

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 954, SEPTEMBER 13, 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. Hanlon 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
Bill McClure, Acting Town Attorney
Debbie Pedro, Planning Director
Sharon Hanlon, Town Clerk

ORAL COMMUNICATIONS

None

CONSENT AGENDA [7:01 p.m.]

- (1) Approval of Minutes: Town Council Regular Meeting of August 23, 2017.
- (2) Approval of Warrant List: September 13, 2017, in the amount of \$547,205.52.
- (3) Recommendation by Mayor: Adoption of a Proclamation of the Town Council of the Town of Portola Valley Declaring October 15 through October 21, 2017, "Freedom from Workplace Bullies Week" [*Removed from Consent Agenda.*]
- (4) Recommendation by Planning Director: Resolution Authorizing a Cooperation Agreement with the County of San Mateo for Participation in the Urban County for Community Development Block Grant (CDBG) Funding [*Removed from Consent Agenda.*]
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing Execution of a Cooperative Agreement with the County of San Mateo which permits the Town's Participation in the County's Housing and Community Development Program (Resolution No. 2739-2017).

Councilmember Wengert moved to approve Items 1 and 2 of the Consent Agenda. Seconded by Vice Mayor Richards, the motion carried 5-0, by roll call vote.

- (3) Recommendation by Mayor: Adoption of a Proclamation of the Town Council of the Town of Portola Valley Declaring October 15 through October 21, 2017, "Freedom from Workplace Bullies Week" [*Removed from Consent Agenda.*]

Councilmember Aalfs noted that Woodside Mayor Chris Shaw had posted an inappropriate response to Nancy Reyrer's post on Next Door Woodside. At the Woodside City Council meeting last night it was voted that Mayor Shaw did not violate the code of conduct but they passed a resolution of disapproval.

Councilmember Aalfs moved to approve Item 3 of the Consent Agenda. Seconded by Councilmember Wengert; the motion carried 5-0.

- (4) Recommendation by Planning Director: Resolution Authorizing a Cooperation Agreement with the County of San Mateo for Participation in the Urban County for Community Development Block Grant (CDBG) Funding *[Removed from Consent Agenda.]*
- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing Execution of a Cooperative Agreement with the County of San Mateo which permits the Town's Participation in the County's Housing and Community Development Program (Resolution No. 2739-2017).

Councilmember Derwin asked for more information regarding this item. Planning Director Pedro explained that the County receives HUD money for CDBG funds and cities with 50,000 or more residents are eligible to receive their own HUD money. However, small cities, such as Portola Valley, are not eligible to apply individually, so they want to join with the County as part of the Urban County, so that they can also participate in the County's various housing programs. She said staff can refer eligible Portola Valley residents to the County's website that explains the available programs.

Councilmember Derwin moved to approve Item 4. Seconded by Councilmember Aalfs, the motion carried 5-0.

REGULAR AGENDA

STAFF REPORTS AND RECOMMENDATIONS

- (5) Recommendation by Planning Director – Review of Proposed Ordinance Adding Chapter 15.22 to the Portola Valley Municipal Code to Establish Expedited Permitting Procedures for Electric Vehicle Charging Systems
- (a) First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Adding Chapter 15.22 to the Portola Valley Municipal Code to Establish Expedited Permitting Procedures for Electric Vehicle Charging Systems (Ordinance No. __)

Planning Director Pedro described the proposed ordinance as detailed in the staff report. Staff recommended to waive further reading and introduce the ordinance.

Councilmember Wengert asked if the wording of the Town's proposed ordinance was similar to what is being adopted by the State. Planning Director Pedro said it was based on the template created by CALBO (California Building Officials), which most cities are using.

Councilmember Aalfs asked if there was any reason to believe that people were installing chargers without permits. Planning Director Pedro said it is possible because it is not a difficult task and people may not be aware of the permit requirement.

Mayor Hughes asked if the permits only applied to charging stations or if they also applied to all high amperage or high voltage outlets. Planning Director Pedro said they apply to EV charging stations. Vice Mayor Richards said many cars are equipped with adapters that can plug into existing 220 outlets and do not need to have a dedicated charging station.

Councilmember Wengert asked regarding the advantage of a charging station versus plugging directly into an existing 220 outlet. Vice Mayor Richards said the charging station looks better, is more convenient, and can be put in a more convenient location. Planning Director Pedro said they are getting applications to place the charging stations outside.

Councilmember Wengert asked if the technology is moving more toward using charging stations or using ever-more efficient ways of plugging into existing supplies of electricity. Mayor Hughes and Vice Mayor Richards said the technology in the cars allow them to use existing supplies of electricity; however, the charging stations will likely evolve to be faster and more efficient. Town Manager Dennis said new homes being built are being built with charging stations.

Councilmember Derwin moved First Reading of Title, Waive Further reading, and Introduce and Ordinance of the Town Council of the Town of Portola Valley Adding Chapter 15.22 to the Portola Valley Municipal Code to Establish Expedited Permitting Procedures for Electric Vehicle Charging Systems. Seconded by Councilmember Aalfs; the motion carried 5-0.

(6) Study Session, Leaf Blowers

Town Manager Dennis presented the topic of regulation of the use of leaf blowers, and the related noise, air quality, and other pollution issues, as detailed in the staff report and attachments. Staff requested the Council provide direction to staff regarding further regulation of leaf blowers in Portola Valley.

Councilmember Derwin asked for clarification regarding the certification programs. Town Manager Dennis said a few cities have deployed a program where a staff member will take a decibel-level reading of a device a citizen brings in for testing. If the device meets the standard, a sticker is affixed indicating it is an approved device. In response to Councilmember Derwin's question, Town Manager Dennis said outreach would be a significant issue and a significant amount of time would need to be expended contacting residents to let the residents and gardeners in Town know about such a program.

Councilmember Derwin asked who could be lobbied to get the Bay Area Air Quality Management District's exchange program expanded. Town Manager Dennis said it would be the members of the District.

Councilmember Derwin asked if the electric blowers had any emissions. Town Manager Dennis said fugitive dust would be the primary issue, but no greenhouse gases.

Councilmember Derwin asked if cities that have banned the gas blowers go through an education and phase-in process. Town Manager Dennis said it is typically a six-month process from adoption to enforcement. He said Sunnyvale went through the process approximately two years ago and chose to have an education-only campaign, with no bans or changes to their current ordinances.

In response to Councilmember Aalfs' question, Town Manager Dennis said he was not aware of any requirements to clear leaves from properties.

Town Manager Dennis said he received 13 additional comments from residents, mostly supportive of further prohibitions of some measure. He said there were a few notable exceptions from people who thought the rules in place were reasonable. Those people noted that if they want to do their own landscaping work, the only opportunity they have would be weekends and they don't want to see weekend times changed.

Mayor Hughes said, with regard to the Palm Springs list of various models of leaf blowers, it appeared that all of the gas blowers are considerably over Portola Valley's allowed noise level. He said if no gas-powered leaf blowers are below allowable decibel levels, there may already effectively be a ban on gas-powered leaf blowers in Town.

In response to Councilmember Wengert's question, Town Manager Dennis said staff reviewed a number of years and there was a total of six complaints. He said it is likely that many residents don't know about the rule or that they can register a complaint.

Town Manager Dennis said the California Landscape Contractors Association is opposed to bans and would like to see education, rules to keep debris on properties being affected, full nozzle extensions, etc., but they have consistently opposed further regulation of leaf blowers.

Councilmember Wengert pointed out the report that stated that the cumulative pollution from gas-powered leaf blowers, hedge trimmers, and mowers will exceed that of cars by the year 2020. Town Manager Dennis said this is one of the reasons behind the California Air Resources Board (CARB) effort to regulate small engines and would like to see an 80 percent reduction by the year 2031. They estimate that by 2031 small engine emissions will be more than twice those from passenger cars.

With no further questions, Mayor Hughes called for public comment.

Danna Breen said she was surprised there were not more people at this meeting. She said she thinks people have not complained because they see leaf blowers as a normal occurrence. Ms. Breen said, compared to other cities in California, Portola Valley is late to this game. She said because of the Portola Valley topography, emissions and pollutants are being trapped in these valleys. She said the leaf blowers hit the soil with hurricane-force winds causing devastation to the soil, turning it into concrete that water just rolls off. She said, for example, this morning at 8:00 a.m. the Corte Madera schoolchildren are arriving at school walking through plumes of E. coli and dust from the leaf blowers. She said she is surprised that Portola Valley is not in the forefront of this issue. She agreed with Town Manager Dennis that people needed to hear about this and change their behavior. She was supportive of a complete ban on gas leaf blowers and suggested the Town consider offering incentives to people to turn in their leaf blowers.

Councilmember Aalfs asked Ms. Breen regarding best practices regarding blowing or not blowing leaves on nonpaved surfaces. She said there should be no blowing at all. She said people are using less lawn and moving toward natives due to the cultivation of different ideas and different ways of approaching things. She said leaves on the ground produce better soil. She said the aesthetic needs to be changed so that leaves on the ground are acceptable. She said driveways don't need to be cleared of leaves. She said there is opportunity for education and for saying no.

Karen Vahtra said she actually has complained to her neighbor via email about the loud leaf blower his gardener uses, but never knew before that she could email the staff about it. She said the neighbor completely clears his driveway of any leaves. She owns an electric blower that works great and she uses it a few times a year to clear her hardscape areas. She said she feels it is important to do everything possible for climate change and this is a relatively easy and simple thing to do. She said Portola Valley should lead the way and ban gas-powered leaf blowers.

Craig Taylor said he didn't feel it was fair to take all the gardeners' tools away from them, so they should find a reasonable compromise. He said he would like to see leaf blowers used only for hardscape and banned from blowing dirt and grass. He said it would be more reasonable to phase it out rather than institute an immediate ban. He said he only needs to use the low setting on his electric blower on hardscape surfaces.

Ms. Breen said that any gardener who knows anything about gardening doesn't blow the soil. She said it's about education – people need to learn that over time their properties are being destroyed by continuing these practices.

Mayor Hughes brought the issue back to the Council for discussion.

Councilmember Wengert agreed that the Town should move in the direction of phasing out the leaf blowers. She said education is number one priority so that people understand why they shouldn't be using them and how they are hurting their properties. She said, however, that will take a long time. She said she is sensitive to the economic situations of the people working in Town who use them and how to

reach those people. She said she was very sensitive to not disadvantaging a group of workers that may be already disadvantaged. She said the best option would be offer a trade-in or incentive program to get rid of them. She said the allowable hours for their use should also be part of the education process.

Mayor Hughes said a trade-in program would also provide an opportunity to educate.

Town Manager Dennis said staff discussed that a trade-in program for a licensed gardener may be something that extends well beyond the Town's confines, which may be a good thing, but going into it there should be an understanding that the Town will be subsidizing its use in multiple cities and not just Portola Valley.

Councilmember Wengert said most of the people doing this type of work in Town are not licensed. She said there can be ways to handle that, some way the resident can verify that a person performs yardwork at their residence. The Council discussed sending postcards to all residents that they can give to their yard maintenance worker to submit or homeowners could buy the appropriate equipment for their workers to use at their residences. They discussed having multiple trade-in events in combination with education.

Councilmember Aalfs said Peninsula Clean Energy would likely be interested in fuel shifting to electric.

Councilmember Derwin said she was shocked to see how damaging it is to the people operating the leaf blowers – hearing, inhaling the pollutants, eye irritation, etc. She said if the Town asks the residents to phase out gas blowers, the Town should do the same. Town Manager Dennis said they purchased two electric leaf blowers that have been in use. He said there should be consideration of exemptions for emergency uses.

The Council requested the Sustainability and Environmental Resources Committee (SERC) review possible incentives, education and regulations for use of leaf blowers and report back to Council by the end of the year.

(7) COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS

Councilmember Derwin – Attended a San Mateo County “Home for All” meeting with Councilmember Wengert on August 24, 2017. She also attended a C/CAG Administration meeting to plan the September 14 meeting agenda.

Councilmember Aalfs -- Attended the Sustainability & Environmental Resources Committee (SERC) meeting held on August 30 where they had a presentation from High Energy Analytics (HEA) on plug loads. He attended the September 6 Planning Commission meeting. He will attend an ABAG meeting on September 28 to discuss microgrids.

Councilmember Wengert – Attended the San Mateo County “Home for All” meeting with Councilmember Derwin. She attended a C/CAG Bicycle and Pedestrian Advisory Committee meeting for an approximately six-hour site visit tour of grant applicants.

Vice Mayor Richards – Vice Mayor Richards, Mayor Hughes, and Town Manager Dennis attended lunch with Laurie Small, the new Executive Director for The Sequoias.

Mayor Hughes – Attended the September 6 Bicycle, Pedestrian & Traffic Safety Committee meeting where they discussed crosswalk issues. He said they will have an October 5 evening meeting. The Sheriff gave a report regarding the Deputy who was hit on his bicycle. He said the road shoulder widening is nearly complete and the hydro-seeding was done. Only one courtesy notice was handed out at Windy Hill all summer, indicating the signs and pull-out area have been successful.

(8) Town Manager Report – Town Manager Dennis reported on the recent Skyline (Skeegs Fire) and Felt Lake grass fire. He thanked Fire Chief Dan Ghorso and Cal Fire for their extraordinary work. He said the Town maintenance crew arrived at work early to check for possible lightning strikes. The Town has hired a new Communications/Sustainability Management Analyst, Ali Taghavi, who begins October 2, 2017. Staff is starting to prepare for winter storms. Town Manager Dennis said that now that school is back in session, he has requested the Sheriff's Office have a greater presence near the schools. He said there have been some citations related to speeding and running stop signs as a result. On October 3, the Conservation Committee will be holding an event on the rodenticide use policy.

WRITTEN COMMUNICATIONS [8:22 p.m.]

(9) Town Council Digest – August 25, 2017

#1 – (Attached Separates) -- Councilmember Wengert will attend the Mount Umunhum Grand Opening Brunch on Saturday, September 16, 2017.

(10) Town Council Digest – September 1, 2017

#5 – Councilmember Derwin noted the September Council of Cities Dinner Meeting Invitation.

(11) Town Council Digest – September 8, 2017

#5 – Councilmember Derwin will attend the 2nd Annual San Mateo County Immigrant Integration Summit on Wednesday, October 18, 2017.

ADJOURNMENT [8:25 p.m.]

Mayor Hughes adjourned the meeting.

Mayor

Town Clerk