

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 949, MAY 24, 2017

CALL TO ORDER AND ROLL CALL

Mayor Hughes called the Town Council's Regular meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Ms. de Garmeaux called the roll.

Present: Councilmembers Mary Ann Moise Derwin, Jeff Aalfs, Ann Wengert; Vice Mayor John Richards, Mayor Craig Hughes.

Absent: None

Others: Jeremy Dennis, Town Manager
Leigh Prince, Town Attorney
Debbie Pedro, Planning Director
Brandi de Garmeaux, Sustainability & Special Projects Manager
Susan Cope, Administrative Services Manager

ORAL COMMUNICATIONS

None.

PRESENTATION

- (1) San Mateo County 911 Communications: New Facility and Computer Aided Dispatch System Presentation

Town Manager Dennis introduced Jamie Young, Project Manager, 911 Communications Center and Computer Aided Dispatch.

Ms. Young shared the background and history regarding the 911 Communications Center and its evolution. She narrated a slide show detailing the public safety services provided by the Center. She explained the current technologies in use and described the new emerging technologies. Ms. Young was accompanied by the Director of Operations for Public Safety Communications, Dan Belville. Ms. Young described the history, background, and details of the 911 services provided, including the evolution of the 911 wireless system.

In response to Mayor Hughes' question, Ms. Young said that if someone texts 911 into their mobile phones, they will get a bounce back message. She said there is a text control center, a filter that messages go through before they go to the 911 center, and the attempts made are not calculated.

Ms. Young described the emerging Next Gen system, which all Counties are supposed to be on by 2020. She said, however, the State has not yet allocated funding for that, so the anticipated completion date of 2020 is unlikely. She said the County is preparing the new building so it will be ready when the Next Gen system rolls out. She said the Next Gen Center will include a real-time crime center with predictive crime analytics.

Ms. Young described some of the emerging third-party apps in the public safety arena and the difficulty in managing them. She said the 911 Centers are moving into operations centers and the new technology is influencing how they do business. She said their regional operations center is currently in the construction document planning phase, which will provide them at least two-thirds more space than they currently have, and they are planning appropriately for growth. She said their basic function is 911 communications – getting resources to an emergency – but they are now moving toward a slew of other types of business in the public safety sector.

Ms. Young invited questions from the Council.

Councilmember Wengert asked for clarification regarding how the automated medical functionality works. Ms. Young said when someone calls 911 and says someone is having a heart attack, the dispatcher goes through a list of questions that provides patient information to determine the criticality of the patient's status. She said as they move toward a full arrest situation, then that automation gives them the cue to move into step-by-step CPR sequence. She said it is an automated system in that as the dispatcher asks the questions and enters the answers, the next appropriate question pops up to get to the applicable instructions. She confirmed it is real time with a dispatcher, immediately redirected based on the criticality. The dispatcher stays on the phone with the caller and patient until first responders arrive.

Councilmember Wengert asked for a description of the backup systems in place in the event of a massive earthquake or massive power failure. Mr. Belville said there is a backup station in Redwood City that is substandard because it is a small space and in close enough proximity that it may also be impacted by whatever impacts the main station. He said he met today with the San Francisco airport, who does have room at their facility. He said an obstacle is transporting their staff through Redwood City to the San Francisco airport during a disaster such as an earthquake. He said the County is building a new fire station at Tower Road and they can set up a dispatcher center in the back of the station while it's being built. He said they were also in conversation with San Mateo about a switch that can be flipped to transfer calls there. He said another option would be to purchase some very robust trailers that are more mobile. He said it is a high priority and they are looking at three or four options to determine what will be best to achieve optimum redundancy. Ms. Young said they are proud that, although their facilities are fairly antiquated, the Fire Department ISO assessment rates them fairly good. She said the new facility is being built with double redundancy with generators and back-up systems.

Councilmember Wengert said people in rural communities such as Portola Valley have maintained telephone landlines due to their continuing reliability. She asked if the move to GPS-based systems and cellular will shift that paradigm. Ms. Young said they will do both and will always have the copper landlines in their environment. She said the telephone companies are pushing to eliminate the copper lines and go to fiber which is a problem because it's not a reliable technology. She said recent legislation has addressed AT&T's attempt to eliminate copper facilities from the telephone mix by 2020, because rural areas cannot rely on cellular transmissions. She said 911 people in the State of California do not support the movement over to only IP or digital based, which also does not work in the event of a power outage. She said she would support AT&T if they provided everyone with a free backup unit to cover power outages. Ms. Young said they have no legislative control over knowing what overloads the carriers' systems or why systems go down. She said, for example, when AT&T went down recently, Roseville Police Department 911 service was down for nearly two days.

Councilmember Aalfs asked what is the best way for Portola Valley residents to provide their location if calling from a cell phone. Ms. Young there are apps on smart phones that will indicate location, but only if you have service. She said when someone calls 911 and they don't know where they are, 911 can find the general location but it takes some time. She said residents need to know what information their devices can provide. Ms. Young said 10,000 cell sites go up in the State of California yearly and many more micro-beacons are going up, which provides more reliability in transmission and all have GPS coordinates. She said the fix is to get integrated technology that allows that GPS to instantly register through GIS mapping. She said GIS is the fundamental change that will be coming up in the modern dispatch systems.

Mayor Hughes asked if the new system, as well as the features they want based on the RFP, will be required to be flexible to handle whatever will be needed in the next 20 years. He asked how that part of designing this new system worked, knowing that things change rapidly. Ms. Young said the RFP asks for growth and adjustments for their environment, which is measurable by virtue of what they've done over time, how well they've adjusted – scalability of capabilities. She said it is important that a new system has the ability to take on new technologies and be fully integrated. Mr. Belville said they are being advised the CAD systems won't last a fraction of the time of previous systems, much like the disposable electronics

we buy today. For example, he said the brand-new CAD that will be installed in the next 18 months will not last 10 years, whereas the current system has lasted 24 years.

With no other questions from the Council, Mayor Hughes called for questions from the public.

Neil Weintraut asked if the GPS coordinate comes from the microcell or from the end user's cell phone. Ms. Young said they get it from both. She said with cellular technology they get one piece of data from the cell tower or the cell sector. She said, depending on the type of phone, the coordinates can be delivered by GPS, but if they're not, they use the cell sector location. She said a common question is, "How does Uber know where I'm at, but dispatchers don't know where I'm at?" She said open source GPS isn't signaling through a control center. That center filters the information and sends it back out to the 911 center. That filter doesn't let that information get delivered to all 911 centers and many of the 911 centers are not equipped to handle that information. In Portola Valley, it is an IP-based system and with a reliable sector that passes through the message center in a very robust GPS-centric environment and metropolitan area, the likelihood of finding a location is good.

Mr. Weintraut said that it is impossible to outrun technology and there is effectively the hard solution and the soft solution and trying to come together those two does not work. He said, for example, if a person could send a photograph on their phone to the Sheriff's Department, that photograph is GPS marked by the phone. Or if a Ring doorbell photo or the home security camera videos stored on the cloud could be sent to the Sheriff's Office rather than trying to force that soft solution kind of information through the existing hard solution. Ms. Young said there are technologies emerging such as mobile wi-fi, etc. that will provide more robust connections.

With regard to marrying those two factions, Ms. Young mentioned apps such as Pulse Point and Rapid SOS. She said there are opportunities for app and system developers to integrate into the public safety environment for real time intervention. Rapid SOS attaches personal data provided by subscribers (location, medical conditions, dogs or guns in the house, etc.) to 911 calls. Mr. Weintraut said these kinds of apps are considered after an event occurs. He would like the communication to be more open where a citizen can simply text a photo directly to the Sheriff's Office. Ms. Young said that is coming. She said the Next Gen 911 system will allow photos, videos, instant messaging, voice talk, and transfer of data from phones to the 911 system. She said once that comes into the dispatch center, it can be pushed out. She said they currently push out photos, building blueprints, etc.

With no further questions from the public, Mayor Hughes and the Council thanked the presenters.

CONSENT AGENDA [8:07 p.m.]

- (2) Approval of Minutes – Town Council Regular Meeting of May 10, 2017. *[Removed from Consent Agenda.]*
- (3) Approval of Warrant List – May 24, 2017, in the amount of \$104,427.07
- (4) Recommendation by Planning Director – Adoption of Ordinance with Clean-Up Text Amendments to the Municipal Code Regarding Vending Machines, Basements and Scenic Corridor Setbacks.
 - (a) Second Reading, Waive Further Reading, and Adopt an Ordinance of the Town Council of the Town of Portola Valley Deleting Chapter 5.48 Regarding Vending Machines, Amending Section 18.04.065 Regarding Basements and Amending Chapter 18.58 Regarding Special Setback Lines (Ordinance No. 2017-419)
- (5) Recommendation by Planning Director – Adoption of Ordinance with Amendments to Accessory Dwelling Unit Ordinance

- (a) Second Reading, Waive Further Reading, and Adopt an Ordinance Amending Sections of Title 18 [Zoning] of the Portola Valley Municipal Code Relative to Second Units (Ordinance No. 2017-420)
- (6) Recommendation by Planning Director – Adoption of Resolution Verifying Compliance with the State Surplus Land Act
 - (a) A Resolution of the Town Council of the Town of Portola Valley to Comply with Assembly Bill 2135, Surplus Land Act (Resolution No. 2724-2017)
- (7) Recommendation by Town Manager – 2017-2018 Salary Schedule
 - (a) A Resolution of the Town Council of the Town of Portola Valley Modifying the Salary Schedule for Fiscal Year 2017-2018 (Resolution No. _____) [*Removed from Consent Agenda.*]

Councilmember Wengert moved to approve Items 3, 4, 5, and 6 of the Consent Agenda. Seconded by Councilmember Richards, the motion carried 5-0, by roll call vote.

(2) Approval of Minutes: Town Council Regular Meeting of May 10, 2017. Councilmember Aalfs moved to approve Item 2. Seconded by Councilmember Wengert the motion carried 4-0, by roll call vote, with Councilmember Derwin abstaining.

- (7) Recommendation by Town Manager – 2017-2018 Salary Schedule
 - (a) A Resolution of the Town Council of the Town of Portola Valley Modifying the Salary Schedule for Fiscal Year 2017-2018 (Resolution No. _____) [*Removed from Consent Agenda.*]

Councilmember Wengert asked that staff prepare a more thorough analysis of the overall staffing plan and description of how this will work. She said she has never before seen a proposal for an across-the-board adjustment for all positions. She said she is always supportive of CPI adjustments, but the CPI adjustments do not apply to the ranges, but only to the salaries within the range. She suggested there be a full discussion of this as a full agenda item.

Town Manager Dennis said the maximum range has been adjusted on many occasions to accommodate the CPI. He said because many of the staff are at 97%-99% of the range, they cannot provide Cost of Living Adjustments (COLA) unless the maximum salary ranges are also adjusted. He said the proposal of 5% instead of 3.5% (the CPI) was to provide some additional flexibility. Councilmember Wengert said they need to review the analysis and have a discussion to be sure they understand decisions on COLA and salary ranges as they are viewed relative to the staff's marketplace positioning. Mayor Hughes said it made sense if the upper salary range needed to be adjusted to accommodate a CPI adjustment, but to increase the salary range beyond CPI requires more discussion and understanding. Town Manager Dennis said he was comfortable with the Council approving tonight a 3.5% increase to the salary ranges instead of the proposed 5%, and then having a separate analysis for anything beyond that. Town Manager Dennis said the data Council was requesting will require a compensation study that will take a number of months to complete, which he is happy to do.

Town Manager Dennis said there are at least three current staff members that cannot receive the proposed COLA if an adjustment to the maximum salary range is not approved. In response to Councilmember Wengert's question about going outside the range, Town Attorney Prince said the salary range was approved by the Town Council and there is an obligation to stay within that range. Town Attorney Prince said the Council could approve the range adjustment tonight so that the affected

employees can receive their COLA and staff can come back with a more robust discussion on how to more appropriately adjust the ranges.

Councilmember Wengert said she is not asking for a large salary review and a full market study. She said she is asking for a less robust version of that – the history of the salary ranges, salaries, and COLA increases, and what the salary ranges are for the comparable positions in the five most relevant communities. Town Manager Dennis said that he can say anecdotally that from recent salary compensation studies done by other cities, Portola Valley is low.

Town Manager Dennis clarified that the proposal is not to adjust the salaries, but to adjust the upper end of the salary range by the CPI (3.5%). He was going to propose a COLA of 1.5% to the Finance Committee tomorrow night. He said if the 3.5% increase in the salary range is not approved tonight, he cannot propose the 1.5% COLA for staff because many are already at the upper end of the range. Mayor Hughes said the budget has not yet been approved and it can be all done as part of one thing. Town Manager Dennis said he could make the proposal to the Finance Committee with the caveat of “if the Council approves it.”

The Council requested this proposal be brought back as an agenda item.

REGULAR AGENDA [8:33 p.m.]

COMMITTEE REPORTS & REQUESTS

(8) Report from Trails & Paths Committee – Committee Annual Report

Alex Doherty of the Trails & Paths Committee presented the Committee’s Annual Report. He thanked Public Works Director Young for all the help after the tremendous winter and keeping everything in order. He said the Horse Fair was an amazing success despite the heat. He said the trails are finally drying out and starting to be opened up for horse travel. He said the Fall Hike will be held in November. In response to complaints and conflicts between horseback riders, hikers, and bicyclists on the trails, the Committee will be looking at approved trail use versus actual trail use. He said the Town’s new environmentally preferable purchasing practice has changed how the trails are used, especially this time of year, because they’ve stopped using herbicides. He said the trails have lost tread and get thinner and thinner until they get mowed, so they are working with Public Works Director Young to determine a plan to stay green and also keep the trails open and usable. He said a large part of the Old Spanish Trail got washed out and will be regraded in the coming week.

Mayor Hughes called for questions from the Council.

Councilmember Wengert asked if the Committee has seen any trendline in the conflicts on the trails. Mr. Doherty said there’s an understanding of what a trail should be used for by certain groups of people and other people don’t know that the local tradition is this a footpath or a horse trail and there shouldn’t be bikes. He said he thinks the biggest issue is being on a single-track trail, walking up a hill with your head down, and then a bike comes through in the other direction. He said the discussion is around balancing expectations of who you might run into on a trail versus planting a sign that says something is not allowed.

Councilmember Aalfs said the current Trails Use Ordinance was passed in 2007. He said there are some legal constraints on which trails can be opened to bicycles. He said the Trails & Paths Committee will start the discussion and Council decides if there are changes that should be made to the ordinance.

Mayor Hughes called for questions from the public. There were none.

STAFF REPORTS AND RECOMMENDATIONS

(9) Staff Presentation – EnerGov, Green Halo & Parks and Recreation Software

Planning Director Pedro presented demonstrations of new software being used by the Town staff.

Laserfiche, a records management software, was used to digitize all of the Town's parcel files, resulting in the ability for the public to conduct searches at the Town Center for permit records associated with properties. In response to Councilmember Derwin's question, Planning Director Pedro said the paper files are being kept in storage for a couple of years before being destroyed. In response to Vice Mayor Richards' question, Planning Director Pedro said the searches must be conducted at the Town Center and not online because some of the records are sensitive and there are some privacy concerns.

EnerGov, a permit management software system, was deployed in November 2016. EnerGov is a suite of modules that does permit tracking, business licensing, code enforcement, and public works. She said the Town did not buy all of the modules, but the system can be expanded later if desired. The software captured all the legacy data from the previous Microsoft Access records and incorporated it into the new system. She showed the various features of the software– project tracking, report generating, planning applications, project billing, customer deposit logs, time tracking, and public hearing notices. She thanked the Council for approving the purchase of this software, which not only replaced an outdated Access database, but also integrated multiple functions into one easily accessible program.

Mayor Hughes called for questions from the Council. There were none.

Town Manager Dennis said once staff gets up speed on the new systems, the time savings is fairly extraordinary. He said as more of these are put online and made available to residents, there is additional time savings.

Administrative Services Manager Susan Cope presented the Parks & Recreation classes software and demonstrated how it worked. She said they've finished the Winter session and brought in \$73,000, \$71,000 by credit card and \$1,967 by check. She said there was \$2,000 in credit card fees. She said \$43,000 came in for the Spring session, \$42,000 by credit card and \$1,000 by check. She said citizens can still come in and pay by check, using the same system. She said the traffic in the front office has decreased dramatically. She said everyone seems to be enjoying it. She said field and event rentals will be up by the end of this year.

In response to Councilmember Wengert's question, Ms. Cope said the classes are open to Portola Valley residents two weeks before being opened to others.

Mayor Hughes asked if other payment methods, such as PayPal, were being explored. Ms. Cope said they are looking into it and this program allows them to use other things such as American Express, Diners Club, but there are fees involved. She said they are still testing the waters. She said they currently only take Visa and MasterCard. She said the Town pays the credit card fees and there are no convenience surcharges passed on to the participants and it has been well worth it in the staff time saved. She said the business licenses do not take credit cards yet.

Mayor Hughes asked if this software can create reports of data that could be helpful for planning activities. Ms. Cope said the software does create very robust reports with very interesting data. Mayor Hughes said, for example, Parks & Recreation has been trying to study what programs are available and where there are gaps that can be filled. Ms. Cope said that the most revenue is brought in from the two children's classes – Creative Arts and Painted Rhino. She said people have asked for more classes and they have started to offer more classes. She said there is also a lot of interest in being a class instructor in Portola Valley.

Brandi de Garneau, Sustainability & Special Projects Manager, demonstrated the GreenHalo software program, which went into effect on February 25, 2017. She also showed the information gathered, such

as recycling statistics and diversion rates for selected time periods. She said they have been working at setting the standards for complying with the ordinance, so they collectively made decisions about how to address and enforce things like dirt, asbestos, etc. She said Planning indicated there was some resistance from the smaller contractors the first time they used the system, but it is going quite smoothly now. Ms. de Garmeaux said it was important to make it a smooth experience for the contractors and she feels that with the combination of the Planning counter help and GreenHalo, the contractors are getting great service. She said they've added diversion facilities to the system that have been suggested by contractors. She said San Mateo County is also now using GreenHalo and they've been working with them to update diversion numbers and share lists of haulers. She said staff has found that the information statistics they're getting from GreenHalo help them to better understand what's going on with regard to the types of materials being disposed of and where they're going. She said it's not necessarily less staff work, as was anticipated, but staff feels it results in higher verifiable compliance with the ordinance and is making the contractors more accountable and thoughtful about their tonnage, planning ahead, and knowing where it's going. She said the next steps will be looking at adjusting fees for some of the smaller projects. She said as more housing projects come in that are in the queue, they will look at their diversion rates to make sure the 75% is still achievable. Ms. de Garmeaux said, from a sustainability standpoint, being able to see the statistics is incredible. She also appreciates that it's transparent and the public can go to the website and see what's going on.

Vice Mayor Richards said he has used the system and there seems to be some inflexibility upfront as far as projecting potential tonnage of demolition and disposables. He said the contractors tend to use a very large number, and his intention is to waste almost nothing, but if he does that, he will be penalized if he goes over. He said it would be convenient to be able to adjust it as the project progresses. Ms. de Garmeaux said she will look into it. She said there is no penalty for going over the tonnage. She said there is only a penalty if they don't meet the diversion rate.

Vice Mayor Richards asked how re-use instead of diversion could be tracked. Mayor Hughes said that people will keep dirt on-site for a lot of projects so they ought to get credit for that. Ms. de Garmeaux said that was something they needed to figure out, because re-use is the best use, either on-site or in Town in another permitted project. She said they are asking applicants to photograph the dirt on-site and getting an affidavit from whatever project they're reusing it on. She said she, Planning, and the Building Department, developed a policy to deal with that and make sure it was consistent.

Town Manager Dennis said it is extraordinary that a very modest investment in some of the technology makes such a difference. He said as part of the '17/'18 budget proposal, there are two more tools being proposed – OpenGov and Accella.

(10) Recommendation by Town Manager – Trailer Bill to Implement Proposition 64 – Council Input

Town Manager Dennis said the League of California Cities (LCC) had concerns regarding the current draft language of the trailer bill. He presented the staff report regarding the Town's position.

Mayor Hughes called for questions from the Council.

Councilmember Derwin said she read the trailer bill. She said there were many sections in the legislation that talked about the Health and Safety Code, so she asked what specific State health and safety standards were not being addressed according to the LCC. Town Manager Dennis said the trailer bill calls out the Health and Safety Code sections that must be adhered to, but the language does not include a way to determine whether or not they are being adhered to and has no mechanism for enforcement. Town Attorney Prince said the County often enforces Health and Safety Codes. Town Manager Dennis said there is no link between the County having the opportunity and power to enforce within the current language.

Councilmember Derwin said Section 26160 says “Licensing authorities may examine records of the licensee and inspect the premises of a licensee as the licensing authority or State or local agency deems necessary to perform its duties.” She said she is not comfortable commenting on the trailer bill.

Councilmember Wengert asked Town Attorney Prince if she had any of the same concerns about the recommendation from the League of California Cities. Town Attorney Prince said she has not read the entire trailer bill. She said in general this is attempting to reconcile two pieces of distinct legislation. She said, with respect to the Town, medical marijuana retailers are not allowed. She said, based on the stance the Town Council has taken, they will allow recreational retailers. She said Section 26160 is not clearly written. She said the LCC is saying there is no provision expressly empowering local governments to conduct enforcement. She agreed the proposed response is not clear and needs some cleaning up.

Mayor Hughes said bullet point #2 says the County has the authority to exercise authority relative to tobacco retailers. He said it must be narrower than that, surely not granting the authority to inspect the books or conduct audits of any tobacco retailer.

Councilmember Aalfs asked if the LCC provided draft language for a letter or draft modifications to the trailer bill. Town Manager Dennis said they provided three draft letters for three budget subcommittees. He said 90 percent of what they suggested was not germane to Portola Valley. He said this was the one area where he thought there could be some discussion.

Mayor Hughes asked the Council’s consensus.

Councilmember Wengert asked Councilmember Derwin for her suggestion. Councilmember Derwin said if the Council does anything, she wants it to go through the Town Attorney.

Mayor Hughes asked what impact Portola Valley’s opinion would have. Town Manager Dennis said this exercise is about being on the record, being involved and providing a voice, not necessarily to change anything. Town Attorney Prince said there is nothing in San Mateo County’s enforcement of tobacco retailer permits that talks about the books, but there may be a greater need relative to cannabis retailers to have access to the books, because it’s more likely all cash accounting – knowing what taxes are due and received and whether they’re paid.

Councilmember Aalfs said Town Manager Dennis’ point about providing a voice makes sense, whether or not what the Town says makes an impact. Mayor Hughes suggested something more general is drafted by the Town Attorney, saying the Town is generally concerned about the language and agrees with some of LCC’s position, where it’s not specific to the specific section. Something that says we’d like to make sure they’re considering enforcement issues. Councilmember Derwin said general local control could be mentioned.

Councilmember Derwin moved to have the Town Attorney draft a memo expressing concern about the language and the enforcement issues. Seconded by Councilmember Wengert; the motion carried 5-0.

(11) Recommendation by Town Manager – Council Health Care Options

- (a) A Resolution of the Town Council of the Town of Portola Valley Authorizing Health Care Access for Councilmembers (Resolution No. 2725-2017)

Town Manager Dennis presented the staff report detailing the proposed resolution regarding healthcare options for Councilmembers and their dependents.

Mayor Hughes called for questions from the Council.

In response to Council questions, Town Manager Dennis said there would be a specified enrollment period; however, it was his understanding that Councilmembers could initially join after July 1 without waiting for the regular enrollment period.

Mayor Hughes said that the people who have the time to serve on the Council often don't have regular jobs that provide insurance and this is a great idea.

Councilmember Aalfs moved to adopt the Resolution of the Town Council of the Town of Portola Valley Authorizing Health Care Access for Councilmembers. Seconded by Councilmember Wengert; the motion carried 5-0.

(12) Recommendation by Town Manager – Not-for-Profit Agency Funding Requests

Town Manager Dennis presented the staff report detailing the nonprofit agency funding requests and recommended approval.

Vice Mayor Richards said under Discussion the total says \$15,938 but later it says \$16,188. Town Manager Dennis apologized for the typographical error.

Councilmember Derwin said Sustainable Silicon Valley has not been awarded money in the past. Town Manager Dennis referred to their request letter. He said he had a brief conversation with them and is familiar with the work that they do. He said the Council has, in the past, indicated some level of interest in the area of water, so he thought this would be a good place to make a modest contribution. Councilmember Derwin said she was not aware they worked in San Mateo County. Town Manager Dennis said they did.

Councilmember Aalfs moved to approve the Not-For-Profit Agency Funding Requests. Seconded by Vice Mayor Richards; the motion carried 5-0.

(13) Recommendation by Town Manager – Town Council Agenda Setting Policy

Town Manager Dennis presented the staff report regarding agenda setting policies. He said although there is no Brown Act issue, there are times it feels a little awkward when a Councilmember has an issue to bring forward and brings it to the Mayor and Vice Mayor but two other Councilmembers are not aware of it. He wanted to just bring this up to see if the Council had any opinions on the matter.

Councilmember Derwin asked if any Councilmembers had complained about the current process. Town Manager Dennis said they had not, the question was from him.

Mayor Hughes said just because there haven't been any complaints did not mean there would not be future complaints. He said there should be a policy in place if it is something of concern.

In response to Councilmember Wengert's question, Town Manager Dennis said Councilmembers have called him requesting to put something in the agenda. She asked if it would cause discomfort if she, for example, called to ask for something to be put on the agenda. Town Manager Dennis said it could. He said with the current Council this is not remotely an issue and is not a reflection of where things are now. He said, however, there are more formal mechanisms that exist. He said most cities have on their agendas an opportunity for a Councilmember to request things to be placed on an agenda. He said by doing it a little more formally, it provides an opportunity for the public to attend. He stressed it is not a current problem, but he wanted to bring it up for consideration.

Councilmember Aalfs said he's comfortable with how it currently works and the flexibility it allows. Councilmember Wengert agreed. Mayor Hughes said he could foresee a situation where a more formal mechanism may be better. He said he wouldn't want the Mayor and Vice Mayor to be able to veto having

something placed on an agenda. He said a Councilmember should be able to ask the Town Manager to put something on the agenda without the Mayor's and Vice Mayor's approval. Town Attorney Prince said that potential does exist, even with the current form. For example, Councilmember Wengert asks the Town Manager to put something on the agenda and the Mayor and Vice Mayor say no, and Councilmember Wengert writes a letter that goes into the Digest. As part of the Council's discussion, they vote and decide if it should be on the agenda. Councilmember Derwin said a case could be expressed under Oral Communications. Mayor Hughes said currently the Mayor or Vice Mayor could deny any request to put an item on the agenda, although that has never happened. Town Manager Dennis said it would be more difficult to handle if it ever became an issue and he would prefer to be proactive about it. Councilmember Aalfs said the flipside is that if the policy is modified, then any Councilmember could raise any inflammatory issue to the agenda. Mayor Hughes said if that happened, and the other four Councilmembers didn't want to discuss it, they could make a motion to table the issue and move on to the next agenda item.

Mayor Hughes suggested circulating the roll-forward agenda to the whole Council. Town Attorney Prince advised against that idea.

The Council agreed to keep the policy as is with no modifications.

(14) COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS

Councilmember Derwin – Attended the Planning Commission meeting where they discussed the Annual Housing Element Progress Report. They discussed surveying teachers to see if they would be interested in ADUs. Planning Director Pedro presented a house size analysis from 2006 to 2016. The conclusion was that houses are not necessarily getting bigger but there are more basements. She and Town Manager Dennis attended the C/CAG Admin meeting. She attended the Council of Cities meeting in East Palo Alto on May 19. She said speakers were from the Ravenswood Family Health Center and The Primary School. She attended a Library meeting where they discussed the budget and heard an overview of the year's achievements. She said the Library is trying to use up some of the reserves with several projects. She said they are considering partnering with Meals on Wheels so they can deliver library books to patrons. Councilmembers Derwin and Wengert attended the Finance Committee meeting where they looked at the monthly investments, reviewed the quarterly investment report, reviewed the draft final C/CAG program budget and member fees, and reviewed the prefunding of OPEB. Councilmember Wengert said there is continuing discussion regarding why there are pools of money sitting around.

Councilmember Aalfs – Attended the SERC Committee meeting last week where there was a presentation by Steve Schmidt from Home Energy Analytics. Attended last week's Trails and Paths Committee meeting where they discussed annual maintenance. He said the issue of bikes on the trails does not appear to be at a crisis level and the review of the trail uses is a proactive action. He said he did not attend the ASCC meeting, but discussed the meeting with Chair Dave Ross. He said they discussed three routine residential projects. He said they also discussed reaching out to realtors again to remind them that permits are necessary for tree removals. Town Manager Dennis said he and Planning Director Pedro are looking to see if there's something they can do regarding that issue.

Councilmember Wengert – Attended the HEART fundraiser with Councilmember Derwin and Town Manager Dennis on May 11.

Vice Mayor Richards – Attended the Cultural Arts Committee meeting where they discussed the three upcoming concerts – June 15, July 20, and August 17. He attended the Conservation Committee meeting on May 23, where they discussed real estate agents having trees removed without permits. They discussed adding a note in the construction rules for contractors regarding dealing with invasives. They discussed whether the Open Space Committee or Conservation Committee should review Town open spaces.

Mayor Hughes – Met with a Palo Alto Councilmember and the Mayor of Los Altos Hills where they discussed the Foothills Park.

(15) Town Manager Report – Town Manager Dennis reported that Caltrain received its full Federal electrification amount. Town Manager Dennis and Public Works Director Young met with representatives from FEMA to discuss Upper Alpine Road issues. He said that because of the designation of the road, the Town will be looking for funding from the State because FEMA does not support it; however, FEMA will reimburse for debris removal including staff time. Town Manager Dennis will present the Town budget to the Finance Committee on May 25. He said he will meet with the Neighborhood Watch Captains on June 6 where they will discuss how staff can further support them and also discuss signs. He said he will attend, along with Mayor Hughes, the ABAG General Assembly meeting on June 5 to discuss their budget and the merger. He said staff is at the start of the busiest event period of the year. He said the Hazard Mitigation Plan is now in its maintenance period. He said he met with Christina Corpus and Victor Lopez, with the Sheriff's Office. They discussed holding an event later in July with Councilmembers there to greet the workforce community. He said Public Works Director Young reported that a lot of mowing and invasive weeding will be going on for the next couple of weeks. Town Manager Dennis thanked the Woodside Fire Protection District for donating CERT backpacks with work gloves, wrenches, water bottles, and hardhats to staff.

Mayor Hughes asked if the Board of Supervisors will discuss the ALPRs at their June 6 meeting. Town Manager Dennis said the Sheriff's Office will have their portion of the ALPR installation on the Board's consent agenda for June 6. Town Manager Dennis will be available to voice the Town's support if the item gets pulled off the consent agenda. He said Mayor Hughes and Vice Mayor Richards have also indicated they will attend if necessary. In response to Councilmember Derwin's question, Town Manager Dennis said the Town will only have to pay for two ALPRs.

WRITTEN COMMUNICATIONS [10:22 p.m.]

(16) Town Council Digest – May 12, 2017

#5 – Letter from Brent Family Residence re Leaf Blowers in Portola Valley. Councilmember Aalfs asked if the Town was considering regulation to ban leaf blowers. Mayor Hughes said it may have been a misinterpretation of Danna Breen's comments on the Forum. Town Manager Dennis said the Town budget is proposing the purchase of a couple of electric leaf blowers.

(17) Town Council Digest – May 19, 2017

#6 – Letter from Congresswoman Eshoo's Office re: Update on FAA Response Regarding Aircraft Noise. Town Manager Dennis said this has generated a few calls from residents asking what this means, where things are going. Town Manager Dennis said his interpretation was that there was something coming fairly soon.

ADJOURNMENT [10:25 p.m.]

Mayor Hughes adjourned the meeting.

Mayor

Town Clerk