the draft environmental impact report (DEIR) in the first quarter of 2022. The release of the DEIR begins a minimum 45-day comment period and during that period the Planning Commission will hold a public hearing on the DEIR. That meeting is anticipated for the spring of 2022 and this presentation provides an update on the project to the community in advance of the DEIR release. The public hearing for the DEIR would be paired with a study session on the proposed project to allow the Commission and community members to comment on other topics of community interest (e.g. architectural design, project phasing, community amenities, etc.). In addition, the City is reviewing the community amenity proposal associated with the project. It is likely that the proposal would be reviewed by the City Council in February 2022.

**Correspondence**

Since the notice of this presentation and as of the writing of this report, staff has not received any items of correspondence.

**Impact on City Resources**

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City’s Master Fee Schedule, to fully cover the cost of staff time spent on the review of the proposed project. The project sponsor is also required to fully cover the cost of work by consultants performing environmental review and additional analyses to evaluate potential impacts of the project.

## **Environmental Review**

A project level EIR is underway for the proposed project.

## **Public Notice**

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 1,320-foot radius of the project site (including the main project site and the Hamilton Avenue Parcels).

## **Attachments**

- A. Location Map
- B. Illustrative Site Plan
- C. Hyperlink: Masterplan Project Plans  
<https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/willow-village/december-2021/masterplan-plan-set-december-2021.pdf>

## **Disclaimer**

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

Report prepared by:  
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Corinna Sandmeier, Acting Principal Planner  
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**STAFF REPORT**

**City Council**

**Meeting Date:**

**2/8/2022**

**Staff Report Number:**

**22-028-CC**

**Regular Business:**

**Consider and adopt a resolution approving the Water Supply Assessment for the 1350 Adams Court project**

**Recommendation**

Staff recommends that the City Council adopt a resolution (Attachment A) approving the water supply assessment (WSA) prepared for the 1350 Adams Court project.

**Policy Issues**

In determining whether to approve the WSA, the City Council is acting as the governing body for Menlo Park Municipal Water (MPMW) and shall consider if sufficient water supply is available during normal, single dry, and multiple dry years within a 20-year projection to meet the projected demand associated with the proposed project. In considering water supply availability, MPMW is charged with determining if the City's water supplies are sufficient to serve the proposed project, taking into consideration planned growth within MPMW's service area. In considering water availability, MPMW is not considering the merits of the proposed project. Approving the WSA is not equivalent to a commitment to serve the proposed project. Further, this action does not obligate the City to approve the proposed project. The State Water Code requires that the governing body of the water provider approve the WSA. These requirements were subsequently added to Section 15155(b) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA Guidelines.) The proposed project requires an environmental impact report (EIR) pursuant to CEQA. Approving the WSA would allow the City to incorporate the WSA into the EIR for the proposed project.

The Planning Commission will ultimately be required to consider the merits of the proposed project, including its consistency with the City's general plan, municipal code, zoning regulations and development standards, and other adopted policies and programs of the City such as the below market rate (BMR) housing program and the provision of community amenities in exchange for bonus level development. The Planning Commission will be the final decision-making body on certification of the EIR and approval of the use permit and architectural control, unless the Commission's actions are appealed to the City Council.

**Background**

Beginning January 1, 2002, Senate Bill 610 added Section 10910 to the California State Water Code requiring that the availability of water supplies be considered for large development projects, including office complexes with more than 250,000 square feet of office space. The proposed project would have up to 260,400 square feet of life science (research and development/office) uses, and thus would be subject

to the requirements of Section 10910. The State Water Code requires that a WSA analyze current and future water supplies as well as the current and projected water demands within the utility's service area. If the assessment identifies deficiencies in the local water supplies, the water provider is required to identify measures to reduce water usage or to identify additional water supplies.

The proposed project is within the Bayfront area that was comprehensively rezoned to office, life sciences and residential mixed-use zoning districts as part of the City's general plan update (known as ConnectMenlo.) ConnectMenlo enabled development potential for up to 4,500 new multifamily residential units, 2.3 million square feet of new non-residential uses (including 1.4 million square feet of life sciences research and development uses), and 400 new hotel rooms. The proposed project is located within the ConnectMenlo study area, and is included within the development capacity. MPMW's 2020 Urban Water Management Plan subsequently accounted for the development potential from ConnectMenlo in its water demand projections.

Site location

The project site is an 11.2-acre parcel, zoned LS-B (Life Sciences-Bonus) that currently contains an existing 188,100-square-foot research and development (R&D) building on the southern half of the site that is occupied by Pacific Biosciences (PacBio.) The northern 4.4 acres of the project site is currently undeveloped. For purposes of this staff report, O'Brien Drive is described as having an east-west orientation, and all compass directions referenced will use this orientation. The project site is located immediately north of O'Brien Drive, with direct access to the project site from O'Brien Drive to the south, Adams Drive to the east and Adams Court to the north. A location map is included as Attachment B.

Proposed project

The applicant, Tarlton Properties, is proposing to construct a life sciences R&D building with five levels (with a height of 92 feet) and up to 260,400 square feet in size on the undeveloped northern portion of the project site. Table 1 summarizes the proposed project and the zoning ordinance standards.

Table 1: Project data		
	Proposed project	Zoning ordinance bonus level standards (maximums)
Floor area ratio	90.7%*	125% (+10% commercial)
Life sciences square footage	448,504 square feet (s.f.)*	609,895 s.f.
Maximum height	92.1 feet	110 feet (+10 feet)**
Average height	50.6 feet***	67.5 feet

\*This total includes the entire project site, consisting of the existing PacBio building at 1305 O'Brien Drive and the proposed building at 1350 Adams Court.

\*\*Properties subject to flooding and/or sea level rise are allowed an additional 10 feet in maximum and average height.

\*\*\*The average height is the average of the heights of the existing and proposed buildings on the site.

A link to the most recent project plans is included as Attachment C. The City anticipates releasing the Draft EIR for the proposed project during the first quarter of 2022.

## Menlo Park Municipal Water

MPMW provides water service to approximately half of the city in two zones (the Upper Zone and Lower Zone), with 4,296 service connections as of 2020. The remainder of the City is served by California Water Service, O'Connor Tract Co-operative Water Company, and Palo Alto Park Mutual Water Company. MPMW purchases all potable water supplies from the Regional Water System, which is operated by the San Francisco Public Utilities Commission (SFPUC), as a wholesale customer. The project WSA is included as Exhibit A to Attachment A and provides more detail on MPMW and its water supply.

The SFPUC Regional Water System supplies water to both retail and wholesale customers. Retail customers include residents, businesses, and industries located within the City and County of San Francisco's boundaries. Wholesale customers include 26 cities and water supply agencies in Alameda, San Mateo and Santa Clara counties, including MPMW.

MPMW is a member agency of the Bay Area Water Supply and Conservation Agency (BAWSCA) and purchases treated water from the SFPUC Regional Water System in accordance with the November 2018 Amended and Restated Water Supply Agreement between the City and County of San Francisco and Wholesale Customers in Alameda, San Mateo and Santa Clara counties, which was adopted in 2019. The term of the agreement is 25 years, with a beginning date of July 1, 2009, and an expiration date of June 30, 2034. Per the agreement, MPMW has an Individual Supply Guarantee (ISG) of 1,630 million gallons per year, supplied by the SFPUC Regional Water System. Over the last five years (2016-2020) MPMW has purchased between 52 percent and 66 percent of its ISG.

As summarized in the WSA, the reliability of the MPMW potable water supply is described in the 2020 Urban Water Management Plan, adopted by the City Council in May 2021, and the SFPUC 2020 Urban Water Management Plan, adopted in June 2021. The projected availability of potable water supply via the SFPUC Regional Water System is dependent on whether or not the 2018 Bay-Delta Plan Amendment is implemented. The Amendment would require the release of 40 percent of the "unimpaired flow" of the Stanislaus, Merced, and Tuolumne Rivers in order to increase the salmonid fish populations from February to June in every type of year, whether wet, normal or critically dry, making the reliability to provide sufficient potable water in dry years uncertain. However, the Bay-Delta Plan Amendment has not been implemented at this time and its status is uncertain. The WSA provides two analyses of water availability, with and without implementation of the Bay-Delta Plan Amendment. Consistent with assumptions in the 2020 Urban Water Management Plan, implementation of the Bay-Delta Plan Amendment is assumed to begin in 2023.

## **Analysis**

The project WSA evaluates the demand for water and available water supplies to serve the proposed project over a 20-year period, in five-year increments, starting in 2025 through 2040.

According to the WSA, the projected baseline water demand for the proposed project is 7.8 million gallons per year (MG/yr.) However, the project would incorporate conservation measures (such as the installation of water efficient fixtures) that would reduce water demand for the proposed project by approximately 3 MG/yr, for a net estimated water demand of 4.8 MG/yr. The proposed project would not include the use of

recycled water, but would install purple pipe to be ready to use recycled water if it becomes available in the Life Sciences district. Planning for a recycled water facility in the Bayfront area is ongoing and is being led by West Bay Sanitary District (WBSD.) The total increase in water demand on MPMW from the proposed project would be approximately 1.5 percent of the ConnectMenlo total potable water demand at buildout.

In the MPMW 2020 Urban Water Management Plan, projected normal year supplies are shown to be adequate to satisfy MPMW’s projected normal year demands. However, in the MPMW 2020 Urban Water Management Plan and this project WSA, MPMW’s purchased supplies from the SFPUC Regional Water System assume dry year supply reductions as a result of the implementation of the Bay-Delta Plan Amendment, which significantly reduces dry year allocations for SFPUC wholesale customers. Based on the above mentioned uncertainty, the project WSA provides findings for two scenarios, one assuming implementation of the Bay-Delta Plan amendment and one assuming that the Bay-Delta Plan amendment is not implemented. The findings of each scenario are summarized in Table 2 below.

Table 2: Summary of WSA findings		
	Implementation of Bay-Delta Plan amendment	No Bay-Delta Plan amendment
Normal years	Sufficient supply exists	Sufficient supply exists
Single dry year	27 to 32 percent reductions required	Sufficient supply exists
Multiple dry years	27 to 44 percent reductions required	16.5 percent reduction required in fourth and fifth consecutive dry years
Actions required to respond to shortfalls	Implementation of Water Shortage Contingency Plan, up to shortage level 5	Implementation of water shortage contingency plan, up to shortage level 2

As shown, under the scenario where implementation of the Bay-Delta Plan Amendment is assumed (the most conservative scenario from a water supply perspective), there are significant water reductions required in single and multiple dry years. In case there is a shortage, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions by implementation of its Water Shortage Contingency Plan, which was adopted by the City Council along with the 2020 Urban Water Management Plan in May 2021. Additional information on MPMW’s Water Shortage Contingency Plan is provided in Chapter 8 of MPMW’s 2020 Urban Water Management Plan. A link to the 2020 Urban Water Management Plan is included in Attachment E.

Assuming implementation of the Bay-Delta Plan Amendment, up to shortage level 5 of the Water Shortage Contingency Plan may be reached. These shortage levels include actions such as the following to reduce water consumption:

- Increase public outreach, with a focus on the top 30 percent of water users in each customer category;
- Set limits on irrigation, including frequency, hours, new installations and methods (such as drip, microspray and hand watering), and more significant restrictions on turf irrigation;
- Set limits on use of potable water for pools, washing vehicles, construction and dust control, and commercial vehicles (street sweeping, cleaning, etc.);
- Halt installations of new connections (for projects that are not necessary to protect health, safety and



- welfare) and halt statements of availability to serve new potable water connections; and/or
- Develop water budgets for all customers.

Under the scenario where the Bay-Delta Plan Amendment is not implemented, the projected supply shortfalls are significantly less. Similar to the above described scenario, should a water supply shortage occur, MPMW expects implementation of its Water Shortage Contingency Plan, but at a less significant shortage level with less severe restrictions.

Other actions that MPMW will take in the event of a shortage include utilizing its recently constructed emergency supply well as supply augmentation, coordination with other agencies, implementing a drought surcharge, and increasing water waste education and patrols. Future emergency water supply and storage projects are also continuing to be developed.

The water demand associated with buildout of ConnectMenlo, which includes the proposed project, is included in the MPMW water demand projections in its 2020 Urban Water Management Plan, and the proposed project would be subject to the same water conservation and water use restrictions as other water users within the MPMW system. Based on the data and analysis in the WSA and the 2020 Urban Water Management Plan, MPMW would have an adequate supply to provide water for the project during normal, single dry year, and multiple dry years for at least 20 years, and actions have been identified in the 2020 Urban Water Management Plan and Water Shortage Contingency Plan that would help address any potential shortages if the Bay-Delta Plan Amendment is implemented. The actions would ensure that water deliveries are available for all service connections within the MPMW service area, and would apply to all users.

The City Council's action at this time is limited to approving the WSA. Approval of the WSA would not commit the City to approve the proposed project or certify the EIR when those actions are eventually considered by the Planning Commission. The recommended resolution approving the WSA is included in Attachment A.

### **Impact on City Resources**

The project sponsor is required to pay planning, building and public works permit fees, based on the City's master fee schedule, to fully cover the cost of staff time spent on the review of the proposed project. The project sponsor is also required to fully cover the cost of work by consultants performing environmental review and additional analyses to evaluate potential impacts of the proposed project, including the cost of preparing the WSA.

### **Environmental Review**

City Council approval of the WSA does not require review under CEQA. The proposed project for which the WSA was prepared will be evaluated for its environmental impacts in compliance with CEQA. The environmental impact report (EIR) for the proposed project is being prepared to evaluate the effects of the project on the environment. The EIR will be considered by the Planning Commission as the project proceeds through the public hearing process.

## 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. Draft City Council resolution approving the Water Supply Assessment for the 1350 Adams Court project
- B. Project location map
- C. Hyperlink – January 2022 project plans: [menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/20210312-lot-3-north-1350-adams-court-plan-set.pdf](https://menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/20210312-lot-3-north-1350-adams-court-plan-set.pdf)
- D. Hyperlink – City's 2020 Urban Water Management Plan: [menlopark.org/files/sharedassets/public/public-works/documents/water/2020-urban-water-management-plan-june-2021\\_202107152258020921.pdf](https://menlopark.org/files/sharedassets/public/public-works/documents/water/2020-urban-water-management-plan-june-2021_202107152258020921.pdf)

Report prepared by:  
Tom Smith, Acting Principal Planner

Report reviewed by:  
Kyle Perata, Acting Planning Manager  
Ed Shaffer, Assistant City Attorney  
Nikki Nagaya, Public Works Director



**RESOLUTION NO. XXXX****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK  
APPROVING THE WATER SUPPLY ASSESSMENT FOR THE 1350 ADAMS  
COURT PROJECT**

WHEREAS, the City of Menlo Park (“City”) through the Menlo Park Municipal Water District is the public water supplier; and

WHEREAS, the City Council of the City is the governing body of the Menlo Park Municipal Water District; and

WHEREAS, the City approved and adopted the 2020 Urban Water Management Plan on May 25, 2021; and

WHEREAS, in 2001 the State of California enacted Senate Bill 610 adding Section 10910 et. seq. to the California Water Code that became effective January 1, 2002; and

WHEREAS, the Guidelines for the Implementation of the California Environmental Quality Act (“CEQA Guidelines”) were subsequently modified to incorporate similar provisions in Section 15155; and

WHEREAS, California Water Code Section 10910 and Section 15155 of the CEQA Guidelines require a water utility to prepare a water supply assessment for development applications for “water-demand projects” which include, but are not limited to, commercial office projects having more than 250,000 square feet of office space; and

WHEREAS, Section 10910(g) of the California Water Code and Section 15155(b) of the CEQA Guidelines require the governing body of a public water system that will serve a “water-demand project” to approve a water supply assessment for the project at a regular or special meeting; and

WHEREAS, Tarlton Properties is requesting to construct a life sciences research and development (R&D) building up to 260,400 square feet in size on the undeveloped northern portion of a project site that contains an existing R&D building on the southern portion of the site (addressed 1305 O’Brien Drive); and

WHEREAS, the Project qualifies as a water-demand project, and therefore the City required the applicant to fund the contract for the preparation of a Water Supply Assessment for the Project; and

WHEREAS, the Water Supply Assessment for the Project was completed in February 2022; and

WHEREAS, the Water Supply Assessment for the Project was provided to the City Council at a regularly scheduled meeting on February 8, 2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menlo Park finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

BE IT FURTHER RESOLVED that the City Council of the City of Menlo Park hereby resolves as follows:

1. The Water Supply Assessment for the 1350 Adams Court project (Project WSA) identified in this resolution is incorporated as if fully set forth herein as Exhibit A of this resolution.
2. The City Council hereby approves the Project WSA as a water supply assessment for the Project in compliance with Water Code section 10910 *et seq.* and CEQA Guidelines section 15155, and directs City staff to include the Project WSA in CEQA environmental review of the Project.
3. The City Council's action on the Project WSA is limited to approving the Water Supply Assessment. Nothing in this resolution or the Council's approval of the Project Water Supply Assessment shall be construed as requiring the City or its Council to consider, act on, approve, conditionally approve, deny, or take any other action on the Project applications.

SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

I, Judi A. Herren, Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said City Council on the eighth day of February, 2022, 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 eighth day of February, 2022.

---

Judi A. Herren, City Clerk

Exhibits

- A. Project Water Supply Assessment

FEBRUARY 2022

# 1350 Adams Court Project Water Supply Assessment

PREPARED FOR

Menlo Park Municipal Water



PREPARED BY



# 1350 Adams Court Project Water Supply Assessment

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Prepared for

## Menlo Park Municipal Water

Project No. 648-12-18-02



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Project Manager: Elizabeth Drayer, PE

02-02-22

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Date

*Polly L Boissevain*

---

QA/QC Review: Polly Boissevain, PE

02-02-22

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Date

# Table of Contents

<b>Executive Summary</b> .....	<b>1</b>
Overview.....	1
Projected Water Demands .....	1
Water Supply Availability and Reliability.....	2
<b>1.0 Introduction</b> .....	<b>4</b>
1.1 Legal Requirement for a Water Supply Assessment .....	4
1.2 Need for and Purpose of Water Supply Assessment .....	5
1.3 Water Supply Assessment Preparation, Format, and Organization.....	5
<b>2.0 Description of the Proposed Project</b> .....	<b>6</b>
2.1 Proposed Project Location and Overview .....	6
2.2 Projected Water Demand for the Proposed Project .....	8
2.3 Proposed Project Relationship to ConnectMenlo .....	10
<b>3.0 Required Determinations</b> .....	<b>12</b>
3.1 Does SB 610 Apply to the Proposed Project?.....	12
3.2 Does SB 221 Apply to the Proposed Project?.....	13
3.3 Who is the Identified Public Water System?.....	13
3.4 Does the Identified Public Water Supplier have an adopted UWMP and does the UWMP include the projected water demand for the Proposed Project?.....	14
<b>4.0 Menlo Park Municipal Water System</b> .....	<b>15</b>
4.1 Water Service Area.....	15
4.2 Population .....	15
<b>5.0 Menlo Park Municipal Water Demands</b> .....	<b>16</b>
5.1 Historical and Existing Water Demand.....	16
5.2 Future Water Demand.....	16
5.3 Dry Year Water Demand.....	17
<b>6.0 Menlo Park Municipal Water Supplies</b> .....	<b>18</b>
6.1 Water Supply Overview .....	19
6.2 Water Supply from the SFPUC RWS .....	19
6.3 Groundwater Supply .....	19
6.3.1 Groundwater Basin Description.....	19
6.3.2 MPMW Emergency Water Storage/Supply Project .....	20
6.4 Recycled Water Supply.....	21
6.5 Summary of Existing and Additional Planned Future Water Supplies .....	21

# Table of Contents

<b>7.0 Water Supply Reliability .....</b>	<b>22</b>
7.1 SFPUC RWS Reliability .....	22
7.1.1 Potential Impacts of the 2018 Bay-Delta Plan Amendment on SFPUC RWS Reliability .....	22
7.1.2 Allocation of RWS Supplies During Supply Shortages.....	24
7.1.3 Alternative Water Supply Program.....	26
7.2 MPMW Water Supply Reliability .....	27
<b>8.0 Determination of Water Supply Sufficiency Based on the Requirements of SB 610 .....</b>	<b>29</b>
<b>9.0 Water Supply Assessment Approval Process .....</b>	<b>33</b>
<b>10.0 References .....</b>	<b>34</b>

## LIST OF TABLES

Table 2-1. Estimated Water Demand for the Proposed Project <sup>(a)</sup> .....	9
Table 2-2. Proposed Project Impact on ConnectMenlo Study Area Potable Water Demand.....	11
Table 3-1. Does the Proposed Project Meet the SB 610 Definition of a “Project”?.....	12
Table 3-2. Projected Future Water Demand – Normal Years.....	14
Table 4-1. MPMW Service Area Existing and Projected Population .....	15
Table 5-2. Projected Future Water Demand – Normal Years.....	17
Table 5-3. Projected Future Water Demand – Dry Years.....	17
Table 6-1. MPMW Current and Projected Future Water Supplies – Normal Years .....	21
Table 7-1. Tier One Plan Water Shortage Allocations .....	25
Table 7-2. Projected MPMW Water Supplies with Bay-Delta Plan Amendment.....	27
Table 7-3. Projected MPMW Water Supplies without Bay-Delta Plan Amendment .....	28
Table 8-1. MPMW Summary of Water Demand Versus Supply with Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years .....	30
Table 8-2. MPMW Summary of Water Demand Versus Supply without Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years .....	32

## LIST OF FIGURES

Figure 2-1. Proposed Project Location .....	7
Figure 2-2. Proposed Project Site Plan .....	7

# Table of Contents

## LIST OF APPENDICES

Appendix A. 1350 Adams Court Water Use Budget and Alternative Water Source Assessment

Appendix B. Regional Water System Supply Reliability and UWMP 2020 (June 2021)

## LIST OF ACRONYMS AND ABBREVIATIONS

AF	Acre-Feet
AWSP	Alternative Water Supply Planning Program
BAWSCA	Bay Area Water Supply and Conservation Agency
CEQA	California Environmental Quality Act
City	City of Menlo Park
DWR	State of California Department of Water Resources
EIR	Environmental Impact Report
FERC	Federal Energy Regulatory Commission
gal/yr	Gallons Per Year
gsf	Gross Square Foot
ISG	Individual Supply Guarantee
MG/yr	Million Gallons Per Year
mgd	Million Gallons Per Day
MPMW	Menlo Park Municipal Water
MWEO	Model Water Efficient Landscape Ordinance
Proposed Project	1350 Adams Court Project
RWS	San Francisco Public Utilities Commission Regional Water System
SB	Senate Bill
SFPUC	San Francisco Public Utilities Commission
SGMA	Sustainable Groundwater Management Act
SWRCB	State Water Resources Control Board
UWMP	Urban Water Management Plan
WBSD	West Bay Sanitary District
WRF	Water Reuse Facility
WSA	Water Supply Assessment
WSAP	Water Shortage Allocation Plan
WSCP	Water Shortage Contingency Plan
WSE Study	Water Supply Evaluation Study
WSIP	Water System Improvement Program

# 1350 Adams Court Project Water Supply Assessment

## EXECUTIVE SUMMARY

### Overview

This Water Supply Assessment (WSA) has been prepared for Menlo Park Municipal Water (MPMW) by West Yost in accordance with California Water Code sections 10910 through 10915 in connection with the proposed 1350 Adams Court Project (Proposed Project). The Proposed Project is a new research and development (R&D) building located on the undeveloped portion of a parcel with an existing 188,000 square foot R&D building. The Proposed Project will consist of a new five story, up to 260,400 square foot building and is expected to have 650 full-time employees and 65 visitors per day.

The Proposed Project is located in the Bayfront Area of the City of Menlo Park (City) within the Lower Zone of MPMW's service area. The Bayfront Area is between Highway 101 and Bayfront Expressway and is generally comprised of office, life sciences, mixed use residential, light industrial, commercial, and commercial business park land uses.

In 2016, the City completed a multi-year planning effort to update the Land Use and Circulation Elements of its General Plan for the 2040 planning horizon. This General Plan Update process was known as ConnectMenlo. ConnectMenlo reaffirmed existing remaining development potential throughout the City and incorporated land use changes in the Bayfront Area, including development potential for up to 4,500 new multi-family residential units, 2.3 million square feet of new non-residential uses (including 1.4 million square feet of Life Sciences research and development (R&D) uses), and 400 new hotel rooms. The Proposed Project, located within the ConnectMenlo study area, is within this development capacity.

### Projected Water Demands

The projected water demands for buildout of the Proposed Project have been calculated based on CALGreen and Model Water Efficient Landscape Ordinance (MWELO) standards and consider conservation measures for all projected water uses. The projected water demand for the Proposed Project is 4.8 million gallons per year (MG/yr).

ConnectMenlo identifies the maximum development that could occur in the ConnectMenlo study area, including potential bonus-level increased development, and the ConnectMenlo EIR further studied the maximum development potential by more specific land uses. MPMW and the City's Planning Division are actively tracking projects within the ConnectMenlo study area on a cumulative basis to ensure that developed projects remain within the maximum development permitted through ConnectMenlo and that the approved projects would be consistent with the ConnectMenlo EIR. The Proposed Project, if approved, would be within this permitted cumulative development total identified in ConnectMenlo and studied in the EIR. Because the Proposed Project is within the maximum development studied in ConnectMenlo, the water demand for the Proposed Project is included in the ConnectMenlo EIR and MPMW 2020 Urban Water Management Plan (UWMP) water demand assumptions.

The Proposed Project does not include the use of recycled water, but will include the installation of water efficient fixtures and implementation of water conservation practices. Purple pipe will be installed to be ready to use recycled water when it becomes available in the Life Science District. Summaries of the availability and reliability of potable water supplies to serve the projected water demands for the Proposed Project are discussed below.





## 1350 Adams Court Project Water Supply Assessment

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### Water Supply Availability and Reliability

As discussed in this WSA, MPMW purchases all of its potable water supplies from the Regional Water System (RWS), which is operated by the San Francisco Public Utilities Commission (SFPUC). MPMW is a Wholesale Customer of the SFPUC. The availability and reliability of MPMW's water supplies as described in this WSA are based primarily on information contained in MPMW 2020 UWMP and the SFPUC 2020 UWMP. The MPMW 2020 UWMP is incorporated by reference into this WSA.

The reliability of the SFPUC RWS supply is highly dependent on the assumption of whether or not the 2018 Bay-Delta Plan Amendment is implemented. The Bay-Delta Plan Amendment was adopted in December 2018 by the State Water Resources Control Board (SWRCB) to establish water quality objectives to maintain the health of the Bay-Delta ecosystem. The adopted Bay-Delta Plan Amendment was developed with the stated goal of increasing salmonid populations in three San Joaquin River tributaries (the Stanislaus, Merced, and Tuolumne Rivers) and the Bay-Delta. The Bay-Delta Plan Amendment requires the release of 40 percent of the "unimpaired flow" on the three tributaries from February through June in every year type, whether wet, normal, dry, or critically dry. The implementation of the Bay-Delta Plan Amendment significantly impacts the SFPUC RWS supply reliability in dry years; however, the actual implementation of the Bay-Delta Plan Amendment is uncertain.

Because of the uncertainties surrounding the implementation of the Bay-Delta Plan Amendment, this WSA presents findings for two scenarios, one assuming the Bay-Delta Plan Amendment is implemented and one assuming that the Bay-Delta Plan Amendment is not implemented.

Under the scenario where it is assumed the Bay-Delta Plan Amendment is implemented, the total projected water supplies determined to be available for the Proposed Project in normal years will meet the projected water demand associated with the Proposed Project, in addition to MPMW's existing and planned future uses through 2040. However, with the implementation of the Bay-Delta Plan Amendment, significant supply shortfalls are projected in dry years for agencies that receive water supplies from the SFPUC RWS, as well as other agencies whose water supplies would be affected by the Amendment. For MPMW, supply shortfalls are projected in single dry years (ranging from 27 to 32 percent) and in multiple dry years (ranging from 27 to 44 percent) through 2040, with similar shortfalls through 2045 based on SFPUC's analysis.

If supply shortfalls do occur, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions by implementation of its Water Shortage Contingency Plan (WSCP). The projected single dry year shortfalls would require implementation of Stage 3 or 4 of the MPMW WSCP, and the projected multiple dry year shortfalls would require implementation of Stage 3, 4 or 5 of the MPMW WSCP. The Proposed Project would be subject to the same water conservation and water use restrictions as other water users within the MPMW system.

Under the scenario where it is assumed the Bay-Delta Plan Amendment is not implemented, the total projected water supplies determined to be available for the Proposed Project in normal years, single dry years and multiple dry years will meet the projected water demand associated with the Proposed Project, in addition to MPMW's existing and planned future uses through 2040. A 16.5 percent supply shortfall is projected during the fourth and fifth consecutive dry years for base year 2045 based on SFPUC's analysis. These projected supply shortfalls are significantly less than the projected supply shortfalls if the Bay-Delta Plan Amendment is implemented. If supply shortfalls do occur, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions by implementation of its



## 1350 Adams Court Project Water Supply Assessment

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WSCP. The projected multiple dry year shortfall in 2045 would require implementation of Stage 2 of the MPMW WSCP. The Proposed Project would be subject to the same water conservation and water use restrictions as other water users within the MPMW system.

As described in this WSA, the SFPUC is implementing an Alternative Water Supply Planning Program to investigate and plan for new water supplies to address future long-term water supply reliability challenges and vulnerabilities on the RWS. Also, MPMW is implementing an Emergency Water Storage/Supply Project to provide a backup water supply to MPMW's Lower Zone, which the project site is located within.



## 1350 Adams Court Project Water Supply Assessment

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### 1.0 INTRODUCTION

The 1350 Adams Court Project (Proposed Project) is a proposed five-story research and development (R&D) building located at 1350 Adams Court in the Bayfront Area of the City of Menlo Park (City), in the Menlo Park Municipal Water (MPMW) service area.

The purpose of this Water Supply Assessment (WSA) is to support the Environmental Impact Report (EIR) for the Proposed Project. The following sections describe the legal requirement for the WSA and the project background.

### 1.1 Legal Requirement for a Water Supply Assessment

California Senate Bill 610 (SB 610) and Senate Bill 221 (SB 221) amended state law, effective January 1, 2002, to improve the link between information on water supply availability and certain land use decisions made by cities and counties. SB 610 and SB 221 were companion measures which sought to promote more collaborative planning between local water suppliers and cities and counties. Both statutes require detailed information regarding water availability to be provided to the city and county decision-makers prior to approval of specified large development projects. The purpose of this coordination is to ensure that prudent water supply planning has been conducted, and that planned water supplies are adequate to meet existing demands, anticipated demands from approved projects and tentative maps, and the demands of proposed projects.

SB 610 amended California Water Code sections 10910 through 10915 (inclusive) to require land use lead agencies to:

- Identify any public water purveyor that may supply water for a proposed development project<sup>1</sup>
- Request a WSA from the identified water purveyor

The purpose of the WSA is to demonstrate the sufficiency of the purveyor's water supplies to satisfy the water demands of the proposed development project, while still meeting the water purveyor's existing and planned future uses. Water Code sections 10910 through 10915 delineate the specific information that must be included in the WSA.

SB 221 amended State law (California Government Code section 66473.7) to require that approval by a city or county of certain residential subdivisions<sup>2</sup> requires an affirmative written verification of sufficient water supply. SB 221 was intended as a fail-safe mechanism to ensure that collaboration on finding the needed water supplies to serve a new large residential subdivision occurs before construction begins. It should be noted that SB 221 does not apply to the Proposed Project as the Proposed Project does not include a residential subdivision.

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<sup>1</sup> The definition of a "project" is provided in Water Code section 10912(a) and is discussed further in Section 3.1 of this WSA.

<sup>2</sup> Per Government Code Section 66473.7(a)(1) subdivision means a proposed residential development of more than 500 dwelling units.



## 1350 Adams Court Project Water Supply Assessment

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### 1.2 Need for and Purpose of Water Supply Assessment

The purpose of this WSA is to perform the evaluation required by SB 610 (Water Code sections 10910 through 10915) in connection with the Proposed Project, located within MPMW's service area.

This WSA does not reserve water, or to function as a "will serve" letter or any other form of commitment to supply water (see Water Code section 10914). The provision of water service will continue to be undertaken in a manner consistent with applicable policies and procedures, consistent with existing law.

This WSA for the Proposed Project has been prepared by West Yost, as requested by MPMW, the responsible water purveyor for the Proposed Project.

### 1.3 Water Supply Assessment Preparation, Format, and Organization

The format of this WSA is intended to follow Water Code sections 10910 through 10915 to clearly delineate compliance with the specific requirements for a WSA. This WSA includes the following sections:

- Section 1: Introduction
- Section 2: Description of the Proposed Project
- Section 3: Required Determinations
- Section 4: Menlo Park Municipal Water System
- Section 5: Menlo Park Municipal Water Demands
- Section 6: Menlo Park Municipal Water Supplies
- Section 7: Water Supply Reliability
- Section 8: Determination of Water Supply Sufficiency Based on the Requirements of SB 610
- Section 9: Water Supply Assessment Approval Process
- Section 10: References

Relevant citations of Water Code sections 10910 through 10915 are included throughout this WSA in *italics* to demonstrate compliance with the specific requirements of SB 610.



## 1350 Adams Court Project Water Supply Assessment

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### 2.0 DESCRIPTION OF THE PROPOSED PROJECT

The following sections describe the Proposed Project, including the Proposed Project's location, proposed land uses, and projected water demand.

#### 2.1 Proposed Project Location and Overview

The Proposed Project is located at 1350 Adams Court in the Bayfront Area of the City, in MPMW's service area. The Bayfront Area is generally comprised of office, life sciences, mixed use residential, light industrial, commercial, and commercial business park land uses between Highway 101 and the Bayfront Expressway.

The Proposed Project consists of a new five-story, up to 260,400 square foot (sf) R&D building located on the undeveloped portion of a parcel with an existing 188,000 sf R&D building and therefore the total square footage at the site would be up to approximately 448,400 sf after completion of the Proposed Project.

The Proposed Project is a speculative core and shell project with no current tenant. Based on similar buildings, the Integral Group estimates the following uses for the Proposed Project:

- Building: Up to 260,400 sf total
  - 39,000 sf – Cores and Circulation
  - 7,800 sf – Cafeteria
  - 13,000 sf – Warehouse
  - 83,200 sf – Office
  - 117,000 sf – Lab
- Lot size: 192,040 sf (1350 Adams Court portion, Lot 3 north)
- Landscaped area: 44,854 sf
- Occupancy estimate: 650 full-time employees, 65 visitors per day

The Proposed Project site is shown on Figure 2-1.

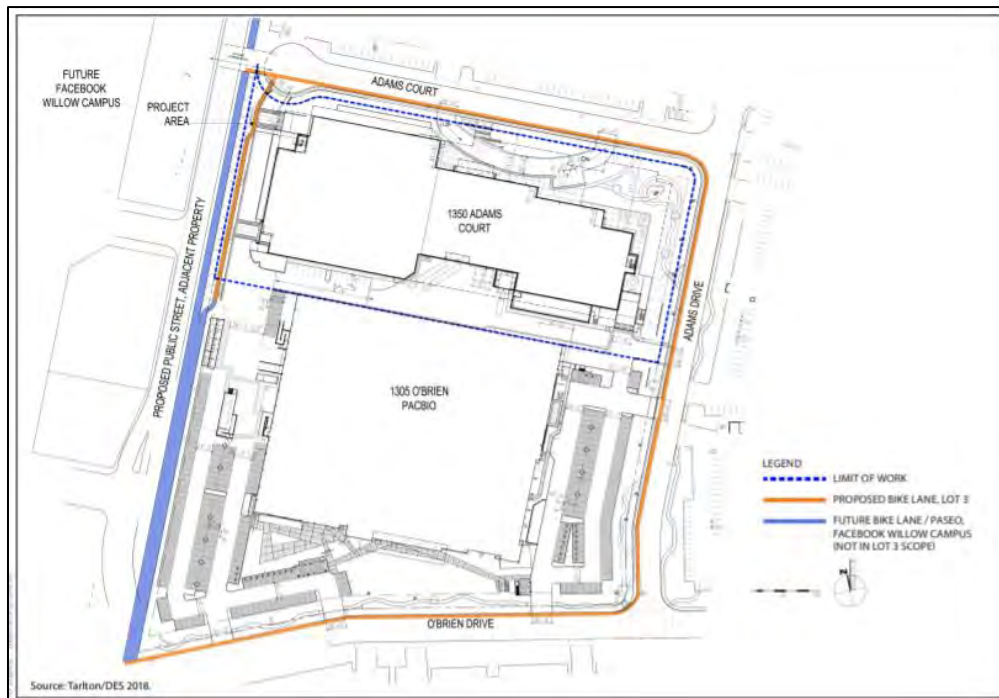
# 1350 Adams Court Project Water Supply Assessment



Source: Initial Study for 1350 Adams Court Project, ICF, November 2018.

**Figure 2-1. Proposed Project Location**

The proposed project site plan is shown on Figure 2-2.



Source: Initial Study for 1350 Adams Court Project, ICF, November 2018.

**Figure 2-2. Proposed Project Site Plan**





## 1350 Adams Court Project Water Supply Assessment

### 2.2 Projected Water Demand for the Proposed Project

As the Proposed Project is located within the City's Life Sciences zoning district, its development is required to comply with the City Municipal Code Chapter 16.44 LS Life Sciences District, including specifically Section 16.44.130 Green and Sustainable Building. In that section of the Municipal Code the following specific requirements for water use efficiency and recycled water use are provided:

- Section 16.44.130 (3)(C): Applicants for a new building more than one hundred thousand (100,000) square feet of gross floor area shall prepare and submit a proposed water budget and accompanying calculations following the methodology approved by the City. For all new buildings two hundred fifty thousand (250,000) square feet or more in gross floor area, the water budget shall account for the potable water demand reduction resulting from the use of an alternative water source for all city approved non-potable applications.
- Section 16.44.130 (3)(E): All new buildings two hundred fifty thousand (250,000) square feet or more in gross floor area shall use an alternate water source for all City approved non-potable applications. An alternative water source may include, but is not limited to, treated non-potable water such as graywater. An alternate water source assessment shall be submitted that describes the alternative water source and proposed non-potable application. Approval of the alternate water source assessment, the alternative water source and its proposed uses shall be approved by the city's public works director and community development director. If Menlo Park Municipal Water has not designated a recycled water purveyor and/or municipal recycled water source is not available prior to planning project approval, applicants may propose conservation measures to meet the requirements of this section subject to approval of the City Council. The conservation measures shall achieve a reduction in potable water use equivalent to the projected demand of city approved non-potable applications, but in no case shall the reduction be less than thirty percent (30%) compared to the water budget in subsection (3)(C) of this section. The conservation measures may include on-site measures, off-site measures or a combination thereof.

As required by the City Municipal Code described above, Integral Group, a consulting firm retained by the Project Applicant to prepare the water demand estimates for the Proposed Project, prepared a Water Use Budget and Alternative Water Source Assessment for the Proposed Project (see Appendix A). It should be noted that recycled water use is not proposed for the Proposed Project; instead, the Proposed Project will install water efficient fixtures and implement water conservation measures, both in the design of the base building and tenant spaces, and in the optimization of the operations and employee practices. Based on the provision of these water conservation measures, the project would comply with City Municipal Code Section 16.44.130 (3)(E).

The annual baseline water demand for the Proposed Project (7.8 million gallons per year) was determined using the following references and sources: LEED, CALGreen, the ConnectMenlo Water Supply Evaluation Study, and estimations made by Integral Group's mechanical engineering and building performance modeling teams to determine reasonable baseline values. Integral Group estimated the outdoor water demand for the Proposed Project by using the Model Water Efficient Landscape Ordinance (MWELO) Maximum Applied Water Allowance based on the planting type and irrigation equipment specified. These estimates are provided in Appendix A of this WSA.

## 1350 Adams Court Project Water Supply Assessment



In lieu of using an alternative water supply for non-potable water usage, Integral Group prepared a demand estimate with assumed conservation that reduces water demand for the Proposed Project by approximately 38 percent to 4.8 million gallons per year. The conservation demand projection achieves the reduction with the following demand reductions for each of the proposed water uses:

- Toilets and Urinals – Efficient fixtures and fittings, equivalent to achieving a 13 percent reduction
- Lavatories, Kitchen Faucets, Showers – Efficient fixtures and fittings, equivalent to achieving a 19 percent reduction per LEED v4 calculator
- Heating and Cooling – System efficiency to 10 cycles of concentration
- Life Science Laboratory – More efficient equipment for uses like water purification, vacuum pumps, steam sterilizers, glassware washers, fume hood filtration, and x-ray equipment (depending on specific tenant)
- Other Indoor Demand – More efficient equipment for ice machines, combination ovens, steam cookers and kettles, dipper wells, pre-rinse spray valves, food disposals, dishwashers and wash-down sprayers (depending on specific tenant)
- Irrigation – Extensive use of efficient drip irrigation and drought-tolerant plant selection

A summary of the water demands for the Proposed Project in million gallons per year (MG/yr), as estimated by Integral Group, is provided in Table 2-1. Additional information on the water demand projections for the Proposed Project is provided in Appendix A.

Water Use	Estimated Baseline Annual Demand, MG/yr	Estimated Conservation Savings, MG/yr	Estimated Demand After Conservation, MG/yr
Plumbing Fixtures and Fittings (toilets, urinals)	0.46	0.06	0.40
Plumbing Fixtures and Fittings (lavatories, kitchen faucets, showers)	0.38	0.07	0.30
Heating and Cooling	0.76	0.51	0.24
Process Water (lab equipment and fixtures)	5.00	2.00	3.00
Other Indoor Demand (cafeteria, meal preparation)	0.68	0.27	0.41
Irrigation	0.53	0.07	0.47
<b>Total</b>	<b>7.81</b>	<b>2.98</b>	<b>4.82</b>

(a) As estimated for the Proposed Project by Integral Group (see Appendix A).





## 1350 Adams Court Project Water Supply Assessment

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### 2.3 Proposed Project Relationship to ConnectMenlo

In 2016, the City completed a multi-year planning effort to update the Land Use and Circulation Elements of its General Plan for the 2040 planning horizon. This General Plan Update process was known as ConnectMenlo. ConnectMenlo reaffirmed existing remaining development potential within the City and incorporated land use changes in the Bayfront Area, including development potential for up to 4,500 new multi-family residential units, 2.3 million square feet of new non-residential uses, and 400 new hotel rooms.

A program-level EIR was prepared for ConnectMenlo. In conjunction with the ConnectMenlo EIR, a Water Supply Evaluation Study (WSE Study) was prepared to evaluate whether there would be sufficient water supply to meet the current and planned water demands within the service area during normal and dry hydrologic years over a 20-year time horizon. More specifically, the WSE Study includes:

- A summary of the WSA requirements articulated in Water Code §10910-10915 and a description of how they have been addressed in the WSE Study
- A description and analysis of the current and projected future water demands for the ConnectMenlo project through the year 2040
- A description and analysis of the historical, current, and projected future water demands for the MPMW service area through the year 2040
- A description and analysis of the current and projected future water supplies for the MPMW service area through the year 2040
- A comparison of the water supplies and demands for MPMW's water service area, including the projected water demands associated with the ConnectMenlo project

The data in the WSE Study were based primarily on the MPMW 2010 UWMP, the draft MPMW 2015 UWMP (which was being developed at the same time as the WSE Study), information from City staff, and specific information from PlaceWorks (preparer of the 2016 ConnectMenlo General Plan Update and program-level EIR). The final adopted MPMW 2015 UWMP and the MPMW 2020 UWMP incorporated the ConnectMenlo projections.

ConnectMenlo identifies the maximum development potential that could occur within the ConnectMenlo study area, including potential bonus-level increased development, and the associated program-level EIR further defines the maximum development that can occur by specific land uses. MPMW and the City's Planning Division are actively tracking projects within the ConnectMenlo study area on a cumulative basis to ensure that developed projects remain within the maximum development permitted by ConnectMenlo and are consistent with the program-level EIR.<sup>3</sup> The Proposed Project, if approved, would be within this permitted cumulative development total for both ConnectMenlo and the associated program-level EIR.

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<sup>3</sup> For projects that require a water budget, the City includes Conditions of Approval requiring annual monitoring to document water usage at or below the limits identified in the approved water budget. Exempt projects (below the water budget threshold) are not tracked.

## 1350 Adams Court Project Water Supply Assessment



Table 2-2 shows the Proposed Project’s impact on the cumulative water demand permitted for ConnectMenlo.

<b>Table 2-2. Proposed Project Impact on ConnectMenlo Study Area Potable Water Demand</b>	
<b>Demand Source</b>	<b>Annual Water Demand, MG/yr</b>
ConnectMenlo Total Potable Water Demand at Buildout <sup>(a)</sup>	343
Proposed Project Potable Water Demand <sup>(b)</sup>	5
<b>Remaining Potable Water Demand for Other Projects within ConnectMenlo Study Area<sup>(c)</sup></b>	<b>338</b>
<p>(a) Water Supply Evaluation Study for ConnectMenlo – General Plan and M-2 Area Zoning Update (Table 2), prepared by EKI, February 2016. The Water Supply Evaluation Study assumed that total water demand in the ConnectMenlo study area would be met using potable water.</p> <p>(b) From Table 2-1 above.</p> <p>(c) Other projects in the ConnectMenlo study area currently in the planning stages include Willow Village with a projected net potable water demand of approximately 85 MG/yr and Commonwealth Building 3 with a projected potable water demand of approximately 14 MG/yr. These projects are still in the planning stage so their projected water demands are subject to change. Recently approved projects subject to water budgets and annual water usage limits include Menlo Portal and Menlo Uptown which are anticipated to use 12.6 and 9.1 MG/yr, respectively.</p>	

The remaining potable water demand for other projects within the ConnectMenlo study area shown in Table 2-2 is available to serve both approved, but not yet constructed, and future projects (whether or not they require a WSA).

## 1350 Adams Court Project Water Supply Assessment



### 3.0 REQUIRED DETERMINATIONS

The following sections describe the required determinations for a WSA.

#### 3.1 Does SB 610 Apply to the Proposed Project?

*10910 (a) Any city or county that determines that a project, as defined in Section 10912, is subject to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) under Section 21080 of the Public Resources Code shall comply with this part.*

*10912 (a) "Project" means any of the following:*

- (1) A proposed residential development of more than 500 dwelling units.*
- (2) A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.*
- (3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.*
- (4) A proposed hotel or motel, or both, having more than 500 rooms.*
- (5) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.*
- (6) A mixed-use project that includes one or more of the projects specified in this subdivision.*
- (7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.*

As shown in Table 3-1, the Proposed Project does meet the definition of a "Project" as specified in Water Code section 10912(a). The Proposed Project has not been the subject of a previously adopted WSA and has not been included in an adopted WSA for a larger project. Therefore, according to Water Code section 10910(a), a WSA is required for the Proposed Project.

SB 610 Project Definition Components	Proposed Project Quantity	Meets the SB 610 Definition of a "Project"?
Residential > 500 dwelling units	N/A	NO
Retail > 1,000 employees or > 500,000 sf	N/A	NO
Commercial Office Building > 1,000 employees or > 250,000 sf	Up to 260,400 sf	YES
Hotel/Motel > 500 rooms	N/A	NO
Industrial Plant/Park > 1,000 employees or > 40 acres or > 650,000 sf	N/A	NO
Mixed Use Project that includes one or more of the above	N/A	NO
A Project that would demand the amount of water required by a 500-dwelling unit project	N/A	NO
<b>SB 610 Required?</b>	--	<b>YES</b>



## 1350 Adams Court Project Water Supply Assessment

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The City has also determined that the Proposed Project is subject to the California Environmental Quality Act (CEQA) and that an EIR is required. Because the Proposed Project's location and development parameters are consistent with ConnectMenlo, the ConnectMenlo Program-level EIR serves as the first tier environmental analysis for the Project. However, an EIR will be prepared for the Proposed Project to address impacts that need further discussion and/or mitigation beyond that provided in the ConnectMenlo EIR, as well as to satisfy the requirements of a settlement agreement between the City of Menlo Park and the City of East Palo Alto. The EIR will utilize the findings of this WSA as appropriate in the EIR for the Proposed Project.

### 3.2 Does SB 221 Apply to the Proposed Project?

In 2001, SB 221 amended State law to require that approval by a city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply. Per California Government Code section 66473.7(a)(1), a subdivision means a proposed residential development of more than 500 dwelling units. The Proposed Project does not include a residential subdivision, so the requirements of SB 221 do not apply to the Proposed Project.

### 3.3 Who is the Identified Public Water System?

*10910(b) The city or county, at the time that it determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration is required for any project subject to the California Environmental Quality Act pursuant to Section 21080.1 of the Public Resources Code, shall identify any water system that is, or may become as a result of supplying water to the project identified pursuant to this subdivision, a public water system, as defined by Section 10912, that may supply water for the project*

*10912 (c) "Public water system" means a system for the provision of piped water to the public for human consumption that has 3,000 or more service connections...*

The Proposed Project is located in the City within MPMW's service area. MPMW's service area consists of three zones: the Lower Zone (located north and east of El Camino Real and serves residential, small commercial, and light industrial land uses), the High Pressure Zone (located in northern Menlo Park between Highway 101 and Bayfront Expressway, north of Chilco Street, and serves multi-family residential, commercial and light industrial, and a mobile home park outside the City's northern-most boundary), and the Upper Zone (located in the southwest portion of Menlo Park near Interstate 280 and geographically and hydraulically disconnected from the other pressure zones). The Proposed Project is located in MPMW's Lower Zone. Therefore, MPMW is the identified public water system for the Proposed Project.

## 1350 Adams Court Project Water Supply Assessment



### 3.4 Does the Identified Public Water Supplier have an adopted UWMP and does the UWMP include the projected water demand for the Proposed Project?

*10910(c)(1) The city or county, at the time it makes the determination required under Section 21080.1 of the Public Resources Code, shall request each public water system identified pursuant to subdivision (b) to determine whether the projected water demand associated with a proposed project was included as part of the most recently adopted urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610).*

The City’s most recently adopted UWMP is the 2020 UWMP, which was adopted in May 2021. The MPMW 2020 UWMP is incorporated by reference into this WSA.

The MPMW 2020 UWMP incorporated the future population, employment and water demand projections for buildout of the General Plan, including the additional allowable development associated with ConnectMenlo and other major development projects within the MPMW service area.<sup>4</sup> As described in Section 2.3 of this WSA, ConnectMenlo identifies the maximum development potential that could occur within the ConnectMenlo study area, including potential bonus-level increased development, and the associated program level EIR further defines the maximum development that can occur by specific land uses. MPMW and the City’s Planning Division are actively tracking projects within the ConnectMenlo study area on a cumulative basis to ensure that developed projects remain within the maximum development permitted in ConnectMenlo and would be consistent with the program-level EIR. The Proposed Project, if approved, would be within this permitted total development potential permitted for both ConnectMenlo and the associated program-level EIR. Therefore, the water demand for the Proposed Project is included in the MPMW 2020 UWMP water demand.

Table 3-2 presents the projected future water demand for buildout of the General Plan, which would include the Proposed Project, in normal years as presented in the MPMW 2020 UWMP. Additional discussion on the MPMW’s existing and projected water demands is provided in Section 5 of this WSA.

2020 (Actual), MG	Projected Water Demand after Passive and Active Conservation, MG			
	2025	2030	2035	2040
1,069	1,296	1,345	1,410	1,483

*Source: MPMW 2020 UWMP, Table 4-5.*

<sup>4</sup> MPMW 2020 UWMP, Section 3.2 Land Uses within Service Area, page 18.



## 1350 Adams Court Project Water Supply Assessment

### 4.0 MENLO PARK MUNICIPAL WATER SYSTEM

The following sections describe the MPMW existing water service area, including existing and projected population.

#### 4.1 Water Service Area

MPMW is located within the City, along the San Francisco Peninsula in San Mateo County, between the cities of Palo Alto, East Palo Alto, and Redwood City. MPMW provides water service to approximately half of the City, serving an area of approximately 9 square miles. The remainder of the City is served by California Water Service, O'Connor Tract Co-operative Water Company, and Palo Alto Park Mutual Water Company.

There were 4,296 MPMW service connections as of 2020. Land uses throughout the water service area consist primarily of residential, commercial, and industrial land uses. Customer service connections include residential users, industrial connections, commercial service connections, irrigation accounts, and 'Other' connections (including temporary services and sales, private fire services, and hydrant services).

#### 4.2 Population

The MPMW service area is largely built-out, with future growth trends principally due to redevelopment within the Bayfront Area. As shown in Table 4-1, the total population within the MPMW service area is projected to increase to 30,184 people by 2040, a 65 percent increase from the current 2020 population of 18,276 people. The City's Planning Division expects more than 40 percent of the projected population increase to occur within the next five years (2020 through 2025) based on approved and pending projects in the Bayfront Area (driven by the ConnectMenlo General Plan). The MPMW service area includes areas outside of the Bayfront Area; however, given the focus of the ConnectMenlo General Plan Update on land use changes within the Bayfront Area, most population growth through 2040 is expected to occur in that geographic area.<sup>5</sup>

**Table 4-1. MPMW Service Area Existing and Projected Population**

Year	2020	2025	2030	2035	2040
Population Served	18,276	23,383	25,166	27,675	30,184

*Source: MPMW 2020 UWMP, Table 3-1.*

<sup>5</sup> The City is conducting the required update to its Housing Element that would likely increase population growth outside of the Bayfront Area, some of which may be located within the MPMW's Upper Zone.

## 1350 Adams Court Project Water Supply Assessment



### 5.0 MENLO PARK MUNICIPAL WATER DEMANDS

*10910(c)(2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f) and (g).*

The descriptions provided below for the City’s water demands are based on the MPMW 2020 UWMP (adopted in May 2021).

#### 5.1 Historical and Existing Water Demand

Table 5-1 shows the MPMW water demand (based on water production) for 2010 through 2020. According to MPMW’s 2020 UWMP, from 2010 through 2020, the service area population had grown by about 24 percent, while the total volume of water sold increased by just 1.6 percent. The decrease in water demand from 2013 to 2016 can be attributed to mandatory statewide restrictions issued by the State Water Resources Control Board (SWRCB) during the drought and water conservation efforts by the City’s residents and businesses. Since 2016, there has been a rebound in demand.

Year	Potable Water Demand, MG
2010	1,052
2011	1,033
2012	1,079
2013	1,189
2014	1,030
2015	883
2016	898
2017	1,003
2018	1,108
2019	1,028
2020	1,069

*Source: MPMW 2020 UWMP, Table 4-2.*

#### 5.2 Future Water Demand

Table 5-2 shows MPMW’s projected normal year water demands through 2040 as included in MPMW’s 2020 UWMP. These projections are based on anticipated future water demands corresponding to buildout of the City’s current General Plan, including development of ConnectMenlo and other planned projects within MPMW’s service area. The projected increase in demand reflects a rebound in water use following the end of the suppressed demands due to the 2015-2016 drought and an accelerated growth in employment due to planned development projects.



## 1350 Adams Court Project Water Supply Assessment



**Table 5-2. Projected Future Water Demand – Normal Years**

2020 (Actual), MG	Projected Water Demand after Passive and Active Conservation, MG			
	2025	2030	2035	2040
1,069	1,296	1,345	1,410	1,483

*Source: MPMW 2020 UWMP, Table 4-5.*

### 5.3 Dry Year Water Demand

As shown in Table 5-1, MPMW’s 2015 and 2016 demands were significantly lower than the demand in previous years. This reduction in demands occurred in response to the drought and mandated statewide reductions in urban potable water usage.

Following the drought, MPMW updated the stages of action to be taken in response to water supply shortages. The updated stages of action are reflected in MPMW’s Water Shortage Contingency Plan (WSCP) and are included in Chapter 8 of the MPMW 2020 UWMP. MPMW has also implemented a demand management program with mandatory prohibitions that are in force at all times, as described in Chapter 8 of the MPMW 2020 UWMP. The projected future water demand presented in Table 5-2 includes continued implementation of the existing demand management program and is based on future normal hydrologic years.

Under dry water year conditions, MPMW anticipates implementing the demand reduction measures outlined in the WSCP as appropriate to reduce water demands to match the reduction in the supply. However, to be conservative, the MPMW 2020 UWMP and this WSA do not assume additional water conservation will occur in single dry or multiple dry years, even though additional water conservation is likely to occur during dry years or other water supply shortages as a result of MPMW implementing additional water conservation measures.

Table 5-3 presents the projected future single and multiple dry year water demand, as presented in the MPMW 2020 UWMP.

**Table 5-3. Projected Future Water Demand – Dry Years**

Hydrologic Condition	Demand Reduction <sup>(a)</sup>	Projected Water Demand, MG			
		2025	2030	2035	2040
Single Dry Year <sup>(b)</sup>	0%	1,296	1,345	1,410	1,483
Multiple Dry Years <sup>(c,d)</sup>	0%	1,296	1,345	1,410	1,483

(a) Conservatively assumes no demand reduction in dry years. Demands may be reduced in dry years as a result of MPMW’s implementation of its Water Shortage Contingency Plan; however, such a demand reduction is not assumed or relied upon for the purposes of the Single Dry Year and Multiple Dry Year evaluations for this WSA.  
 (b) Source: MPMW 2020 UWMP, Table 7-5.  
 (c) Source: MPMW 2020 UWMP, Table 7-6.  
 (d) Represents demands for each year of the 5-year multiple dry year period.



## 1350 Adams Court Project Water Supply Assessment



### 6.0 MENLO PARK MUNICIPAL WATER SUPPLIES

*10910(c)(2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f) and (g).*

*10910(d)(1) The assessment required by this section shall include an identification of any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project, and a description of the quantities of water received in prior years by the public water system...under the existing water supply entitlements, water rights, or water service contracts.*

*10910(e) If no water has been received in prior years by the public water system...under the existing water supply entitlements, water rights, or water service contracts, the public water system...shall also include in its water supply assessment...an identification of the other public water systems or water service contract holders that receive a water supply or have existing water supply entitlements, water rights, or water service contracts, to the same source of water as the public water system.*

*10910(f) If a water supply for a proposed project includes groundwater, the following additional information shall be included in the water supply assessment.*

- (1) A review of any information contained in the urban water management plan relevant to the identified water supply for the proposed project.*
- (2) A description of any groundwater basin or basins from which the proposed project will be supplied. For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most recent bulletin of the department that characterizes the condition of the groundwater basin, and a detailed description by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), of the efforts being undertaken in the basin or basins to eliminate the long-term overdraft condition.*
- (3) A detailed description and analysis of the amount and location of groundwater pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), for the past five years from any groundwater basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historical use records.*
- (4) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), from any basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historical use records.*
- (5) An analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project. A water assessment shall not be required to include the information required by this paragraph if the public water system determines, as part of the review required by paragraph (1), that the sufficiency of groundwater necessary to meet the initial and projected water demand associated with the project was addressed in the description and analysis required by paragraph (4) of subdivision (b) of Section 10631.*



## 1350 Adams Court Project Water Supply Assessment

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As described in Section 3.4 of this WSA, the projected water demand associated with buildout of ConnectMenlo, which includes the Proposed Project, was accounted for in MPMW’s most recently adopted Urban Water Management Plan. The descriptions provided below for MPMW’s water supplies are based on the MPMW 2020 UWMP (adopted in May 2021) and the SFPUC 2020 UWMP (adopted in June 2021).

### 6.1 Water Supply Overview

MPMW currently purchases all of its potable water supplies from the SFPUC RWS. MPMW has reservoirs in its Upper Zone to provide for emergency supply and an emergency groundwater well has been constructed at MPMW’s Corporation Yard. Additional groundwater wells and reservoirs for emergency supply are in the planning stages for the Lower Zone and the High Pressure Zone.

Recycled water supplied by West Bay Sanitary District (WBSD) is currently utilized within the MPMW service area for irrigation at the Sharon Heights Golf & Country Club and is under development for the Bayfront Area. According to the MPMW 2020 UWMP, MPMW plans to utilize up to 120 MG/yr of recycled water from WBSD for landscape and golf course irrigation and commercial non-potable applications at Sharon Heights and in the Bayfront Area.

### 6.2 Water Supply from the SFPUC RWS

The SFPUC RWS supplies water to both retail and wholesale customers. Retail customers include residents, businesses, and industries located within the City and County of San Francisco’s boundaries. Wholesale customers include 26 cities and water supply agencies in Alameda, San Mateo and Santa Clara counties, including MPMW.

MPMW is a member agency of Bay Area Water Supply and Conservation Agency (BAWSCA) and purchases treated water from the SFPUC RWS in accordance with the November 2018 Amended and Restated Water Supply Agreement between the City and County of San Francisco and Wholesale Customers in Alameda, San Mateo and Santa Clara Counties, which was adopted in 2019. The term of the agreement is 25 years, with a beginning date of July 1, 2009 and an expiration date of June 30, 2034. Per the agreement, MPMW has an Individual Supply Guarantee (ISG) of 4.456 million gallons per day (mgd), or 1,630 million gallons per year, supplied by the SFPUC RWS. Over the last five years (2016-2020) MPMW has purchased between 52 percent and 66 percent of its ISG.

Additional discussion of the SFPUC RWS water supplies is provided in MPMW’s 2020 UWMP and SFPUC’s 2020 UWMP.

### 6.3 Groundwater Supply

MPMW does not rely upon groundwater supplies for its potable water supply since the entirety of the MPMW supply is purchased from the SFPUC RWS. However, MPMW has undertaken a multi-year Emergency Water Storage/Supply Project to construct emergency groundwater wells. As such, this WSA evaluates groundwater basin conditions pursuant to Section 10910(f).

#### 6.3.1 Groundwater Basin Description

The MPMW service area overlies the southern end of the Santa Clara Valley Groundwater Basin’s San Mateo Plain Groundwater Subbasin (DWR basin number 2-9.03; DWR, 2004; or “subbasin”). The subbasin



## 1350 Adams Court Project Water Supply Assessment

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is not adjudicated, nor has it been found by the Department of Water Resources (DWR) to be in a condition of overdraft. As part of the implementation of the Sustainable Groundwater Management Act (SGMA), the subbasin was ranked as a “very low priority” basin under the California Statewide Groundwater Elevation Monitoring basin prioritization process. As such, the basin is not subject to the requirements of SGMA.

Located within the 45-square mile San Francisquito Creek Watershed, the MPMW service area contains both mountainous bedrock terrain and comparatively flat alluvial deposits. Coarse- and fine-grained alluvial deposits from the San Francisquito Creek can be found in the MPMW service area. There is a shallow aquifer and a deep aquifer that has an upper and a lower zone in the MPMW service area. Both aquifers lie beneath a laterally extensive confining layer. The shallow aquifer is unconfined while the deep aquifer is semi-confined. Pump tests and empirical transmissivity data show that it is feasible to develop a municipal supply from the groundwater subbasin. It is estimated that the groundwater subbasin can be as thick as 1,000 feet in some locations.

Groundwater in the Santa Clara Valley Groundwater Basin naturally flows toward the San Francisco Bay from the uplands in the southwest. Reverse groundwater gradients, from the San Francisco Bay toward the uplands, have been seen when pumping has exceeded the rate of recharge. The estimated annual recharge rate of the San Francisquito Creek watershed ranges from 4,000 to 8,000 acre-feet per year, equivalent to 3.6 to 7.2 mgd.

Additional discussion of the groundwater conditions and groundwater management is provided in MPMW’s 2020 UWMP.

### **6.3.2 MPMW Emergency Water Storage/Supply Project**

The MPMW Emergency Water Storage/Supply Project intends to provide a backup water supply to MPMW’s Lower Zone, which lacks emergency storage, in the event water from the SFPUC RWS is reduced or unavailable. The MPMW Emergency Water Storage/Supply Project will provide a total capacity of up to 3,000 gpm, or approximately 4.32 mgd, between two to three wells at separate locations. MPMW initiated the project in 2010 and completed site screening, site ranking, and detailed engineering and hydrologic evaluation in 2013, including extensive community engagement. The City selected the Corporation Yard at 333 Burgess Drive for the first well, completed the CEQA evaluation in 2016, and drilled the well in 2017. Construction of the well facility (e.g., generator, disinfection equipment, associated piping) was completed in late 2020, and MPMW is working with the State Water Resources Control Board (SWRCB) to permit the well. MPMW is also investigating locations for a future underground reservoir for the Lower Zone and High Pressure Zone.

The SWRCB Division of Drinking Water classifies wells as “active” or “standby.” Active wells, with water quality testing requirements every 3 years, must meet all primary and secondary standards and have no restrictions on when the well can be used. Standby wells, with water quality testing requirements every 9 years, must meet all primary standards (but not secondary standards) and have restrictions that the well cannot be used for more than 14 days per year or more than 5 consecutive days. To provide flexibility, the City plans to permit its emergency wells as “active” wells as long as primary and secondary standards can be met. The City’s plan is to use the wells for emergency purposes only, but have the flexibility to provide well water during emergencies that last more than 14 days per year or more than 5 consecutive days.

## 1350 Adams Court Project Water Supply Assessment



### 6.4 Recycled Water Supply

WBSD provides wastewater collection services to the MPMW service area. WBSD also acts as the recycled water purveyor in MPMW’s Upper Zone and WBSD is developing a recycled water system to serve the Lower Zone and High Pressure Zone.

Currently, recycled water is only used at the Sharon Heights Golf & Country Club, which is a 170-acre property located in the Upper Zone of MPMW’s service area. The recycled water system consists of the Sharon Heights Recycled Water Facility, a pump station, recycled water distribution pipelines to the golf course irrigation system, and a solids disposal pipeline. In 2020, the satellite wastewater treatment plant (WWTP) provided 20 MG of recycled water to the Sharon Heights Golf & Country Club, offsetting demand in potable water purchased from SFPUC. A second phase of the project, in the very early planning stages, could supply approximately 28 MG of recycled water over seven months a year to the Stanford Linear Accelerator Center for irrigation and industrial uses such as for cooling towers.

Planning for a similar recycled water facility in the Bayfront Area is ongoing. WBSD has completed a feasibility study exploring the viability of a Resource Recovery Center at WBSD’s former treatment plant behind Bedwell Bayfront Park, which could produce approximately 500,000 gallons per day of recycled water for reuse (the MPMW 2020 UWMP projects an annual recycled water supply of 72 MG/yr from this new facility). The feasibility study concluded that the project is feasible. In a public/private partnership with Meta, the WBSD Board of Directors spearheaded the effort to install 2,800 feet of purple recycled water pipe parallel with the storm drainpipe Meta was replacing on Chilco Street. This pipe will be used to distribute recycled water in the area. According to WBSD, recycled water will be used for irrigation, industrial purposes, firefighting, public fill stations and toilet flushing in the Bayfront Area.

### 6.5 Summary of Existing and Additional Planned Future Water Supplies

Table 6-1 provides a summary of MPMW’s current and projected future normal year supplies as presented in MPMW’s 2020 UWMP. The availability and reliability of MPMW’s water supplies in dry years is discussed in Section 7 of this WSA.

Water Source	Water Supply, MG				
	2020 Actual <sup>(a,b)</sup>	2025 <sup>(c)</sup>	2030 <sup>(c)</sup>	2035 <sup>(c)</sup>	2040 <sup>(c)</sup>
Potable Water - Purchased from SFPUC RWS	1,069	1,630	1,630	1,630	1,630
Recycled Water – Sharon Heights Recycled Water Facility	20	48	48	48	48
Recycled Water – Bayfront Recycled Water Facility	--	0	72	72	72
<b>Total</b>	<b>1,089</b>	<b>1,678</b>	<b>1,750</b>	<b>1,750</b>	<b>1,750</b>

(a) 1,069 MG represents only 65.5% of the ISG to MPMW.  
 (b) Source: MPMW 2020 UWMP, Table 4-7.  
 (c) Source: MPMW 2020 UWMP, Table 6-9.



## 1350 Adams Court Project Water Supply Assessment

### 7.0 WATER SUPPLY RELIABILITY

*10910(c)(4) If the city or county is required to comply with this part pursuant to subdivision (b), the water supply assessment for the project shall include a discussion with regard to whether the total projected water supplies, determined to be available by the city or county for the project during normal, single dry, and multiple dry water years during a 20-year projection, will meet the projected water demand associated with the proposed project, in addition to existing and planned future uses, including agricultural and manufacturing uses.*

*10911(a) If, as a result of its assessment, the public water system concludes that its water supplies are, or will be, insufficient, the public water system shall provide to the city or county its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies. If the city or county, if either is required to comply with this part pursuant to subdivision (b), concludes as a result of its assessment, that water supplies are, or will be, insufficient, the city or county shall include in its water supply assessment its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies. Those plans may include, but are not limited to, information concerning all of the following:*

- (1) The estimated total costs, and the proposed method of financing the costs, associated with acquiring the additional water supplies.*
- (2) All federal, state, and local permits, approvals, or entitlements that are anticipated to be required in order to acquire and develop the additional water supplies.*
- (3) Based on the consideration set forth in paragraphs (1) and (2), the estimated timeframes within which the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), expects to be able to acquire additional water supplies.*

The current reliability of MPMW's water supply is largely dependent upon its water supply contract with SFPUC and SFPUC's water supply reliability. The reliability discussion provided below is based on the MPMW 2020 UWMP (adopted in May 2021) and the SFPUC 2020 UWMP (adopted in June 2021). It should be noted that SFPUC's 2020 UWMP extends to a 2045 horizon year, which is beyond the statutorily required horizon year of 2040 presented in the MPMW 2020 UWMP.

#### 7.1 SFPUC RWS Reliability

Information regarding the reliability of the SFPUC RWS was provided to MPMW by BAWSCA, in coordination with SFPUC, during the preparation of the MPMW 2020 UWMP. The following sections describe the potential impacts of the 2018 Bay-Delta Plan Amendment on SFPUC RWS reliability, allocation of RWS supplies during supply shortages, as well as SFPUC's Alternative Water Supply Planning Program designed to investigate and plan for new water supplies to address future long-term water supply reliability challenges and vulnerabilities on the RWS.

##### 7.1.1 Potential Impacts of the 2018 Bay-Delta Plan Amendment on SFPUC RWS Reliability

In December 2018, the SWRCB adopted amendments to the Water Quality Control Plan for the San Francisco Bay Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment) to establish water quality objectives to maintain the health of the Bay-Delta ecosystem. The SWRCB is required by law to regularly review this plan. The adopted Bay-Delta Plan Amendment was developed with the stated goal of increasing salmonid populations in three San Joaquin River tributaries (the Stanislaus, Merced, and Tuolumne Rivers) and the Bay-Delta. The Bay-Delta Plan Amendment requires the release of 40 percent





## 1350 Adams Court Project Water Supply Assessment

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of the “unimpaired flow” on the three tributaries from February through June in every year type, whether wet, normal, dry, or critically dry.

The SWRCB has stated that it intends to implement the Bay-Delta Plan Amendment on the Tuolumne River by the year 2022, assuming all required approvals are obtained by that time. But implementation of the Plan Amendment is uncertain for several reasons:

- Since adoption of the Bay-Delta Plan Amendment, over a dozen lawsuits have been filed in both state and federal court, challenging the SWRCB’s adoption of the Bay-Delta Plan Amendment, including two legal challenges filed by the federal government, at the request of the U.S. Department of Interior, Bureau of Reclamation in state and federal courts. These cases are in the early stage and there have been no dispositive court rulings to date.
- The Bay-Delta Plan Amendment is not self-implementing and does not allocate responsibility for meeting its new flow requirements to the SFPUC or any other water rights holders. Rather, the Plan Amendment merely provides a regulatory framework for flow allocation, which must be accomplished by other regulatory and/or adjudicatory proceedings, such as a comprehensive water rights adjudication or, in the case of the Tuolumne River, the 401 certification process in the Federal Energy Regulatory Commission’s (FERC) relicensing proceeding for Don Pedro Dam. The license amendment process is currently expected to be completed in the 2022-23 timeframe. This process and the other regulatory and/or adjudicatory proceedings would likely face legal challenges and have lengthy timelines, and quite possibly could result in a different assignment of flow responsibility (and therefore a different water supply impact on the SFPUC).
- In recognition of the obstacles to implementation of the Bay-Delta Plan Amendment, SWRCB Resolution No. 2018-0059 adopting the Bay-Delta Plan Amendment directed staff to help complete a “Delta watershed-wide agreement, including potential flow measures for the Tuolumne River” by March 1, 2019, and to incorporate such agreements as an “alternative” for a future amendment to the Bay-Delta Plan to be presented to the SWRCB “as early as possible after December 1, 2019.” In accordance with the SWRCB’s instruction, on March 1, 2019, SFPUC, in partnership with other key stakeholders, submitted a proposed project description for the Tuolumne River that could be the basis for a voluntary substitute agreement with the SWRCB (“March 1st Proposed Voluntary Agreement”). On March 26, 2019, the Commission adopted Resolution No. 19-0057 to support SFPUC’s participation in the Voluntary Agreement negotiation process. To date, those negotiations are ongoing under the California Natural Resources Agency and California Environmental Protection Agency and the leadership of the Newsom administration. The negotiations for a voluntary agreement have made significant progress since an initial framework was presented to the SWRCB on December 12, 2018. The package submitted on March 1, 2019 is the product of renewed discussions since Governor Newsom took office. While significant work remains, the package represents an important step forward in bringing together diverse California water interests.<sup>6</sup>

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<sup>6</sup> In late October 2021, State regulators announced that these negotiations stopped before an agreement was reached. It is unclear whether or when negotiations might be reinitiated.



## 1350 Adams Court Project Water Supply Assessment

Because of the uncertainties surrounding the implementation of the Bay-Delta Plan Amendment, the SFPUC 2020 UWMP analyzed two supply scenarios, one with the Bay-Delta Plan Amendment assuming implementation starting in 2023, and one without the Bay-Delta Plan Amendment. Results of these analyses are summarized as follows:<sup>7</sup>

- If the Bay-Delta Plan Amendment is implemented, SFPUC will be able to meet its contractual obligations to its wholesale customers as presented in the SFPUC 2020 UWMP in normal years but would experience significant supply shortages in dry years. In single dry years, supply shortages would range from 36 to 46 percent. In multiple dry years, supply shortages would range from 36 to 54 percent. Implementation of the Bay-Delta Plan Amendment will require rationing in all single dry and multiple dry years through 2045.
- If the Bay-Delta Plan Amendment is not implemented, SFPUC would be able to meet 100 percent of the projected purchases of its wholesale customers during all year types through 2045 except during the fourth and fifth consecutive dry years for base year 2045 when 15 percent wholesale supply shortages are projected.

In June 2021, in response to various comments from wholesale customers regarding the reliability of the RWS as described in SFPUC's 2020 UWMP, the SFPUC provided a memorandum describing SFPUC's efforts to remedy the potential effects of the Bay-Delta Plan Amendment. As described in the memorandum (included in Appendix B of this WSA), SFPUC's efforts include the following:

- Pursuing a Tuolumne River Voluntary Agreement
- Evaluating the drought planning scenario in light of climate change
- Pursuing alternative water supplies
- In litigation with the State over the Bay-Delta Plan Amendment
- In litigation with the State over the proposed Don Pedro FERC Water Quality Certification

### ***7.1.2 Allocation of RWS Supplies During Supply Shortages***

The wholesale customers and SFPUC adopted the November 2018 Amended and Restated Water Supply Agreement in 2019, which included a Water Shortage Allocation Plan (WSAP) to allocate water from the RWS to retail and wholesale customers during system-wide shortages of 20 percent or less, including such shortages occurring as a result of implementation of the Bay-Delta Plan Amendment. The WSAP has two tiers which are described below.

- The Tier One Plan allocates water between SFPUC and the wholesale customers collectively based on the level of the shortage (up to 20 percent). This plan applies only when SFPUC determines that a system-wide water shortage exists and issues a declaration of a water shortage emergency under California Water Code Section 350. The SFPUC may also opt to request voluntary cutbacks from San Francisco and the wholesale customers to achieve necessary water use reductions during drought periods. The allocations outlined in the Tier One Plan are provided in Table 7-1.

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<sup>7</sup> BAWSCA Drought Allocation Tables by Agency (Table E: Percent Cutback to the Wholesale Customers With Bay-Delta Plan and Table N: Percent Cutback to the Wholesale Customers Without Bay-Delta Plan), dated April 1, 2021.

## 1350 Adams Court Project Water Supply Assessment



System-Wide Reduction Required, percent	Share of Available Water, percent	
	SFPUC	Wholesale Customers
≤ 5	35.5	64.5
6 to 10	36.0	64.0
11 to 15	37.0	63.0
16 to 20	37.5	62.5

- The Tier Two Plan allocates the collective wholesale customer share among the wholesale customers based on a formula that accounts for each wholesale customer’s ISG, seasonal use of all available water supplies, and residential per capita use. BAWSCA calculates each wholesale customer’s Allocation Factors annually in preparation for a potential water shortage emergency.

BAWSCA recognizes that the Tier Two Plan was not designed for RWS shortages greater than 20 percent, and in a memorandum dated March 1, 2021, BAWSCA provided a refined methodology to allocate RWS supplies during projected future single dry and multiple dry years in the instance where supply shortfalls are greater than 20 percent for the purposes of the BAWSCA member agencies’ 2020 UWMPs. The revised methodology developed by BAWSCA allocates the wholesale supplies as follows:

- When the average Wholesale Customers’ RWS shortages are 10 percent or less, an equal percent reduction will be applied across all agencies. This is consistent with the existing Tier Two requirements in a Tier Two application scenario.
- When average Wholesale Customers’ shortages are between 10 and 20 percent, the Tier Two Plan will be applied.
- When the average Wholesale Customers’ RWS shortages are greater than 20 percent, an equal percent reduction will be applied across all agencies.

In another memorandum dated February 18, 2021, BAWSCA explains that in actual RWS shortages greater than 20 percent, BAWSCA Member Agencies would have the opportunity to negotiate and agree upon a more nuanced and equitable approach. This would likely consider basic health and safety needs, the water needs to support critical institutions, and minimizing economic impacts on individual communities and the region. As such, the allocation method described in the MPMW 2020 UWMP is only intended to serve as the preliminary basis for the 2020 UWMP supply reliability analysis. The analysis provided in the SFPUC 2020 UWMP and the MPMW 2020 UWMP does not in any way imply an agreement by BAWSCA member agencies as to the exact allocation methodology. BAWSCA member agencies are in discussions about jointly developing an allocation method that would consider additional equity factors in the event that SFPUC is not able to deliver its contractual supply volume, and its cutbacks to the RWS supply exceed 20 percent.





## 1350 Adams Court Project Water Supply Assessment

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### 7.1.3 Alternative Water Supply Program

In early 2020, the SFPUC began implementation of the Alternative Water Supply Planning Program (AWSP), a program designed to investigate and plan for new water supplies to address future long-term water supply reliability challenges and vulnerabilities of the RWS particularly in light of the possible implementation of the Bay-Delta Plan Amendment.

Included in the AWSP is a suite of diverse, non-traditional supply projects that, to a great degree, leverage regional partnerships and are designed to meet the water supply needs of the SFPUC Retail and Wholesale Customers through 2045. As of the most recent Alternative Water Supply Planning Quarterly Update, SFPUC has budgeted \$264 million over the next ten years to fund water supply projects. The drivers for the program include: (1) the adoption of the Bay-Delta Plan Amendment and the resulting potential limitations to RWS supply during dry years; (2) the net supply shortfall following the implementation of SFPUC's Water System Improvement Plan (WSIP)<sup>8</sup>; (3) San Francisco's perpetual obligation to supply 184 mgd to the Wholesale Customers; (4) adopted Level of Service Goals to limit rationing to no more than 20 percent system-wide during droughts; and (5) the potential need to identify water supplies that would be required to offer permanent status to interruptible customers.

The SFPUC is considering several water supply options and opportunities to meet all foreseeable water supply needs, including surface water storage expansion, recycled water expansion, water transfers, desalination, and potable reuse. These efforts and their expected benefit to supply reliability are listed below, and described in further detail in the MPMW 2020 UWMP and SFPUC 2020 UWMP:

- Daly City Recycled Water Expansion (Regional; Normal and Dry-Year Supply)
- Alameda County Water District – Union Sanitary District Purified Water Partnership (Regional; Normal and Dry-Year Supply)
- Crystal Springs Purified Water (Regional; Normal and Dry-Year Supply)
- Los Vaqueros Reservoir Expansion (Regional; Dry Year Supply)
- Bay Area Brackish Water Desalination (Regional; Normal and Dry-Year Supply)
- Calaveras Reservoir Expansion (Regional; Dry Year Supply)
- Groundwater Banking (Dry Year Supply)
- Inter-Basin Collaborations

Capital projects under consideration would be costly and are still in the early feasibility and conceptual planning stages. The exact yields from these projects are not quantified at this time, as these supply

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<sup>8</sup> The Water System Improvement Program (WSIP) is a \$4.8 billion dollar, multi-year capital program to upgrade the SFPUC's regional and local water systems. The program repairs, replaces, and seismically upgrades crucial portions of the Hetch Hetchy Regional Water System. The program consists of 87 projects (35 local projects located within San Francisco and 52 regional projects) spread over seven counties from the Sierra foothills to San Francisco. The San Francisco portion of the program is 100 percent complete as of October 2020. The Regional portion is approximately 99 percent complete. The current forecasted date to complete the overall WSIP is May 2023. Additional information on the WSIP is provided in Chapter 7 of MPMW's 2020 UWMP.



## 1350 Adams Court Project Water Supply Assessment

projects would take 10 to 30 years to implement and the exact amount of water that can be reasonably developed is currently unknown.

As with traditional infrastructure projects, there is a need to progress systematically from planning to environmental review, and then on to detailed design, permitting and construction of these alternative water supply projects. Given the complexity and inherent challenges, these projects will require a long lead time to develop and implement. SFPUC staff have developed an approach and timeline to substantially complete planning and initiate environmental review by July 2023 for a majority of the alternative water supply projects under consideration.

Additional information on the AWSP is provided in Chapter 7 of MPMW’s 2020 UWMP.

### 7.2 MPMW Water Supply Reliability

In the MPMW 2020 UWMP, projected normal year supplies are shown to be adequate to satisfy MPMW’s projected normal year demands. However, in the MPMW 2020 UWMP, and this WSA, MPMW’s purchased supplies from the SFPUC RWS assume dry year supply reductions as a result of the implementation of the Bay-Delta Plan Amendment, which significantly reduces dry year allocations for SFPUC wholesale customers. Recycled water is estimated to be available during all hydrologic years at a volume that meets MPMW’s projected recycled water demands.

Table 7-2 shows MPMW’s projected supplies during normal, single dry and multiple dry years through 2040 based on the assumptions in the MPMW 2020 UWMP which assumes implementation of the Bay-Delta Plan Amendment. Based on the SFPUC’s analysis, similar water supply quantities would be available to MPMW in 2045 under the various hydrologic conditions.<sup>9</sup>

Hydrologic Condition	Projected Water Supply, MG <sup>(a)</sup>			
	2025	2030	2035	2040
Normal Year <sup>(b)</sup>	1,678	1,750	1,750	1,750
Single Dry Year <sup>(c)</sup>	877	978	1,018	1,062
Multiple Dry Years – Year 1 <sup>(d)</sup>	877	978	1,018	1,062
Multiple Dry Years – Year 2 <sup>(d)</sup>	760	854	887	827
Multiple Dry Years – Year 3 <sup>(d)</sup>	760	854	887	827
Multiple Dry Years – Year 4 <sup>(d)</sup>	760	854	887	827
Multiple Dry Years – Year 5 <sup>(d)</sup>	760	854	824	827

(a) Includes projected potable water supply from the SFPUC RWS and projected recycled water supply (48 MG/yr in 2025 and 120 MG/yr for 2030 to 2040) (see Table 6-1).  
 (b) Source: MPMW 2020 UWMP, Table 7-4.  
 (c) Source: MPMW 2020 UWMP, Table 7-5.  
 (d) Source: MPMW 2020 UWMP, Table 7-6

<sup>9</sup> BAWSCA Drought Allocation Tables by Agency (Table K: Individual Agency Drought Allocations, Base Year 2045, With Bay-Delta Plan), dated April 1, 2021.

## 1350 Adams Court Project Water Supply Assessment



The water supply estimates provided in Table 7-2 use the best available data at the time of the MPMW 2020 UWMP, but do not account for the following factors:

- Potential changes to the implementation of the Bay-Delta Plan Amendment as discussed in Section 7.1.1 of this WSA
- Climate change impacts on the SFPUC RWS
- Potential delays in completion of the WSIP<sup>10</sup>

For comparison purposes, the SFPUC 2020 UWMP also evaluated a scenario without implementation of the Bay-Delta Plan Amendment. Table 7-3 shows MPMW’s projected supplies during normal, single dry and multiple dry years for 2025 through 2040 assuming that the Bay-Delta Plan Amendment is not implemented. SFPUC’s analysis indicated that it would be able to meet 100 percent of the wholesale projected purchases during all year types through 2045 except during the fourth and fifth consecutive dry years for base year 2045 when a 16.5 percent supply shortfall is projected for MPMW (note that 2045 supplies are not shown in Table 7-3 as they were not shown in MPMW’s 2020 UWMP).

As required under SB 610, in light of these identified water supply shortages, Section 8 of this WSA describes MPMW’s proposals for reducing water demands and developing additional water supplies, including measures that are being undertaken to acquire and develop those water supplies.

Hydrologic Condition	Projected Water Supply, MG <sup>(a)</sup>			
	2025	2030	2035	2040
Normal Year <sup>(b)</sup>	1,678	1,750	1,750	1,750
Single Dry Year <sup>(c)</sup>	1,344	1,465	1,530	1,603
Multiple Dry Years – Year 1 <sup>(c)</sup>	1,344	1,465	1,530	1,603
Multiple Dry Years – Year 2 <sup>(c)</sup>	1,344	1,465	1,530	1,603
Multiple Dry Years – Year 3 <sup>(c)</sup>	1,344	1,465	1,530	1,603
Multiple Dry Years – Year 4 <sup>(c,d)</sup>	1,344	1,465	1,530	1,603
Multiple Dry Years – Year 5 <sup>(c,d)</sup>	1,344	1,465	1,530	1,603

(a) Includes projected potable water supply from the SFPUC RWS (based on projected purchases) and projected recycled water supply (48 MG/yr in 2025 and 120 MG/yr for 2030 to 2040) (see Table 6-1).

(b) Source: MPMW 2020 UWMP, Table 7-4.

(c) Source: BAWSCA Drought Allocation Tables by Agency (Table A: Wholesale RWS Actual Purchases in 2020 and Projected Purchases for 2025, 2030, 2035, 2040 and 2045), dated April 1, 2021. Totals include projected recycled water supply.

(d) A 16.5 percent reduction in supply from the SFPUC RWS is projected for MPMW in the fourth and fifth years of a multiple dry year drought, but not until 2045 (BAWSCA Drought Allocation Tables by Agency (Table O2: Individual Agency Drought Allocations, Base Year 2045, Without Bay-Delta Plan), dated April 1, 2021).

<sup>10</sup> The San Francisco portion of the WSIP is 100 percent complete as of October 2020. The Regional portion of the WSIP is approximately 99 percent complete. The current forecasted date to complete the overall WSIP is May 2023.



## 1350 Adams Court Project Water Supply Assessment

### 8.0 DETERMINATION OF WATER SUPPLY SUFFICIENCY BASED ON THE REQUIREMENTS OF SB 610

*10910(c)(4) If the city or county is required to comply with this part pursuant to subdivision (b), the water supply assessment for the project shall include a discussion with regard to whether the total projected water supplies, determined to be available by the city or county for the project during normal, single dry, and multiple dry water years during a 20-year projection, will meet the projected water demand associated with the proposed project, in addition to existing and planned future uses, including agricultural and manufacturing uses.*

*10911 (a) If, as a result of its assessment, the public water system concludes that its water supplies are, or will be, insufficient, the public water system shall provide to the city or county its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies.*

Because of the uncertainties surrounding the implementation of the Bay-Delta Plan Amendment, this WSA presents findings for two scenarios, one assuming the Bay-Delta Plan Amendment is implemented and one assuming that the Bay-Delta Plan Amendment is not implemented.

Table 8-1 summarizes the scenario where it is assumed the Bay-Delta Plan Amendment is implemented. Under this scenario, the total projected water supplies determined to be available for the Proposed Project in normal years will meet the projected water demand associated with the Proposed Project, in addition to MPMW's existing and planned future uses, through 2040. However, with the implementation of the Bay-Delta Plan Amendment, significant supply shortfalls are projected in dry years for agencies that receive water supplies from the SFPUC RWS, as well as other agencies whose water supplies would be affected by the Amendment. For MPMW, supply shortfalls are projected in single dry years (ranging from 27 to 32 percent) and in multiple dry years (ranging from 27 to 44 percent) through 2040. Based on SFPUC's analysis, similar supply shortfalls would occur through 2045.

If supply shortfalls do occur, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions by implementation of its WSCP.<sup>11</sup> The projected single dry year shortfalls would require implementation of Stage 3 or 4 of the MPMW WSCP, and the projected multiple dry year shortfalls would require implementation of Stage 3, 4 or 5 of the MPMW WSCP.

As described in Section 7.1.3 of this WSA, the SFPUC is implementing an Alternative Water Supply Planning Program to investigate and plan for new water supplies to address future long-term water supply reliability challenges and vulnerabilities on the RWS. Also, as described in Section 6.3.2 of this WSA, MPMW is implementing an Emergency Water Storage/Supply Project to provide a backup water supply to MPMW's Lower Zone. However, because these potential additional supplies are still being developed, they are not included in Table 8-1.

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<sup>11</sup> A main focus of MPMW's planned demand reduction measures is to increase public outreach and keep customers informed of the water shortage emergency and actions they can take to reduce consumption. The City will utilize its emergency supply well(s) as supply augmentation during WSCP Stages 5 and 6. Other actions that the City will take will include coordination with other agencies, implementing drought surcharge, increasing water waste patrols, etc. Additional information on MPMW's WSCP is provided in Chapter 8 of MPMW's 2020 UWMP.

## 1350 Adams Court Project Water Supply Assessment



**Table 8-1. MPMW Summary of Water Demand Versus Supply with Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years**

Hydrologic Condition	Supply and Demand Comparison, MG				
	2025	2030	2035	2040	
<b>Normal Year</b>					
Available Water Supply <sup>(a)</sup>	1,678	1,750	1,750	1,750	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	382	405	340	267	
Percent Shortfall of Demand	-	-	-	-	
<b>Single Dry Year</b>					
Available Water Supply <sup>(c)</sup>	877	978	1,018	1,062	
Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	(419)	(367)	(392)	(421)	
Percent Shortfall of Demand	32%	27%	28%	28%	
<b>Multiple Dry Years</b>					
Multiple-Dry Year 1	Available Water Supply <sup>(c)</sup>	877	978	1,018	1,062
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(419)	(367)	(392)	(421)
	Percent Shortfall of Demand	32%	27%	28%	28%
Multiple-Dry Year 2	Available Water Supply <sup>(c)</sup>	760	854	887	827
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(656)
	Percent Shortfall of Demand	41%	37%	37%	44%
Multiple-Dry Year 3	Available Water Supply <sup>(c)</sup>	760	854	887	827
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(656)
	Percent Shortfall of Demand	41%	37%	37%	44%
Multiple-Dry Year 4	Available Water Supply <sup>(c)</sup>	760	854	887	827
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(656)
	Percent Shortfall of Demand	41%	37%	37%	44%
Multiple-Dry Year 5	Available Water Supply <sup>(c)</sup>	760	854	824	827
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(586)	(656)
	Percent Shortfall of Demand	41%	37%	42%	44%
(a) From Table 6-1 of this WSA. (b) From Table 5-2 of this WSA. (c) From Table 7-2 of this WSA. (d) From Table 5-3 of this WSA.					



## 1350 Adams Court Project Water Supply Assessment

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Table 8-2 summarizes the scenario where it is assumed the Bay-Delta Plan Amendment is not implemented. Under this scenario, the total projected water supplies determined to be available for the Proposed Project in normal years, single dry years and multiple dry years will meet the projected water demand associated with the Proposed Project, in addition to MPMW's existing and planned future uses through 2040. As described in Section 7.2, based on SFPUC's analysis, a 16.5 percent supply shortfall is projected during the fourth and fifth consecutive dry years for base year 2045 (note that 2045 supplies and demands are not shown in Table 8-2 as they were not shown in MPMW's 2020 UWMP). These projected supply shortfalls are significantly less than the projected supply shortfalls if the Bay-Delta Plan Amendment is implemented.

If supply shortfalls do occur, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions by implementation of its WSCP.<sup>12</sup> The projected multiple dry year shortfalls in 2045 would require implementation of Stage 2 of the MPMW WSCP.

The water demand associated with buildout of ConnectMenlo, which includes the Proposed Project, is included in the MPMW water demand projections in its 2020 UWMP, and the Proposed Project would be subject to the same water conservation and water use restrictions as other water users within the MPMW system.

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<sup>12</sup> A main focus of MPMW's planned demand reduction measures is to increase public outreach and keep customers informed of the water shortage emergency and actions they can take to reduce consumption. The City will utilize its emergency supply well(s) as supply augmentation during WSCP Stages 5 and 6. Other actions that the City will take will include coordination with other agencies, implementing drought surcharge, increasing water waste patrols, etc. Additional information on MPMW's WSCP is provided in Chapter 8 of MPMW's 2020 UWMP.

# 1350 Adams Court Project Water Supply Assessment



**Table 8-2. MPMW Summary of Water Demand Versus Supply without Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years**

Hydrologic Condition	Supply and Demand Comparison, MG				
	2025	2030	2035	2040	
<b>Normal Year</b>					
Available Water Supply <sup>(a)</sup>	1,678	1,750	1,750	1,750	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	382	405	340	267	
Percent Shortfall of Demand	-	-	-	-	
<b>Single Dry Year</b>					
Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603	
Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	48	120	120	120	
Percent Shortfall of Demand	-	-	-	-	
<b>Multiple Dry Years</b>					
Multiple-Dry Year 1	Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 2	Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 3	Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 4	Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 5	Available Water Supply <sup>(c)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(d)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
(a) From Table 6-1 of this WSA. (b) From Table 5-2 of this WSA. (c) From Table 7-3 of this WSA. (d) From Table 5-3 of this WSA.					





## 1350 Adams Court Project Water Supply Assessment

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### 9.0 WATER SUPPLY ASSESSMENT APPROVAL PROCESS

*10910 (g)(1) Subject to paragraph (2), the governing body of each public water system shall submit the assessment to the city or county not later than 90 days from the date on which the request was received. The governing body of each public water system, or the city or county if either is required to comply with this act pursuant to subdivision (b), shall approve the assessment prepared pursuant to this section at a regular or special meeting.*

The Menlo Park City Council must approve this WSA at a regular or special meeting. This WSA will be included in the Draft EIR being prepared for the Proposed Project.





## 1350 Adams Court Project Water Supply Assessment

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### 10.0 REFERENCES

- Bay Area Water Supply and Conservation Agency, 2021. Drought Allocation Tables by Agency. April 1, 2021.
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- Erler & Kalinowski, Inc., 2016a. *Water Supply Evaluation Study, ConnectMenlo – General Plan and M-2 Area Zoning Update, Menlo Park, California*. Prepared for: City of Menlo Park. February 3, 2016.
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- Winzler & Kelly, 2014 (originally published June 2011 and amended November 2014). *City of Menlo Park Final 2010 Urban Water Management Plan and Update to the Water Shortage Contingency Plan*.

## Appendix A

# 1350 Adams Court Water Use Budget and Alternative Water Source Assessment



Revised: June 4, 2020  
Revised: August 24, 2020  
Revised: June 8, 2021

To: Tom Smith, Sr.Planner, City of Menlo Park

From: Andrea Traber, Principal, Integral Group  
Breffni O'Rourke, Sustainability Consultant, Integral Group

CC: Ron Krietemeyer, COO, Tarlton Properties  
Anthony Bonifacio, VP, Tarlton Properties  
Susan Eschweiler, Vice President, DES Architects + Engineers  
Tom Hyde, Project Manager, DES Architects + Engineers

Subject: 1350 Adams Court Water Use Budget and Alternative Water Source Assessment

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## Introduction

The purpose of this memo is to present the 1350 Adams Court project's water use budget and alternative water source assessment, as required for new buildings more than 250,000 sf in the Life Sciences (LS) zone. The following is a summary of our approach to calculating the water use estimates and achieving potable water reductions, as outlined in the Water Use Budget Guidelines document<sup>1</sup>. Full calculations, assumption details, and monthly demand breakdown can be found in the accompanying spreadsheets.

The 1350 Adams Court project is a speculative core and shell project with no current tenant. For the purpose of this exercise, we have referenced other similar buildings and how they were built out to estimate the following potential buildout of this building. Occupancy is based upon LEED values for the space types assigned to the building as well as estimates provided by Tarlton Properties:

- Land use designation: Life Science (LS)
- Building: 260,000 square feet total
  - 39,000 sf – Cores and Circulation
  - 7,800 sf – Cafeteria
  - 13,000 sf – Warehouse
  - 83,200 sf – Office
  - 117,000 sf – Lab
- Total site area of Lot 3 (Overall site, 1305 O'Brien Drive): 487,916 SF (11.82 acres)
- Area of Project (1350 Adams Court portion, Lot 3 north): 192,040 SF
- Landscaped area for Project: 44,854 sf
- Occupancy estimate: 650 full time employees (FTE), 65 visitors

Integral Group	1350 Adams Court	Water Use Budget	06.04.2020	1
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The water use estimates detail a path for the project to comply with the Water Use Budget Guidelines (WUBG) via a conservation path (WUBG: Water use efficiency, A. 2.c.) as opposed to utilizing on site alternative waster souces for the non-potable demands of the project.

## Annual Water Budget

There are multiple intended uses of indoor water:

- Plumbing fixtures and fittings: toilets and urinals; lavatories, kitchen faucets, and showers
- Heating and cooling: building AHUs evaporative cooling
- Process water: life science laboratory water use
- Other indoor demand: cafeteria / meal prep

The only intended use for outdoor water is for landscape irrigation.

Full calculations, assumption details, and monthly demand breakdown can be found in the accompanying spreadsheets.

The annual baseline water demand is outlined in the table below and includes reference to the Data Sources and Assumptions used to determine the water volumes. The WUBG did not include any baseline values for the Heating & Cooling, Laboratory, or Cafeteria water use types to be modeled. As such the team utilized the ConnectMenlo Water Supply Evaluation Study, LEED, CalGreen and estimations made by Integral Group's mechanical engineering and building performance modeling teams to determine reasonable baseline values.

Water usage has been delineated to Potable and Non-potable water uses as the values for each are necessary to calculate the level of water conservation required to comply with the WUBG conservation compliance path.

Table 1 Annual Water Demand

Intended Water Use	Data Sources and Assumptions	Non-Potable Water Use Application	Potable Water Use Application	Estimated Annual Demand [gallons/year]
Plumbing fixtures and fittings: toilets, urinals	Fixture/fitting frequency of use and duration from LEED v4 Water Use Calculator <sup>2</sup> ; Flow/flush rates from CALGreen 2016 non-residential baseline water use worksheet (WS-1) <sup>3</sup>	462,389		462,389
Plumbing fixtures and fittings: lavatories,	same as above Note: For the public lavatory faucet, we have used LEED v4's default duration of use		375,351	375,351

kitchen faucets, showers	(30 sec), as directed by the methodology in the Guidelines document. This duration is not consistent with CALGreen 2016 (15 sec).			
Heating and cooling: building AHUs evaporative cooling	Calculated using Integral Group's proprietary cooling water demand calculator, where total cooling water demand = blowdown (regenerate) + evaporation + carry over	756,814		756,814
Life Science Laboratory: Lab equipment and fixtures	EKI 2016 ConnectMenlo WSA report <sup>4</sup> ; Pacific Institute "Commercial Water Use and Potential Savings: Appendix F" High Tech Industry process water <sup>5</sup>		5,001,961	5,001,961
Other indoor demand: cafeteria/meal prep	Pacific Institute "Commercial Water Use and Potential Savings: Appendix E" kitchen water use per meal <sup>6</sup>		678,600	678,600
Irrigation	Menlo Park Water Efficient Landscaping Ordinance (WELO) Maximum Applied Water Allowance (MAWA) <sup>7</sup> calculation using Redwood City ETo value <sup>8</sup> since none available for Menlo Park specifically	533,680		533,680
Total Water Demand		1,752,833 [gallons/year] 22.4% of total water demand	6,055,911 [gallons/year]	7,808,744 [gallons/year]

For comparison, the 2016 ConnectMenlo WSA report used a metric of 89 gallons per day per employee for total indoor water demand in Life Science (R&D) buildings. Applying 89 gpd/emp for 225 days/year (that report's assumed workdays per year, which is less than this budget's assumed 261 workdays per year) to 1350 Adams Court's anticipated 778 FTEs equates to 13 million gallons/year, 3.7 million gallons/year more than the Total Water Demand (indoor + outdoor) calculated by following the methodology outlined in the Water Use Budget Guidelines document. The delta between the two calculations shows there is variability in the determining estimated water usage even with reasonable assumptions being made.

## Conservation Measures for 30% Reduction

To reduce potable water demand, the project will implement conservation measures, both in the design of the base building and tenant spaces, and in the optimization of the operations and employee practices.

Calculations, assumption details, and monthly demand breakdown can be found in the accompanying spreadsheets. As the design is still in progress and the building tenant is unknown, the water savings from conservation is an estimate, based on comparative Menlo Park projects, published research, case studies, and industry best practices. In order to determine the estimated savings for each use type the following approaches were taken.

### Plumbing fixtures and fittings- Toilet and Urinals:

Water closets installed as part of the base building will have a flow rate of 1.1 gpf, wall mounted urinals will have a flow rate of 0.125 gpf. These values are based on the current plumbing design and will be represented in the final plumbing fixture schedule. These fixture flow rates are some of the lowest flow options available and are recommended by the LEED consultant to increase water savings.

### Plumbing fixtures and fittings - lavatories, kitchen faucets, showers:

Of the 3 fixtures represented in this use type only one, lavatories are being installed as part of the base building scope of work. Lavatories are modeled at 0.35 gpm based on the current plumbing design and will be represented in the final plumbing fixture schedule. Showers are modeled at 1.75 gpm and Kitchen (Break room) sinks are modeled at 1.5 gpm. These fixtures are not part of scope but expected to be installed during any tenant fit out. The flow rates for the Shower falls within a range of 1.5gpm and the baseline value of 2.2 gpm (Calgreen), which the majority of available fixtures fall between. The flow rate for the Kitchen sink falls between 1.0 gpm (low flow standard kitchen faucet) and the baseline value of 1.8gpm (Calgreen)

### Heating and cooling: building AHUs evaporative cooling

Integral Group's mechanical engineering and building performance modeling team created an 8760 model which is a common simulation performance model. The model shows the hourly loads for the evaporative cooling system over a year and allows for a calculation of water usage based on the performance of the system and assumed cycles of concentration. In conjunction with Integral's proprietary Water Balance Tool this modeling approach was used to determine the baseline estimates of water demand comprised of the total evaporation and drift losses from the cooling systems. The assumptions for the system included:

Latent Heat Evap =1,061 Btu/Lb

Cycles/Concentration: 4

Carry Over Losses= 3%

Through subsequent coordination with the project's mechanical and energy modeling team as the proposed system design progressed the estimates from the current Title 24 energy model were incorporated into Integral's modeling to update both the baseline and proposed water usage for the current cooling system. Utilizing the modeled Cooling Tower Heat Transfer Rate a significant efficiency could be shown for the current design.

### Life Science Laboratory: Lab equipment and fixtures

There is very little published data on the volume of water used by laboratories. Tarlton Properties provided utility records for other R&D lab office buildings in the area that could be used as reference of water usage, These records could be used as determine the potential water use amounts at 1350 Adams Ct.. The lab properties examined included 1525, 1330 and 1360 O'Brien Dr. Gallons of water usage per square foot was determined for each project from utility records:

1525 O'Brien: 2.92 gal/sf

1330 O'Brien: 20.26 gal/sf

1360 O'Brien: 9.87 gal.sf

Integral Group	1350 Adams Court	Water Use Budget	06.04.2020	4
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Shown by these properties there is great variability in the potential water usage for laboratory properties. As the interior fit out of the building is not yet known an assumption at the high end of the range was used to determine a potential savings percentage. Assuming 20 gal/sf the estimated usage is approximately 60% less than the baseline. As this value could be considered overly aggressive a 40% efficiency was used to determine potential savings in a performance design scenario.

Other indoor demand: cafeteria/meal prep

Limited data is available for the estimations of Office building cafeterias. The approach taken for the lab Process water estimates was applied and similar properties in the Tarlton portfolio were used as comparison. The building at 1525 O'Brien Dr. was determined to be the best comparative property due to the fit out of the building's cafeteria. This property had a very low water usage based on utility bills. This was used to support the feasibility of a 40% reduction from the baseline. It is still to be determined if a cafeteria will be included in the final design or the level of kitchen amenities and equipment would be in such as space if included in the design.

Irrigation

Water use reduction for irrigation is based directly on the estimated total water use (ETWU) for the landscaping planting type and irrigation equipment specified.

Table 2: Water Conservation Measures

Intended Water Use	Conservation Measures	Estimated Conservation Savings [gallons/year]	Demand after Conservation [gallons/year]
Plumbing fixtures and fittings: toilets, urinals	Efficient fixtures and fittings, equivalent to achieving a 13% reduction	61,981	400,408
Plumbing fixtures and fittings: lavatories, kitchen faucets, showers	Efficient fixtures and fittings, equivalent to achieving a 19% reduction per LEED v4 calculator	72,737	302,613
Heating and cooling: building AHUs evaporative cooling	System efficiency to 10 cycles of concentration	512,156	244,658
Life Science Laboratory: Lab equipment and fixtures	More efficient equipment for uses like water purification, vacuum pumps, steam sterilizers, glassware washers, fume hood filtration, and x-ray equipment – depending on specific tenant <sup>9</sup>	2,000,784	3,001,176
Other indoor demand: cafeteria/meal prep	More efficient equipment for ice machines, combination ovens, steam cookers and kettles, dipper wells, pre-rinse spray valves, food disposals, dishwashers, and wash-	271,440	407,160

	down sprayers – depending on specific tenant <sup>10</sup>		
Irrigation	Extensive use of efficient drip irrigation, Drought tolerant plant selection.	66,350	467,280
Total		2,985,451 [gallons/year] 38.2% of total water demand	4,823,295 [gallons/year]

## Conclusion

1350 Adams Court proposes to meet the city of Menlo Park’s Water Use Efficiency Requirements by implementing conservation measures that reduce demand by 38.2% compared to the baseline, as summarized below and detailed in the accompanying spreadsheets. Non-potable represents 22.4% of total water demand. Per the Menlo Park Water Use Budget Guidelines Part “Water use efficiency requirements, A./2./c. the project is submitting for compliance of the alternative water source requirement via conservation measures being both a minimum of 30% and exceeding the non-potable water demand of the project.

Table 3: Water Use Reduction

Initial Water Demand	7,808,744 [gallons/year]
Conservation Measures – Water Reductions	2,985,451 [gallons/year]
Demand after Conservation	4,823,295 [gallons/year]



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References

- <sup>1</sup> <https://www.menlopark.org/DocumentCenter/View/17064/G7---Water-Budget-03272018>
- <sup>2</sup> <https://www.usgbc.org/resources/indoor-water-use-calculator>
- <sup>3</sup> <https://www.documents.dgs.ca.gov/bsc/CALGreen/CALGreen-Guide-2016-FINAL.pdf> - page 111
- <sup>4</sup> <https://www.menlopark.org/DocumentCenter/View/9587/020916-ConnectMenlo-WSE-2016-02-04-FINAL> - pages 36-37, 108-111
- <sup>5</sup> [http://www.pacinst.org/reports/urban\\_usage/appendix\\_f.pdf](http://www.pacinst.org/reports/urban_usage/appendix_f.pdf) - pages 26-29
- <sup>6</sup> [http://www.pacinst.org/reports/urban\\_usage/appendix\\_e.pdf](http://www.pacinst.org/reports/urban_usage/appendix_e.pdf) - page 2
- <sup>7</sup> <https://www.menlopark.org/361/Water-efficient-landscaping-ordinance>
- <sup>8</sup> <https://www.menlopark.org/DocumentCenter/View/9835>
- <sup>9</sup> Laboratory water case studies and efficiency manuals include:
  - <https://www.epa.gov/watersense/best-management-practices>
  - [http://www.allianceforwaterefficiency.org/uploadedFiles/Resource\\_Center/Library/non\\_residential/EBMUD/EBMUD\\_WaterSmart\\_Guide\\_Medical\\_Facilities\\_Laboratories.pdf](http://www.allianceforwaterefficiency.org/uploadedFiles/Resource_Center/Library/non_residential/EBMUD/EBMUD_WaterSmart_Guide_Medical_Facilities_Laboratories.pdf)
  - [http://www.i2sl.org/documents/toolkit/bp\\_water\\_508.pdf](http://www.i2sl.org/documents/toolkit/bp_water_508.pdf)
  - [http://www.i2sl.org/documents/toolkit/cs\\_nrel\\_508.pdf](http://www.i2sl.org/documents/toolkit/cs_nrel_508.pdf)
  - <https://www.energy.gov/eere/femp/best-management-practice-12-laboratory-and-medical-equipment>
  - <https://www.epa.gov/sites/production/files/2017-01/documents/ws-commercial-casestudy-epa-labs.pdf>
  - <https://www.nrel.gov/docs/fy11osti/48950.pdf>
- <sup>10</sup> Cafeteria, meal prep, and restaurant kitchen case studies and efficiency manuals include:
  - <https://www.epa.gov/watersense/best-management-practices>
  - <https://www.pge.com/en/mybusiness/save/smbblog/article/water-conservation-top-9-ways-for-restaurant-owners-to- conserve-water.page>
  - <https://www.epa.gov/sites/production/files/2017-01/documents/ws-commercial-casestudy-certified-restaurants.pdf>
  - <https://www.nrel.gov/docs/fy14osti/60338.pdf>

## Appendix B

# Regional Water System Supply Reliability and UWMP 2020 (June 2021)



TO: SFPUC Wholesale Customers   
FROM: Steven R. Ritchie, Assistant General Manager, Water  
DATE: June 2, 2021  
RE: Regional Water System Supply Reliability and UWMP 2020

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This memo is in response to various comments from Wholesale Customers we have received regarding the reliability of the Regional Water System supply and San Francisco's 2020 Urban Water Management Plan (UWMP).

As you are all aware, the UWMP makes clear the potential effect of the amendments to the Bay-Delta Water Quality Control Plan adopted by the State Water Resources Control Board on December 12, 2018 should it be implemented. Regional Water System-wide water supply shortages of 40-50% could occur until alternative water supplies are developed to replace those shortfalls. Those shortages could increase dramatically if the State Water Board's proposed Water Quality Certification of the Don Pedro Federal Energy Regulatory Commission (FERC) relicensing were implemented.

We are pursuing several courses of action to remedy this situation as detailed below.

**Pursuing a Tuolumne River Voluntary Agreement**

The State Water Board included in its action of December 12, 2018 a provision allowing for the development of Voluntary Agreements as an alternative to the adopted Plan. Together with the Modesto and Turlock Irrigation Districts, we have been actively pursuing a Tuolumne River Voluntary Agreement (TRVA) since January 2017. We believe the TRVA is a superior approach to producing benefits for fish with a much more modest effect on our water supply. Unfortunately, it has been a challenge to work with the State on this, but we continue to persist, and of course we are still interested in early implementation of the TRVA.

**Evaluating our Drought Planning Scenario in light of climate change**

Ever since the drought of 1987-92, we have been using a Drought Planning Scenario with a duration of 8.5 years as a stress test of our Regional Water System supplies. Some stakeholders have criticized this methodology as being too conservative. This fall we anticipate our Commission convening a workshop

- London N. Breed**  
Mayor
- Sophie Maxwell**  
President
- Anson Moran**  
Vice President
- Tim Paulson**  
Commissioner
- Ed Harrington**  
Commissioner
- Newsha Ajami**  
Commissioner
- Michael Carlin**  
Acting  
General Manager

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regarding our use of the 8.5-year Drought Planning Scenario, particularly in light of climate change resilience assessment work that we have funded through the Water Research Foundation. We look forward to a valuable discussion with our various stakeholders and the Commission.

### **Pursuing Alternative Water Supplies**

The SFPUC continues to aggressively pursue Alternative Water Supplies to address whatever shortfall may ultimately occur pending the outcome of negotiation and/or litigation. The most extreme degree of Regional Water System supply shortfall is modeled to be 93 million gallons per day under implementation of the Bay-Delta Plan amendments. We are actively pursuing more than a dozen projects, including recycled water for irrigation, purified water for potable use, increased reservoir storage and conveyance, brackish water desalination, and partnerships with other agencies, particularly the Turlock and Modesto Irrigation Districts. Our goal is to have a suite of alternative water supply projects ready for CEQA review by July 1, 2023.

### **In litigation with the State over the Bay-Delta Plan Amendments**

On January 10, 2019, we joined in litigation against the State over the adoption of the Bay-Delta Water Quality Control Plan Amendments on substantive and procedural grounds. The lawsuit was necessary because there is a statute of limitations on CEQA cases of 30 days, and we needed to preserve our legal options in the event that we are unsuccessful in reaching a voluntary agreement for the Tuolumne River. Even then, potential settlement of this litigation is a possibility in the future.

### **In litigation with the State over the proposed Don Pedro FERC Water Quality Certification**

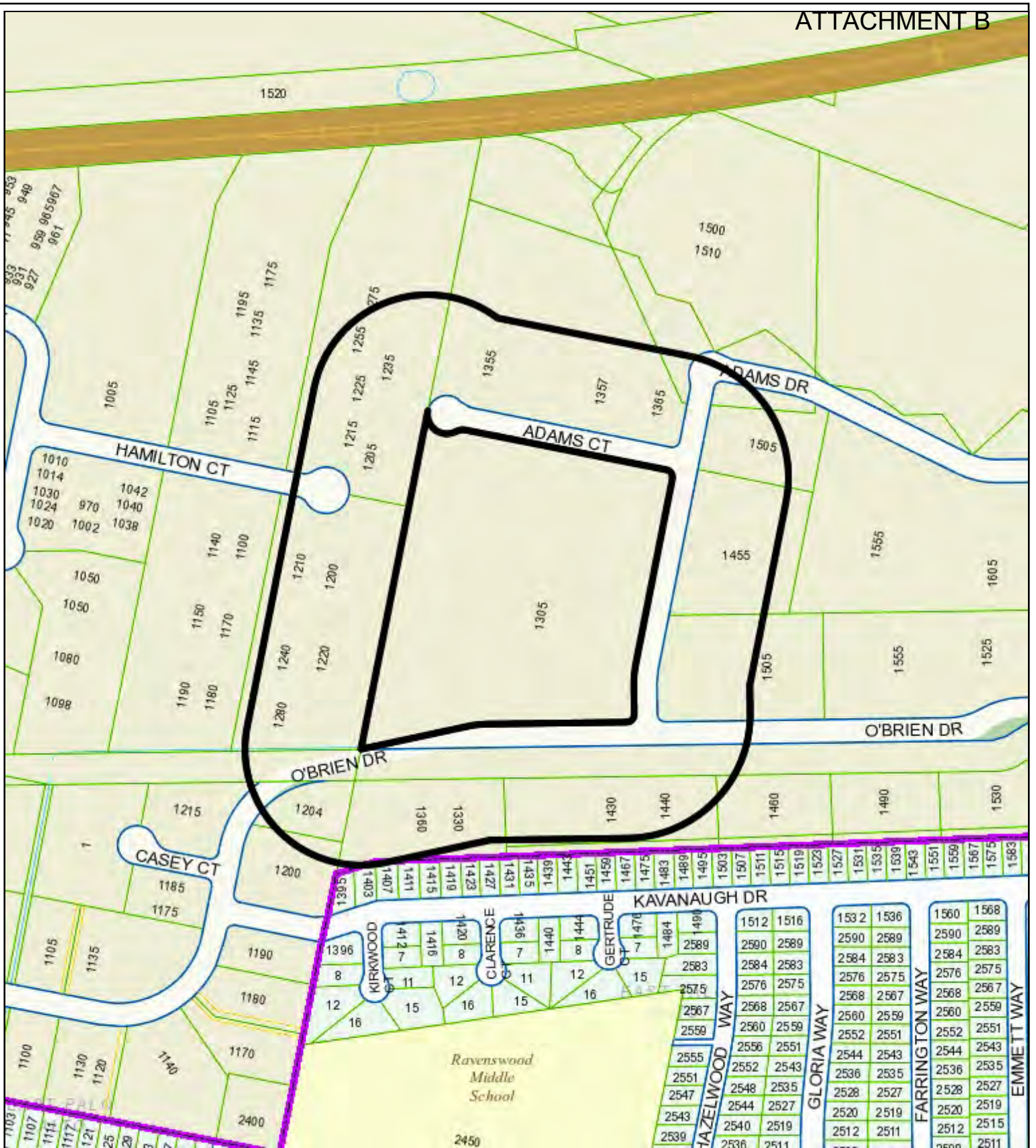
The State Water Board staff raised the stakes on these matters by issuing a Water Quality Certification for the Don Pedro FERC relicensing on January 15, 2021 that goes well beyond the Bay-Delta Plan amendments. The potential impact of the conditions included in the Certification appear to virtually double the water supply impact on our Regional Water System of the Bay-Delta Plan amendments. We requested that the State Water Board reconsider the Certification, including conducting hearings on it, but the State Water Board took no action. As a result, we were left with no choice but to once again file suit against the State. Again, the Certification includes a clause that it could be replaced by a Voluntary Agreement, but that is far from a certainty.

I hope this makes it clear that we are actively pursuing all options to resolve this difficult situation. We remain committed to creating benefits for the Tuolumne River while meeting our Water Supply Level of Service Goals and Objectives for our retail and wholesale customers.

cc.: SFPUC Commissioners

Nicole Sandkulla, CEO/General Manager, BAWSCA





City of Menlo Park  
 Location Map  
 1350 Adams Court Project





**1350 ADAMS COURT WATER SUPPLY ASSESSMENT**  
February 8, 2022 City Council Meeting

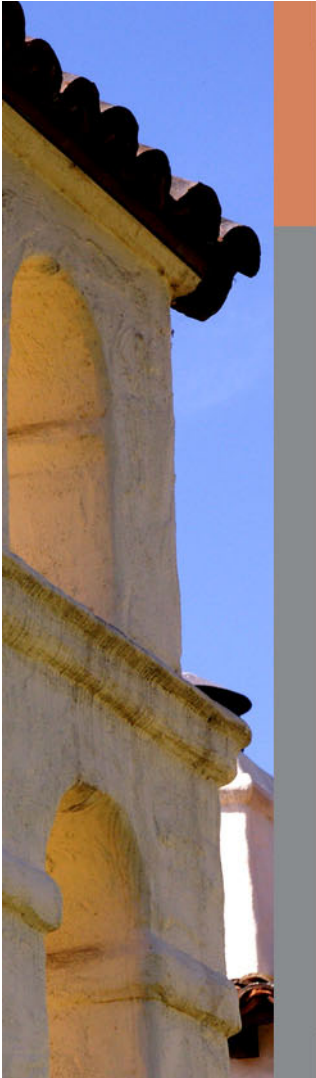
The background image shows a construction site with several vertical rebar columns and horizontal wooden formwork. Two workers in orange safety vests and hard hats are visible on the structure. The scene is set against a clear blue sky. A semi-transparent blue banner is overlaid on the bottom half of the image, containing the title and date. A yellow vertical bar is on the left side of the slide.





- Meeting Purpose
- Proposed Project
- Projected Water Demand
- Water Supply Availability
- Corrections to WSA
- Recommendation

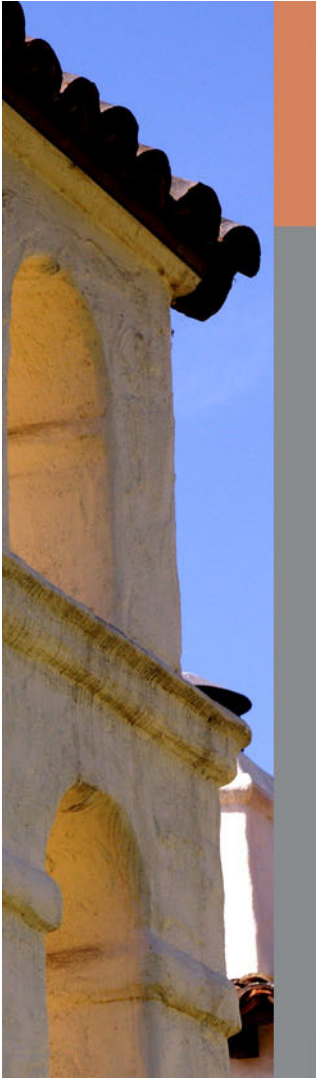




## MEETING PURPOSE

- Consider a water supply assessment (WSA) for the 1350 Adams Court project
  - Council is acting as the governing body for Menlo Park Municipal Water (MPMW)
  - WSA is required because the proposed project includes more than 250,000 s.f. of office (life sciences/R&D uses)
- Review whether sufficient water supply is available during normal, single dry, and multiple dry years to meet project demand over 20-year period
  - Also account for planned growth in service area
- Approving the WSA would **not**:
  - Commit the City to serve water to the proposed project
  - Consider and/or endorse the merits of the project
  - Approve the project





## MEETING PURPOSE

- Approving the WSA would allow the City to incorporate the document into the project environmental impact report (EIR)
  - California Environmental Quality Act (CEQA) requires governing body of water system that would supply water to the project to:
    - Determine whether the projected water demand of the project was included in the most recent urban water management plan (UWMP)
    - Prepare a water assessment to be adopted at a regular or special meeting of the governing body



## PROPOSED PROJECT



- Site zoned LS-B
- 11.2-acre parcel contains existing R&D building with 4.4 undeveloped acres
- 260,400 s.f. of additional life sciences R&D uses proposed
  - Existing building would remain
- Floor area ratio (FAR) for entire site would be 90.7%
- Located in Lower Zone of MPMW service area





## PROJECTED WATER DEMAND

- Proposed project incorporates conservation measures
  - Water-efficient fixtures and equipment
  - Drip irrigation and drought-tolerant landscaping
- Purple pipe installation would allow the project to use recycled water when it becomes available in the area
- Estimated water demand after conservation: 4.82 million gallons/year
- Project is within permitted cumulative development totals in:
  - ConnectMenlo General Plan Update
  - ConnectMenlo water supply evaluation and EIR
  - MPMW 2015 and 2020 UWMPs



# WATER DEMAND



**Table 2-2. Proposed Project Impact on ConnectMenlo Study Area Potable Water Demand**

Demand Source	Annual Water Demand, MG/yr
ConnectMenlo Total Potable Water Demand at Buildout <sup>(a)</sup>	343
Proposed Project Potable Water Demand <sup>(b)</sup>	5
<b>Remaining Potable Water Demand for Other Projects within ConnectMenlo Study Area<sup>(c)</sup></b>	<b>338</b>

(a) Water Supply Evaluation Study for ConnectMenlo – General Plan and M-2 Area Zoning Update (Table 2), prepared by EKI, February 2016. The Water Supply Evaluation Study assumed that total water demand in the ConnectMenlo study area would be met using potable water.  
(b) From Table 2-1 above.  
(c) Other projects in the ConnectMenlo study area currently in the planning stages include Willow Village with a projected net potable water demand of approximately 85 MG/yr and Commonwealth Building 3 with a projected potable water demand of approximately 14 MG/yr. These projects are still in the planning stage so their projected water demands are subject to change. Recently approved projects subject to water budgets and annual water usage limits include Menlo Portal and Menlo Uptown which are anticipated to use 12.6 and 9.1 MG/yr, respectively.



## WATER SUPPLY AVAILABILITY

- MPMW purchases all potable water from Regional Water System (RWS) operated by San Francisco Public Utilities Commission
  - MPMW has an individual supply guarantee of 1,630 million gallons/year through 2034
- Reliability of water supply is dependent on 2018 Bay-Delta Amendment implementation
  - Would require release of 40% of unimpaired flow of three San Joaquin River tributaries to increase salmonid fish populations each year from February through June
  - Has not been implemented at this time
- WSA evaluates findings for a scenario where Bay-Delta Plan is implemented and one where it is not implemented





# WATER SUPPLY AVAILABILITY



- For scenario with Bay-Delta Plan Amendment implementation, WSA finds through 2040:
  - In normal years, adequate supply to serve MPMW’s existing and planned uses including proposed project
  - In single dry years, shortfalls of 27% to 32%
  - In multiple dry years, shortfalls of 27% to 44%

**Table 8-1. MPMW Summary of Water Demand Versus Supply with Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years**

Hydrologic Condition	Supply and Demand Comparison, MG				
	2025	2030	2035	2040	
<b>Normal Year</b>					
Available Water Supply <sup>(a)</sup>	1,678	1,750	1,750	1,750	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	382	405	340	267	
Percent Shortfall of Demand	-	-	-	-	
<b>Single Dry Year</b>					
Available Water Supply <sup>(a)</sup>	877	978	1,018	1,062	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	(419)	(367)	(392)	(421)	
Percent Shortfall of Demand	32%	27%	28%	28%	
<b>Multiple Dry Years</b>					
Available Water Supply <sup>(a)</sup>	877	978	1,018	1,062	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	(419)	(367)	(392)	(421)	
Percent Shortfall of Demand	32%	27%	28%	28%	
Multiple-Dry Year 1	Available Water Supply <sup>(a)</sup>	760	854	887	927
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(557)
	Percent Shortfall of Demand	41%	37%	37%	38%
Multiple-Dry Year 2	Available Water Supply <sup>(a)</sup>	760	854	887	927
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(557)
	Percent Shortfall of Demand	41%	37%	37%	38%
Multiple-Dry Year 3	Available Water Supply <sup>(a)</sup>	760	854	887	927
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(557)
	Percent Shortfall of Demand	41%	37%	37%	38%
Multiple-Dry Year 4	Available Water Supply <sup>(a)</sup>	760	854	887	927
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(557)
	Percent Shortfall of Demand	41%	37%	37%	38%
Multiple-Dry Year 5	Available Water Supply <sup>(a)</sup>	760	854	887	927
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(557)
	Percent Shortfall of Demand	41%	37%	37%	38%



# WATER SUPPLY AVAILABILITY



- For scenario without Bay-Delta Plan Amendment implementation, WSA finds that through 2040:
  - In normal years, adequate supply to serve MPMW’s existing and planned uses including proposed project
  - In single dry years, adequate supply
  - In multiple dry years, adequate supply
- In 2045, 16.5% shortfall projected during 4<sup>th</sup> and 5<sup>th</sup> consecutive dry years

**Table 8-2. MPMW Summary of Water Demand Versus Supply without Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years**

Hydrologic Condition	Supply and Demand Comparison, MG				
	2025	2030	2035	2040	
<b>Normal Year</b>					
Available Water Supply <sup>(1)</sup>	1,678	1,750	1,750	1,750	
Total Water Demand <sup>(2)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	382	405	340	267	
Percent Shortfall of Demand	-	-	-	-	
<b>Single Dry Year</b>					
Available Water Supply <sup>(1)</sup>	1,344	1,465	1,530	1,603	
Total Water Demand <sup>(2)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	48	120	120	120	
Percent Shortfall of Demand	-	-	-	-	
<b>Multiple Dry Years</b>					
Multiple-Dry Year 1	Available Water Supply <sup>(1)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(2)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 2	Available Water Supply <sup>(1)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(2)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 3	Available Water Supply <sup>(1)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(2)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 4	Available Water Supply <sup>(1)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(2)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-
Multiple-Dry Year 5	Available Water Supply <sup>(1)</sup>	1,344	1,465	1,530	1,603
	Total Water Demand <sup>(2)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	48	120	120	120
	Percent Shortfall of Demand	-	-	-	-



# WSA CORRECTIONS



- Table 7-2 understates the amount of water supply available with Bay-Delta Plan Amendment implementation from 2<sup>nd</sup> to 5<sup>th</sup> consecutive dry years in 2040

**Table 7-2. Projected MPMW Water Supplies with Bay-Delta Plan Amendment**

Hydrologic Condition	Projected Water Supply, MG <sup>(a)</sup>			
	2025	2030	2035	2040
Normal Year <sup>(b)</sup>	1,678	1,750	1,750	1,750
Single Dry Year <sup>(c)</sup>	877	978	1,018	1,062
Multiple Dry Years – Year 1 <sup>(d)</sup>	877	978	1,018	1,062
Multiple Dry Years – Year 2 <sup>(d)</sup>	760	854	887	827
Multiple Dry Years – Year 3 <sup>(d)</sup>	760	854	887	827
Multiple Dry Years – Year 4 <sup>(d)</sup>	760	854	887	827
Multiple Dry Years – Year 5 <sup>(d)</sup>	760	854	824	827

(a) Includes projected potable water supply from the SFPUC RWS and projected recycled water supply (48 MG/yr in 2025 and 120 MG/yr for 2030 to 2040) (see Table 6-1).  
 (b) Source: MPMW 2020 UWMP, Table 7-4.  
 (c) Source: MPMW 2020 UWMP, Table 7-5.  
 (d) Source: MPMW 2020 UWMP, Table 7-6

**Table 7-2. Projected MPMW Water Supplies with Bay-Delta Plan Amendment**

Hydrologic Condition	Projected Water Supply, MG <sup>(a)</sup>			
	2025	2030	2035	2040
Normal Year <sup>(b)</sup>	1,678	1,750	1,750	1,750
Single Dry Year <sup>(c)</sup>	877	978	1,018	1,062
Multiple Dry Years – Year 1 <sup>(d)</sup>	877	978	1,018	1,062
Multiple Dry Years – Year 2 <sup>(d)</sup>	760	854	887	927
Multiple Dry Years – Year 3 <sup>(d)</sup>	760	854	887	927
Multiple Dry Years – Year 4 <sup>(d)</sup>	760	854	887	832
Multiple Dry Years – Year 5 <sup>(d)</sup>	760	854	824	832

(a) Includes projected potable water supply from the SFPUC RWS and projected recycled water supply (48 MG/yr in 2025 and 120 MG/yr for 2030 to 2040) (see Table 6-1).  
 (b) Source: MPMW 2020 UWMP, Table 7-4.  
 (c) Source: MPMW 2020 UWMP, Table 7-5.  
 (d) Source: MPMW 2020 UWMP, Table 7-6





# WSA CORRECTIONS



- Table 8-1 carries over the incorrect amounts from Table 7-1, showing greater shortfalls than would be projected in the 2<sup>nd</sup> through 5<sup>th</sup> consecutive dry years in 2040

**Table 8-1. MPMW Summary of Water Demand Versus Supply with Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years**

Hydrologic Condition	Supply and Demand Comparison, MG				
	2025	2030	2035	2040	
<b>Normal Year</b>					
Available Water Supply <sup>(a)</sup>	1,678	1,750	1,750	1,750	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	382	405	340	267	
Percent Shortfall of Demand	-	-	-	-	
<b>Single Dry Year</b>					
Available Water Supply <sup>(a)</sup>	877	978	1,018	1,062	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	(419)	(367)	(392)	(421)	
Percent Shortfall of Demand	32%	27%	28%	28%	
<b>Multiple Dry Years</b>					
Available Water Supply <sup>(a)</sup>	877	978	1,018	1,062	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	(419)	(367)	(392)	(421)	
Percent Shortfall of Demand	32%	27%	28%	28%	
Multiple-Dry Year 1	Available Water Supply <sup>(a)</sup>	760	854	887	827
Multiple-Dry Year 1	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(656)
Multiple-Dry Year 2	Available Water Supply <sup>(a)</sup>	760	854	887	827
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
Multiple-Dry Year 3	Available Water Supply <sup>(a)</sup>	760	854	887	827
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
Multiple-Dry Year 4	Available Water Supply <sup>(a)</sup>	760	854	887	827
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
Multiple-Dry Year 5	Available Water Supply <sup>(a)</sup>	760	854	824	827
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
Multiple-Dry Year 5	Potential Surplus (Deficit)	(536)	(491)	(586)	(656)
	Percent Shortfall of Demand	41%	37%	42%	44%

**Table 8-1. MPMW Summary of Water Demand Versus Supply with Bay-Delta Plan Amendment During Hydrologic Normal, Single Dry, and Multiple Dry Years**

Hydrologic Condition	Supply and Demand Comparison, MG				
	2025	2030	2035	2040	
<b>Normal Year</b>					
Available Water Supply <sup>(a)</sup>	1,678	1,750	1,750	1,750	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	382	405	340	267	
Percent Shortfall of Demand	-	-	-	-	
<b>Single Dry Year</b>					
Available Water Supply <sup>(a)</sup>	877	978	1,018	1,062	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	(419)	(367)	(392)	(421)	
Percent Shortfall of Demand	32%	27%	28%	28%	
<b>Multiple Dry Years</b>					
Available Water Supply <sup>(a)</sup>	877	978	1,018	1,062	
Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483	
Potential Surplus (Deficit)	(419)	(367)	(392)	(421)	
Percent Shortfall of Demand	32%	27%	28%	28%	
Multiple-Dry Year 1	Available Water Supply <sup>(a)</sup>	760	854	887	927
Multiple-Dry Year 1	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
	Potential Surplus (Deficit)	(536)	(491)	(523)	(557)
Multiple-Dry Year 2	Available Water Supply <sup>(a)</sup>	760	854	887	927
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
Multiple-Dry Year 3	Available Water Supply <sup>(a)</sup>	760	854	887	927
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
Multiple-Dry Year 4	Available Water Supply <sup>(a)</sup>	760	854	887	832
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
Multiple-Dry Year 5	Available Water Supply <sup>(a)</sup>	760	854	824	832
	Total Water Demand <sup>(b)</sup>	1,296	1,345	1,410	1,483
Multiple-Dry Year 5	Potential Surplus (Deficit)	(536)	(491)	(586)	(652)
	Percent Shortfall of Demand	41%	37%	42%	44%



## RECOMMENDATION

- Adopt resolution approving the WSA
  - Incorporate changes staff read into the record through this presentation



**THANK YOU**



## STAFF REPORT

**City Council**

**Meeting Date:**

**2/8/2022**

**Staff Report Number:**

**22-031-CC**

**Regular Business:**

**Consider 1) modifications to the composition and charge of the Housing Element Community Engagement and Outreach Committee and 2) the use of a community-based organization to supplement the Housing Element Update's community outreach and engagement efforts**

### Recommendation

Staff recommends that the City Council consider the following items related to the Housing Element Update project and the Housing Element Community Engagement and Outreach Committee (CEOC):

1. Modifications to the composition and charge of the CEOC and
2. Collaboration with a community-based organization (CBO) to supplement the outreach and engagement efforts related to the Housing Element Update project.

Following direction provided by the City Council at the meeting, staff would return with scope and contract amendments to a future meeting for the City Council's review and approval.

### Policy Issues

Community engagement and public participation is a key component of the Housing Element Update project. Community engagement and outreach is not only valuable in sharing information with the community, but is important for receiving input from stakeholders, increasing transparency and accountability of the process, and strengthening the decision-making process.

### Background

In April 2021, the City Council authorized the formation of the CEOC and subsequently appointed 13 members of a 14-member body in May and June 2021. The CEOC was created as an advisory group focused on community engagement and outreach for the Housing Element Update project with the purpose to assist the City in ensuring a broad and inclusive community outreach and engagement process.

The primary roles and responsibilities of the CEOC are:

- Serve as an ambassador of the project and encourage people to participate in the process;
- Help guide and provide feedback on the community engagement plan; and
- Serve as a community resource to provide information to and receive input from the community on matters related to community engagement and public outreach.

The CEOC conducted five meetings between May and August 2021. Given the need for additional focus on some of the technical aspects of the Housing Element itself, additional public engagement on the Environmental Justice element and safety element update components of the project was put on pause.

With a state-mandated deadline of January 31, 2023 for submittal of an adopted Housing Element, the

project timeline is aggressive given the required components and desired level of engagement. The timeline is further accelerated given the State Housing and Community Development Department's (HCD) required review of the draft Housing Element (90-day period) and 30-day public review before submittal of the draft document to HCD. The project team is planning to wrap up formal engagement on the draft Housing Element following the Housing Element community meeting February 12. This will then allow the project team to complete a draft of the Housing Element and release it for public review in Spring 2022. The environmental review and fiscal review of the Housing Element will continue through Summer and Fall 2022.

The work continues with a shift in focus to the preparation of the City's first Environmental Justice Element and an update to the City's Safety Element of the General Plan. Outreach and engagement will continue to be a key component of the project, particularly the Environmental Justice Element. At the January 11, 2022 City Council meeting, staff was seeking direction from the City Council on the role and composition of the CEOC as a follow up to the City Council's initial discussion at its November 16, 2021 meeting. Based upon the feedback provided at the meeting, staff is presenting the City Council with options for consideration.

## **Analysis**

### CEOC charge

The CEOC was established to assist the City in ensuring a broad and inclusive community outreach and engagement process related to the Housing Element Update. The CEOC was created as a standing subcommittee subject to the Brown Act. As such, the CEOC and its meetings are subject to the State open meeting laws, including noticing, public participation and agenda requirements.

Staff is seeking further guidance from the City Council on the charge of the CEOC and the role and responsibilities of staff as it relates to the CEOC.

Currently, staff assists the CEOC in the following manner:

- Serves as the liaison to the CEOC at meetings,
- Prepares meeting materials for the CEOC's review and input;
- Serves as a community engagement and outreach resource for the project.

Based upon the feedback previously provided, the City Council could consider the following options:

1. Maintain the CEOC with its current charge supported by a staff liaison,
2. Maintain the CEOC with its current charge supported by a City Council liaison,
3. Establish a new community working group, which is further discussed below, in conjunction with a CBO;
4. Dissolve the CEOC, or
5. Other direction as provided by the City Council.

The formation of a community working group, as presented in option 3, would not be a new concept. As part of the Menlo Park Community Campus (MPCC) project, the City Council formed the MPCC ad hoc subcommittee to establish and select a community working group of engaged community members to provide resident perspectives and support for the project. Similar to the CEOC, the working group could serve as ambassadors and advocates for the project in the community by expanding the reach of the communications. If the working community group option is preferred, staff would recommend partnering with a CBO to create the framework for the charge, composition, and organizational structure of the community working group. Staff would return to the City Council with the scope of work and cost estimates associated with this work

### Community-based organization assistance

At the January 11 meeting, the City Council also expressed an interest in partnering with a CBO. A CBO has expertise in community building, which could help develop appropriate engagement strategies, conduct the work, and increase community participation in District 1 as part of the Environmental Justice Element outreach. Since then, City staff has connected with staff from the County of San Mateo to learn about their on-call services with CBOs. The County expressed a willingness to share information and explore opportunities, if desired, for how the City could utilize existing CBOs under contract with the County. The County currently has six CBOs under contract for a variety of work depending on location, demographic, and/or subject matter. Staff also met with Climate Resilient Communities (CRC), a local CBO dedicated to serving the underrepresented through empowering community voices. CRC has begun to establish roots in the Belle Haven neighborhood with their Resilient Homes program, and they also work in the nearby communities of East Palo Alto and North Fair Oaks. Given the existing community relationship with CRC, staff believes continuing to build upon that foundation would strengthen the outreach efforts and advance the work that is necessary and required to prepare the Environmental Justice Element. CRC has expressed a strong interest in the project. Additional time from staff and the City's consultant (M-Group) would also likely be required to help support the work and provide coordination of work efforts, which would require additional augmentation of the consultant's scope of work. If the City Council would like staff to further engage CRC to supplement the community engagement and outreach efforts, staff will return to the City Council with a scope of work and budget for review and approval. This work could be part of or separate from engaging with a CBO to assist with creating a framework for a working community group.

### CEOC size and composition

If the City Council would like the CEOC to continue as in options Nos. 1 and 2 above, the City Council should provide guidance on the composition. When the CEOC was formed, the intent was to create diverse group of residents that reflect the varied interests, expertise, demographic characteristics such as gender, age, race, ethnicity and residential tenancy (renter or homeowner), and geographic areas of the City. With the resignations of two members from District 1, the lack of representation from all City Council Districts does not meet the CEOC's composition goal. At the January 11 meeting, the City Council supported Mayor Nash and City Councilmember Taylor reaching out to existing and former CEOC members to determine their interest in continuing to serve on the CEOC. Currently, there are six total vacancies in the 14-member body. All eight members are needed for a quorum of the body. Following the Mayor and City Councilmember Taylor's check-in with CEOC members, a total of 6 members have expressed interest in serving on the CEOC. At least one member would be representing each City Council District, with the exception of District 1. The remaining group would also be below the number of members needed to establish a quorum.

Given the expressed interest by the CEOC members, staff would recommend that the size of the body be reduced to eight members, including the existing six to remain and two new members from District 1. With the primary focus of the upcoming Environmental Justice work in District 1, the project team believes the perspectives and experiences from District 1 members are needed to help inform the outreach and engagement efforts. The reduced size of the body could help promote efficiencies in meeting management and help with logistical issues such as a meeting quorum. For efficiencies in the recruitment process, staff recommends that City Councilmember Taylor identify two members to serve on the CEOC. This process was also implemented for District 5's recruitment following the initial formal CEOC recruitment. Ultimately, the full City Council would need to formally appoint members selected by City Councilmember Taylor. The following table summarizes the existing filled, vacant and recommended positions by City Council District:



Table 1: Summary of filled, vacant and proposed CEOC positions			
City Council District	Existing filled positions	Existing Vacant positions	Proposed positions
1	0	2	2
2	2	1	2
3	2	0	2
4	3	2	1
5	1	1	1
<b>Total</b>	<b>8</b>	<b>6</b>	<b>8</b>

If the City Council would like to continue with the CEOC with the proposed size and composition as shown in the right column in Table 1, staff would return to the City Council with the proposed modifications, along with the appointments from District 1. The timeliness of this direction and action from the City Council is critical if the CEOC is to assist in the outreach efforts for the Environmental Justice and Safety Elements.

**Impact on City Resources**

On November 10, 2020, the City Council authorized up to \$1.69 million for the preparation of the Housing Element, including consultant services and partial funding for two full-time equivalents for the fiscal year 2020-21. On March 23, 2021, the City Council authorized the city manager to negotiate a scope of work and fee and execute an agreement with the M-Group for a fee, not to exceed \$982,000. Augments to the scope of work would return to the City Council for review and approval.

**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. As part of the Housing Element update process, an EIR will be prepared.

**Public Notice**

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. In addition, each CEOC member (former and current) received notification of the meeting via email.

**Attachments**

None

Report prepared by:  
Deanna Chow, Assistant Community Development Director

Report reviewed by:  
Justin Murphy, Interim City Manager





**STAFF REPORT**

**City Council**

**Meeting Date:** 2/8/2022  
**Staff Report Number:** 22-023-CC

**Informational Item:** City Council agenda topics: February – March 8, 2022

**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 March 8, 2022. 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: February – March 8, 2022

Report prepared by:  
Judi A. Herren, City Clerk

**Tentative City Council Agenda**

#	Title	Department	Item type	City Council action
1	Master Fee Schedule update effective July 1, 2022	ASD	Public Hearing	Adopt resolution
2	Mid-year budget report and amendments	ASD	Regular	Approve
3	Adopt a resolution related to user utility tax from 2020 to 2022	ASD, CAO	Regular	Adopt resolution
4	City manager recruitment	CAO	Closed Session	
5	PCB contaminants litigation	CAO	Consent	
6	Adopt Zoning Ordinance text amendment to modify the Municipal Code to allow increased signage within the El Camino Real/Downtown Specific Plan	CDD	Consent	Adopt ordinance
7	Approve funding for 335 Pierce Rd	CDD	Regular	Approve
8	BMR guidelines preference amendments	CDD	Consent	Adopt resolution
9	Clarification on zoning changes from City Council	CDD	Regular	Direction to staff
10	Willow Village Community Amenities Review	CDD	Study Session	Direction to staff
11	Adopt a resolution to continue conducting the City's Council and advisory body meetings remotely due to health and safety concerns for the public	CMO	Consent	Adopt resolution
12	City Council procedures-CC-21-004 Commission Committee-voting procedure update	CMO	Consent	Approve
13	Downtown Market Study	CMO	Presentation	No action
14	Records destruction	CMO	Consent	Adopt resolution
15	Authorize CM to amend Belle Haven School joint-use agreement - community access to school field	LCS	Consent	Contract award or amend
16	Authorize CM to execute agreement with Perfect Mind - recreation registration software	LCS	Consent	Contract award or amend
17	Authorize CM to extend Belle Haven Branch Library joint use agreement	LCS	Consent	Contract award or amend
18	Authorize the CM to accept LSTA grant "Read Together"	LCS	Consent	Adopt resolution
19	Adopt resolution initiating landscape assessment district proceedings for fiscal year 2022-23	PW	Consent	Adopt resolution
20	Adopt Resolution No. X to implement a new Water Conservation Plan	PW	Regular	Adopt resolution
21	Approve parking restrictions on a portion of El Camino Real	PW	Consent	Approve, Adopt resolution
22	Introduce an ordinance to update water conservation requirements	PW	Regular	Decide
23	Review resident appeal of parking removal on University Dr	PW	Regular	Adopt resolution



## STAFF REPORT

### City Council

Meeting Date: 2/8/2022  
Staff Report Number: 22-031-CC

Informational Item: Release of the Downtown market study

### Recommendation

This is an informational item and does not require City Council action.

### Policy Issues

The City Council established the reimagining Downtown as a top priority in 2021.

### Background

Over the past several months, the City's economic development consultants, HdL, have been preparing a Downtown Market Study. This staff report transmits the Downtown Market Study report and presentation (Attachments A and B) to the City Council and the public. Staff and HdL intend to return to an upcoming City Council meeting to give the presentation providing an overview of the report's findings and recommendations.

### Impact on City Resources

Funding for the Downtown market study was included in the fiscal year 2021-22 budget.

### 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

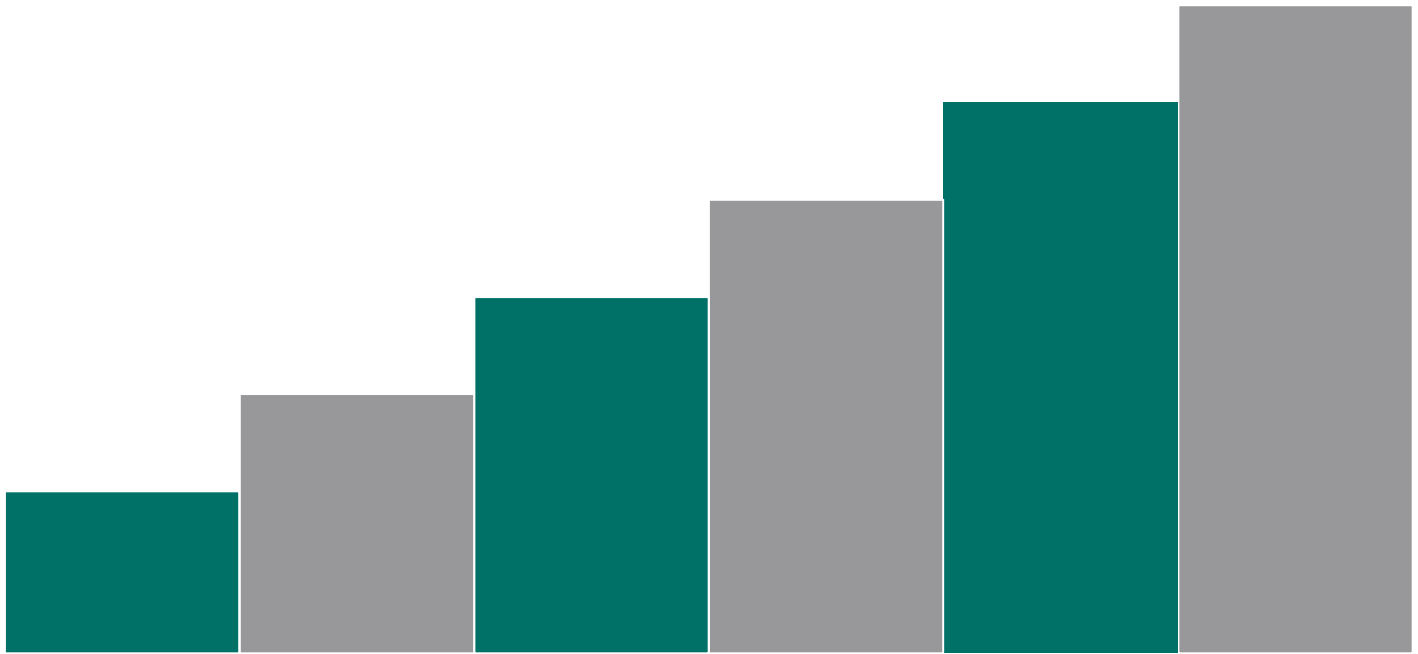
Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

### Attachments

- A. Downtown market study report
- B. Downtown market study presentation

Staff Report #: 22-031-CC

Report prepared by:  
Justin Murphy, Interim City Manager



*Development Driven by Data*

Menlo Park  
Downtown Market Study

January 2022

## Table of Contents

**About Us** .....2

**Introduction**.....2

**Trade Area Overview** .....2

    Menlo Park and the Peninsula.....4

    Downtown Menlo Park.....5

    Other Competing Downtowns.....9

**What Makes a Successful Downtown?** .....11

**Market Analytics** .....13

    Demographics.....13

**Consumer Demand & Market Supply Assessment** .....14

    Menlo Park Retail Demand/Supply .....15

**Sales & Use Tax** .....15

    Sales Tax Summary .....16

    Downtown Menlo Park Sales Tax Revenues.....16

    Per Capita Comparison .....17

**Focus Group Summary Report**.....18

**Commercial Marketplace** .....21

**Recommended Next Steps**.....22

    Placemaking & Enhancing a Sense of Place for Downtown Menlo Park.....23

    Creating More Activity in the Downtown Area & Producing More Consumer Demand .....24

    Infrastructure Improvements.....26

    City Planning & Economic Development.....26

    Transforming Next Steps into Action Items.....28

## About Us

In 2014, HdL Companies expanded its services to provide strategic planning and consulting services to assist local governments with economic development planning and execution. HdL ECONSolutions offers a variety of products and services for customized solutions based on a client's budget needs and specific development requirements.

The six person HdL ECONSolutions team has over 125 years of local economic development and community development experience in California. Most of the HdL ECONSolutions staff members have significant experience working for cities in executive level management positions as a city manager, assistant city manager, community and economic development director, or economic development manager. The HdL ECONSolutions Team has significant experience working with downtowns including being employed by a city and as a consultant with HdL ECONSolutions, including work with downtowns in the cities of Covina, Fontana, Lafayette, Menlo Park, Monrovia, Pacific Grove, San Dimas, Upland and Walnut Creek.

Barry Foster, the Principal/Managing Director for HdL ECONSolutions has helped facilitate more than 32 million square feet of development including industrial, distribution, logistics, retail, shopping centers, office, hotels, auto centers and medical healthcare. HdL ECONSolutions offers powerful data capability, an online GIS platform with state-of-the-art software for market analytics and the ability to leverage HdL's extensive databases systems. HdL ECONSolutions can engage in projects of every size ranging from data analysis to comprehensive studies to advisory support and to public/private collaboration.

HdL has the largest privately held sales tax database in the State of California with sales tax data for 99% of the state's businesses. The firm's proprietary sales tax/software system affords numerous opportunities to prepare economic development and revenue projection reports. HdL ECONSolutions has significant experience in retail, logistics, healthcare, and hotel and mixed-use development, along with possessing a strong understanding of these sectors within the California marketplace.

## Introduction

In this Market Study, HdL ECONSolutions analyzes and evaluates Menlo Park's Downtown area, along with formulating recommendations to help assist in pursuing the enhancement and overall effectiveness of Downtown Menlo Park as a place to do business, as well as visit, shop, dine and live in. In evaluating Downtown Menlo Park, an extensive assessment of the make-up of the current environment was undertaken, including holding a number of focus group meetings to better understand Downtown Menlo Park, including the positive attributes and identifying challenges while exploring potential ways to enhance the Downtown Menlo Park experience.

## Trade Area Overview

When performing a retail assessment, it is important to define the area you are evaluating. While this study is focused on the Downtown Menlo Park marketplace, it is also important to remember that a retail market extends beyond municipal boundaries and spills into nearby communities.

Developers, real estate professionals, and potential new businesses place value on factors like population density, demographics, psychographics, co-tenant quality, traffic volume & traffic flow patterns, and competition from other retail locations when looking to expand and/or invest in new locations or to



develop new projects. This market study will examine the make-up of the consumers and the retail marketplace within Downtown Menlo Park and its trade area. The maps below illustrate where Downtown Menlo Park is located.

Figure 1 – Menlo Park Maps



In the market study the market analytics, supply & demand, and sales tax market conditions for Downtown Menlo Park are carefully analyzed, along with the influence that other downtowns of neighboring cities in the Peninsula might have in competing with Downtown Menlo Park for consumer spending for retail, dining, and entertainment purposes. All of this can influence the dynamics of Downtown Menlo Park as a place to do business.

### Menlo Park and the Peninsula

Menlo Park has a strategic location in the San Francisco Bay Area and within the Peninsula. Menlo Park is situated along U.S. 101 and is 30 miles south of San Francisco and 21 miles northwest of San Jose, along with easy access from the East Bay via the Dumbarton Bridge (SR84). Menlo Park is located in the heart of the world-famous Silicon Valley, the leading high technology area in the world. Below are some key observations about Menlo Park and their strong demographic composition:

- The City of Menlo Park has a population of 35,131
- Menlo Park has a good balance of jobs to housing with a daytime population of nearly 42,000 and a residential population over 35,000.
- Menlo Park has 13,297 households with 2.64 people per housing unit.
- Menlo Park residents are 84% White Collar and 16% Blue Collar.
- 54.8% of Menlo Park residents have a college degree.
- Average household income in Menlo Park is \$248,661 compared to the average household income in San Mateo County at \$165,184.
- Menlo Park is ethnically diverse with 56.6% White, 20.1% Hispanic, 9.3% Asian, 5.1% Black, 2.3% Pacific Islander and 6.6% Other.

*Note: Demographic information from SDS-PopStats through an INSIGHT Market Analytics Report-11/15/2021*



Menlo Park, founded in 1854 and incorporated in 1927, is home to several world-class, high-tech companies and more are situated in adjacent communities. Menlo Park offers a historic downtown area with unique retail opportunities and restaurant possibilities. Downtown Menlo Park is home to many successful boutique retailers and popular restaurants. Some of the popular stores include Cheeky Monkey, Draegers Market, Harvest Furniture, Menlo Hardwoods, Ruby Living Design, Trader Joe's, and Feldman's Books who recently relocated to the Downtown. Within a 20-minute drive of Downtown Menlo Park, the population reaches over 255,000 along with a daytime population of over 370,000. Other nearby cities within the trade area include Atherton, East Palo Alto, Los Altos, Los Altos Hills, Mountain View, Palo Alto, Portola Valley, Redwood City and San Carlos.

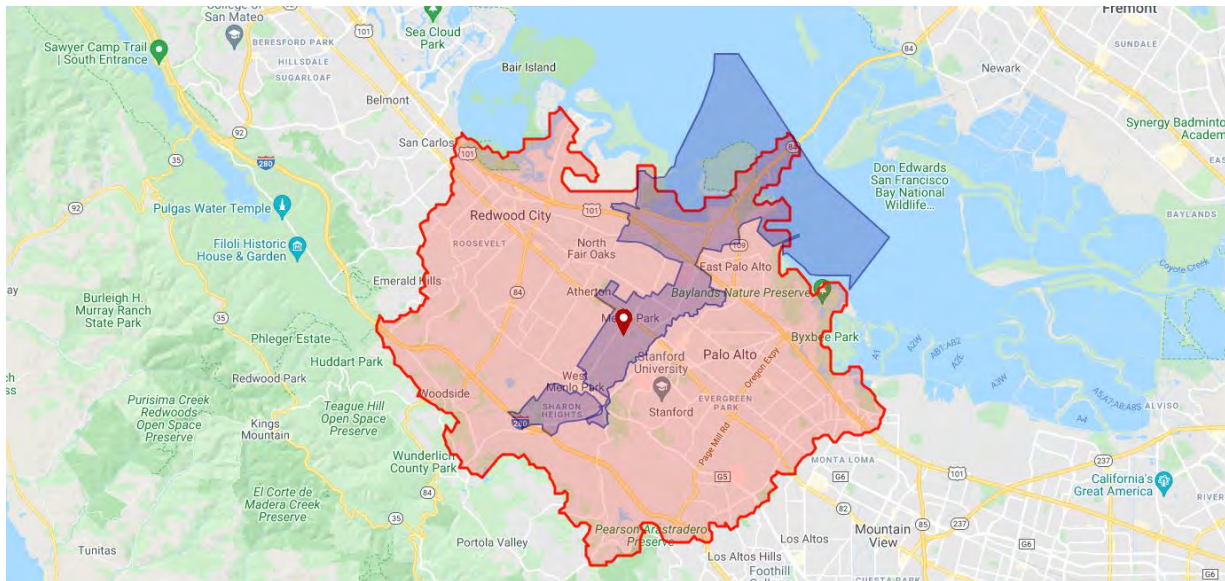


Downtown Menlo Park

Located in the heart of Menlo Park is Downtown Menlo Park with over 200 unique and upscale shops, galleries, markets, retailers, financial institutions, personal services, and a wide array of dining choices. Set in a quaint, pedestrian-oriented atmosphere, Menlo Park’s downtown area attracts locals and visitors from near and far with its close-proximity to Stanford University and other nearby college campuses, as well as large corporate campuses including Meta Platforms. Inc. (Facebook, Instagram, WhatsApp and other subsidiaries), Robert Half International and SRI International.



Spanning nearly half-mile long and with six blocks of dining, shopping, and specialty services along the main corridor of Santa Cruz Avenue between El Camino Real and University Drive (and stretching outward from Santa Cruz Avenue to Oak Grove Avenue to the northwest and to Menlo Avenue to the southeast, Downtown Menlo Park has a daytime population trade area of over 370,000 within a 20-minute drive.



The Menlo Park City Council approved the El Camino Real & Downtown Specific Plan in June 2012, along with some modest amendments in 2014, to provide a comprehensive action-oriented set of rules for the specific geographic area, along with setting the direction for the redevelopment and repositioning for the heart of the Menlo Park community over the coming decades. The Specific Plan is intended to help shape the regulating of land uses and defining possible future public and private developments. Since the adoption of the Specific Plan in 2012, significant mixed-use development has occurred on El Camino Real and within the Downtown area, producing a total of 518 new residential units within sixteen development projects in the Downtown area. Creating new residential is envisioned at producing much needed diverse residential product types for the heart of Menlo Park, along with generating new

consumer opportunities for existing and prospective Downtown Menlo Park merchants. Additionally, the new residential units will hopefully expand the hours of the Downtown Menlo Park activity to more of a 15 hour to 18-hour downtown environment to better match what has happened in Redwood City and Mountain View, as well as other communities in the Bay Area. Being nearly ten years old, the specific plan could likely use a comprehensive review and update soon.

The year-round Menlo Park Farmers Market is held on Sundays at the Chestnut Street parking plaza, between Santa Cruz Avenue and Menlo Avenue and is sponsored by the Menlo Park Live Oak Lions Club. In addition to the Sunday Farmers Market, another new weekly outdoor street market was launched in October 2021 and is being held on Wednesdays (3-7 pm) in the center of Downtown Menlo Park in the 600-700 block of Santa Cruz Avenue. The goal of the French-inspired market, called Bon Marché, is to bring more people to the downtown area in the middle of the week. This pilot program is sponsored by local restaurant Bistro Vida and the Menlo Park Chamber of Commerce, and attendance has been producing strong numbers.



Entertainment hubs are critical to the local economy and the tax base as employers, tourism destinations and revenue generators for nearby businesses in a downtown such as restaurants, hotels, and retail (including direct, indirect and induced contributions from both theatre operations and event-night spending). Based on a 2020 study released by the National Endowment for the Arts, the arts remain a vital component of the U.S. economy. Data shows that in 2017, consumers nationwide spent \$26.5 billion on admissions to performing arts events including \$17 billion on theater/musical theater/opera performances and \$3.7 billion on music groups and artists (e.g., jazz, rock, and country music performances).



Construction of the “new” Guild Theatre is in its final stages. The Guild was first called the Menlo when it opened in 1926 as the first movie theater on the Peninsula, according to the Menlo Park Historical Association. The Guild Theatre is a not-for-profit music and event performance space, located at 949 El Camino Real at the northern end of the downtown area. Being entirely rebuilt and currently under construction, the venue will hold 500+ patrons and host a wide range of music, film, and special event programming. The Guild Theatre is envisioned to be a much-needed entertainment draw to the Downtown Menlo Park area. The Guild, along with new residential on El Camino Real and near the downtown will enable Downtown Menlo Park businesses to stay open later and pursue becoming more of a 15 to 18-hour environment.

Downtown Menlo Park is an easy walk from a Caltrain station stop just north of El Camino Real at 1120 Merrill Street. The Menlo Park Train Station was built in 1867 and is on the U.S. National Register of Historic Places, along with being California Historical Landmark No. 995.



In an effort to support its local businesses during the Pandemic, the City of Menlo Park allowed businesses to operate and offer outdoor dining through a temporary operations use permit (TOUP) program free of charge. Many downtown businesses made adjustments which allowed them to continue offering residents and visitors reasons to enjoy the Downtown area. Restaurants including Amici’s, Bistro Vida, Camper, Coffeebar, Galata Bistro, Left Bank, Mademoiselle Colette, Roma, and Stacks offer attractive and comfortable outdoor dining experiences to keep customers coming back regularly.



The new temporary community space in front of Walgreen’s on Santa Cruz Ave. has become a popular destination for people to socialize and enjoy community activities. This space is part of the temporary street closure on Santa Cruz Ave.

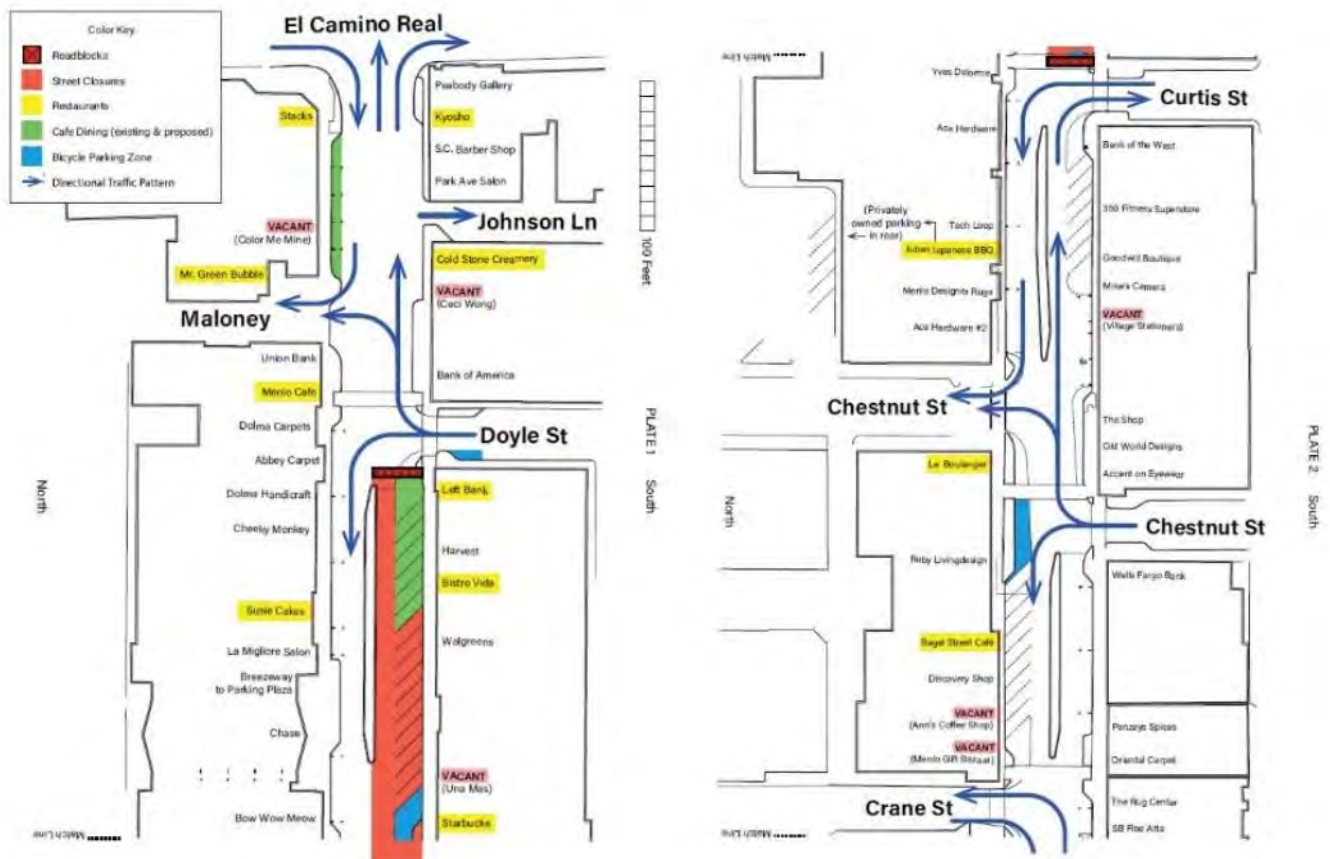
Over the years, Menlo Park has used two Design Charrettes (in 2005 and 2011) to help ‘imagine’ creating effective urban design concepts to establish the proper ‘sense of place’ for Downtown Menlo

Park and the area on El Camino adjacent to the Downtown area. Suggested elements that were deemed important for Downtown Menlo Park have included:

- Creating a focal point for the Downtown
- Using the intersection of Santa Cruz and El Camino Real as an identifiable gateway to the City of Menlo Park and Downtown Menlo Park
- Developing community gathering spaces and plazas, while enhancing pedestrian movements within the Downtown area
- Pursuing mixed-use development, with more residential opportunities for the Downtown
- Incorporating art/sculpture/water features into the Downtown
- Providing public restrooms
- Enhancing the effectiveness of public parking in the Downtown, while improving lighting and visibility aimed at providing a safe and inviting environment

In spite of the Pandemic, new businesses have opened in the downtown area including Pedego Electric Bikes, 360 Fitness Superstore, Main Gallery, The Mandarin, Farmhouse Kitchen, The Rug Center and Philz Coffee. However, as of October 2021 there were still a number of vacancies in the downtown with a total of 11 spaces presently available. Please see the map provided by Menlo Park Chamber of Commerce that identifies the location of 11 vacant spaces on Santa Cruz Avenue that are highlighted in pink shade.

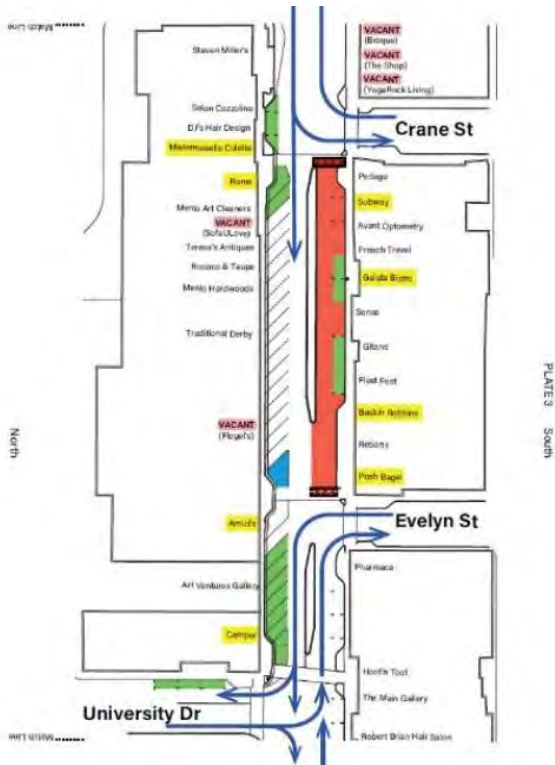
Figure. 2 & 3



Note: Vacant spaces are highlighted in pink



Figure.4



## Other Competing Downtowns

Downtown Menlo Park competes with several other downtown areas in nearby communities including:

- Redwood City
- Palo Alto
- Mountain View
- Los Altos

The following provides brief summaries of the four downtowns.

### Redwood City

Downtown Redwood City is a larger downtown area than Downtown Menlo Park. Downtown Redwood City is focused on the area from Main Street to Middlefield Road to El Camino Real to Brewster Avenue to Main Street. Downtown Redwood City also has a Caltrain Station stop (reportedly the sixth busiest station with an average weekly ridership of more than 3,200), as well as Redwood City Hall, the Public Library and the San Mateo County Courthouse,

which was constructed in 1910. Downtown Redwood City also has Town Square which offers many ongoing special events including music nights, market nights and other entertainment possibilities (including Music on the Square, Movies on the Square and the Magic Lantern 3D Light Show). Downtown Redwood City also has a Farmers Market on Saturdays that is operated by the local Kiwanis Club.

Downtown Redwood City offers a wide variety of street shopping—from eclectic clothing boutiques to family-owned grocery stores and hobby shops. Over the past 10 years many redevelopment projects have happened in Downtown Redwood City including significant mixed-use development incorporating new residential product types aimed at introducing more consumers into the downtown area and





helping increase more evening activity in Downtown Redwood City. Redevelopment of Downtown Redwood City has been guided by the Downtown Precise Plan adopted by the City in 2011. Incorporating significant new residential units into Downtown Redwood City has helped extend the environment of Downtown Redwood City to more of a 15 to 18-hour downtown as many more restaurants have located in the downtown area and extended hours to 10 pm or later.

Downtown Redwood City is host to a variety of events throughout the year. During the summer, there are outdoor concerts held weekly on the main square. There are also weekly movies, including one family friendly movie earlier in the evening and then an evening movie starting after 8pm. The Downtown hosts lots of family friendly events, such as Chalk Full of Fun and Zoppe Italian Family Circus. There are also a number of adult friendly events, including Oktoberfest and Pub in the Park.

Palo Alto

Downtown Palo Alto is an area focused on University Avenue, northeast to Alma Street to Webster and to Lytton/Forest. The City of Palo Alto has made significant investment into the Downtown by building a number of large public parking structures, while keeping a small-town accessibility, yet urban ambience. The street scape for Downtown Palo Alto has a small-town sense of place. Downtown Palo Alto has many casual and upscale restaurants, along with outdoor cafes and trendy coffee shops, along with well-known chain stores, art galleries, bookstores, independent boutiques and two movie theatres. Over the years, Downtown Palo Alto has evolved into an 18-hour environment with many of the restaurants and bars staying open until midnight or 1:00am with an assortment of eating and nightlife possibilities. Downtown Palo Alto has a Caltrain Station, as well as a Farmers Market on Saturdays that is managed by Pacific Coast Farmers Market Association.



Mountain View



Downtown Mountain View is an area focused on Castro Street, from El Camino on the south to the Central Expressway on the north and from Hope Street to the east and Franklin to the west. Downtown Mountain View provides a mixed-use, walkable city center for residents and visitors alike. Downtown Mountain View offers restaurants and shopping, easily accessible transit, a civic center and a very popular downtown plaza area. In recent years, considerable new residential projects have been developed in and adjacent to Downtown Mountain View that has provided many more consumers to frequent downtown restaurants, shops and services.

The City of Mountain View is presently considering three plans to transform Castro Street into a pedestrian and bicycle friendly area. A three-block area of Castro Street is already closed for outdoor parklets because of the Pandemic giving business owners and consumers a glimpse into what the permanent street closure of Castro Street would be for a 2 to 3 block area of Castro Street. Mountain

View has already approved extending its downtown street closure through January 2023, while it studies and seeks public input with three possible plans. Overall, the Mountain View City Council and over 70% of businesses surveyed support the closure of Castro Street, yet they have not determined how the design of the pedestrian mall should take shape.

Downtown Mountain View has a Caltrain Station situated at the north area of the downtown at 600 W. Evelyn Avenue. Mountain View has a Farmers Market on Thursdays. Additionally, there are a number of events held in and near the Downtown that bring in additional traffic, including events like the Taste of Mountain View and an outdoor concert and movie series. The Mountain View Central Business Association and the Chamber of Commerce are the Downtown's voice and a liaison to the City of Mountain View in helping create a marketing niche and unique identity of a sense of place for Downtown Mountain View.

### Los Altos

Downtown Los Altos is a somewhat smaller downtown area that is focused on a triangle shaped area from Main Street to Edith Avenue to the southwest and on a to the Foothill Expressway and to San Antonio Road to the east. Downtown Los Altos has a Farmers Market on Thursdays that is managed by Pacific Coast Farmers Market Association. Downtown Los Altos hosts a "1<sup>st</sup> Friday" event with live music from 6-9 PM on the first Friday of each month; the event is sponsored by the Los Altos Mountain View Community Foundation.



Within a six-block block triangle you will discover more than 150 shops and wide array of restaurants. The tree lined streets of Downtown Los Altos are lush and green in the summer and present vibrant color change in the fall while evoking a quaint village atmosphere of small-town America. The City of Los Altos offers ample free parking with a combination of street parking and public parking plazas with easy and convenient access for residents to stroll the streetscape of Downtown Los Altos and its unique cafes and boutiques.

The Los Altos Village Association was founded in the early 1960's by merchants and property owners to help preserve the vibrancy of Downtown Los Altos from many new competing regional shopping centers. The Los Altos Village Association works closely with the Chamber of Commerce and the City of Los Altos in supporting the business environment of Downtown Los Altos to shop, dine explore and discover the downtown area.

### What Makes a Successful Downtown?

What makes a downtown area successful? A 'downtown area' can be defined as a central or core commercial business area of a city or town. It is often the 'heart' of a city or town that provides significant activity with businesses, people, food and retail opportunities. A downtown is considered vibrant when measured against a number of criteria including:

- Walkability



- Retail & dining
- Popular nightlife
- Frequent community and special events
- A rising population
- Diversity in people and business offerings
- Strong economic opportunities

Successful downtowns have activity from the morning throughout the day and well into the evening by offering the combination of retail, dining, entertainment, work and living possibilities. Economic development professionals often use the term 18-hour downtown to describe a City that offers a variety of activity during the day and night; the City of Palo Alto was used as an earlier example of what a successful 18-hour downtown can look like. 18-hour downtowns are attractive alternatives to big cities for starting a new business, relocating an existing one, or investing in real estate. Millennials are drawn to the recreation and entertainment opportunities that an 18-hour downtown area offers; employers find that doing business in these areas is less expensive than in larger cities and in turn attracts large numbers of job seekers and entrepreneurs.



An 18-hour downtown is an ideal goal for a successful downtown, especially for one of small to mid-size, although this can be altered to somewhere between 15 to 18-hour environments to accommodate differing areas, such as Menlo Park. Downtowns should be a place where people spend more than just eight hours behind a desk and drive home; they should be a place to live, work, shop, visit and explore. Successful downtowns are gathering places that entice people to visit and explore, while spending an extended period of time.



There are many essential elements to creating a vibrant and successful downtown area when considering the expansion to a 15 to 18-hour downtown environment, including:

- Critical mass of successful businesses
- Mix of uses
- Provides evening & night life
- Offers gathering places and interesting spaces
- Walkable pedestrian connections
- Gateway features and wayfinding signage
- Regular special events schedule
- Residential components with diverse product types
- Uniform and evening store/restaurant hours
- Easy access and parking availability
- Branding





Placemaking



**Placemaking**, or creating the proper sense of place, is an important ingredient for a successful downtown. **Placemaking** capitalizes on local opportunities, it helps to attract residents, workers, shoppers, and visitors to a downtown, which in turn retains and attracts desired businesses to a downtown. **Placemaking** activities can include branding, events, wayfinding and entryway signage, as well as the creation of public spaces. The intention of **placemaking** is to promote the economic and social well-being of a community.

Successful downtowns engage in placemaking and offer a mix of uses that create an environment of activity during the day and well into the evening. A 15-to-18-hour downtown environment should be the goal for Downtown Menlo Park.

Market Analytics

Demographic data and market analytics are important when studying the marketplace for a downtown area. Real estate professionals, developers and site selectors consider many demographic variables and market analytics when making decisions on where to locate and grow their portfolios. Having credible consumer data allows a better understanding of short-term possibilities and the ability to set goals that can be attainable for business success in Downtown Menlo Park through desirable market analytics and a strong trade area. This section summarizes key demographics and consumer characteristics for the trade areas described above.

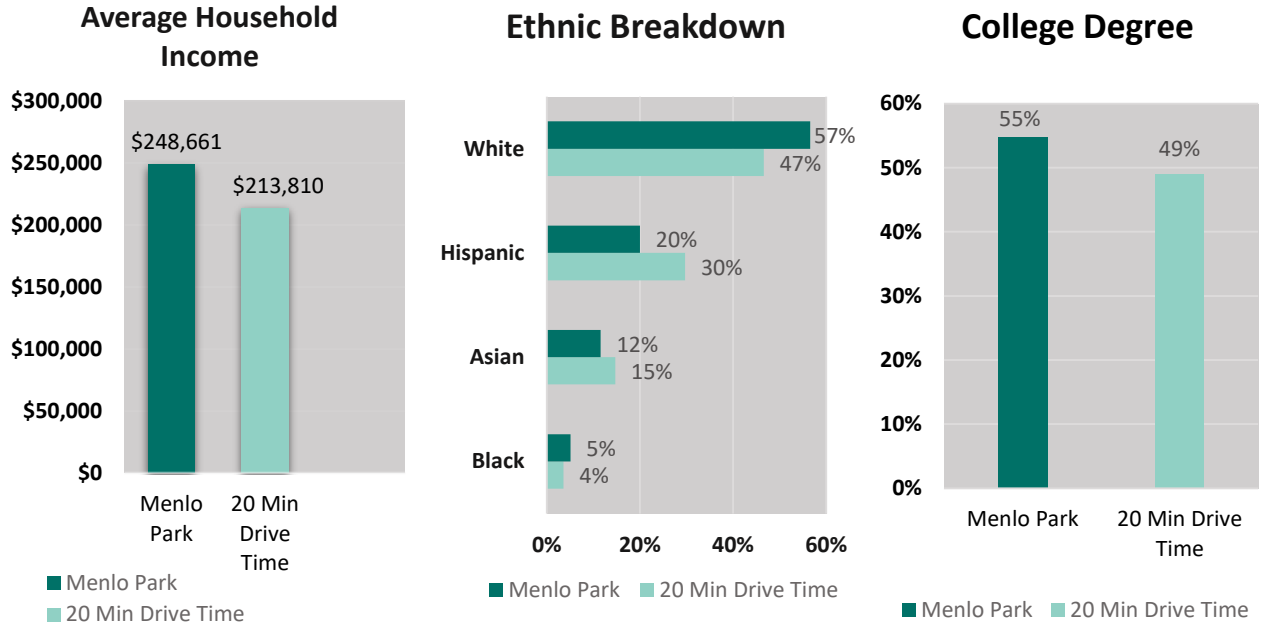
Demographics

Menlo Park is the 8th largest community by population size in San Mateo County. Currently, Menlo Park has a population of over 35,000 and is projected to grow 3.4% over the next five years according to demographic data provided by SDS-PopStats through an INSIGHT Market Analytics report.

Figure. 5 | Demographics

	Menlo Park	20-minute Drive Time
Population	35,131	255,144
5 Yr. Projected Pop Growth	3.4%	2.1%
Daytime Population	41,937	370,708
Households	13,297	90,023
Average Age	40.1	39.4
Average Household Size	2.6	2.8
Average Household Income	\$248,661	\$213,810
College Degree	54.8%	49.1%
Some College	10.9%	12.4%

Figure 6 | Demographics by Income, Ethnicity and Education



Figures 5 and 6 show the demographic data for the City of Menlo Park in comparison to the area within a 20-minute drive. All of the information is important in helping better understand your residents, however, average household income provides some significant suggestions about consumers in and near Menlo Park. Income is generally used to measure the economic well-being of residents and their community; average household income is the income that all households would make if the total combined income was distributed equally among each household.

The average household income for Menlo Park residents is 14% higher than the average income of the population within a 20-minute drive. The average income of Menlo Park suggests that there may be a significant existing pool of consumers already residing in the City.

It should be noted that the US Census Bureau lists that Menlo Park’s 2015-2019 median household income at \$160,784, meaning half of the residents have a household income somewhere below the median, while the other half are above the median. This gap between the average (\$248,661) and median (\$160,784) incomes is likely due to some number of high earners. Additionally, please note that the median household income of Menlo Park is 24% higher than the median of San Mateo County households.

Source: [www.census.gov/quickfacts](http://www.census.gov/quickfacts)

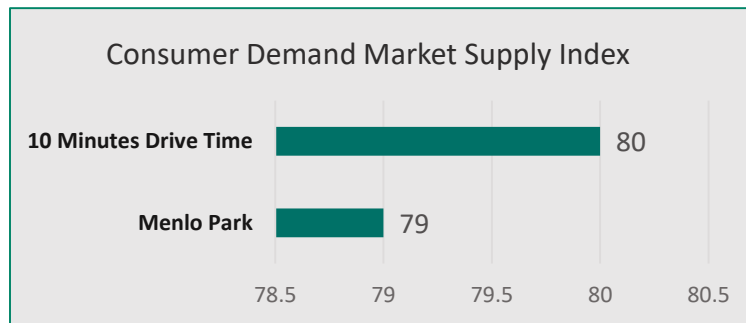
### Consumer Demand & Market Supply Assessment

A Consumer Demand & Market Supply Assessment was used to provide a macro appraisal of the Downtown Menlo Park marketplace. The report utilizes consumer expenditures (demand) and retail trade reports (supply) from the U.S. Census and Bureau of Labor Statistics to show opportunity gaps and supply surpluses throughout a number of different categories. The analysis used to interpret these figures utilizes the assumption that supply, and demand are at equilibrium.

A Consumer Demand/Market Supply Index is used to show if a trade area is meeting the market demand by its residents. A result above 100 suggests demand is not being met and residents are likely traveling to retail areas outside of the defined trade area to fulfill their needs. A result below 100 suggests that demand is fully met for residents and the excess supply is likely to be fulfilling the needs of consumers from outside the defined area as well as by visitors/tourists.

The City of Menlo Park has a Consumer Demand/Market Supply Index of 79, and Downtown Menlo Park has a Consumer Demand/Market Supply Index of 80 suggesting that Downtown Menlo Park is meeting consumer demand nicely. In other words, Downtown Menlo Park retailers and restaurants are doing a good job of pulling in consumers from the adjacent communities to spend their dollars in Menlo Park.

Figure. 7



### Menlo Park Retail Demand/Supply

The opportunity gap/surplus (%) represents the amount of demand under or over supply; therefore, a larger negative percentage represents a larger gap within that retail segment. Some of the categories that Menlo Park has the greatest opportunities are identified in the below chart. It should be noted that bars/drinking places that serve alcoholic beverages are required to obtain conditional approval from the Planning Commission in order to operate in the Downtown/Station Area Retail/Mixed Use and Main Street, and in the El Camino Real Mixed Use/Residential zoning districts. These facilities, which are referred to as “bars and lounges” within the City of Menlo Park Zoning Code and Specific Plan, may have no market supply due to the additional barrier that the conditional use process adds.

Figure. 8

City of Menlo Park By Establishments	Consumer Demand	Market Supply	Opportunity Gap/Surplus (%)	Opportunity Gap/Surplus (\$)
Bar/Drinking Places (Alcoholic Beverages)*	\$3,992,302	\$0	-100%	-\$3,992,302
Clothing Stores	\$31,614,752	\$15,207,187	-40%	-16,407,565
Building Material/Supplies Dealers	\$38,845,055	\$23,468,632	-40%	-\$15,376,423
Other General Merchandise Stores	\$77,438,638	\$53,694,707	-31%	-\$23,743,931
Full-Service Restaurant	\$54,519,861	\$45,436,160	-17%	-\$9,083,701
Casual/Limited-Service Restaurants	\$55,454,147	\$48,630,582	-12%	-\$6,823,565

\*This use requires a Conditional Use Permit (CUP)

### Sales & Use Tax

Sales and Use taxes have long been an important revenue stream for local governments in California; therefore, making retail and restaurant attraction a priority for cities such as Menlo Park in sales tax

revenue. This section analyzes the retail market and performance for the city of Menlo Park and Downtown Menlo Park. Please note this was a trend statewide.

Sales Tax Summary

Menlo Park sales tax revenues grew by 16% when comparing the annual sales tax revenue in 2014 with 2019 (calendar year), representing an increase of approximately \$856,009 for Menlo Park. In 2020, most business categories in Menlo Park experienced the impact caused by the COVID-19 Pandemic, and it is reflected in the significant decrease, around -24% in 2020 from 2019 sales tax revenues as shown in Figure. 8.

Figure. 9 | Sales Tax Growth for Menlo Park



Source: HdL Companies (2021)

Downtown Menlo Park Sales Tax Revenues

Downtown Menlo Park is an important part of Menlo Park because of the business offerings situated there, but also because of the sales tax revenue the businesses produce. There are 222 active businesses in Downtown Menlo Park that generate sales tax revenue. The map below provides a graphic illustration of the 222 point of sale businesses in Downtown Menlo Park that are producing sales tax revenue.

In Fiscal Year 2020/21 (period between July, 1 2020 to June, 30 2021) Downtown Menlo Park businesses produced a total of \$813,820 in sales tax revenue for the City of Menlo Park (this is the 1% the city receives in sales tax). This represented 16.8% of the total \$4,856,391 the city realized in sales tax revenue citywide.



The top major business types represented in Downtown Menlo Park for sales tax revenue generation (based on sales tax data for FY20/21) include:

- 1) General Consumer Goods: \$269,873
- 2) Restaurants & Hotels: \$235,641
- 3) Food & Drugs: \$213,108

Together, these three major business types produced 88.3% of the total sales tax revenue generated in FY 20/21 by Downtown Menlo Park businesses.



**Top 20 Sales Tax Producers for Downtown Menlo Park**

- Ace Hardware
- Amici’s Pizzeria
- Angela
- Bow Wow Meow
- Bistro Vida
- Cheeky Monkey Toys
- Chef Kwan’s
- Derby Interiors Design
- Draeger’s Market
- Fleet Feet Sports
- Gray’s Paint
- LB Steak / Camper
- Left Bank
- Mattress Firm
- Mike’s Camera
- Refuge
- Ristorante Carpaccio
- Stacks
- Trader Joe’s
- Walgreens

*\*Note: List is in alphabetical order, not in ranking.*

**Per Capita Comparison**

Sales dollars per capita (SDPC) is a macro approach to identify possible trends within a city, county or region regarding to spending habits. Average SDPC is derived by multiplying out the 1% total point of sales tax dollars and then dividing them by the population size of their community.

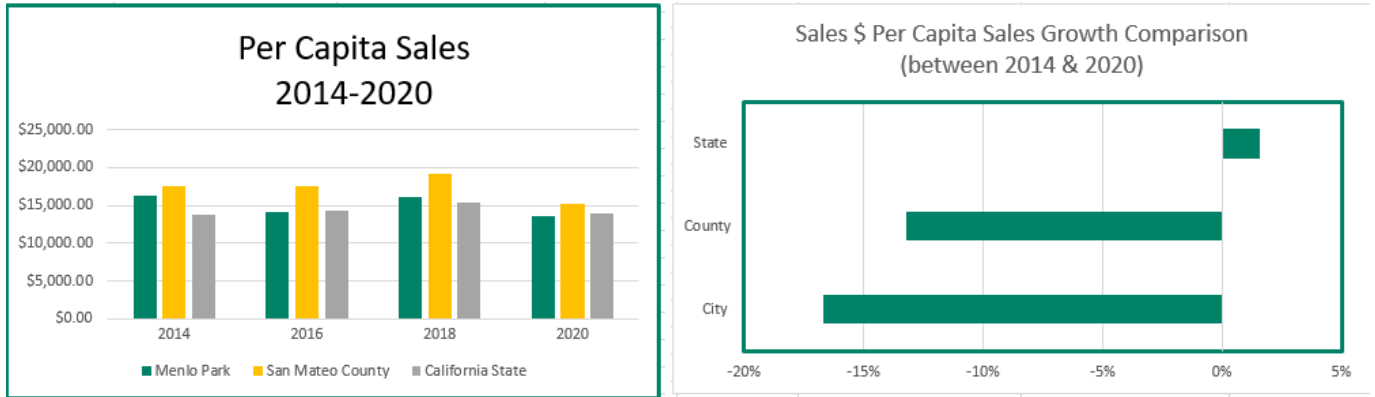
The methodology provides an overview of how retail in multiple areas compares to each other. If residents do most of their retail consumption outside of their local municipality, it results in a decreased SDPC value within their city. On the other hand, it will produce an increased SDPC value if a local municipality is a retail destination attracting non-resident shoppers. In summary, comparing average SDPC across multiple regions may show one of the following:

**Below Average:** Suggests resident do some shopping outside of the area; lack of local supply by preferred retailer and restaurant concepts

**Above Average:** Suggest consumers from outside the area are attracted to the local retail market; have preferred retailer and restaurant concepts.

San Mateo County had an average SDPC value of \$15,264.07 in 2020, while Menlo Park had a slightly lower average SDPC of \$13,551.81. Although Menlo Park’s average SDPC value from 2014 to 2020 was lower by -11% when comparing to the County average during those years, almost all industry sectors have higher SDPC in Menlo Park other than Auto & Transportation and General Consumer Goods, while Business & Industry and Restaurants & Hotels produced SDPC at least *two* to *three* times higher than the SDPC in San Mateo County. The information suggests that non-residents and visitors were staying in Menlo Park to fulfill much of their shopping and dining.

Figure. 10 & 11



Source: HdL companies (2021)

## Focus Group Summary Report

### Summary

As an essential part of the Market Study’s process, to gather information about the Downtown, a number of focus group meetings were scheduled with Downtown business owners/operators, key stakeholders, and commercial real estate brokers in assessing the Downtown’s strengths, as well as asking for suggestions and possible ways the Downtown could be enhanced or better positioned to compete with nearby downtown areas.



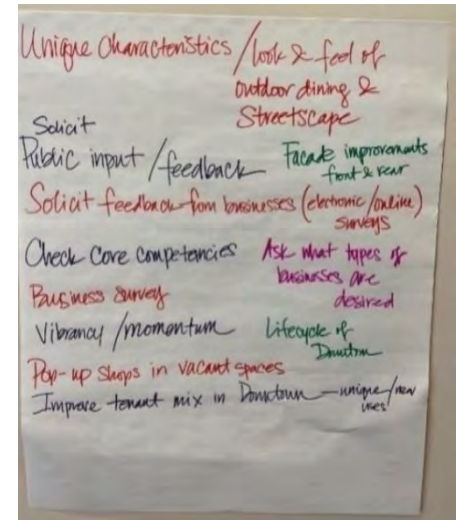
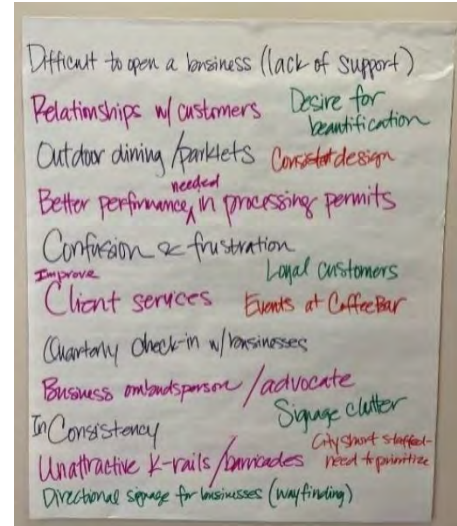
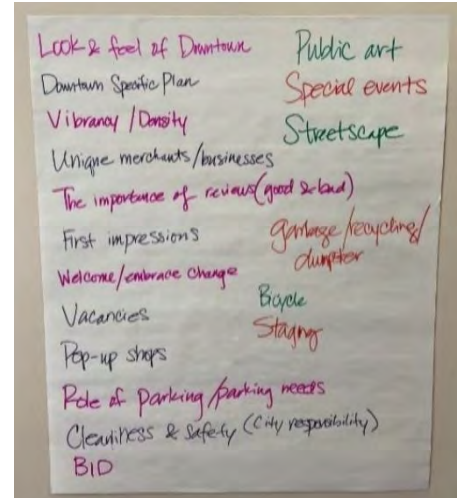
Initial meetings were held on Wednesday, July 28, 2021 at the following times and locations:

- 12:00 Noon-1:30pm at Trellis Restaurant
- 2:00pm-3:00pm at Menlo Park Main Library, Lounge Area
- 3:15pm-4:15pm at Menlo Park Main Library, Lounge Area

The findings from these focus groups were varied and provided much insight. Participants in all groups consistently shared many positive attributes of Downtown and the Menlo Park community overall. However, participants also provided examples of past struggles, ongoing challenges, and ideas for improvement.

Key findings from the focus groups include:

- Aesthetics
  - the importance of the “look and feel” of Downtown
  - first impressions
  - attractive streetscape design
  - cleanliness and safety
  - vacant/unattractive storefronts
  - unattractive street barricades/k-rails
  - façade improvements needed for front and rear of buildings
  - signage clutter (too many signs)
- Public Engagement
  - more special events throughout the year to draw people/families to Downtown
  - public art
  - increase density
  - create momentum
  - attract unique businesses
  - encourage bicycling and provide bicycle racks
- Business Operations
  - difficulties in opening a business
  - confusing City processes
  - perceived lack of support from City
  - need for a business ombudsperson/advocate
  - desire for quarterly check-ins with businesses
  - City is short-staffed, but needs to prioritize
- Suggestions and Ideas
  - solicit input and feedback from businesses and residents on a regular basis
  - City to check core competencies
  - City to improve performance in processing permits
  - City to improve client services dealing with businesses
  - encourage community to welcome/embrace change
  - encourage pop-up shops in vacant storefronts
  - improve parking
  - improve tenant mix in Downtown – work with property owners and commercial brokers
  - develop consistent outdoor dining parklet designs
  - provide garbage and recycling dumpsters for businesses (have the ability to lock to prevent residents from dumping)
  - wayfinding signage for businesses



A subsequent focus group meeting was held on Thursday, August 26 from 9:00am-11:00 am with the Menlo Park Chamber of Commerce Board of Directors via Zoom. The Chamber’s Board of Directors consists of key stakeholders representing a variety of sector types, such as retail, restaurant, high-tech,

consulting, and healthcare. In advance of the call, Chamber President Glen Rojas asked Directors to be prepared to discuss the following questions:

1. What do you feel is missing from our downtown that would create a more vibrant/sustainable atmosphere?
2. With the number of vacancies currently being experienced downtown how can we (Chamber and City) make this an opportunity to attract more sustainable businesses? What strengths does the downtown possess that we should capitalize on? What improvements can we consider that would improve economic development opportunities?
3. How can we better collaborate with the property owners and brokers downtown?
4. Do you feel the community/residents support local businesses? Would a survey be beneficial to determine this?
5. What other downtown areas are competitors to Menlo Park? How does Menlo Park compare?
6. Let's discuss some ways to better connect with the Belle Haven area businesses.

The feedback and ideas from this group included:

- historically parking is difficult to find Downtown during lunchtime
- consider building parking garages like Mountain View and Redwood City
- street closures have been confusing – consider closing Santa Cruz Avenue entirely to create a walkable plaza area
- Downtown is “tired” and needs to be upgraded and refreshed
- A broader mix of business types and uses are needed relevant to current trends – maybe doggie day care, gyms, day spas
- More quick casual dining needed – there is currently a limited variety of price points for food
- Will the future trend be a hybrid approach for businesses? Delivery services for Downtown businesses?
- City needs to develop a new master plan for Downtown. What is the best tenant mix? Should concentrate the energy into one area or street. Mixed-use housing will encourage residents to work from home and hang out Downtown.
- Having music will draw people Downtown, like Redwood City. Kepler's Plaza or the area behind Springline are good for musical performances.
- People want an experience when shopping.
- Support for more residential in Downtown to create a 15 to 18-hour environment.
- The Downtown has a small town feel and is walkable.
- The Guild Theater will be a draw when it reopens. Possibly have City and Chamber partner on promoting the reopening.
- Vacancies in Downtown are likely due to high lease rates (some property owners are not willing to reduce rates).
- TOD is important given the close proximity to Stanford. Easy access can attract Stanford employees and students.

- The new Springline and Middle Plaza projects will be good indicators of Menlo Park's ability to attract retail and residents – a true mixed-use development project.
- STRENGTHS: many restaurants, convenient, unique businesses, hub of home furnishings businesses, nice open plazas good for entertainment.
- Strong demographics of high household incomes and disposable income if also including Atherton (neighboring city).
- City parking lots need to be improved – currently in poor condition.
- The Downtown currently does not have a concerted effort for PR. A shop local/shop Downtown campaign is needed.
- Broker lunch was a good idea to engage.
- POSSIBLE QUICK FIXES: require vacant spaces to cover windows, façade improvement grant program
- Use Downtown Burlingame as an example of redevelopment that has paid off.
- Hold more special events Downtown.
- Consider pop-up shops, like Los Altos.
- Revisit the Downtown Specific Plan, because not working and outdated. Need to identify new short-term and long-term goals.
- San Carlos recently built a parking garage.
- Business retention is important.

## Commercial Marketplace Recap

Menlo Park is part of the dynamic and highly desirable San Francisco Peninsula retail marketplace, which is bordered to the north by the City of San Francisco, to the east by the SF Bay and to the south by Santa Clara County. The Silicon Valley market boasts one of the highest concentrations of life science companies in the world.

Menlo Park is an established community that offers a prominent downtown area. According to CBRE, the Peninsula area provides an attractive retail market for new retail and restaurant opportunities. Downtown Menlo Park, with its strategic location should be well positioned for new retail and restaurant possibilities. Downtown Menlo Park has a solid foundation on which to build upon in pursuing ways to enhance Downtown Menlo Park, while enabling Downtown Menlo Park to better compete with downtown environments in Redwood City, Palo Alto, Mountain View, Los Altos and other cities on the Peninsula.



## Recommended Next Steps

The following are the recommended next steps to help enhance Downtown Menlo Park. The recommended next steps are broken down into a matrix below and grouped into four categories:

- 1) Placemaking & Enhancing a Sense of Place for Downtown Menlo Park
- 2) Creating More Activity in the Downtown Area & Producing More Consumer Demand
- 3) Infrastructure Improvements
- 4) City Planning & Economic Development

The matrix identifies estimated, or suggested, timing considerations. Providing suggested timeframes for the Recommended Next Steps will aid in proper planning and budgeting for funding of these work items. The timing considerations include: Near-Term (within 6 months); Short-Term (within 1 year); Mid-Term (within 1 to 2 years); and Longer-Term (2 to 3 years).

Additionally, for each recommended next step we have identified key partners and the magnitude of effort (light, moderate, or high) that the item may require in terms of such things as cost, time, staff, etc. There are several key partners that will be essential in moving forward with the recommended next steps. The second column refers to those key partners and stakeholders that will likely need to be involved in the planning and implementation of the recommended items, such as the Chamber of Commerce, Downtown Business Alliance, Downtown property owners, developers, and local commercial brokers.

Lastly, the third column of the matrix indicates the magnitude or level of effort (light, moderate, high) that each recommended item may require in terms of things such as cost, time, and other important resources. A light level of effort indicates that the recommended item is cost efficient and does not require too much additional resources. A moderate level of effort indicates that there is some additional cost and resources that are needed to complete the step. A high level of effort requires more funding, time, and additional personnel.

### Timeline and Performance Metrics

For Near and Short-Term recommendations specifically, we identified additional information to help guide the City in prioritizing the recommended implementation items including **launch dates** and suggested **success metrics**. The suggested **launch dates** are broken out into standard calendar year quarters. The intent of the suggested launch dates is to help the Menlo Park City Council and Staff set goals for start dates and then the 6-month to 1-year estimates can be used to set deadlines for completing the recommended item. The **success metrics** are proposed to measure the performance of the recommended item during implementation.

### Transforming Next Steps into Action Items

The Menlo Park Downtown Market Study ends with two proposed achievable action items to consider for the immediate future. While all of the recommended next steps should be considered to enhance Downtown Menlo Park, we believe that the two action items presented can be completed within a reasonable timeframe (6-months to 1-year) with existing resources.

Placemaking & Enhancing a Sense of Place for Downtown Menlo Park

Near-Term (within 6 months)	Key Partners	Level of Effort	Near Term Launch Dates	Suggested Near Term Success Metrics
<ul style="list-style-type: none"> <li>Consider continuing and expanding the Santa Cruz Street Café parklet program with modifications to establish consistent design standards to include beautification of street barricades.</li> </ul>	City; Chamber of Commerce (Chamber), Downtown Business Alliance; Downtown property owners	Light effort	Quarter 1, 2022	-Investments in local businesses to meet improved parklet program standards
Short-Term (within a year)	Key Partners	Level of Effort	Short Term Launch Dates	Suggested Short Term Success Metrics
<ul style="list-style-type: none"> <li>Explore ways to work with property owners, commercial brokers, and the Menlo Park Chamber of Commerce to use vacant spaces with interim uses such as ‘pop up businesses’ (examples are Los Altos, Danville, and Santa Cruz) or for a business incubator program, as well as requiring property owners to install a temporary store front look for vacant building spaces.</li> </ul>	City; Commerce; Downtown Business Alliance; Downtown property owners; Menlo Park Public Art (nonprofit group); Allied Arts Guild	Moderate	Begin meeting with property owners and commercial brokers Quarter 2, 2022	-Percent of vacant spaces with temporary store front installation -Total vacancy rate
Mid-Term (within 1 to 2 years)	Key Partners	Level of Effort		
<ul style="list-style-type: none"> <li>Create more appealing signage for Downtown including banners, wayfinding signs, as well as designing/installing an entryway arch at the intersection of El Camino Real and Santa Cruz Avenue.</li> </ul>	City	Moderate		
<ul style="list-style-type: none"> <li>Consider developing design guidelines for Downtown Menlo Park to enhance and provide a more consistent look to the streetscape appearance with architectural aspects, design elements, public hardscape and landscape features.</li> </ul>	City	Moderate		
<ul style="list-style-type: none"> <li>Enhance hardscape improvements including sidewalks, parking plaza, and pedestrian walkways between the streetscape and parking plazas.</li> </ul>	City	High		



Longer-Term (2 to 3 years)	Key Partners	Level of Effort	
<ul style="list-style-type: none"> <li>Partner with the Chamber of Commerce, Downtown Business Alliance and local businesses to consider the idea of closing two blocks of Santa Cruz Avenue to create a pedestrian mall environment and make the Downtown more walkable, while expanding outdoor dining opportunities for restaurants in this area. Would suggest the closure to be from El Camino Real to Curtis Street.</li> </ul>	City; Chamber; Downtown Business Alliance	Moderate	

Creating More Activity in the Downtown Area & Producing More Consumer Demand

Near-Term	Key Partners	Level of Effort	Near Term Launch Dates	Suggested Near Term Success Metrics
<ul style="list-style-type: none"> <li>Establish a shop local marketing campaign</li> </ul>	City; Chamber; Downtown Business Alliance; Downtown property owners; San Mateo County	Light	Quarter 1, 2022	<ul style="list-style-type: none"> <li>-Dollars spent in locally owned businesses</li> <li>-Retail sales per capita</li> <li>-Percent of businesses participating in marketing campaign</li> </ul>
<ul style="list-style-type: none"> <li>Work with the Menlo Park Chamber of Commerce and Downtown Business Alliance on creating more special events for Downtown Menlo Park including farmer’s markets, street fairs, music nights, summer concerts, food events, art festivals &amp; more.</li> </ul>	City; Chamber; Downtown Business Alliance; Menlo Park Farmers Market; Arts Guild; Pacific Fine Arts Festivals; partner with local hotels to promote events	Light	Begin planning in Quarter 2, 2022 with new event(s) launch date in Q-4 2022 and 2023	<ul style="list-style-type: none"> <li>-Number of events created</li> <li>-Tourism revenue on event date(s)</li> <li>-Retail sales on event date(s)</li> </ul>
Short-Term (within 1 year)	Key Partners	Level of Effort	Short Term Launch Dates	Suggested Short Term Success Metrics
<ul style="list-style-type: none"> <li>City and the Chamber of Commerce to work more closely with real estate brokers and property owners to improve tenant mix in the Downtown, including holding regular broker events.</li> </ul>	City; Chamber; Downtown property owners; local and regional real estate brokers	Moderate	Schedule initial broker event in Quarter 2, 2022	<ul style="list-style-type: none"> <li>-Occupancy rate by type of tenancy</li> <li>-Number of annual broker events</li> <li>-New business started</li> </ul>

<ul style="list-style-type: none"> <li>Drive more families to Downtown Menlo Park through tenant mix and the special events being held in the Downtown area.</li> </ul>	City; Chamber; Downtown Alliance; Springline management; partner with local hotels to promote events	Moderate	Quarter 3, 2022	<ul style="list-style-type: none"> <li>-Number % of family friendly events</li> <li>-Number of businesses catering to families</li> </ul>
<ul style="list-style-type: none"> <li>Work with the Guild Theatre ownership and their marketing firm to attract quality events to the new Guild Theatre to generate business for the theatre and produce more consumer demand in downtown Menlo Park.</li> </ul>	City; Guild Theatre; Chamber	Light	Quarter 1, 2022	<ul style="list-style-type: none"> <li>-Number of events held at Guild Theatre</li> <li>-Percent tickets sold for Guild Theatre events</li> <li>-Retail sales on event days / weekends</li> </ul>
<ul style="list-style-type: none"> <li>Work with the Chamber of Commerce and Downtown Business Alliance in undertaking a brand development process</li> </ul>	City; Chamber; Downtown Business Alliance	Light	Begin in Quarter 1, 2022 in conjunction with the creation of shop local campaign	<ul style="list-style-type: none"> <li>-Number % of businesses participating in brand promotion</li> </ul>
<ul style="list-style-type: none"> <li>Work with the Chamber of Commerce to continue and expand restaurant possibilities with more outdoor dining opportunities in Downtown Menlo Park, along with introducing more quick service and casual restaurant uses.</li> </ul>	City; Chamber	Moderate	Quarter 2, 2022	<ul style="list-style-type: none"> <li>-Percent of restaurants in Downtown Menlo Park offering expanded services, measured by type of service</li> <li>-Percent of restaurants in Downtown Menlo Park offering outdoor dining</li> <li>-Investments in outdoor dining improvements</li> </ul>
<b>Mid-Term (within 1 to 2 years)</b>	<b>Key Partners</b>	<b>Level of Effort</b>		
<ul style="list-style-type: none"> <li>Pursue more entertainment uses for Downtown to build upon the coming opening of the Guild Theatre.</li> </ul>	City; Chamber; Downtown Business Alliance; Guild Theatre	Moderate		
<ul style="list-style-type: none"> <li>Pursue more of a 15-to-18-hour environment for Downtown Menlo Park, including expanding the use mix and adding more mixed-use development in the Downtown including more residential development.</li> </ul>	City; Chamber; Downtown Business Alliance; property owners; developers	Moderate		
<ul style="list-style-type: none"> <li>Work with the Chamber of Commerce to promote Downtown Menlo Park as a</li> </ul>	City; Chamber	Light		

preferred location for Design/Home Furnishings/Furniture uses.			
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Infrastructure Improvements

Near-Term	Key Partners	Level of Effort	Near Term Launch Dates	Suggested Near Term Success Metrics
<ul style="list-style-type: none"> <li>Develop a plan to install more bicycle racks, trash/recycling containers/public restrooms in the Downtown area and to evaluate the need for additional handicap or senior parking accommodations</li> </ul>	City	Light	Quarter 3, 2022	-Annual dollars invested in public infrastructure
Short-Term (within 1 year)	Key Partners	Level of Effort	Short Term Launch Dates	Suggested Short Term Success Metrics
<ul style="list-style-type: none"> <li>Develop a schedule to improve public hardscape improvements including streets, sidewalks, parking plazas &amp; light enhancements (for safety, aesthetics, etc.).</li> </ul>	City	Light	Quarter 2, 2022	-Percent of planned investment in Downtown infrastructure relative to all capital investments
Mid-Term (1 to 2 years)	Key Partners	Level of Effort		
<ul style="list-style-type: none"> <li>Create a master wayfinding signage program for Downtown Menlo Park.</li> </ul>	City; Chamber; Downtown Business Alliance	Moderate		
Longer-Term (2 to 3 years)	Key Partners	Level of Effort		
<ul style="list-style-type: none"> <li>Study developing parking structures on city-owned/operated parking plazas in combination with mixed-use projects of affordable housing and retail at street level.</li> </ul>	City	High		

City Planning & Economic Development

Near-Term	Key Partners	Level of Effort	Near Term Launch Dates	Suggested Near Term Success Metrics
<ul style="list-style-type: none"> <li>Work with the Chamber of Commerce and Downtown Business Alliance to undertake a Survey of Downtown Businesses and</li> </ul>	City; Chamber; Downtown Business Alliance; Downtown Residents	Light	Quarter 2, 2022	-Percent of survey participants (residents, businesses, and property owners considered separately)

Residents to better understand their ideas to improve the Downtown.				
<b>Short -Term (within 1 year)</b>	<b>Key Partners</b>	<b>Level of Effort</b>	<b>Short Term Launch Dates</b>	<b>Suggested Short Term Success Metrics</b>
<ul style="list-style-type: none"> <li>Partner with the Chamber of Commerce to adopt a formal business ombudsman or concierge program to improve communication between the City and Downtown businesses.</li> </ul>	City; Chamber;	Light	Quarter 2, 2022	<ul style="list-style-type: none"> <li>-The addition or selection of an ombudsperson</li> <li>-Number of small businesses assisted as a percent of total businesses</li> </ul>
<ul style="list-style-type: none"> <li>City to look at ways to enhance the planning and entitlement process and improve ease and efficiency.</li> </ul>	City	Moderate	Quarter 3, 2022	<ul style="list-style-type: none"> <li>-Time it takes for the City to review applications</li> </ul>
<b>Mid-Term (1 to 2 years)</b>	<b>Key Partners</b>	<b>Level of Effort</b>		
<ul style="list-style-type: none"> <li>Pursue a comprehensive review and update the nearly 10-year-old El Camino &amp; Downtown Specific Plan.</li> </ul>	City	High		

## Transforming Next Steps into Action Items

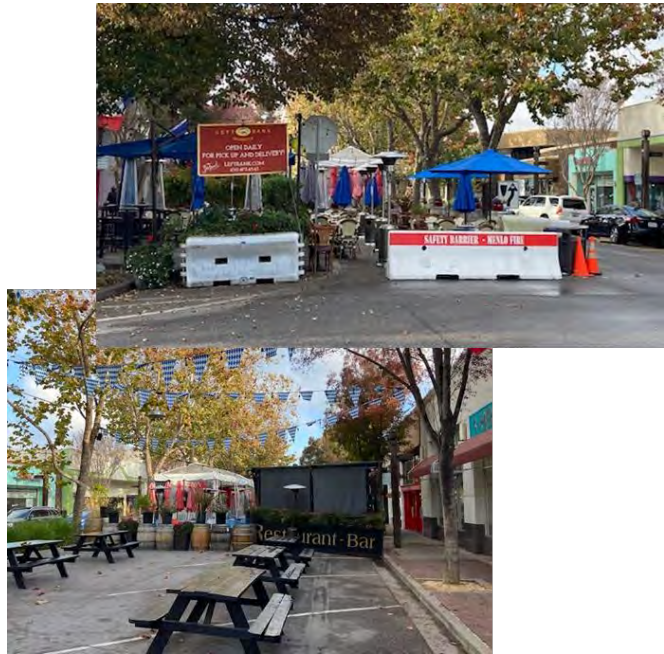
While all recommended next steps identified in the matrix above should be considered, we have identified two achievable next steps that will have immediate and measurable impact within the near to short term (6-months to 1-year). To transform these next steps into action items, we’ve provided a more thorough description and additional guidelines for implementation.

### Action Item 1.

**Expand the Santa Cruz Street Café parklet program, adding consistent design standards to include beautification of street barricades and the extension of the Santa Cruz Street closure.**

**Overview:** During the Pandemic, many cities have made parts of the public right-of-way available as parklets or outdoor areas for businesses to operate. The City of Menlo Park Council adopted the Temporary Outdoor Use Permit (TOUP) program on June 19, 2020 to allow compliant businesses to operate parklets in public spaces for a temporary period of time. Parklets and similar uses have provided an economical solution for businesses to continue operating under public health restrictions, consumer demand and to take advantage of the area’s generally mild weather.

In response to public feedback, and because parklets are intended as an aesthetic enhancement to the overall streetscape, many cities have established parklet design guidelines. Guidelines range from basic with minimal requirements pertaining to health and safety issues to more prescriptive requirements that include allowed materials and dimensions. Consistent design guidelines and the beautification of street barricades will help create a more cohesive look and sense of place in the downtown.



In addition to the expansion of the parklet program, it is recommended that the City of Menlo Park extend the existing street closure for the 600-block of Santa Cruz Avenue. The Menlo Park City Council had initially approved the closure of both the 600- and 800-blocks of Santa Cruz Avenue through January 2022, however, the 800-block of Santa Cruz Street was reopened in early December 2021. Nearby cities such as Redwood City, Mountain View, San Carlos, and Palo Alto, have closed off vehicular access of major downtown thoroughfares and allowed businesses to expand dining areas and parklets into the streets. These street closures not only provide pedestrian access to the streets as walkways, but also encourages social distancing and enhances business opportunities to safely serve patrons.

**Implementation:** The level of effort to expand on the existing Santa Cruz Street Café parklet program and establish consistent design standards and beautify street barricades is light. Cities that have established design standards and guidelines include Alameda, Healdsburg, Pacific Grove, Palo Alto, San

Mateo, and Santa Barbara. Using these existing examples of design standard guidelines, it is reasonable to assume that a draft for Menlo Park could be completed in less than one-month. Including review by staff, boards, and other necessary stakeholders, design standard guidelines for temporary parklets and street barricades could be established within a three to four-month time frame.

**Launch Date:** We suggest that the drafting of the improved Santa Cruz Street Café parklet program guidelines begins immediately in **Quarter 1, 2022** with the goal to complete within 6-months.

**Success Metrics:** The success of Action Item 1 may be measured by examining investments in local businesses to meet improved parklet program standards.

**Key Partners:** City; Chamber of Commerce, Downtown Business Alliance; Downtown property owners

### Action Item 2.

#### ***Establish a shop local marketing campaign for Downtown Menlo Park.***

**Overview:** Shop local campaigns educate consumers on the economic and social advantages that local businesses bring to a community, as they can create a long lasting culture of support for local businesses to help them succeed. Effective campaigns result in healthier businesses, and in turn job creation and enhanced retail opportunities, plus opportunities for local Menlo Park residents to help local businesses to prosper and create a successful downtown environment.

“Choose Local San Mateo County (SMC)”, an app to promote shopping local in San Mateo County, was launched

To provide another example, “What’s open Los Altos” ([whatsopenlosaltos.org/](https://whatsopenlosaltos.org/)) is an online resource used to support local businesses in Los Altos, allowing consumers to order, purchase, and donate all in one place. This website is a collaborative effort lead by the Los Altos Chamber of Commerce, City of Los Altos and Los Altos Village Association, with the support of Downtown Los Altos property owners. Additionally, Los Altos and other nearby Cities with shop local campaigns such as Mountain View, Sunnyvale and San Jose have linked their shop local campaign websites to [siliconvalleystrong.org/shoplocal/](https://siliconvalleystrong.org/shoplocal/) to expand their outreach.

**Implementation:** Collaboration is key in implementing a shop local campaign; it’s imperative that partners such as the Chamber of Commerce and Downtown Business Alliance are involved in the creation of the shop local campaign, but also partners outside of the area such as local media or the previously mentioned Silicon Valley Strong Organization. The shop local campaign should be promoted on various platforms, as well as in-person, using real life examples of how spending locally helps the community. The various partners can help build a story that both educates consumers on why shopping local is important and creates relatable context built on conversations with local business owners or stakeholders. The City of Menlo Park’s American Rescue Plan Act (ARPA) funds may provide an opportunity to incentivize consumers by collaborating with local businesses to create a gift card program or special event promotion.



**Launch Date:** It is recommended that the Shop Local Campaign planning begin as soon as **Quarter 1, 2022** with a goal to launch the campaign within 6-months.

**Success Metrics:** The shop local campaign success may be measured by the following:

- Dollars spent in locally owned businesses
- Retail sales per capita
- Percent of businesses participating in the shop local marketing campaign

**Key Partners:** City; Chamber; Downtown Business Alliance and Downtown Businesses



# Menlo Park Downtown Market Study

*Development Driven by Data*



January 2022

HdL<sup>®</sup> ECON Solutions



# Trade Area Overview

## Retail Market for Downtown Menlo Park

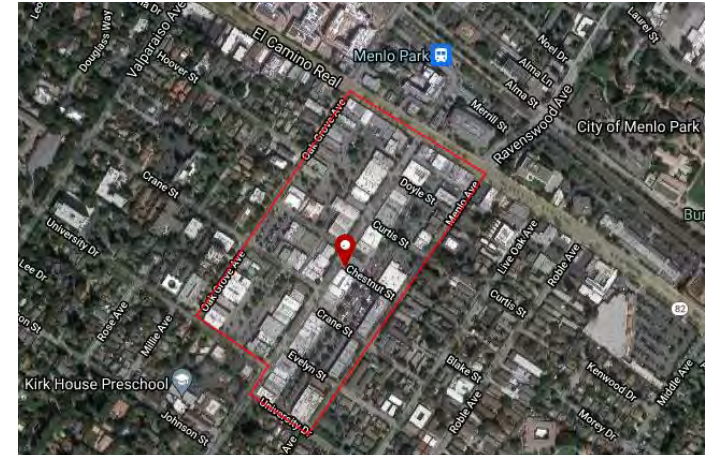
- Menlo Park residential population = 35,131
  - Daytime population = 42,000
- Residential population within 20-minute drive time = 255,000
  - Daytime population = 370,000
- 13,297 households with 2.64 people per housing unit
- Residents are 84% White Collar and 16% Blue Collar
- 54.8% have a college degree
- Average household income is \$248,661 (San Mateo County Average = \$165,184)
- Median household income is \$160,784 (San Mateo County Median = \$122,641)
- Menlo Park is ethnically diverse with 56.6% White, 20.1% Hispanic, 9.3% Asian, 5.1% Black, 2.3% Pacific Islander and 6.6% Other



# Downtown Menlo Park

## Benefits and Opportunities

- 200 unique and upscale shops, galleries, markets, retailers, financial institutions, personal services, and dining choices
- Mixed-use and new residential developments in and near downtown projected to produce new consumer opportunities
- Renovation of Guild Theatre to host more events
- Caltrain station, Stanford University and several corporate campuses within close proximity
- Temporary outdoor seating and community space
- Weekly Farmers Market, Spring and Fall Art Stroll, and Summer Block Party & Fest





# Competing Downtowns

## Redwood City

- Caltrain station easily accessible to downtown
- **Mixed use, residential units, and evening activity in DT**
- Saturday Farmers Market
- **15-18 hour downtown, with restaurants open past 10pm**
- Downtown Events, such as outdoor concert and movie series, music in the park, Chalk Full of Fun event, & more

## Mountain View

- **Mixed use, walkable center**
- Caltrain station easily accessible to downtown
- Castro Street closed through January 2023 with outdoor dining and public seating available
- **15-18 hour downtown environment**
- Downtown events, such as Thursday evening Farmers Market, Taste of Mountain View, outdoor concert and movie series, & more



## Palo Alto

- **Healthy mix of retail, dining, and entertainment**
- Caltrain station easily accessible to downtown
- **Prominent nightlife with 18-hour environment**
- Saturday Farmers Market
- Ample public parking, including large parking plazas

## Los Altos

- **Mixed use, including over 150 shops within 6-block triangle of unique cafes and boutiques**
- Lush green-scape lining streets creating small town atmosphere
- **Events held on 1<sup>st</sup> Fridays (of each month) with live music 6-8pm**
- Free public parking on streets and in parking plazas



# What makes a successful downtown?



- Walkability & easily accessible connections
- Mixed-use including residential units, retail, entertainment & dining
- 15-18 hour Downtown environment (activity throughout the day and into the evening)
- Placemaking, offer gathering places and interesting spaces
- Establishing branding and adding gateway features and wayfinding signage
- Hosting frequent community and special events
- A rising population, and diversity in people and business offerings
- Uniform and evening store/restaurant hours
- Strong economic opportunities and critical mass of successful businesses
- Parking availability



# Examples of Activities and Events

- Concert series or music events
- Food events (Ex. multiple and ongoing “Taste of Menlo Park” events)
- Summer movie series
- Brew or wine festival
- Educational series (children, adult, and family friendly)
- Classic car events
- Arts festivals



# Consumer Demand and Market Supply

City of Menlo Park By Establishment	Consumer Demand	Market Supply	Opportunity Gap/Surplus (%)	Opportunity Gap/Surplus (\$)
Bar/Drinking Places (Alcoholic Beverages)*	\$3,992,302	\$0	-100%	-\$3,992,302
Clothing Stores	\$31,614,752	\$15,207,187	-40%	-16,407,565
Building Materials/Supplies Dealers	\$38,845,055	\$23,468,632	-40%	-\$15,376,423
Other General Merchandise Stores	\$77,438,638	\$53,694,707	-31%	-\$23,743,931
Full-Service Restaurants	\$54,519,861	\$45,436,160	-17%	-\$9,083,701
Casual/Limited-Service Restaurants	\$55,454,147	\$48,630,582	-12%	-\$6,823,565

The opportunity gap/surplus (%) represents the amount of demand under or over supply; therefore, a larger negative percentage represents a larger gap within that retail segment.

\* This use requires a Conditional Use Permit (CUP)





# Sales & Use Tax

## Trends and Per Capita Comparison

- 222 active businesses in Downtown Menlo Park generating sales tax
- Annual sales tax revenue increased 16% from 2014 to 2019
- COVID-19 Pandemic lead to a -24% sales tax revenue decrease from 2019 to 2020
- Menlo Park sales dollars per capita (SDPC) were on average \$13,551.81
- The highest sales tax performers in Downtown Menlo Park make up 88.3% of the total sales tax revenue generated in FY20/21, including:
  1. General Consumer Goods (\$269,873)
  2. Restaurants & Hotels (\$235,641)
  3. Food & Drugs (\$213,108)



# Top 20 Sales Tax Producers

## Downtown Menlo Park

*[List is in alphabetical order, not in ranking.]*

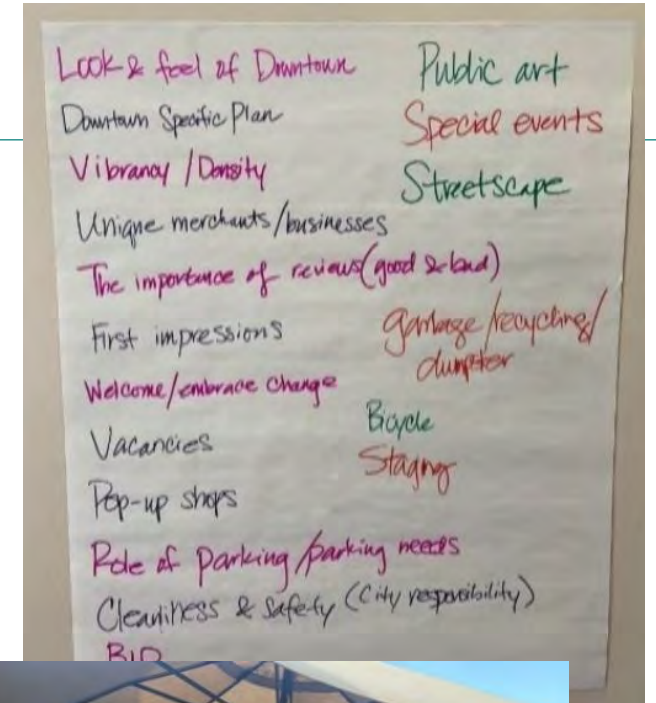
- Ace Hardware
- Amici's Pizzeria
- Angela
- Bow Wow Meow
- Bistro Vida
- Cheeky Monkey Toys
- Chef Kwan's
- Derby Interiors Design
- Draeger's Market
- Fleet Feet Sports
- Gray's Paint
- LB Steak / Camper
- Left Bank
- Mattress Firm
- Mike's Camera
- Refuge
- Ristorante Carpaccio
- Stacks
- Trader Joe's
- Walgreens



# Focus Groups Summary Report

Summary of input from Downtown business owners/operators, stakeholders & Menlo Park Chamber of Commerce Board of Directors:

- Improve aesthetics of Downtown to create a modern and branded look and feel
- Increase support for local business operations – shop local
- Encourage expansion of mixed use
- Improve parking accessibility and availability
- Revisit Specific Plan, or create new Downtown Development Plan and solicit suggestions and ideas from stakeholders
- Public engagement through special events, public art, live music, etc



# Next Steps and Recommendations

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# Placemaking & Enhancing a Sense of Place

Near-Term (within 6 months)	Key Partners	Effort	Near Term Launch Dates	Suggested Near Term Success Metrics
Consider continuing and expanding the Santa Cruz Street Café parklet program with modifications to establish consistent design standards to include beautification of street barricades.	Chamber of Commerce Downtown Business Alliance Downtown property owners	Light	Quarter 1, 2022	Investments in local businesses to meet improved parklet program standards
Short-Term (within a year)	Key Partners	Effort	Short Term Launch Dates	Suggested Short Term Success Metrics
Explore ways to work with property owners, commercial brokers, and the Menlo Park Chamber of Commerce to use vacant spaces with interim uses such as ‘pop up businesses’ (examples are Los Altos, Danville, and Santa Cruz) or for a business incubator program, as well as requiring property owners to install a temporary store front look for vacant building spaces.	Chamber of Commerce Downtown Business Alliance Downtown property owners Menlo Park Public Art Allied Arts Guild	Moderate	Begin meeting with property owners and commercial brokers Quarter 2, 2022	Percent of vacant spaces with temporary store front installation  Total vacancy rate



# Placemaking & Enhancing a Sense of Place

Mid-Term (within 1 to 2 years)	Key Partners	Level of Effort
Create more appealing signage for Downtown including banners, wayfinding signs, as well as designing/installing an entryway arch at the intersection of El Camino Real and Santa Cruz Avenue.	City	Moderate
Consider developing design guidelines for Downtown Menlo Park to enhance and provide a more consistent look to the streetscape appearance with architectural aspects, design elements, public hardscape and landscape features.	City	Moderate
Enhance hardscape improvements including sidewalks, parking plaza, and pedestrian walkways between the streetscape and parking plazas.	City	High
Longer-Term (2 to 3 years)	Key Partners	Level of Effort
Consider closing two blocks of Santa Cruz Avenue to create a pedestrian mall environment and make the Downtown more walkable and expanding outdoor dining opportunities for restaurants in this area.	City; Chamber; Downtown Business Alliance	Moderate



# Creating More Activity in Downtown Area & Producing More Consumer Demand

Near-Term	Key Partners	Effort	Launch Dates	Success Metrics
Establish a shop local marketing campaign	Chamber; Downtown Business Alliance; Downtown property owners; San Mateo County	Light	Quarter 1, 2022	Dollars spent in locally owned businesses  Retail sales per capita  Percent of businesses participating in marketing campaign
Create more special events for Downtown Menlo Park including farmer's markets, street fairs, music nights, summer concerts, food events, art festivals & more.	Chamber; Downtown Business Alliance; Menlo Park Farmers Market; Arts Guild; Pacific Fine Arts Festivals; partner with local hotels to promote events	Light	Quarter 2, 2022	Number of events created  Tourism revenue on event date(s)  Retail sales on event date(s)





# Creating More Activity in Downtown Area & Producing More Consumer Demand

Short-Term (within 1 year)	Key Partners	Effort	Launch Dates	Success Metrics
Work more closely with real estate brokers and property owners to improve tenant mix in the Downtown, including holding regular broker events.	Chamber; Downtown property owners; local and regional real estate brokers	Moderate	Quarter 2, 2022	-Occupancy rate by type of tenancy -Number of annual broker events -New business started
Drive more families to Downtown Menlo Park through tenant mix and the special events being held in the Downtown area.	Chamber; Downtown Alliance; Springline management; Local hotels	Moderate	Quarter 3, 2022	-Number % of family friendly events -Number of businesses catering to families
Work with the Guild Theatre to attract quality events to generate business for the theatre and produce more consumer demand in downtown Menlo Park.	Guild Theatre; Chamber	Light	Quarter 1, 2022	-Number of events held at Guild Theatre -Percent tickets sold for Guild Theatre events -Retail sales on event days / weekends
Work with the Chamber of Commerce and Downtown Business Alliance in undertaking a brand development process	Chamber; Downtown Business Alliance	Light	Quarter 1, 2022	-Number % of businesses participating in brand promotion
Work with the Chamber of Commerce to continue and expand restaurant possibilities	Chamber	Moderate	Quarter 2, 2022	-Percent of restaurants in Downtown Menlo Park offering expanded services, measured by type of service -Percent of restaurants in Downtown Menlo Park offering outdoor dining -Investments in outdoor dining improvements



# Creating More Activity in Downtown Area & Producing More Consumer Demand

Mid-Term (within 1 to 2 years)	Key Partners	Level of Effort
Pursue more entertainment uses for Downtown to build upon the coming opening of the Guild Theatre.	City; Chamber; Downtown Business Alliance; Guild Theatre	Moderate
Pursue more of a 15-to-18-hour environment for Downtown Menlo Park, including expanding the use mix and adding more mixed-use development in the Downtown including more residential development.	City; Chamber; Downtown Business Alliance; property owners; developers	Moderate
Work with the Chamber of Commerce to promote Downtown Menlo Park as a preferred location for Design/Home Furnishings/Furniture uses.	City; Chamber	Light



# Infrastructure Improvements

Near-Term	Key Partners	Effort	Launch Dates	Success Metrics
Develop a plan to install more bicycle racks, trash/recycling containers/public restrooms in the Downtown area and to evaluate the need for additional handicap or senior parking accommodations	City	Light	Quarter 3, 2022	Annual dollars invested in public infrastructure
Short-Term (within 1 year)	Key Partners	Effort	Launch Dates	Success Metrics
Develop a schedule to improve public hardscape improvements including streets, sidewalks, parking plazas & light enhancements (for safety, aesthetics, etc.)	City	Light	Quarter 2, 2022	Percent of planned investment in Downtown infrastructure relative to all capital investments



# Infrastructure Improvements

<b>Mid-Term (1 to 2 years)</b>	<b>Key Partners</b>	<b>Level of Effort</b>
Create a master wayfinding signage program for Downtown Menlo Park.	City; Chamber; Downtown Business Alliance	Moderate
<b>Longer-Term (2 to 3 years)</b>	<b>Key Partners</b>	<b>Level of Effort</b>
Study developing parking structures on city-owned/operated parking plazas in combination with mixed-use projects of affordable housing and retail at street level.	City	High



# City Planning & Economic Development

Near-Term	Key Partners	Effort	Launch Dates	Success Metrics
Work with the Chamber of Commerce and Downtown Business Alliance to undertake a Survey of Downtown Businesses and Residents to better understand their ideas to improve the Downtown.	City; Chamber; Downtown Business Alliance; Downtown Residents	Light	Quarter 2, 2022	Percent of survey participants (residents, businesses, and property owners considered separately)
Short -Term (within 1 year)	Key Partners	Effort	Launch Dates	Success Metrics
Partner with the Chamber of Commerce to adopt a formal business ombudsman or concierge program to improve communication between the City and Downtown businesses.	City; Chamber;	Light	Quarter 2, 2022	The addition or selection of an ombudsperson  Number of small businesses assisted as a percent of total businesses
City to look at ways to enhance the planning and entitlement process and improve ease and efficiency.	City	Moderate	Quarter 3, 2022	Time it takes for the City to review applications



# City Planning & Economic Development

<b>Mid-Term (1 to 2 years)</b>	<b>Key Partners</b>	<b>Level of Effort</b>
Pursue a comprehensive review and update the nearly 10-year-old El Camino & Downtown Specific Plan.	City	High



# Transforming Next Steps into Action Items

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Action Item Summary...

## Action Item 1.

Expand the Santa Cruz Street Café parklet program, adding consistent design standards to include beautification of street barricades and the extension of the existing Santa Cruz Avenue closure

## Action Item 2.

Establish a shop local marketing campaign for Downtown Menlo Park.





# Transforming Next Steps into Action Items

## Action Item 1.

*Expand the Santa Cruz Street Café parklet program, adding consistent design standards to include beautification of street barricades and the extension of the Santa Cruz Avenue Closure.*

- Parklets are an economical solution for businesses to continue to operating under public health restrictions and to take advantage of Menlo Park’s weather
- Consistent design guidelines and the beautification of street barricades will help create a more cohesive look and sense of place in the downtown
- Closure of Santa Cruz Avenue provides pedestrian access to the streets as walkways, encourages social distancing, and enhances business opportunities to safely serve patrons
- **Launch Date:** Quarter 1, 2022
- **Success Metric:** Investments in local businesses to meet improved parklet program standards





# Transforming Next Steps into Action Items

## Action Item 2.

*Establish a shop local marketing campaign for Downtown Menlo Park.*

- Shop local campaigns educate consumers on economic and social advantages that local businesses bring to a community
- Effective campaigns result in healthier businesses, job creation and enhanced retail opportunities
- Collaboration with partners can help tell a real and relatable story to educate consumers about shopping local in Menlo Park
- **Launch Date:** Quarter 1, 2022
- **Success Metrics:**
  - Dollars spent in locally owned businesses
  - Retail sales per capita
  - Percent of businesses participating in the shop local marketing campaign



Any questions?

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