



TOWN OF PORTOLA VALLEY

7:00 PM – Regular Meeting of the Town Council
 Wednesday, April 11, 2018
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

REGULAR MEETING AGENDA

7:00 PM - CALL TO ORDER AND ROLL CALL

Councilmember Hughes, Councilmember Derwin, Councilmember Aalfs, Vice Mayor Wengert and Mayor Richards

ORAL COMMUNICATIONS

Persons wishing to address the Town Council on any subject may do so now. Please note however, that the Council is not able to undertake extended discussion or action tonight on items not on the agenda.

CONSENT AGENDA

The following items listed on the Consent Agenda are considered routine and approved by one roll call motion. The Mayor or any member of the Town Council or of the public may request that any item listed under the Consent Agenda be removed and action taken separately.

1. **Approval of Minutes** – March 28, 2018 (3)
2. **Approval of Warrant List** – April 11, 2018 (13)
3. **Recommendation by Town Attorney** – Second Reading of Ordinance adding Chapter 18.39 (22)
 [Cannabis Land Uses] and amending Section 8.12.010 [Definition of Nuisance] of the Portola Valley Municipal Code and Adopt Finding that Ordinance is Exempt from the California Environmental Quality Act (The Planning Commission recommended adoption)
 - (a) Second Reading, Waive Further Reading, and Adopt an Ordinance of the Town Council of the Town of Portola Valley Adding Chapter 18.39 [Cannabis Land Uses] to Title 18 [Zoning] and Amending Section 8.12.010 [Definitions of Nuisance] of Chapter 8.12 [Nuisance Abatement] of Title 8 [Health & Safety] of the Portola Valley Municipal Code (Ordinance No. ____)
4. **Recommendation from Assistant to Town Manager** – Letter of Interest to Join Peninsula Traffic Congestion (41)
 Relief Alliance JPA

REGULAR AGENDA

COMMITTEE REPORTS & REQUESTS

5. **Presentation by the Conservation Committee** – Comprehensive Plan for Town Owned Open Spaces (44)

STAFF REPORTS AND RECOMMENDATIONS

6. **Study Session** – Green Infrastructure in Setbacks (57)
7. **Recommendation by Town Manager** – Budget Amendments to the Fiscal Year 2017–18 Capital Improvement (70)
 Program
8. **Recommendation by Town Manager** – Proposed Letter of Support for Cal Water's AMI Smart Meter Pilot Project (73)
9. **COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS** (77)
 Council arising out of liaison appointments to both in-town and regional committees and initiatives. *There are no written materials and the Town Council does not take action under this agenda item.*
10. **Town Manager Report** (78)

WRITTEN COMMUNICATIONS

11. **Town Council Digest** – March 30, 2018 (79)
12. **Town Council Digest** – April 6, 2018 (89)

ADJOURNMENT

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley Library located adjacent to Town Hall. In accordance with SB343, Town Council agenda materials, released less than 72 hours prior to the meeting, are available to the public at Town Hall, 765 Portola Road, Portola Valley, CA 94028.

SUBMITTAL OF AGENDA ITEMS

The deadline for submittal of agenda items is 12:00 Noon WEDNESDAY of the week prior to the meeting. By law no action can be taken on matters not listed on the printed agenda unless the Town Council determines that emergency action is required. Non-emergency matters brought up by the public under Communications may be referred to the administrative staff for appropriate action.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only issues you or someone else raised at the Public Hearing(s) described in this agenda, or in written correspondence delivered to the Town Council at, or prior to, the Public Hearing(s).

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 964, MARCH 28, 2018

CALL TO ORDER AND ROLL CALL

Mayor Richards 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, Craig Hughes; Vice Mayor Ann Wengert; Mayor John Richards

Absent: None

Others: Jeremy Dennis, Town Manager
Cara Silver, Town Attorney
Sharon Hanlon, Town Clerk

ORAL COMMUNICATIONS

Resident Marilyn Walters requested a plaque be placed on the hut recognizing the Chilean woodcutters.

CONSENT AGENDA [7:04 p.m.]

- (1) Approval of Minutes – Town Council Regular Meeting of March 14, 2018.
- (2) Approval of Warrant List – March 28, 2018, in the amount of \$195,113.26. *[Removed from Consent Agenda.]*
- (3) Recommendation by Public Works Director – Adoption of a Resolution for the 2017/2018 Street Resurfacing Project – Surface Seals Project No. 2018-PW01
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the 2017/2018 Street Resurfacing Project Surface Seals No. 2018-PW01 (Resolution No. ____) *[Removed from Consent Agenda.]*
- (4) Recommendation by Town Manager – Join the “Yes on 68” Effort
- (5) Recommendation by Town Manager – Opposition to Two Potential Propositions
- (6) Recommendation by Town Manager – Grand Jury Request, ALPR Policy Website Access *[Removed from Consent Agenda.]*
- (7) Recommendation by Interim Finance Director – Budget Amendment to Support Future San Mateo County Sheriff Gun Buyback Programs *[Removed from Consent Agenda.]*

Councilmember Hughes moved to approve Items 1, 4, and 5 the Consent Agenda. Seconded by Councilmember Derwin, the motion carried 5-0.

- (2) Approval of Warrant List – March 28, 2018, in the amount of \$195,113.26.

Councilmember Hughes asked regarding the surety deposit refund to the Douglasses. Town Manager Dennis said all of the required trees have been planted and they have had a 100 percent survival rate. He said all of the other mitigations are in place and no additional maintenance work was recommended. He will provide the Councilmembers with the report.

(3) Recommendation by Public Works Director – Adoption of a Resolution for the 2017/2018 Street Resurfacing Project – Surface Seals Project No. 2018-PW01

(a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the 2017/2018 Street Resurfacing Project Surface Seals No. 2018-PW01 (Resolution No. 2755-2018)

Vice Mayor Wengert updated the Council that the 2017/2018 Street Resurfacing Project will go forward with all the neighborhood streets within the next fiscal year, and then potentially circle back around this year to conduct a few tests on the shoulders, anticipating there may be potential solutions or recommendations for the next fiscal year.

(6) Recommendation by Town Manager – Grand Jury Request, ALPR Policy Website Access

Councilmember Derwin asked Town Manager Dennis to clarify this item. Town Manager Dennis said the letter received from the Grand Jury included items that staff felt could be addressed easily with an improved website. He said he is working with Vigilant regarding information that will be posted on the Town's website.

(7) Recommendation by Interim Finance Director – Budget Amendment to Support Future San Mateo County Sheriff Gun Buyback Programs

Councilmember Hughes asked how this program would be advertised. Town Manager Dennis said on Monday the Town will start significant outreach to the schools, PV Forum, Next Door, flyers, etc.

Vice Mayor Wengert asked how long the County anticipated keeping the buyback program open. Town Manager Dennis said the County is planning a buyback event in May. He said Capt. Corpus said there is also an option to do one in Portola Valley, if desired. Vice Mayor Wengert suggested the Sheriff's plans be clarified and defined more clearly to be sure it is in alignment with how the Town sets it up.

The Council directed Town Manager Dennis to hold this item until receiving additional clarification.

Craig Taylor, 11 Santa Maria. Mr. Taylor said his concern was asking students to join this program. He said he was supportive of curbing the guns, but this buyback program is a bad idea from an economic point of view and asked if there was any evidence that such programs were helpful. He said he understood and was supportive of the underlying philosophy of the idea but asked the Council to relook at the issue and said there were better ways to spend \$15,000.

Councilmember Derwin said she has heard this argument from several other community members as well as Councilmembers from Hillsborough and South San Francisco who are not doing gun buybacks.

Mayor Richards agreed and said it was a quick and enthusiastic response to a crisis and it made sense to consider the issue further. Councilmember Hughes said he understood the economic argument but said it overlooked the PR and community engagement aspects of a gun buyback program, which may not translate to a direct financial impact but was impactful in terms of public perception and was symbolic. He said the youth engagement piece of it was particularly powerful. Vice Mayor Wengert said it is incumbent upon the Council to have clarification of the details.

Councilmember Hughes moved to approve Items 2, 3, and 6 the Consent Agenda. Seconded by Vice Mayor Wengert, the motion carried 5-0, by roll call vote.

Item 7 was held over for further discussion.

REGULAR AGENDA

COMMITTEE REPORTS & REQUESTS

(8) Discussion – Town Center Master Plan – Architect Study Session

Town Manager Dennis introduced architect Larry Strain of Siegel & Strain. Mr. Strain said they received a list of 28 areas to be evaluated, with six designations: Facility Improvements, Facility Maintenance, Safety and EOC Planning, Community Gathering, and Nature/Outdoor Recreation and Library. He said specific items were discussed regarding multi-use space included building community, sustainability, historic, impact on recreation and fitness programs, etc. He said at this point it is not a community-wide process, but their recommendations will be going back to the Town Center Master Plan Committee.

Mayor Richards invited questions from the Council.

In response to Vice Mayor Wengert's question, Mr. Strain said he anticipated the process will take a couple of months, which could be affected by when they can meet with the Committee. He added that he will be taking a three-week trip in about a month and Susi Marzuola, a principal at Siegel & Strain, will be stepping in if necessary in his absence.

In response to Councilmember Hughes' question, Mr. Strain said the cost estimate was approximately \$19,000. He passed around the breakdown of estimated costs to the Councilmembers.

Councilmember Hughes said the Committee was asked to evaluate the projects and also think through a timeline. He asked if Mr. Strain's assessment will include staging and the order of the projects. Mr. Strain said they will do that in conjunction with the Committee, considering costs, logistics, sizes and impacts of projects, etc. He said they will work with the Committee to develop prioritization, but an actual timeline will depend on several considerations.

Vice Mayor Wengert suggested there be a column "Estimated Time to Completion" included in the analysis. She said that information, combined with the costs and impact, will help with the phasing/staging analysis. Mr. Strain agreed.

Mayor Richards invited questions from the public.

Craig Taylor, 11 Santa Maria, suggested assigning cost and impact ranges to some of the projects. Mr. Strain agreed and said the projects need to be more clearly defined in order to develop cost estimates.

STAFF REPORTS AND RECOMMENDATIONS

PUBLIC HEARING

(9) Public Hearing – Recommendation by Town Attorney -- Introduction of Proposed Ordinance adding (133) Chapter 18.39 [Cannabis Land Uses] and amending Section 8.12.010 [Definition of Nuisance] of the Portola Valley Municipal Code and Adoption of Finding that Ordinance is Exempt from the California Environmental Quality Act (The Planning Commission recommended adoption.)

(a) First Reading, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Adding Chapter 18.39 [Cannabis Land Uses] and Amending Section 8.12.010 [Definitions of Nuisance] of the Portola Valley Municipal Code and Adoption of Finding that Ordinance is Exempt from the California Environmental Quality Act (The Planning Commission Recommended Adoption) (Ordinance No. ____)

Town Attorney Silver presented the background of the laws concerning cannabis use, cultivation, and commercial activity. She presented staff's recommendation for a Town Ordinance, as detailed in the staff report.

Mayor Richards invited questions from the Council.

Councilmember Hughes asked for clarification regarding locations of sales. Town Attorney Silver said a plant in its natural state can be sold in the location where it's grown. If the plant is harvested and dried it would be considered a retail sale, which would not be allowed. Councilmember Hughes pointed out that, in Section 18.39.020 (S), the definition of a "retail sales" includes cannabis or cannabis products. He asked if the Planning Director would need to establish a regulation under the new section. Town Attorney Silver said the many ordinances they looked at do not make that particular distinction. She said State Law has determined the difference between cultivation and retail, so she did not anticipate this being a problem.

In response to Councilmember Hughes' question, Town Attorney Silver said the setbacks referenced in Section 18.39.140(C) are the building setbacks.

In response to Councilmember Hughes' question regarding Section 18.39.140(F), odor control and ventilation systems, Town Attorney Silver said that did not apply to outdoor cultivation.

Councilmember Hughes asked regarding Section 18.39.180(Q) regarding cannabis odor not being detectible offsite. He asked if the Planning Commission discussed having that requirement be applicable to any commercial activity in Town that emitted obnoxious odors. Town Attorney Silver said the Planning Commission did not address that particular issue. She said that would be a big enough change to the ordinance that it would require another reading.

Councilmember Aalfs asked for confirmation that commercial cultivation of 12 plants is allowed, but that any processing or testing of the product would have to be done out of Town. Town Attorney Silver said the grower can sell the plants on-site to a wholesale distributor. Councilmember Aalfs asked if testing was a requirement for the State's tag and trade requirement. Town Attorney Silver said she did not think testing was required as a precondition for wholesale selling. Councilmember Aalfs asked if someone could grow here and transport the plants to another location to process and sell from there. Town Attorney Silver said retail sale is prohibited in Portola Valley, but if a grower wanted to test or cultivate for retail from a different location that permits it, they can do that. She said the sale of a plant in Portola Valley can only be to a distributor, not to a neighbor, which would be a retail sale.

Councilmember Hughes said his understanding is that the intent was to keep it at the scale of neighbors helping each other out instead of requiring the product being exported from Town.

Vice Mayor Wengert said her understanding is that once the live plant is cut down, no processing would be permitted on-site in Portola Valley.

In response to Mayor Richards's question, Town Attorney Silver said the 12 commercial plants allowed is in addition to the 6 private plants.

Vice Mayor Wengert asked if the Committee was aware that the County had gone forward with their regulations that prohibited any commercial activity on anything but Ag-zoned and previously farmed lands. Town Attorney Silver said both the Subcommittee and the Planning Commission were aware of the County ordinance. Town Attorney Silver said the County ordinance is currently being litigated and it may change as a result.

Councilmember Derwin asked for clarification regarding the steps a resident would go through if he/she wanted to grow 12 plants. Town Attorney Silver said the seller would first get a State permit to cultivate and then obtain a permit from the Town of Portola Valley to cultivate cannabis in Town. In response to

Councilmember Derwin's question, Town Attorney Silver said she did not know the exact cost of the State permit, but knew it was surprisingly affordable, and Portola Valley had not yet set a permit fee. Town Attorney Silver said the Portola Valley applicant would then have a hearing before the Planning Commission, providing detailed plans including irrigation, lighting, etc. She said if the permit is granted, a neighbor could file an appeal, or if the permit is denied, the applicant can appeal.

Councilmember Derwin pointed out that is a lot of work for only 12 plants, particularly considering those plants could only be sold in their plant form to a wholesaler.

Mayor Richards invited comments from the public.

Planning Commissioner Craig Taylor said there is a requirement to review the ordinance annually for five years. He said he thinks it is a mistake to allow the Planning Director to make changes to the regulation, at least in the first couple of years. He said proposed changes should be in an open public hearing brought before the Planning Commission. In response to Councilmember Derwin's question, Planning Commissioner Taylor said that if a proposed change was brought before the Planning Commission, it would not necessarily be a lengthy process. He said if it was a lengthy process, that would indicate there was a problem, and a public hearing should be held to work through it.

Nicholas Targ, Chair of the Planning Commission and member of Cannabis Subcommittee. Mr. Targ said the recommended limit of 12 plants came out of discussion with the County Head of Narcotics and the Fire Marshal, both of whom raised concerns regarding their ability to police, inspect, and ensure compliance with a number of plants. He said this is a small jurisdiction in an area of evolving law. He said that for issues of grow and processing, the Head of Narcotics identified that as the point at which organized crime participation was more likely. Mr. Targ said they also looked at the State of Colorado, who has the greatest experience with legalized marijuana in the United States. He said Colorado initially allowed for a larger number of cannabis plants to be grown at residences; however, in the past year they have dialed that back to 12 plants based upon issues of crime, risk of fire, lighting, and odor. He said for Portola Valley's first foray into the issue, the Subcommittee found the experience and recommendations of local experts, and the experience of Colorado, who has the most experience, to be compelling. He said he wondered if it was appropriate to allow any growing within the Town. He said the General Plan states the Town will be mindful of the interference or intervention of the municipality upon the individuals. He said the Subcommittee considered it was appropriate to allow it, even in the face of other municipalities in the area not allowing it, just because of the values enshrined within the Town's constitution – the General Plan. He said if somebody wants to be a hobbyist or wants to have a very small boutique grow operation, the Town should be mindful of that opportunity and those values that are in the General Plan. He said the limit of 12 plants has a predicate to it and was adopted with mindfulness.

Councilmember Aalfs asked how much marijuana would come out of a residence growing 12 plants. Mr. Targ said he learned that one plant can generate from about 1 pound or less per life cycle to about 1-1/2 pounds. He said that is largely dependent upon the amount of light the plant receives. He said 12 plants could produce up to 18 pounds of marijuana. He said the additional six personal cultivation plants could produce another 9 pounds, for a total of perhaps 27 pounds of marijuana growing at one residence.

In response to Councilmember Aalfs' questions, Town Manager Dennis said the sizes of plants can vary greatly – with indoor plants between 2 and 6 feet tall and outdoor plants 10 feet or larger. He said one pound of cannabis can produce 450 joints at 1 gram per joint. He said there were a lot of different statistics regarding water use – 50 plants in 1/8 acre uses 24,000 gallons over eight months, so 480 gallons for one pound of product. He said another source suggested six gallons a day per plant. He said there are power issues because of the high wattage lighting used to grow. He said a plant life cycle is between 8 weeks and 6 months. He said, at the time staff gathered data, according to Marijuana Business Daily, the price per pound for marijuana in California was \$1,300, ranging from \$500 to \$2,500. He said another source suggested the average price per pound was closer to \$1,400 nationwide.

Councilmember Hughes asked if it was intended that all commercial growing would be exported from Town and there be no informal sales in Town amongst neighbors. Mr. Targ said the issue was considered

and they were advised by the County Head of Narcotics that the safest way to proceed was by way of export only. He said this raises concern if it is a goal to serve residents. He said the other factors, including public safety, fire safety, and potential crime, outweighed the advantage that local services could provide. He said a backyard dispensary or dealer would be even more difficult to regulate than a larger, more organized dispensary.

Mayor Richards asked Mr. Targ if there were many residents clamoring for commercial use. Mr. Targ said residents raised interest in having delivery occur from out of town. He said a handful of people were interested in micro-enterprises. He said there was overwhelming concern about dispensaries and sale of marijuana within the Town, given the nature of the Town, the nature and state of the law, and concern that Portola Valley could become a marijuana destination spot.

In response to Councilmember Hughes's question, Town Attorney Silver clarified that under State law if a person is growing cannabis for personal use, they cannot sell it, but they are allowed to gift no more than 28.5 grams in concentrated form and no more than 8 grams in unconcentrated form, and only persons over 21 years old.

George Andreini. Mr. Andreini said he's lived in Portola Valley for a long time. He questioned why the Town needed to have a commercial approach to dope. He said he feels it is a problem to allow growing it in personal homes, exposing the growers' children or grandchildren or neighbors, but understands it is going along with State law. He said potentially exposing children to an additional avenue by allowing commercial growing is a mistake. He said Portola Valley is getting to be a elitist location to begin with and does not think exposing narcotics to children should be added. He said he does not understand how intelligent people can spend an hour and a half, after going through two committees and two reviews, etc., considering commercial growing of marijuana in Portola Valley. He said the Westridge HOA does not allow commercial operations in their neighborhoods and that should also apply to all residential areas. Mr. Andreini questioned how gifting personal use marijuana could possibly be regulated.

Councilmember Aalfs asked if commercial activities such as processing were allowed in San Mateo County. Town Attorney Silver said it is not allowed in San Mateo County.

Mayor Richards asked Town Manager Dennis if there had been any inquiries regarding cannabis permits. Town Manager Dennis said there have been no serious inquiries; however, staff does get an occasional call from someone, usually from out of State, inquiring about retail opportunities in Town.

With no further public comment, Mayor Richards brought the item back to the Council for discussion.

Vice Mayor Wengert said it is not often the Council deals with something at a local level, when it is still illegal at the Federal level. She said the Planning Commission is adept and creative and said she was supportive of how they organized the study in a way that made the most sense for this type of ordinance. She said she had two primary questions – what problems are being addressed and have the residents' needs, concerns, or requests been the driver. She said with this issue, a problem is not being addressed. She said while Portola Valley has the values of individual rights of property owners, there are also very strong values regarding things such as open space, lack of crime, lack of noise, and lack of odors. She said those additional values, in the aggregate, trump the other potential issues that might be pointed to for rationale for going forward. She said her next level of questions include a test for reasonableness. She said the very severe restrictions on the definition of commercial and the fact that the County has banned commercial growth on anything residential weighed heavily in her opinions. She said it would be very difficult, costly, and complex for somebody to move forward growing 12 to 18 plants and that fails the reasonableness test. She said that weighing the two sets of issues, she was not supportive of the commercial portion of the ordinance.

In response to Councilmember Hughes's question, Vice Mayor Wengert confirmed that her intention would be to leave the personal use portion and remove all of the commercial aspect.

Councilmember Aalfs said there is a morale issue with that because the Town voted 68 percent in favor of personal use and the marijuana has to come from somewhere. He said to allow personal use and no commercial use feels like NIMBY. He said he is not saying he wants to see commercial cultivation in Town, but if the Town allows personal but no commercial it is basically pushing all of the burden of it to some other far away communities, which creates a moral problem for him. Vice Mayor Wengert said even if Portola Valley allowed commercial growing, it would be exported out of Town. Councilmember Aalfs said that is the inconsistency. He said no one would want to have a commercial permit to grow 12 plants they could only sell wholesale to a distributor. He said they would likely want to create their own product. He said taking a local issue and creating a burden somewhere else is not good governance in general.

Vice Mayor Wengert said at this point people cannot process or sell cannabis products in Portola Valley, so allowing commercial growing would take on a set of risks with no return, even to residents who might be interested in creating their own product. Councilmember Aalfs said as it is written now, anybody who uses cannabis personally will take delivery from somewhere else.

Councilmember Hughes said there is broad agreement in Town that personal use is reasonable. He said his question is around the fact that the Town has a lot of unusual properties where someone might not have the opportunity to grow even one plant on their property and they might want to partner with a neighbor who has some land. He said a simple commercial agreement, under an LLC to protect them from liability, is the kind of commercial activity that makes sense in Portola Valley. He said growing plants to export from Town is much more commercial than what he had in mind. He said his thinking was along the lines of agreements between neighbors, like a co-op, which could technically be considered commercial because there is money changing hands and corporation is being formed. He said there is a problem that needs a solution that allows some level of something technically commercial, as long as it's simple enough and of a small scale. He said perhaps the personal cultivation can be allowed, review it in a year, and if people start clamoring to set up co-ops with neighbors, it can be revisited. He said he does not want to prohibit that possibility.

Councilmember Derwin said she personally does not see marijuana as a demonized substance. She said her personal family life was eviscerated by alcoholic family members, so she has a difficult bias to consider. She said she has appreciated all of the discussion, particularly Mr. Targ's explanation about how they arrived at this recommendation and the 12-plant limit. She said only five people would be allowed to grow commercially in the first year, and she questioned if anyone would even go through that process to be only allowed to sell a plant to a wholesaler. She said she knows people who would want to grow marijuana for horticulture reasons, including garden club members, but not 12 plants and probably not for use. She was supportive of the ordinance.

Mayor Richards said he was supportive of approving six plants for personal use, with restrictions such as some other jurisdictions that restrict use of gas products in growing. Councilmember Hughes said the proposed ordinance for Portola Valley requires that all energy consumption would have to be fully renewable. Mayor Richards said he understood Councilmember Aalfs' point, and he could envision a desire to have a boutique with special plants, but he does not see that solving burden sharing and does not see a need for allowing commercial growing.

Councilmember Aalfs said it was more of a principle thing and he did not think Portola Valley would become a self-sufficient local provider of cannabis products. He said he was uncomfortable about the Town wanting the privilege of being able to smoke, but for all the difficult part to happen somewhere else. He was supportive of the ordinance as written because the Town will be coming back to this issue yearly for review. He doubted there would be requests for the commercial permit because of the restrictive nature of it.

Vice Mayor Wengert said no one was questioning the support for personal use, which was the spirit of Proposition 64. She said it was also recognized how unlikely it is that people would follow the very complicated process to get a commercial permit. She was not supportive of allowing any commercial cannabis activity in Town at this time. She said if there is a request for a small-scale operation, the Town can always revisit the ordinance.

Councilmember Hughes asked Town Attorney Silver if the commercial section of the ordinance could be deleted or if it would need to be changed to specifically prohibit it. Town Attorney Silver said it would need to be specifically prohibited. Councilmember Hughes said he would support approving the ordinance as is, acknowledging that it is imperfect and because it is unlikely that there will be many, if any, applicants for commercial permits. He said he does not want to discourage people from requesting by prohibiting the possibility.

Vice Mayor Wengert said the Council's responsibility is first and foremost to the residents and community. She said there are enough concerns relative to some of the potential negative outcomes on this issue that she is uncomfortable supporting it at this point in time. She said it's enough of a change for the Town to allow the personal growth. She said Colorado is running into issues that they believe outweigh the personal liberties side of the discussion. She said her intention is not to limit personal liberties as much as it is to weigh in the balance which are the bigger risk factors for the community. She said, at this point in time, she thinks the risk factors outweigh the benefits or moving forward with a very complicated new ordinance that will be very difficult to enforce.

Mayor Richards said it should also be considered that Portola Valley did not pass the moratorium and the idea was to move forward and approve the private use of six plants. He said there has not been a demand for anything beyond six plants. He was supportive of approving only private use.

In response to Councilmember Aalfs' question, Town Attorney Silver said a rewritten ordinance would need to go back to the Planning Commission.

Councilmember Derwin said she goes back to the passing of Proposition 64 and Mr. Targ's explanation of why commercial growing was considered and why they felt 12 plants was appropriate for Portola Valley. She was supportive of the ordinance.

Councilmember Aalfs asked Mr. Targ if the narcotics person and the Fire Marshal were comfortable with the 12-plant commercial grow or if they would rather see none. Mr. Targ said they were initially looking at the micro-business opportunity which was 25 plants and they were not comfortable with that. He said they did not raise an objection or concern about 12 plants, but they also did not affirm that 12 was the right number. Town Attorney Silver said the Fire Marshal was primarily concerned with indoor operations.

Councilmember Derwin asked Town Attorney Silver if the ordinance could be looked at in a year and, if there were issues with odor, water usage, lighting, etc., the Town could then say no to commercial growing. Town Attorney Silver said they could, but an issued permit would not be able to be changed mid-permit. Councilmember Hughes said the Planning Commission's intention is to review the ordinance annually for five years. Councilmember Aalfs said he assumed the Council would also be looking at the ordinance regularly.

Councilmember Hughes moved to introduce for First Reading the Proposed Ordinance along with the modifications noted by the Town Attorney with an additional amendment to Chapter 18.39.190 requiring that the Planning Commission have the authority to adopt regulations and not the Planning Director. Seconded by Councilmember Aalfs; the motion carried 3-2. Councilmembers Hughes, Derwin and Aalfs voted in favor, Vice Mayor Wengert and Mayor Richards opposed.

Councilmember Hughes commended the Planning Commission and the Subcommittee for the thoughtful and very fast work they did on this issue.

At the end of the Liaison reports, Councilmember Hughes pointed out that a vote was not held regarding CEQA.

Councilmember Hughes moved to find the Ordinance Exempt from the California Environmental Quality Act. Seconded by Councilmember Aalfs; the motion carried 3-2. Councilmembers Hughes, Derwin and Aalfs voted in favor, Vice Mayor Wengert and Mayor Richards opposed.

(10) COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS [8:49 p.m.]

Councilmember Hughes – Attended, with Vice Mayor Wengert and Town Manager Dennis, the Sheriff's Contract Committee meeting with Sheriff's Department, where there was a presentation of the services provided by the Sheriff's Department and the relative costs compared with Towns that have their own police departments. The Sheriff's Department showed how the contract with Portola Valley does not nearly meet the costs of the services provided to the Town. They will be drawing up a version of the contract, merging the supplemental and basic contract. He said they are discussing a 3 percent annual increase. Councilmember Hughes said he asked if that was a concern about the sustainability of that considering the cost of living in the Bay Area rising much faster than 3 percent a year and they did not seem to think it was a concern.

Councilmember Derwin – Attended a Resource Management Climate Protection Committee meeting where there was a presentation on California's plans for deployment of hydrogen vehicles. She said the Committee will begin working on updating the San Mateo County Energy Strategy. They also received the March 21 BAWSCA water report. She said there is currently action in the legislature to implement the new water use objectives and BAWSCA will help agencies comply with the proposed legislation. There will be an indoor/outdoor water use study in the area. She said BAWSCA will hold a smart water meter workshop. They discussed the Governor's Climate Summit to be held in September. They are gathering information from cities and towns that should be submitted by March 30. She attended the March Council of Cities dinner meeting hosted by the City of Daly City where the speaker was Assemblyman Phil Ting. She attended the March 26 ASCC meeting where they discussed amendments to the ADU ordinance to meet State regulations and an amendment to the yards ordinance. She said they also discussed updating the Town's historic ordinance. She attended a C/CAG Administration meeting with Town Manager Dennis. She attended a Grand Boulevard meeting today. She attended a Home for All workshop on March 23 with Vice Mayor Wengert on "How to Talk About Housing So People Will Listen, Think, and Act." Councilmember Derwin said the presenters were social scientist PhDs from Frameworks in Washington, D.C. She attended a workshop the following day, also with Vice Mayor Wengert, in Belmont at the Department of Housing for the pilot cities.

Councilmember Aalfs -- Attended the March 20 Trails & Paths Committee meeting where they discussed the Spring Down plan. He said they discussed opening Old Spanish Trail to bikes as a safe route to school, which the Bicycle, Pedestrian & Traffic Safety Committee supported and the Trails & Paths Committee opposed. He said Coal Mine Ridge probably couldn't be opened to bikes anyway. Councilmember Hughes said the Bicycle, Pedestrian & Traffic Safety Committee were generally supportive of people cycling in Town, but acknowledged it was not within their purview to make that decision about the Old Spanish Trail. Councilmember Aalfs attended the 2018 Yosemite Policymakers Conference presented by the Local Government Commission where they discussed building decarbonization and eliminating natural gas usage. He said Sonoma County and Sonoma Clean Power are working to try to incentivize new replacement buildings after the fires to be all electric. He said he learned how harmful natural gas cooktops are because they emit carbon monoxide, formaldehyde, nitrous oxides, etc., and should only be operated while using a vent hood. He said another keynote speaker was Carl Guardino of the Silicon Valley Leadership group. He said local officials commented on some of the problems caused by Silicon Valley technologies such as AirBNB taking up housing stock, Next Door being a venue for flaming local government, problems caused by Uber, etc. They discussed affordable housing in general and specifically SB-827 which would allow large scale construction in the vicinity of transit stops. Councilmember Aalfs said they heard from two Sonoma County Commissioners, one Santa Barbara County Supervisor, and the Mayor of Santa Rosa, who discussed the aftermath of their natural disasters. Councilmember Aalfs suggested Portola Valley join the Local Government Commission. He attended a lunch with the Funders Network for Smart Growth and Livable Communities, who are sponsoring a study and report by the Local Government Commission on water management and land use.

Vice Mayor Wengert – Attended the meeting to review the Sheriff's Contract with Councilmember Hughes. She attended the Home for All event with Councilmember Derwin. Vice Mayor Wengert attended a luncheon today with Supervisor Simitian and colleagues from Woodside to discuss Stanford lands.

Mayor Richards – Attended the March 27 Conservation Committee meeting where they discussed Spring Down and developing plans to deal with ongoing maintenance. He attended the Annual Meals on Wheels event where they discuss funding.

(11) Town Manager Report – Town Manager Dennis reported that the recruitment for Finance Director will begin on Monday, April 2. He said the recruitment for Planning and Building Director is scheduled to begin the week of April 9. He reported that the contest to name the Vernal Pond starts next week that will culminate in a display at Earth Day. He said staff is beginning work on the 2020 census. He said the '18-'19 FY Budget process is underway, which will include an annual performance review of staff software. Town Manager Dennis reported that two staff members attended an Active Shooter Class held by the San Mateo County Sheriff's Department. He reported that staff participated in an EOC training with Mayor Richards in attendance. He acknowledged Assistant to the Town Manager Brandi de Garmeaux for putting together an excellent program. Councilmember Hughes said he understands that the concepts in the current plan deemphasize the role of the Council and asked if it was in the plan the Council to do a refresher training for the Councilmembers. Town Manager Dennis said that could be arranged.

WRITTEN COMMUNICATIONS

(12) Town Council Digest – March 16, 2018

None.

(13) Town Council Digest – March 23, 2018

None.

ADJOURNMENT TO CLOSED SESSION [9:25 p.m.]

(14) Conference With Legal Counsel – Initiation of Litigation

Government Code §54956.9(c): One Case

REPORT OUT OF CLOSED SESSION

None to report.

ADJOURNMENT [10:00 p.m.]

Mayor Richards adjourned the meeting.

Mayor

Town Clerk

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State/Province Zip/Postal	Invoice Number			Check Amount

JEFF AALFS	Reimbursement, YPC Conf	19603	04/11/2018	
	03/15/18-03/18/18		04/11/2018	
135 CRESCENT AVENUE	1079		04/11/2018	0.00
PORTOLA VALLEY	BOA	52574	04/11/2018	0.00
CA 94028				1,402.80

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4327	Educ/Train: Council & Commissn	1,402.80	0.00

Check No.	52574	Total:	1,402.80
Total for	JEFF AALFS		1,402.80

ALLIANT INSURANCE SERVICES	Event Ins Qtrly Rep Jan-Mar	19621	04/11/2018	
			04/11/2018	
SPECIAL EVENTS	475		04/11/2018	0.00
NEWPORT BEACH	BOA	52575	04/11/2018	0.00
CA 92658				1,329.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4338	Event Insurance	1,329.00	0.00

Check No.	52575	Total:	1,329.00
Total for	ALLIANT INSURANCE SERVICES		1,329.00

ALLIED LANDSCAPE	Replace valve - Russ Miller Fd	19622	04/11/2018	
			04/11/2018	
5542 MONTEREY ROAD SUITE 277	0695		04/11/2018	0.00
SAN JOSE	BOA	52576	04/11/2018	0.00
CA 95138	19571			790.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	790.00	0.00

Check No.	52576	Total:	790.00
Total for	ALLIED LANDSCAPE		790.00

ANIMAL DAMAGE MGMT INC	March Pest Control	19615	04/11/2018	
			04/11/2018	
16170 VINEYARD BLVD. #150	804		04/11/2018	0.00
MORGAN HILL	BOA	52577	04/11/2018	0.00
CA 95037	106757			695.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	572.50	0.00
05-66-4342	Landscape Supplies & Services	122.50	0.00

Check No.	52577	Total:	695.00
Total for	ANIMAL DAMAGE MGMT INC		695.00

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Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
BAIRD+DRISKELL COMMUNITY PLAN	Consult Svc-Affordable Housing	19633	04/11/2018	
	21 Elements		04/11/2018	
2635 BENVENUE AVENUE	1446		04/11/2018	0.00
BERKELEY	BOA	52578	04/11/2018	0.00
CA 94704	1054			1,500.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	1,500.00	0.00

Check No.	52578	Total:	1,500.00
Total for	BAIRD+DRISKELL COMMUNITY PL		1,500.00

PETER CALLANDER	Deposit Refund, 3330 Alpine	19604	04/11/2018	
			04/11/2018	
3330 ALPINE ROAD	1611		04/11/2018	0.00
PORTOLA ROAD	BOA	52579	04/11/2018	0.00
CA 94028				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	1,000.00	0.00

Check No.	52579	Total:	1,000.00
Total for	PETER CALLANDER		1,000.00

CLEAN COALITION	Expert Support for PV Communit	19605	04/11/2018	
	y Microgrid	00006527	04/11/2018	
16 PALM COURT	2147		04/11/2018	0.00
MENLO PARK	BOA	52580	04/11/2018	0.00
CA 94025	CC-TPV-18001			10,000.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	10,000.00	10,000.00

Check No.	52580	Total:	10,000.00
Total for	CLEAN COALITION		10,000.00

COTTON SHIRES & ASSOC. INC.	February Applicant Charges	19627	04/11/2018	
			04/11/2018	
330 VILLAGE LANE	0047		04/11/2018	0.00
LOS GATOS	BOA	52581	04/11/2018	0.00
CA 95030-7218				11,985.81

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4190	Geoloaist - Charges to Appls	11,985.81	0.00

Check No.	52581	Total:	11,985.81
Total for	COTTON SHIRES & ASSOC. INC.		11,985.81

LORRAINE R. DUVAL	Neighborhood Watch 2/26-4/1	19628	04/11/2018	
			04/11/2018	
340 GOLDEN OAK DRIVE	0652		04/11/2018	0.00
PORTOLA VALLEY	BOA	52582	04/11/2018	0.00
CA 94028				888.93

GL Number	Description	Invoice Amount	Amount Relieved
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City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

05-54-4214	Miscellaneous Consultants	888.93	0.00	
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Check No.	52582	Total:	888.93
Total for	LORRAINE R. DUVAL		888.93

ECONO TREE SERVICE	ROW Tree Removal	19614	04/11/2018	
1914 SPRING STREET	1252		04/11/2018	0.00
REDWOOD CITY	BOA	52583	04/11/2018	0.00
CA 94063	339840			1,750.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4264	ROW Tree Trimming & Mowing	1,750.00	0.00

Check No.	52583	Total:	1,750.00
Total for	ECONO TREE SERVICE		1,750.00

KATHY FELDMAN	Refund Deposit, 315 Grove	19637	04/11/2018	
315 GROVE DRIVE	0772		04/11/2018	0.00
PORTOLA VALLEY	BOA	52584	04/11/2018	0.00
CA 94028				3,178.95

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	3,178.95	0.00

Check No.	52584	Total:	3,178.95
Total for	KATHY FELDMAN		3,178.95

KATHERINE GILPIN	Refund Deposit, 196 Crescent	19607	04/11/2018	
196 CRESCENT AVENUE	1110		04/11/2018	0.00
PORTOLA VALLEY	BOA	52585	04/11/2018	0.00
CA 94028				548.38

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	548.38	0.00

Check No.	52585	Total:	548.38
Total for	KATHERINE GILPIN		548.38

GO NATIVE INC	Spring Down Open Space Maint	19616	04/11/2018	
P.O. BOX 370103	03/14/18 - 03/16/18		04/11/2018	
MONTARA	632		04/11/2018	0.00
CA 94037	BOA	52586	04/11/2018	0.00
	3146			7,308.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4342	Landscape Supplies & Services	7,308.00	0.00

GO NATIVE INC	PVTC Landscape Maintenance	19617	04/11/2018	
P.O. BOX 370103	03/12/18 - 03/16/18		04/11/2018	
MONTARA	632		04/11/2018	0.00
CA 94037	BOA	52586	04/11/2018	0.00
	3147			5,350.50

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City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4342	Landscape Supplies & Services	5,350.50	0.00	
GO NATIVE INC	Pull weeds at TC 2/5 & 2/12	19625	04/11/2018	
			04/11/2018	
P.O. BOX 370103	632		04/11/2018	0.00
MONTARA	BOA	52586	04/11/2018	0.00
CA 94037	3134			4,176.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4342	Landscape Supplies & Services	4,176.00	0.00	

Check No.	52586	Total:	16,834.50
Total for	GO NATIVE INC		16,834.50

GRIDSCAPE	TC - Solar Emergency Microgrid	19608	04/11/2018	
	Proposal	00006526	04/11/2018	
46705 FREMONT BOULEVARD	2148		04/11/2018	0.00
FREMONT	BOA	52587	04/11/2018	0.00
CA 94538				2,500.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-54-4214	Miscellaneous Consultants	2,500.00	2,500.00	

Check No.	52587	Total:	2,500.00
Total for	GRIDSCAPE		2,500.00

JARED'S CUSTOM HOMES	Refund Deposit, 196 Crescent	19609	04/11/2018	
			04/11/2018	
244 KELLOGG AVENUE	0746		04/11/2018	0.00
PALO ALTO	BOA	52588	04/11/2018	0.00
CA 94301				1,454.30

GL Number	Description	Invoice Amount	Amount Relieved	
96-54-4207	Deposit Refunds, Other Charges	1,454.30	0.00	

Check No.	52588	Total:	1,454.30
Total for	JARED'S CUSTOM HOMES		1,454.30

KUTZMANN & ASSOCIATES	February Plan Check	19634	04/11/2018	
			04/11/2018	
39355 CALIFORNIA STREET	0090		04/11/2018	0.00
FREMONT	BOA	52589	04/11/2018	0.00
CA 94538				8,967.13

GL Number	Description	Invoice Amount	Amount Relieved	
05-54-4200	Plan Check Services	8,967.13	0.00	

KUTZMANN & ASSOCIATES	March Plan Check	19635	04/11/2018	
			04/11/2018	
39355 CALIFORNIA STREET	0090		04/11/2018	0.00
FREMONT	BOA	52589	04/11/2018	0.00
CA 94538				9,492.76

GL Number	Description	Invoice Amount	Amount Relieved	
05-54-4200	Plan Check Services	9,492.76	0.00	

Check No.	52589	Total:	18,459.89
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State/Province Zip/Postal	Invoice Number			Check Amount

Total for KUTZMANN & ASSOCIATES 18,459.89

LYNCH ELECTRIC & SONS INC	ALPRS extend conduit	19623	04/11/2018	
			04/11/2018	
1160 INDUSTRIAL ROAD, #18	1365		04/11/2018	0.00
SAN CARLOS	BOA	52590	04/11/2018	0.00
CA 94070	2017.759			1,663.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	1,663.00	0.00

Check No. 52590 Total: 1,663.00
Total for LYNCH ELECTRIC & SONS INC 1,663.00

NCE	CIP 17/18 resurfacing project	19630	04/11/2018	
Nichols Consulting Engineers	Pavement Design Services		04/11/2018	
1885 S. ARLINGTON AVE	0183		04/11/2018	0.00
RENO	BOA	52591	04/11/2018	0.00
NV 89509	424215502			9,320.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4503	CIPStreetDesignFutureFY	9,320.00	0.00

Check No. 52591 Total: 9,320.00
Total for NCE 9,320.00

NOLTE ASSOCIATES, INC. NV5	Engineer Svcs, 01/28/18-02/24/18	19636	04/11/2018	
			04/11/2018	
P.O. BOX 74008680	0104		04/11/2018	0.00
CHICAGO	BOA	52592	04/11/2018	0.00
IL 89193-3243	85145			203.98

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4192	Engineer Services	203.98	0.00

Check No. 52592 Total: 203.98
Total for NOLTE ASSOCIATES, INC. NV5 203.98

OLBERDING ENVIRONMENTAL, INC	Mitigation Site Monitoring July-Aug 2017	19629	04/11/2018	
			04/11/2018	
193 BLUE RAVINE ROAD	2025		04/11/2018	0.00
FOLSOM	BOA	52593	04/11/2018	0.00
CA 94630	2017208			910.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4532	CIP Crowder Trail Imps	910.00	0.00

Check No. 52593 Total: 910.00
Total for OLBERDING ENVIRONMENTAL, IN 910.00

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Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
PINNACLE BUILDING & DESIGN	Refund Deposit, 501 Portola Rd #15L, Permit #BLDR0321-2018	19610	04/11/2018	
5157 ABBEY DRIVE	1617		04/11/2018	0.00
FAIRFIELD	BOA	52594	04/11/2018	0.00
CA 94534				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	1,000.00	0.00

Check No.	52594	Total:	1,000.00
Total for	PINNACLE BUILDING & DESIGN		1,000.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
PITNEY BOWES INC.	Labels for postage machine	19624	04/11/2018	
PO BOX 371896	0754		04/11/2018	0.00
PITTSBURGH	BOA	52595	04/11/2018	0.00
PA 15250-7896	1006850460			61.47

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4316	Postage	61.47	0.00

Check No.	52595	Total:	61.47
Total for	PITNEY BOWES INC.		61.47

Vendor Name	Invoice Description1	Ref No.	Discount Date	
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Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
PLATINUM FACILITY SERVICES	Mar Janitorial/Annl Deep Clean	19618	04/11/2018	
1530 OAKLAND RD., #150	402		04/11/2018	0.00
SAN JOSE	BOA	52596	04/11/2018	0.00
CA 95112	31207			6,353.13

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4341	Community Hall	1,203.35	0.00
05-66-4344	Janitorial Services	3,192.64	0.00
25-66-4344	Janitorial Services	1,957.14	0.00

Check No.	52596	Total:	6,353.13
Total for	PLATINUM FACILITY SERVICES		6,353.13

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
PORTOLA VALLEY BUILDERS	Refund Deposit, 250 Alamos Permit # PW0021-2017	19611	04/11/2018	
635 PRICE DRIVE	1373		04/11/2018	0.00
MORGAN HILL	BOA	52597	04/11/2018	0.00
CA 95037				500.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	500.00	0.00

Check No.	52597	Total:	500.00
Total for	PORTOLA VALLEY BUILDERS		500.00

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Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
CYNTHIA RICHARDSON	March Planning Consultant Svcs	19619	04/11/2018	
dba Richardson Consulting			04/11/2018	
24 CAMPBELL LANE	1250		04/11/2018	0.00
MENLO PARK	BOA	52598	04/11/2018	0.00
CA 94025				7,770.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4196	Planner	551.25	0.00
96-54-4198	Planner - Charges to Appls	7,218.75	0.00

Check No.	52598	Total:	7,770.00
Total for	CYNTHIA RICHARDSON		7,770.00

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Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
RON RAMIES AUTOMOTIVE, INC.	February Fuel Statement	19613	04/11/2018	
			04/11/2018	
115 PORTOLA ROAD	422		04/11/2018	0.00
PORTOLA VALLEY	BOA	52599	04/11/2018	0.00
CA 94028				425.39

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	425.39	0.00

Check No.	52599	Total:	425.39
Total for	RON RAMIES AUTOMOTIVE, INC.		425.39

Vendor Name	Invoice Description1	Ref No.	Discount Date	
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Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
STATE COMP INSURANCE FUND	Feb, Mar, Apr Premiums	19626	04/11/2018	
			04/11/2018	
PO BOX 748170	0122		04/11/2018	0.00
LOS ANGELES	BOA	52600	04/11/2018	0.00
CA 90074-8170				9,456.51

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4094	Worker's Compensation	9,456.51	0.00

Check No.	52600	Total:	9,456.51
Total for	STATE COMP INSURANCE FUND		9,456.51

Vendor Name	Invoice Description1	Ref No.	Discount Date	
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Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
THE CONRADO COMPANY	Refund Deposit, 57 Santa Maria	19606	04/11/2018	
	Permit #BLDR0139-2017		04/11/2018	
14363 SARATOGA AVENUE #206	0771		04/11/2018	0.00
SARATOGA	BOA	52601	04/11/2018	0.00
CA 95070				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	1,000.00	0.00

Check No.	52601	Total:	1,000.00
Total for	THE CONRADO COMPANY		1,000.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
VERIZON WIRELESS	March Cellular/ALPR Sim Card	19631	04/11/2018	
			04/11/2018	
P.O. BOX 660108	0131		04/11/2018	0.00
DALLAS	BOA	52602	04/11/2018	0.00
TX 75266-0108	9804211821			364.69

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/11/18

Date: 04/04/2018

Time: 11:24 am

Page: 8

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	364.69	0.00

Check No.	52602	Total:	364.69
Total for	VERIZON WIRELESS		364.69

Total Invoices: 32

Grand Total:	113,345.73
Less Credit Memos:	0.00
Net Total:	113,345.73
Less Hand Check Total:	0.00
Outstanding Invoice Total:	113,345.73

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
April 11, 2018

Claims totaling \$113,345.73 having been duly examined by me and found to be correct are hereby approved and verified by me as due bills against the Town of Portola Valley.

Date _____

Jeremy Dennis, Treasurer

Motion having been duly made and seconded, the above claims are hereby approved and allowed for payment.

Signed and sealed this (Date) _____

Sharon Hanlon, Town Clerk

Mayor



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of Town Council

FROM: Cara E. Silver, Town Attorney

DATE: April 11, 2018

RE: Second Reading: Waive Further Reading and Adopt Proposed Ordinance adding Chapter 18.39 [Cannabis Land Uses] and amending Section 8.12.010 [Definition of Nuisance] of the Portola Valley Municipal Code and Adopt Finding that Ordinance is Exempt from the California Environmental Quality Act (The Planning Commission recommended adoption.)

RECOMMENDATION

Staff recommends that the Town Council:

1. Adopt a finding that the ordinance is exempt from the California Environmental Quality Act; and
2. Waive further reading and adopt the attached proposed ordinance adding Chapter 18.39 [Cannabis Land Uses] and amending Section 8.12.010 [Definition of Nuisance] of the Portola Valley Municipal Code (Attachment A).

DISCUSSION

On March 28, 2018, the Town Council conducted a public hearing on an ordinance adding Chapter 18.39 [Cannabis Land Uses] and amending Section 8.12.010 [Definition of Nuisance] of the Portola Valley Municipal Code. The Council voted 3-2 to introduce the ordinance for first reading and to adopt a finding the ordinance to be exempt from the California Environmental Quality Act. In addition, the Council directed that several non-substantive amendments be made to the ordinance. Those amendments are show in redlined format in Attachment A.

ENVIRONMENTAL REVIEW

Under Business and Professions Code Section 26055(h), the adoption of an ordinance by a local jurisdiction requiring discretionary review and approval of permits and licenses for commercial cannabis activity is exempt from review under the California

Environmental Quality Act (CEQA) (until July 1, 2019). In addition, given the modest changes to the City's existing zoning regulations, this project is exempt from the California Environmental Quality Act pursuant to Section 15378 of the CEQA Guidelines.

Attachments:

1. Proposed Cannabis Ordinance

Reviewed by: Jeremy Dennis, Town Manager

A handwritten signature in black ink, appearing to read "Jeremy Dennis", is positioned to the right of the text "Reviewed by: Jeremy Dennis, Town Manager".

ORDINANCE NO. _____

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY ADDING CHAPTER 18.39 [CANNABIS LAND USES] TO TITLE 18 [ZONING] AND AMENDING SECTION 8.12.010 [DEFINITION OF NUISANCE] OF CHAPTER 8.12 [NUISANCE ABATEMENT] OF TITLE 8 [HEALTH & SAFETY] OF THE PORTOLA VALLEY MUNICIPAL CODE

WHEREAS, Proposition 64 or the Control, Regulate, and Tax Adult Use of Marijuana Act (“AUMA”) took effect on November 9, 2016 and made it legal for persons 21 years of age or older to smoke or ingest marijuana or marijuana products; possess, process, transport, purchase, obtain or give away to persons of 21 years of age or older 28.5 grams of marijuana or eight grams of concentrated marijuana; and possess, plant, cultivate, harvest, dry or process up to six living marijuana plants for personal use; and

WHEREAS, the AUMA allows local governments to impose reasonable regulations on indoor cultivation and to regulate or ban outdoor cultivation or other cannabis land uses; and

WHEREAS, Senate Bill 94 took effect on June 27, 2017 and blended together the non-medical marijuana regulations in the AUMA and the Medical Cannabis Regulation and Safety Act (“MCRSA”) to create the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”); and

WHEREAS, after a study session on December 6, 2018, the Planning Commission of the Town of Portola Valley (“Town”) formed a subcommittee consisting of Commissioner Targ and Commissioner Gould to help Town staff prepare an ordinance relative to the reasonable regulation and/or ban of cannabis land uses;

WHEREAS, on February 7 and 28, 2018, the Planning Commission held public hearings to review the draft ordinance regarding cannabis land uses at which all interested persons had the opportunity to appear and after considering the entire record of proceedings, including but not limited to, the staff report and all written and oral comments received, the Planning Commission voted to recommend that the Town Council approve the ordinance; and

WHEREAS, on March 28, 2018, the Town Council held a public hearing to review the proposed ordinance regarding cannabis land uses at which all interested persons had the opportunity to appear and after considering the entire record of proceedings, including but not limited to, the staff report and all written and oral comments received and the Planning Commission recommendation, the Town Council voted to approve the ordinance.

NOW, THEREFORE, the Town Council of the Town of Portola Valley does **ORDAIN** as follows:

1. ADDITION OF CODE. Chapter 18.39 [Cannabis Land Uses] is hereby added to Title 18 [Zoning] of the Portola Valley Municipal Code to read as follows:

Chapter 18.39 Cannabis Land Uses

18.39.010	Purpose
18.39.020	Definitions
18.39.030	Prohibited and Permitted Cannabis Activities
18.39.040	Specific Non-Commercial Cannabis Activities Allowed
18.39.050	Town Commercial Cannabis Activity Permit Required
18.39.060	Commercial Cannabis Activity Application Requirements
18.39.070	Review of Commercial Cannabis Activity Permits
18.39.080	Grounds for Denial of an Application
18.39.090	Appeal to Town Council
18.39.100	Permit Renewal
18.39.110	Permit Nontransferable
18.39.120	Fees
18.39.130	Taxes
18.39.140	Commercial Cannabis Development Criteria and Operating Requirements
18.39.150	Record Retention
18.39.160	Track and Trace Program
18.39.170	Revocation or Suspension of Permit
18.39.180	Enforcement and Penalties
<u>18.39.190</u>	<u>Implementing Regulations</u>

18.39.010 Purpose

Proposition 64 or the Control, Regulate, and Tax Adult Use of Marijuana Act (“AUMA”) took effect on November 9, 2016 and made it legal for persons 21 years of age or older to smoke or ingest marijuana or marijuana products; possess, process, transport, purchase, obtain or give away to persons of 21 years of age or older 28.5 grams of marijuana or eight grams of concentrated marijuana; and possess, plant, cultivate, harvest, dry or process up to six living marijuana plants for personal use. Senate Bill 94 took effect on June 27, 2017 and blended together the non-medical marijuana regulations in the AUMA and the Medical Cannabis Regulation and Safety Act (“MCRSA”) to create the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”). Pursuant to these laws, local agencies may impose reasonable regulations on indoor cultivation and regulate or ban outdoor cultivation or other cannabis land uses. The purpose of this Chapter is to implement reasonable regulations for cannabis land uses that protect the health, safety and welfare of the Town.

18.39.020 Definitions

For the purposes of this Chapter, the following words and phrases shall have the meanings set forth herein:

A. "Applicant" means a Person ~~who meets the residency requirements of Section 18.39.140(B) and~~ who has applied for a Permit under this Chapter.

B. "Application" means that form approved by the Town Planning and Building Director and provided by the Department in accordance with this Chapter for the purpose of seeking a Permit.

C. "Cannabis" means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. Cannabis also means the separated resin, whether crude or purified, obtained from cannabis. Cannabis does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this Chapter, Cannabis does not mean "industrial hemp" as defined by Section 11018.5 of the Health and Safety Code.

D. "Cannabis Products" has the same meaning as in California Health and Safety Code Section 11018.1 as may be amended from time to time.

E. "Commercial Cannabis Activity" includes the Cultivation, Manufacturing, Distribution, Processing, warehousing, storing, Testing, packaging, labeling, transportation, delivery, Retail Sale of Cannabis and Cannabis Products or Cannabis events as provided for in this Chapter or under State rule, law, or regulation.

F. "Cultivation" means any activity involving the planting, growing, fertilizing, irrigating, harvesting, drying, curing, grading, trimming, and/or storing of Cannabis whether in or outdoors and the related sale of such cultivated Cannabis.

G. "Customer" means a natural person 21 years of age or over or a natural person 18 years of age or older who possesses a physician's recommendation or a natural person 14 years of age or older with parental/guardian permission.

H. "Department" means the Town of Portola Valley Planning and Building Department.

I. "Distribution" means the procurement, sale, and transport of Cannabis and Cannabis Products between Permittees.

J. "Indoor Cultivation" means Cultivation indoors using exclusively artificial lighting.

K. “Manufacturing” means compounding, converting, producing, deriving, or preparing, either directly or indirectly by chemical extraction or independently by means of chemical synthesis, Cannabis or Cannabis Products.

L. “Mixed-Light Cultivation” means Cultivation using light deprivation and/or any combination of natural and supplemental artificial lighting. Greenhouses and similar structures or spaces of sufficient size to permit entry enclosed with a nonporous covering or light deprivation systems are included in this category. This category does not include structures constructed of porous cloth or other porous material(s).

M. “Outdoor Cultivation” means Cultivation using no artificial lighting conducted in the ground, in containers outdoors, or in structures constructed of porous material(s).

O. “Permit” or “Cannabis Permit” means a permit issued by the Town for Commercial Cannabis Activity permitted pursuant to this Chapter.

P. “Permittee” means any Applicant issued a Permit under this Chapter.

Q. “Person” includes any individual, firm, partnership, joint venture, association, corporation, limited liability company (LLC), estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.

R. “Premises” means the property specified in the Application that is owned by the Applicant/ Permittee where the Commercial Cannabis Activity will be or is conducted. The Application shall specify the area of land on the property and/or the structure or structures where Commercial Cannabis Activity will be or is conducted. The Premises shall be a contiguous area and shall only be occupied by one Permittee.

S. “Retail Sale” means any transaction whereby, for any consideration, Cannabis or Cannabis Products is sold to a Customer, and includes the delivery of Cannabis or Cannabis Products.

T. “Sensitive Receptor” means schools providing education to K-12 grades, day care centers, Youth Centers, public parks, including but not limited to the following: Windmill School (900 Portola Road); Creekside Learning Lab (884 B-1 Portola Road); Christ Church (815 Portola Road); Ormondale School (200 Shawnee Pass); Corte Madera School (4575 Alpine Road); Woodside Priory School (302 Portola Road); Ladera Church (3300 Alpine Road); Town Hall Campus (765 Portola Road); Rossotti Field (3919 Alpine Road); Ford Field (3399 Alpine Road); Alpine Hills Swim & Tennis Club (4139 Alpine Road); Triangle Park (Portola/Alpine Roads).

U. “State” means the State of California.

V. “State Permit” means a permit to conduct Commercial Cannabis Activity issued by the State.

W. “Testing” means the testing of Cannabis or Cannabis Products by an authorized laboratory, facility, entity, or Person.

X. “Youth Center” shall have the same meaning as defined by California Health and Safety Code Section 11353.1 and shall also include publicly owned facilities and properties that support activities for youth and children.

18.39.030 Prohibited and Permitted Commercial Cannabis Activities

A. Prohibited. Unless expressly authorized by this Chapter, no Commercial Cannabis Activities for either medical or personal purposes are allowed in the Town of Portola Valley. The intent of this Chapter is only to permit cultivation of up to 12 commercial cannabis plants on any single property in any residential zoning district. No Permit for Commercial Cannabis Activity shall be issued for any other purpose or in any other zoning district, including but not limited to land zoned O-A or C-C.

B. Permitted with State and Local Permit. Only the following Commercial Cannabis activity may occur in the Town of Portola Valley pursuant to valid State and Town Permits:

1. Commercial Cultivation of Cannabis. Commercial cultivation of up to a maximum of twelve cannabis plants may be conducted subject to a Cannabis Permit only on residentially zoned lands.

C. Permitted with State Permit. The following Commercial Cannabis activities may occur in the Town of Portola Valley pursuant to a valid State Permit:

1. Transportation of Cannabis on public roads as expressly authorized under California Business and Professions Code Section 26080(b).

2. Lawful delivery of Cannabis to a Customer on public roads; however, no physical location for such delivery service shall be permitted within the Town of Portola Valley.

18.39.040 Specific Non-Commercial Cannabis Activities Allowed

The following are exempt from the permitting requirements of this Chapter:

A. Personal Indoor Cultivation. A natural person 21 years of age or older who engages in Cannabis Cultivation, subject to the cultivation limit in subsection C below, exclusively for personal use inside a private residence or inside a permitted accessory structure to a private residence located upon the grounds of a private residence as authorized by California Health and Safety Code Section 11362.1.

B. Personal Outdoor Cultivation. A natural person 21 years of age or older who engages in Cannabis Cultivation, subject to the Cultivation limit subject to the cultivation limit in subsection C below, exclusively for personal use outside a private residence as

authorized by California Health and Safety Code Section 11362.1. Notwithstanding the foregoing, any personal outdoor Cultivation shall be in compliance with the following requirements:

1. Shall not be in ordinary public view from public rights of way, publicly owned or maintained trails and public parks;
2. Shall be at least 600 feet away from any Sensitive Receptor. The 600 feet shall be measured in a straight line from the closest property line of the Sensitive Receptor to the actual Cultivation site; and
3. The odor from Cultivation must not be detectible off the grounds of the private residence or from any place accessible to the public.

C. Cultivation Limit. For both personal indoor Cultivation and personal outdoor Cultivation, not more than six living plants may be planted, cultivated, harvested, dried, or processed within a single private residence, or upon the grounds of that private residence, at one time. No Cannabis may be grown within the minimum setback required for the zoning district.

18.39.050 Town Commercial Cannabis Activity Permit Required

A. Any Person who intends to engage in a permitted Commercial Cannabis Activity in the Town shall obtain a Cannabis Permit in accordance with this Chapter for each Premises in the Town where proposed Commercial Cannabis Activity is to occur. A Cannabis Permit from the Town is not valid and the Commercial Cannabis Activity may not commence unless and until the Applicant obtains a valid license from the State for the same Commercial Cannabis Activity permitted by the Town. An Applicant shall provide a copy of the State license to the Department prior to commencing Cultivation.

B. Any Cannabis Permit issued under this Chapter does not provide any protection or immunity for any Person from State or federal laws, or from prosecution pursuant to any applicable State or federal laws.

18.39.060 Commercial Cannabis Activity Application Requirements

A. Each Application shall be filed with the Town, under penalty of perjury on the form provided and in the manner required by the Department.

B. An Application shall not be deemed complete until all required Application fees have been paid, and all questions, comments and/or requests for information have been addressed to the satisfaction of the Planning and Building Director.

18.39.070 Review of Commercial Cannabis Activity Permits

A. Processing of Application. The Department will review the Application. The Department will provide a copy of the Application for review and comment to the San Mateo County Sheriff's Department and the Woodside Fire Protection District. The proposed Premises may be subject to an inspection by the Department, the Sheriff's Department and Fire District prior to the public hearing on the Application, which will not be set until the Department determines that the Application is complete. If the Department determines the Application is incomplete, the Department will provide notice to the

Applicant, who shall have 30 days to complete all deficiencies. If the Applicant fails to complete the deficiencies within the 30-day period, the Application shall be deemed abandoned. The Applicant may reapply at any time following an abandoned Application. The Department will not refund any fees for incomplete or abandoned Applications.

B. Commercial Cannabis Permit Required. A Cannabis Permit shall be required for Commercial Cannabis Cultivation. The application procedures for the Cannabis Permit shall be as provided for in Chapter 18.72 of this title. The Planning Commission may grant a Cannabis Permit if it makes the following findings:

1. The proposed activity complies with the findings set forth in 18.72.130 (Conditional Use Permit findings).

2. The proposed activity is no more objectionable than the conditionally permitted uses allowed in the underlying residential zone with respect to public safety, security, environmental impacts, level of noise, traffic, odors, glare and other impacts normally associated with other listed uses.

4. The proposed activity complies with all of the development criteria and operating requirements in Section 18.39.140.

5. The Applicant has an established account in a State-approved track and trace in accordance with Section 18.39.160.

6. The proposed activity complies with the requirements set forth in this Chapter and State law.

C. Duration of Permit. Each Permit shall be granted for a one-year period and shall expire one year after the date of its issuance. Nothing herein is intended to limit the number of times an Applicant may apply to renew the Cannabis Permit issued by the Town.

D. Permit Conditions. In addition to any conditions imposed by the Planning Commission, all Permits shall include statements conveying the following information, displayed prominently on the Permit itself:

1. A warning that Permittees, supervisors, employees, and any other Persons involved in Commercial Cannabis Activities may be subject to prosecution under State or federal laws; and

2. An acknowledgment that, by accepting the Permit and engaging in a Commercial Cannabis Activity, the Permittee has released the Town and its officers, insurers, sureties, agents, Town Council members, attorneys, employees, and representatives from and against any all liability, and will defend and indemnify them, for any monetary damages related to or arising from issuance of the Permit, authorizing Permittee to engage in an authorized Commercial Cannabis Activity, enforcement of requirements or conditions related to the Permit, and/or revocation of the Permit.

3. All Cannabis Permits shall be valid only while the Permittee is in possession of a valid State license for the same cannabis activity authorized by the Town issued Cannabis Permit.

18.39.080 Grounds for Denial of an Application

A. The Planning Commission shall deny an Application for a Commercial Cannabis Permit for any of the following reasons:

1. The Planning Commission is unable to make the findings in Section 18.39.070(B) above.

2. The Applicant made a knowingly false statement of a material fact in the Application or knowingly omitted a material fact from the Application;

3. The proposed Commercial Cannabis Activities do not fully comply with the requirements of this Chapter or any State law or regulation;

4. The Applicant failed to provide all information required in the Application and/or failed to allow a pre-inspection of the proposed Premises;

5. An Applicant is subject to prosecution or has been convicted or sanctioned for an offense or violation set forth under California Business & Professions Code Section 26057(b)(4), (b)(6);

6. An Applicant has been sanctioned by the State or any other licensing authority for unauthorized Commercial Cannabis Activities or has had a State Permit or any other Permit for Commercial Cannabis Activities suspended or revoked in the three (3) years immediately preceding the date the Application is filed; or

7. Any other valid reason in the Planning Commission's reasonable discretion.

B. Notice of the decision to deny an Application specifying the reason(s) for the denial shall be provided in writing to the Applicant. The Applicant may appeal denial of its Application to the Town Council as set forth below in Section 18.39.090. No new Application(s) for a Permit on Premises where an Application has been denied shall be accepted for a period of one (1) year from the date of denial.

18.39.090 Appeal to Town Council

Action of the Planning Commission in approving or disapproving the grant of a Cannabis Permit may be appealed to the Town Council in accordance with Sections 18.78.010 through 18.78.110 or the Town Council may elect to review the action of the Planning Commission in accordance with the provisions of Section 18.78.120.

18.39.100 Permit Renewal

A. To renew a Permit, a completed Permit renewal Application on a form approved by the Planning and Building Director and renewal fee shall be received by the Department no fewer than sixty (60) calendar days before the expiration of the Permit. The Permit renewal Application shall not be deemed complete until all renewal fees have been paid. Upon receipt of a complete Permit renewal Application, the Department shall notify all adjacent property owners of the submittal at least 30 days prior to the issuance of the renewal.

B. In the event the Permit is not renewed prior to the expiration date, it shall be deemed expired and the Permittee must cease all Commercial Cannabis Activity until such time that the Permittee is issued a new Permit in accordance with this Chapter. The Permittee will be subject to enforcement actions pursuant to Chapter 1.12, Code Compliance, for continuing operations after a Permit has expired without a renewal.

C. Permit renewal applications are subject to review and decision by the Planning and Building Director. The Planning and Building Direction, however, has discretion to elevate

any Permit renewal Application to the Planning Commission for review and decision. The Planning and Building Director shall deny any request for a Permit renewal for any of the following reasons:

1. The Permit renewal Application is filed fewer than sixty (60) calendar days before expiration of the Permit;
2. The Permittee does not fully comply with the requirements of this Chapter or any State rule, law, or regulation;
3. The Permittee has failed to provide all information required in the Permit renewal application and/or has failed to allow a requested inspection of the Premises;
4. The Permittee has any outstanding taxes, fees, or fines owed to the Department or to the Town;
5. The Permit is suspended or revoked at the time of the request for Permit renewal;
6. The Permittee is subject to prosecution or has been convicted or sanctioned for an offense or violation set forth under California Business & Professions Code Section 26057(b)(4), (b)(6);
7. The Permittee has been sanctioned by the State or any other licensing authority for unauthorized Commercial Cannabis Activities or has had a State Permit or any other Permit, permit, or authorization for Commercial Cannabis Activity suspended or revoked between the time the original Permit was issued and the filing of the request for Permit renewal; or
8. The Permittee no longer meets the residency requirements of this Chapter~~has his or her primary domicile in the Town.~~

D. If a request for a Permit renewal is denied, a new Application may be filed pursuant to this Chapter. However, no new Application(s) for a Permit on Premises where an Application to renew a Permit has been denied shall be accepted for a period of six (6) months from the date of denial.

E. Notice of the decision to deny or approve a request for a Permit renewal specifying the reason(s) for the denial shall be provided in writing to the Permittee. The Permittee may appeal the denial of a request for a Permit renewal to the Planning Commission.

F. The Planning and Building Director shall provide an informational item to the Planning Commission regarding any and all Permit renewals prior to the effective date of the renewal. The informational report shall include, but not be limited to, any comments received on the Permittee's Commercial Cannabis Activities within the year prior to the renewal Application. The Planning Commission may request that a public hearing be conducted on any Permit renewal Application. The public hearing shall be conducted de novo pursuant to the criteria set forth in this section. The Planning Commission's decision shall be appealable to the Town Council. Any appeal to the Town Council shall be subject to a de novo public hearing pursuant to the criteria set forth in this section.

18.39.110 Permit Nontransferable

A. A Permit issued under this Chapter does not create any interest of value, is not transferable, and automatically terminates upon attempt to transfer ~~of~~ ownership of the

Permit. Any change in the Permittee's ownership, control or management requires a new Application pursuant to Section 18.39.070. In the event a new Permit is not issued by the Town prior to transfer of ownership, the Permit shall be deemed revoked and any activities on the Premises for which the Permit was issued must cease all Commercial Cannabis Activity until such time that the new owner is issued a new Permit from the Department. The Permittee and all owners of the Premises will be subject to enforcement actions pursuant to Chapter 1.12, Code Compliance, for continuing operations after a Permit has expired without a renewal.

B. A Permit is issued to and covers only the Permittee with respect to the Premises identified on the Permit. The Permit does not run with the land.

18.39.120 Fees

The filing of an initial Application and/or an Application for renewal of a Permit shall be accompanied by payment of such fees as the Town Council may establish to recover the cost of administration and enforcement of this Chapter. Such fees are non-refundable. Applicants and Permittees are responsible for the costs of inspections, investigations, and any other activity required pursuant to this Chapter. All fees and costs specified by this Chapter shall be established by resolution of the Town Council and may be amended from time to time.

18.39.130 Taxes

All Permittees shall comply with any Town-imposed Commercial Cannabis Activity taxes that may be enacted.

18.39.140 Commercial Cannabis Development Criteria and Operating Requirements

A. A maximum of 12 plants may be grown on the Premises for commercial purposes.

B. Residency and Ownership Requirements. Permittee must have his or her primary domicile in the Town of Portola Valley and must own the Premises.

1. If the Premises is owned by one or more individuals, at least one of the~~that~~ individuals must satisfy the residency requirements of this section~~Chapter~~ and must own the Premises.

2. If the Premises is not owned by an individual, the residency requirement specified in this section~~Chapter~~ shall be met by the Permittee's chief executive officer, a member of the Permittee's board of directors or a Person with an aggregate ownership interest of 20 percent or more in the Permittee or other individual associated with the Permittee as approved by the Planning and Building Director.

3. The residency and ownership requirements specified in this section shall be maintained during the term of the Permit.

C. Property Setbacks. Commercial Cannabis shall not be grown in the zoning setbacks for the Premises.

D. All Premises shall also be located a minimum of 600 feet from any Sensitive Receptor. The 600 foot distance shall be measured in a straight line from the closest property line of the residentially designated or otherwise protected site to the closest property line of the parcel with the Cannabis Cultivation.

E. Surveillance and Security. Commercial Cannabis Activity shall comply with security requirements acceptable to the Department on an individual project basis. The security requirements may include provisions for perimeter fencing plan (compliant with Municipal Code Chapter 18.43, Fences), interior and exterior lighting plan, security camera layouts, security team plan, alarm system details, transportation, remote monitoring, electronic track and trace, fire suppression plan, and record keeping.

F. Ventilation. All Premises shall be equipped with odor control filtration and ventilation system(s) to control odors and mold to the reasonable satisfaction of the Planning and Building Director.

G. Inspections. Premises shall be subject to inspections by, without limitation, the Department, the Town of Portola Valley, County of San Mateo, the Woodside Fire Protection District, and any or agency, office or similar department thereof. Agents or employees of such agencies shall have unrestricted access to the Premises, including, without limitation, all rooms, buildings, structures, facilities, and limited access areas, for the purpose of conducting inspections. If a Permittee refuses or interferes with an inspection, the Permittee will be subject to enforcement efforts pursuant to Chapter 1.12, Code Enforcement and the Town may order the immediate cessation of all Commercial Cannabis Activities on the Premises.

H. Display of Permit. The current Permit, State Permit, and an emergency contact phone number shall be maintained on the Premises at all times and shall be immediately accessible upon request of any entity conducting an inspection.

I. No Consumption on Premises. Consumption of Commercial Cannabis shall not be allowed within 100 feet of the commercial Cultivation area. This provision is not intended to prohibit personal use by the owner or occupant of the Premises.

J. Parking Requirements. Adequate on-site parking and delivery drop off and pick up zones shall be provided. No off-site parking shall be used in conjunction with the Commercial Cannabis Activity.

K. Notification to Department. A Permittee shall provide the Department with notice in writing, either by mail or e-mail to the attention of the Planning and Building Director, within 24 hours of the following:

1. A criminal conviction rendered against the Permittee;
2. A civil penalty or judgment rendered against the Permittee;
3. Notice of revocation of a State Permit or other local authorization to conduct Commercial Cannabis Activities;
4. The Permittee becomes aware of, or has reason to suspect, a diversion, theft,

loss, or any other criminal activity involving its Commercial Cannabis Activities.

L. Cultivation Types Allowed. The following State Permit types, as defined by California Business and Professions Code Section 26061, will be permitted in the Town, subject to issuance of a Commercial Cannabis Permit:

1. "Specialty Cottage Outdoor" is an outdoor Cultivation site with up to 12 mature plants.
2. "Specialty Cottage Indoor" is an indoor Cultivation site with up to 12 mature plants.
3. "Specialty Cottage Mixed-Light Tier 1 and 2" is a mixed-light Cultivation site with up to 12 mature plants.

M. Number of Permits. The Town may issue up to 5 new permits during the first year of this ordinance. During the second year following the effective date of this ordinance, and each year thereafter, the Town may issue up to five new permits provided that there shall be no more than 10 issued Permits in effect at any one time. There may not be more than one Permit issued per Premises.

N. Building Requirements. All structures used for Cultivation, including greenhouse or similar structures shall comply with all applicable State or local building and design review regulations, zoning, and land use requirements.

O. Fire Code Requirements. A Permittee shall prepare and implement a fire prevention plan, which shall include, at minimum, emergency vehicle access to the Premises vegetation management, and fire break maintenance around all structures. The plan for compliance with this Section shall be proposed at the Application stage and shall not be approved without the concurrence of the Woodside Fire Protection District Fire Marshall.

P. Lighting. All lighting visible from the exterior of the Cultivation area shall comply with the dark sky lighting requirements. Light shall not escape at a level that is visible from neighboring properties or the public right of way.

Q. Runoff and Storm water. Runoff containing sediment or other waste or byproducts, including, without limitation, fertilizers and pesticides, shall not be allowed to drain to the storm drain system, waterways, or adjacent lands, and shall additionally comply with all applicable State and federal regulations. A plan for compliance with this Section shall be proposed at the Application stage and included as a condition of approval.

R. Wastewater Discharge. Permittees shall submit verification of compliance with the Waste Discharge Requirements of the applicable Regional Water Quality Control Board, or waiver thereof. All domestic wastewater shall be disposed of in a permanent sanitary sewer or on-site wastewater treatment system (OWTS) with demonstrated adequate capacity. A plan for compliance with this Section shall be proposed at the Application stage. The plan must, at minimum, identify the amount of wastewater, excess irrigation, and domestic wastewater anticipated, as well as treatment and disposal facilities.

S. Pest Prevention. All Cannabis and Cannabis Products shall be kept commercially clean in respect to established pests of general distribution so that exposure to such pests is under effective control. Permittees shall comply with all applicable State and federal pesticide laws and regulations, including, without limitation, those enforced by the State Department of Pesticide Regulation. A plan for compliance with this Section shall be proposed at the Application stage. The plan must, at minimum, include the product name and active ingredient(s) of all pesticides to be applied to Cannabis during any stage of plant growth and integrated pest management protocols, including chemical, biological, and cultural methods the Permittee anticipates using to control or prevent the introduction of pests on the Cultivation Site.

T. Energy Use. Electrical power, including, without limitation, for illumination, heating, cooling, and ventilation, shall be provided by 100% renewable energy source or on-site zero net energy renewable source. A plan for compliance with this Section shall be proposed at the Application stage.

U. Noise Limits. Noise generated at the Premises shall comply with the Town's Noise Control requirements.

V. Hazardous Materials. No hazardous materials shall be used in conjunction with the Cultivation of cannabis at the Premises.

W. Waste Management. All Cannabis waste must be properly stored and secured to prevent access by the public. All garbage and refuse on the Cultivation Site shall be accumulated or stored in nonabsorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. No garbage and refuse generated in conjunction with the Cultivation of cannabis shall be allowed to accumulate for more than seven (7) calendar days, and shall be properly disposed of before the end of the seventh (7th) day. All non-Cannabis waste, including, without limitation, refuse, garbage, green waste, and recyclables, must be disposed of in accordance with Town and State codes, laws and regulations. A plan for compliance with this Section shall be proposed at the Application stage. The plan must address the storing, handling, and disposing of all waste by-products of Cultivation and, at minimum, characterize the anticipated amount and types of waste generated, identify the designated holding area(s) for Cannabis waste, and describe the operational measures that are proposed to manage, track/identify, and dispose of Cannabis waste in compliance with County and State standards.

X. Water Usage. Permittees must identify a water supply source adequate to meet all Cultivation uses on a sustainable basis for the Premises, provide the Department with proposed conservation measures, demonstrate that Permittee is in compliance with all statutes, regulations, and requirements of the State Water Resources Control Board, Division of Water Rights, and allow the Department and/or other County departments access to the Premises to monitor water usage. Domestic water sources must be from a

source permitted by the Town. A plan for compliance with this Section shall be proposed at the Application stage.

Y. Insurance Requirements: A Permittee shall maintain insurance in the amounts and of the types that are acceptable to the Town Manager or his or her designee. The Town of Portola Valley shall be named as additional insured on all city-required insurance policies.

Z. Indemnity: To the extent permitted by law, the Applicant shall indemnify, defend and hold harmless the Town, its Town Council, its officers, attorneys, employees and agents (the “indemnified parties”) from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the activity subject of the Cannabis Permit, including (without limitation) reimbursing the Town for its actual attorneys’ fees and costs incurred in defense of the litigation. The Town may, in its sole discretion, elect to defend any such action with attorneys of its own choice.

18.39.150 Record Retention

A. A Permittee shall keep and maintain the following records for at least seven (7) years from the date of permit issuance by the Town:

1. Financial records including, without limitation, bank statements, sales invoices, receipts, tax records, and all records required by the California State Board of Equalization, other State of California agencies, the Department, or other County departments;

2. Personnel records, including each employee’s full name, social security, or individual tax payer identification number, date of beginning employment, and date of termination of employment if applicable;

3. Training records, including, without limitation, the content of the training provided and the names of the employees that received the training;

4. Contracts with other Permittees;

5. Limited-access area logs and copies of current versions of any applicable plans required under this Chapter, including, without limitation, security plan, waste disposal plan, water management plan, water conservation plan, access restriction procedures, record keeping policy, odor and ventilation measures, energy usage plan, fire prevention plan, parking plan, and pest management plan; and

6. State permits, and other local Permits or authorizations to conduct Commercial Cannabis Activity.

B. A Permittee shall provide all books and records for review by the Department or its designee upon request. Records shall be kept in a manner that allows the Department, or its designee, to review the records in either hard copy or electronic form, whichever the Department requests. A Permittee may contract with a third party to provide custodial or management services of the records; however, such a contract shall not relieve the Permittee of its responsibilities under this Chapter.

18.39.160 Track and Trace Program

A. A Permittee must have an established account in a State-approved track and trace system prior to engaging in any Commercial Cannabis Activities. A Permittee may use any track and trace program approved by State agencies and shall comply with all State laws, rules, and regulations relating to track and trace, including, without limitation, system unique identifier (UID) requirements, user requirements, reporting requirements, and inventory requirements.

B. The Permittee is responsible for the accuracy and completeness of all data and information entered into the track and trace system. Data entered into the track and trace system must be accurate. Inaccuracies, if not corrected, may result in enforcement action against the Permittee.

C. The Permittee shall designate at least one track and trace system administrator who shall complete initial training prior to accessing the system and participate in ongoing training as required by the Department, the State, and/or their respective agents/designees. The designated administrator must maintain an accurate and complete list of any other track and trace system administrators and users and update the list immediately when changes occur.

D. It is a violation of this Chapter for any Person to intentionally misrepresent or falsify information entered into the track and trace system. The Permittee shall monitor all notifications from the track and trace system and resolve all the issues included in the notification in the time frame specified in the notification. A Permittee shall not dismiss a notification from the track and trace system until the Permittee resolves the issues identified in the notification.

18.39.170 Revocation or Suspension of Permit

A. Any of the following shall be grounds for revocation or suspension of a Permit:

1. Failure to comply with the terms and conditions of the Permit.
2. Any act or omission that violates the requirements of this Chapter, the County Code, or State rule, law, or regulation.
3. Any act or omission that results in the denial, revocation, or suspension of the Permittee's State Permit.
4. The Permit was granted on the basis of false material information, written or oral, provided knowingly or negligently by the Permittee.
5. Conduct of Commercial Cannabis Activities in a manner that constitutes a nuisance, where the Permittee has failed to comply with reasonable conditions to abate the nuisance.
6. The Permittee no longer meets the residency requirements of this chapter.

B. Revocation or suspension proceedings shall be conducted in accordance with Chapter 1.12, Code Compliance.

18.39.180 Enforcement and Penalties

A. Any activity in violation of this Chapter is hereby deemed a per se nuisance.

B. As part of any code compliance efforts, any Permittee found to be in violation of this Chapter shall be assessed in addition to the cost of code compliance a penalty in the amount of three times (3x) the amount of the Permit fee.

C. The remedies in this Chapter are in addition to and do not supersede or limit any and all other remedies provided by law. The remedies provided in this Chapter are cumulative and not exclusive.

18.39.190 Implementing Regulations

The Planning Commission shall have the authority to adopt regulations implementing this Chapter.

2. **AMENDMENT OF CODE.** Subsection Q is hereby added to Section 8.12.010 [Definition of nuisance] of Chapter 8.12 [Nuisance Abatement] of Title 8 [Health & Safety] is amended to read as follows:

“Q. A Commercial Cannabis Activity emitting odors that are detectible off site.”

3. **ANNUAL REVIEW.** For five years following adoption of this Ordinance, the Planning Commission shall conduct an annual review of this Ordinance. This annual review shall include the number of applications received, the number of permits issued, the number of complaints received and an assessment of whether modifications to the ordinance are required. Following the first annual review, in the Council’s reasonable discretion, the Council may direct the Planning Commission to extend the time periods for the review or to eliminate such review altogether.

4. **CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.** The Town Council hereby finds that this ordinance is not subject to the provisions of the California Environmental Quality Act (“CEQA”) because the activity is not a project as defined by Section 15378 of the CEQA Guidelines. The ordinance has no potential for resulting in physical change to the environment either directly or indirectly.

5. **SEVERABILITY.** If any part of this ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or the applicability of this ordinance to other situations.

6. **EFFECTIVE DATE AND POSTING.** This ordinance shall become effective 30 days after the date of its adoption and shall be posted within the Town in three public places.

INTRODUCTED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST

APPROVED

Town Clerk

Mayor

APPROVED AS TO FORM

Town Attorney



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Jeremy Dennis, Town Manager

DATE: April 11, 2018

RE: Letter of Interest to Join Peninsula Traffic Congestion Relief Alliance JPA

RECOMMENDATION

Staff recommends that the Town Council authorize the Mayor to sign a letter of interest to join the Peninsula Traffic Congestion Relief Alliance Joint Powers Authority (JPA) (Attachment 1).

BACKGROUND/DISCUSSION

The Peninsula Traffic Congestion Relief Alliance (a.k.a., Commute.org) is a public agency whose mission is to reduce the number of drive alone vehicles traveling to, from or through San Mateo County. Their goal is to help residents and commuters find alternatives to driving alone that are less stressful, less costly and better the environment. The agency provides information and commute planning assistance to employees, employer programs, and city transportation demand management partnerships. Portola Valley currently participates in their carpooling incentive programs and their “Guaranteed Ride Home” program.

Commute.org acts as San Mateo County’s Transit Demand Management agency and includes 17 cities/towns and the County of San Mateo as members. Only Portola Valley, Menlo Park and Woodside do not have members on the Board. This alliance of 17 cities and the County of San Mateo, is able to deal with transportation issues through an extensive network of allies. Developing and leveraging partnerships between public agencies, private sector employers and commuters has been essential in helping Commute.org to relieve traffic congestion in San Mateo County.

Commute.org receives funding from the City/County Association of Governments of San Mateo County (C/CAG), the San Mateo County Transportation Authority (TA), the Bay Area Air Quality Management District (BAAQMD) and the Metropolitan Transportation Commission (MTC). Additionally, Commute.org works with employers in the county to provide a portion of the funding for the shuttle program and their activities may also assist parties in meeting what is called “TSM” obligations for receipt of Measure A sales tax funds.

To join Commute.org, Portola Valley needs to join the Peninsula Traffic Congestion Relief Alliance JPA. Details of the membership in the JPA include:

- No financial contributions/requirements (e.g., no dues, no mandated projects) – the JPA receives 80% of their funding from grants and 20% from private sector partners.
- Every JPA member receives a seat on the board (currently 18) – board members must be one of the elected officials from the member organization (they ask each member to appoint a board member and an alternate). There are no term limits.
- Members attend five regularly scheduled meetings per year (typically held in mid-county to San Mateo/Foster City locations).
- Supervisory Committee – nine members, appointed by the board, typically six are staff from member cities, also includes up to three “partners” (e.g., C/CAG and TA). Committee members hold a three-year term; open seats are announced and any member can nominate one of their staff to be considered.
- Finance Committee – five members, appointed by the board, three are board members (or alternates), two are Supervisory committee members.
- No obligation for member cities to sit on either committee – most cities do not; however, it is always appreciated.
- Link to current board/committee members: <https://commute.org/aboutus/board-and-committees>

To start the process of joining the JPA, Commute.org needs to receive a letter of interest to join from the Town Council. Once the letter is received, Commute.org will put the item on their board’s agenda to start the JPA amendment process. The JPA structure requires the majority of current member cities/towns to approve an amended JPA agreement that includes the new member(s) via council resolution. The Portola Valley Town Council would also need to approve the amended JPA agreement. Commute.org is hopeful that Woodside and Menlo Park will join concurrently with Portola Valley, but have indicated that they won’t stall our request to join if those municipalities aren’t yet ready.

NEXT STEPS

Staff will return to the Council with a Resolution to adopt the amended JPA Agreement and at that time the Council may select a member and alternate to sit on the board.

FISCAL IMPACT

None.

ATTACHMENT

1. Letter of Interest to Join Peninsula Traffic Congestion Relief Alliance JPA

Approved by: Jeremy Dennis, Town Manager





Town of Portola Valley

765 Portola Road, Portola Valley, CA 94028 Tel: (650) 851-1700 Fax: (650) 851-4677

April 11, 2018

Commuter.org

Attn: Jeffrey Gee, Board Chair; John Ford, Executive Director
400 Oyster Point Blvd, Suite 409
South San Francisco, CA 94080

Re: Interest in Joining Peninsula Traffic Congestion Relief Alliance Joint Powers Authority

Dear Chair Gee and Mr. Ford:

On behalf of the Portola Valley Town Council, I write this letter indicating Portola Valley's interest in joining the Peninsula Traffic Congestion Relief Alliance (a.k.a., Commuter.org) Joint Powers Authority (JPA).

The Town Council recognizes the current challenges of traffic congestion and commuting to our residents and employees who work in town. The Council would like to join the JPA to have a place at the table with the alliance of 17 member towns and cities, both to better understand these challenges and how we might contribute to effective solutions in the future.

Portola Valley has a long-standing commitment to reducing greenhouse gas emissions and taking action to reduce our impact on the environment. The Council support the JPA's mission to reduce traffic congestion and air pollution through programs designed to reduce the number of single occupant vehicles traveling on streets and highways in San Mateo County, with the goal of helping residents and commuters find alternatives to driving alone that are less stressful, less costly and better the environment.

We understand that there are no financial obligations or contributions required to join the JPA and that the Council must appoint one elected official as a Board member and alternate to attend the five regularly scheduled meetings per year. The Council looks forward to the Board approving our request to join the Peninsula Traffic Congestion Relief Alliance JPA and will agendize the Resolution to approve the amended JPA agreement, once it is available.

Sincerely,

John Richards
Mayor
Town of Portola Valley

COMPREHENSIVE PLAN FOR TOWN OWNED OPEN SPACES. CONSERVATION COMMITTEE 2018

The Town has acquired these parcels of various sizes over the years in various ways. They are widely divergent in recreational value, accessibility and importance to Town life.

Conservation Committee has been carrying out irregular, informal oversight of these parcels for many years.

Parcel numbers refer to the document "Town Owned Property Assessment Report" which is attached.

GOALS:

1. Enhance resident experience and enjoyment of the valuable areas.
2. Assist Public Works in the optimal maintenance and appropriate improvement of Town owned Open Spaces.
3. Optimize and improve significant properties rather than focusing on merely maintaining status quo. Prevent deterioration.
4. Focus attention and expenditures on most important sites and most cost-effective projects.

THESE PROPERTIES FALL INTO 3 GENERAL GROUPS:

1. MOST IMPORTANT PARCELS:

These parcels are important to the Town for a variety of reasons. They are larger, more centrally located and have an important role in the life of the Town's residents. Conservation Committee has assumed responsibility for more careful oversight of the ongoing maintenance of these parcels.

1. Spring Down (#4 and #31)
2. Frog Pond – (#22)
3. Ford Field – (#3 and #9)
4. Town Center – (#1)
5. Rossotti's Field – (#2)

2. BENIGN NEGLECT/To Be Determined GROUP:

These parcels are too small, too inaccessible or too steep to warrant much attention. These are mostly remainder parcels. No Town funds are needed for maintenance except in unusual circumstances. Occasional investigation to ensure no hazards have developed is sufficient.

3. INTERMEDIATE PARCELS:

The remaining parcels on the list warrant more than benign neglect, but do not need as much attention as Most Important group.

Because they are so different one from another, each will need an individualized oversight and maintenance plan. Thereafter, these should have a review every few years and suggestions for remediation or maintenance made as needed.

-Triangle Park (has no number),

#26 Blue Oaks/Los Trancos Neighborhood pond.

-#32 Dengler.

-#33 Shady Trail parklet.

-Roadside strips

- #12, 24 and 29) long Alpine Road strip along ROW

- #27 long strip along Los Trancos Road along ROW

- #30 740 sq ft on Cima Way along ROW

ACTION PLANS

1. MOST IMPORTANT PARCELS

CC Subcommittees will create individual plan and execute ongoing oversight for each. Input from Open Space, Parks and Rec, and Trails committees will be included.

These plans are being finalized now and will be submitted to Council soon for funding in FY 2018-9. We anticipate working closely with Public Works to implement these plans.

2. BENIGN NEGLECT/To Be Determined GROUP:

CC should not have responsibility for these parcels.

We suggest that the Council investigate divesting the Town of these random small parcels where feasible/legal/appropriate.

A. Parcels Town might shed:

- Since additional acreage allows extra square footage for any additions and more lot coverage, these may have some economic value to adjacent landowners. #10, 14, 20
 - If title change is not possible, encourage the owners of adjacent lots to adopt these parcels and report to the Town any safety issues that arise? #10, 14, 20
- #19 – Moorshead might want? Exchange for strip along property line behind town center?
- “Sinkies” # 16, 17, 18 and 21 to neighbors?

- #11 and 13 – These lie deep within Open Space and are indistinguishable from surroundings. The history and provenance of those parcels needs to be better understood, but we suggest that they be absorbed into either PVR or Blue Oaks Open Space.
- #23 A narrow strip, .02 acres of ROW along Escobar, 30'X350' emergency easement. Used as parking for Jasper Ridge Escobar entrance. Recommend donating to JRBP.

B. Keep. #28, #34, #25 (upper Blue Oaks Trail along seasonal creek.) No plan needed for these parcels. Town staff and not CC should be responsible for occasional oversight.

3. INTERMEDIATE PARCELS:

Each needs a one time individualized oversight and maintenance plan. Thereafter, these should have an occasional review and suggestions for remediation or maintenance made as needed.

The roadside strips should be treated as ROW and maintained as such with appropriate mowing and perhaps wildflower seeding.

No plan will be submitted this year for these parcels. We anticipate having action plans for these parcels in time for 2019 – 20 FY.

ATTACHMENTS:

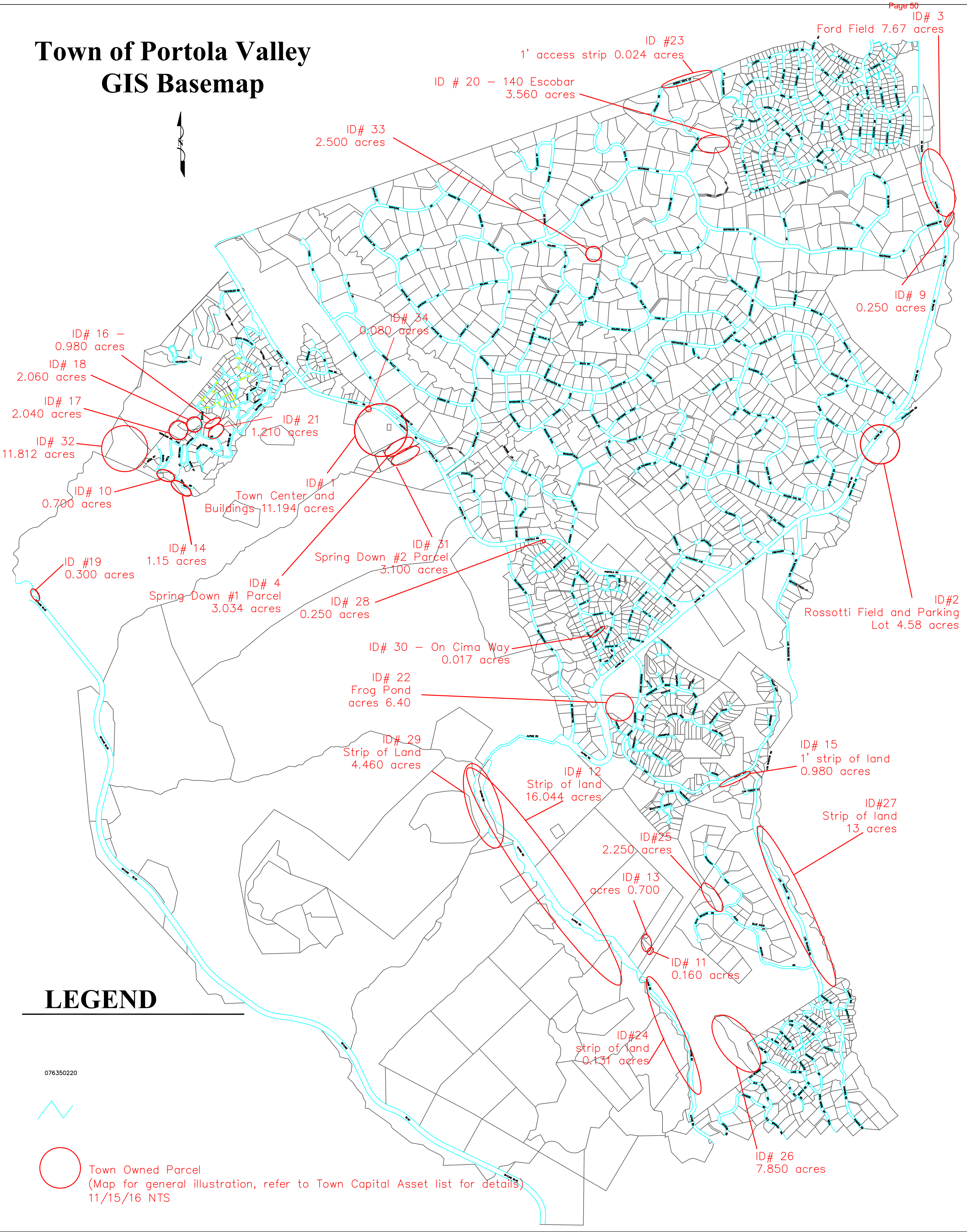
1. *“Town Owned Property Assessment Report”*
2. *Map of Town Owned Open Spaces – Town of Portola Valley GIS Basemap*

Town-Owned Property Assessment Report										
ID #	APN #	Size (ac)	Description	Zoning District	Land Use Category	History	Sewer/Septic	Geo Category	Other Notes	Legal Issues
1	076-270-080 076-270-050	11.19	Town Center	R-E/3.5A/SD-2/D-R	Community Park	PV School District sold land to Town in 1976 for \$120,000.	Sewer line on Portola Road	Pf/Sun	<ul style="list-style-type: none"> Portola Road scenic corridor Fault line over portions of parcel 	
2	079-123-120	4.580	Rossotti Field and Parking	OA(R-E/1A/SD-1)	Community Park	In January 1981, the Town purchased the property from Beltramo and Rossotti for \$312,000. Condition is for land to be used only for parking, recreational or open space purposes. The agreement notes that "open space purposes" shall not be construed to include residential uses.	Sewer line on Alpine Road	Sun	<ul style="list-style-type: none"> Only regulation-sized soccer field in Town; well-used Annual parking lot lease with Alpine Beer Garden In Los Trancos Creek setback area (55 ft from top of bank) 2 equestrian easements Alpine Road scenic corridor Sale Agreement prohibit residential use 	
3	077-272-010	7.67	Ford Field and Open Space Preserve	OA(R-E/2A/SD-2)	Community Park	Grant Deed dated 2/24/71 to acquire land from Hare Brewer and Kelley for \$90,000. (Reso. 34-1965)	Sewer line on Alpine Road	Sun	<ul style="list-style-type: none"> Baseball diamond and parking lot In Los Trancos Creek setback area Public Park, scenic corridor, well-used Alpine Trail Ingress/egress driveway easement (Kelly property) 	
4	076-280-140	3.03	Springdown Open Space (parcel 1)	R-E/3.5A/SD-2/D-R	Community Park/Preserve	Agreement of Sale with the Goodsteins dated April 7, 2000, purchased land for \$1,625,000	Sewer line on Portola Road	Sbr/Pf	Open space preserve, half of the open space. See parcel ID #31.	Deeded for Open Space purposes. Grant Deed June 29, 1982
9	077-272-020	0.250	Land: 0 Alpine	OA(R-E/2A/SD-2)	Community Park	~20' x 150 long narrow strip of easement next to Ford Field, 18-RSM-PG048	Sewer line on Alpine Road	Sun		
10	076-192-260	0.700	Land: 0 South Court	R-E/1A/SD-1a	Conservation Residential	Motmans gave the land to the Town for open space purposes 2/26/1976.	Septic	Md/Pd	Landslide Parcel at top of wayside road	
11	080-250-430	0.160	Land: 0 Alpine	PC/2A/SD-1	Open Residential	Irregular remainder parcel surrounded by blue oaks open space	Septic	Ps	Remainder parcel, PV Ranch. Encumbered by an open space easement limiting the use of the property to open space and computable uses (e.g. agricultural use, grazing). It does provide that the open space easement could be abandoned pursuant to Section 51061.	
12	080-250-160	16.04	Land: 0 Alpine (Bovet Pk, Parcel C)	PC/2A/SD-1	Scenic Corridor & Greenway	Grant Deed 3/12/68 dedicated to Town for road easement		Sun/Pd/Ps/Md	Long narrow strip of land along Alpine road ROW. Max width ~100' with alpine road running through the land.	Deeded for Parks and Recreation purposes. Grant Deed September 5, 1975
13	080-250-440	0.700	Land: 0 Alpine (Portion Parcel 2 of PM)	PC/2A/SD-1	Open Residential	Irregular remainder parcel surrounded by blue oaks open space	Septic	Sbr/Ps	Remainder parcel, PV Ranch. Encumbered by an open space easement limiting the use of the property to open space and computable uses (e.g. agricultural use, grazing). It does provide that the open space easement could be abandoned pursuant to Section 51061.	
14	076-192-090	1.150	Land: 0 Wayside	R-E/1A/SD-1a	Conservation Residential	Burroughs property dedicated to the Town as neighborhood preserve, December 31, 1974	Septic	Md	Landslide parcel	
15	080-511-050	0.980	Land: 0 Valley Oak (Lot T, 1' strip PVR)	PC/2A/SD-1	Conservation Residential	Lot T of PV Ranch, ROW along Valley Oak St.	Septic	Sun	1' strip of land that runs along valley oak	
16	076-184-030	0.980	Land: 0 Wayside	R-E/1A/SD-1a	Conservation Residential	Town acquired as Open space preserve October 4, 1974	Septic	Md	Woodside Highlands landslide parcels given to town	
17	076-181-150	2.040	Land: 0 Buena Vista	R-E/1A/SD-1a	Conservation Residential	Town acquired as Open space preserve October 4, 1974	Septic	Md	Woodside Highlands landslide parcels given to town	
18	076-181-160	2.060	Land: 0 Wayside	R-E/1A/SD-1a	Conservation Residential	Town acquired as Open space preserve October 4, 1974	Septic/TBD County	Md	Woodside Highlands landslide parcels given to town	
19	076-330-050	0.30	Land: 0 Skyline	M-R/7.5A/SD-3/DR	Scenic Corridor & Greenway	Landslide property	Septic	Pmw	<ul style="list-style-type: none"> Intersection of old la honda road and skyline, corner of intersection. Used to be centerline of Old Ridge Road ROW. Remainder parcel. Skyline is a scenic highway, no tree or vegetation removal within 100' Pmw geo designation: steep to very steep slopes, fractured bedrock 	

20	077-080-120	3.56	Land: 140 Escobar	R-E/2.5/SD-2.5	Low Intensity Residential	Westridge developers offered the steep lot to the Town as open space in October 21, 1971.	Septic	Ps/Ms	• Moving shallow landslide, trail easement and scenic easement over portions of property.	Gifted to the Town with the Intent as open space. "This land adjoins a scenic easement and would be a logical addition to it and the open space program, which we hope the community would be able to enjoy" Westridge Subdividers, Ltd. October 20, 1971
21	076-244-020	1.210	Land: 0 Tynan	R-E/1A/SD-1a	Conservation Residential	Town acquired Tax Delinquent Parcel as open space in June 3, 1975.	Septic	Md	Landslide parcel	
22	080-432-010	6.400	Land: 0 Bear Paw (Frog Pond)	PC/2A/SD-1	Neighborhood Preserve	Lot E of PV Ranch Subdivision. Grant Deed to Town 9/26/75 for Park and Recreation Purposes.	Sewer near PV Ranch	Sun	Deed prohibit construction of permanent building on land and reversion of title to the grantor in the event the property is not used for PR purposes or in the event the conditions of the deed is violated.	
23	077-080-220	0.024	Land: 0 Escobar	R-E/2.5/SD-2.5	Low Intensity Residential	Long narrow strip along Escobar ROW per parcel map 4PM-PG003, Sept. 1967	Septic	Sbr	Part of 30' x 350' emergency easement	
24	080-241-430	0.131	Land: 0 Los Trancos	M-R/7.5A/SD-3/DR	Scenic Corridor & Greenway	bottom of valley	Septic	Pd/Ps		
25	080-241-400	2.25	Land: 0 Los Trancos Parcel F	R-E/3.5A/SD-2/D-R	Neighborhood Preserve/Residential Open Space Preserve	Par. F Blue Oaks Sub. Rsm 128/64-92 Open Space - Trail. Redberry Preserve	Septic	Sbr/Pf	• Skyline is a scenic highway, no tree or vegetation removal within 100'	Neighborhood Preserve required to be dedicated as part of subdivision to satisfy 5% (13.2 acres total) land requirement for park and recreation areas.
26	080-241-390	7.85	Land: 0 Los Trancos Parcel D	M-R/7.5A/SD-3/DR	Neighborhood Preserve	Parcel B, C, D, F Fee dedication to the Town for open space and neighborhood preserve purposes. Blue Oaks Subdivision, June 1998 128-RSM-PG064	Septic	Sbr/Ps/Pd	<ul style="list-style-type: none"> • Adjacent to 2 water district parcels • Adjacent to 0.12 parcel acquired from Los Trancos County Water District in 2015 that is subject to MROPSD conservation easement • Lake Trail/Old Spanish Trail pass through N and S ends of parcel • Relatively steep near NE end of parcel • Possible access via adjacent Lake Road cul-de-sac • Subject to Blue Oaks "open space neighborhood preserve purposes", "for passive recreational use" • Land flattens adjacent to lake 	Neighborhood Preserve required to be dedicated as part of subdivision to satisfy 5% land requirement (13.2 acres total) for park and recreation areas.
27	080-241-380	13.00	Land: 0 Los Trancos Parcel C	R-E/3.5A/SD-2/D-R	Residential Open Space Preserve	Parcel B, C, D, F Fee dedication to the Town for open space and neighborhood preserve purposes. Blue Oaks Subdivision, June 1998 128-RSM-PG064	Septic	Ps/Pdf/Sis	<ul style="list-style-type: none"> • Los Trancos Creek and road setbacks means only narrow strip at center of parcel would be developable • Open space easement 	Portions of the parcel (3.1 acres) required to make up for 5% land dedicated to Town for the subdivision. The entire parcel dedicated as open
28	079-151-280	0.250	Land: 0 Portola	R-E/1A/SD-1a	Low-Medium Intensity Residential	Town purchased land as part of flood control work (bridge) work in March 3, 1988	Sewer line on Portola Road	Sun	Town purchased land to facilitate construction of Portola Brookside bridge	
29	080-250-080	4.46	Land: 0 Alpine (Bovet Strip Park)	PC/2A/SD-1	Scenic Corridor & Greenway	Grant Deed 3/12/68 dedicated to Town for road easement	Septic	Pd/Sun	Long narrow strip of land along Alpine road ROW.	Deeded for Parks and Recreation purposes. Grant Deed March 1, 1965
30	079-181-220	0.017	Land: Cima Way	R-1/15M	Low-Medium Intensity Residential	Agreement of Sale 11/30/81, town purchased from SMC for \$152.00 for ROW street purposes	Septic	Sbr	Small sliver of road ~740SF that part of the ROW	
31	076-280-150	3.10	Land: Springdown Parcel #2	R-E/3.5A/SD-2/D-R	Community Park/Preserve	April 7, 2000, Agreement of Sale with the Goodsteins for \$1,625,000	Sewer line on Portola Road	Sun/Pf	Open space preserve, half of the open space. See Parcel ID #4.	Deeded for Open Space purposes. Grant Deed June 29, 1982

32	076-170-030	11.81	Land: Kersten Parcel	R-E/3.5A/SD-2/D-R	Conservation Residential	Dangler Open Space Preserve donated to Town in 2005. A trail project started after the Kersten family donated what is now the Herb Dangler Preserve. Along with the donation of the property an additional \$25,000 was included for trail construction and maintenance. With this seed money the Trail Committee began working with the Public Works department to design an extension to the existing trail system. In December 2007 Bill and Jean Lane donated an additional \$25,000 towards the construction costs and the Trails Committee allocated \$10,000 from the FY70/08 trails budget to cover the estimated cost of \$60,000. The budget and initial design was approved by the Town Council on December 7, 2007.	Septic	Md/Od/Sl	Landlocked. No access except through Town of Woodside.	Deeded for Open Space purposes. Grant Deed November 29, 2005
33	077-212-140	2.50	Land: Shady Trail/Westridge	R-E/2A/SD-2a	Low Intensity Residential	Formerly Michael Tevis property. Town purchased flag lot to preserve as open space in November 16, 2007. Town contributed \$100,000 from Open Space Acquisition Fund. Per resolution 2373-2007, residents of the Town contributed the balance of the purchase price so \$1,595,000 to the Town to assist with the purchase to keep it in its open space condition.	Sewer line on Golden Hills	Sun/Ps		Deeded for Open Space purposes. "This land being transferred is to be kept in its natural state consistent with public safety, no structure may be placed or constructed on the land and no parking shall be allowed on the land". Grant Deed November 16, 2007
34	076-262-020	0.080	Land: 815 Portola Rd	R-E/3.5A/SD-2/D-R	Scenic Corridor & Greenway	Acquired as part of Christ Church LLA, Part of PV Town Center parking lot.	Sewer on Portola Road	Pf		
	ROW	0.620	Triangle Park	C-C	Scenic Corridor & Greenway	Triangle Park, road ROW, not a parcel	Sewer on Portola/Alpine	Sun		
	ROW		Alpine Road ROW adjacent to Corte Madera School							

Town of Portola Valley GIS Basemap



ID# 3
Ford Field 7.67 acres

ID #23
1' access strip 0.024 acres

ID # 20 - 140 Escobar
3.560 acres

ID# 33
2.500 acres

ID# 9
0.250 acres

ID# 34
0.080 acres

ID# 16 -
0.980 acres

ID# 18
2.060 acres

ID# 17
2.040 acres

ID# 32
11.812 acres

ID# 10
0.700 acres

Town Center and
Buildings 11.194 acres

ID# 21
1.210 acres

ID# 14
1.15 acres

ID #19
0.300 acres

ID# 4
Spring Down #1 Parcel
3.034 acres

ID# 1

Spring Down #2 Parcel
3.100 acres

ID# 28
0.250 acres

ID# 30 - On Cima Way
0.017 acres

ID# 22
Frog Pond
acres 6.40

ID# 29
Strip of Land
4.460 acres

ID# 12
Strip of land
16.044 acres

ID# 15
1' strip of land
0.980 acres

ID#27
Strip of land
13 acres

ID#25
2.250 acres

ID# 13
acres 0.700

ID# 11
0.160 acres

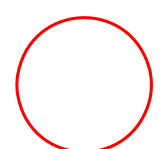
ID#24
strip of land
0.131 acres

ID# 26
7.850 acres

ID#2
Rossotti Field and Parking
Lot 4.58 acres

LEGEND

076350220



Town Owned Parcel
(Map for general illustration, refer to Town Capital Asset list for details)
11/15/16 NTS

Spring Down Open Space

Spring Down Open Space is one of the most accessible, prominent, and irreplaceable of the Town's Open Space properties. When acquired by the Town, the 6-acre property was envisioned as a tranquil natural area in very close proximity to parking, trails, and Town Center activities. It is more than fulfilling that promise. Its large, gently sloped meadow is shielded from Portola Road traffic and other activities by a wooded perimeter of primarily Coast Live Oaks and Coast Redwoods, many of them heritage trees. In the south corner of the property, there is a small pond with a protective stand of Red Willows on one side and a meadow seeded with native grasses and wildflowers on the other. A meandering loop path provides open views across the property, as well as close-up views of the pond and associated wildlife, especially waterfowl. For passersby on Portola Road and adjoining trails, Spring Down is emblematic of the Town's rural aesthetic and is a gem of the scenic corridor.

The Town's goals for Spring Down were ambitious and visionary given the property's condition when purchased—the meadow was dominated by equestrian facilities, and the pond was anoxic, full of construction debris and a chain link fence, and surrounded by impenetrable willows. An Ad Hoc Spring Down Master Plan Committee recommended in 2011 a two-stage process of land and pond restoration. Transforming the pond was the biggest challenge. It took six years of planning and permitting before the most sensitive work—relocating dusky-footed woodrats, a State special-status species—could be carried out, which was necessary before heavy equipment could remove the construction debris from the pond, clear the willows on the west side of the pond, re-contour the pond, and grade the area north and west of the pond to channel drainage of overflow. All of this was accomplished in 2017. By January 2018, a meadow of California poppies, Clarkias, yarrow, lupines, and other wildflowers was establishing on the west side of the pond, and a barn owl nest box was mounted in a Coast Redwood northeast of the pond, where it is ideally situated for barn owls to hunt in the open meadow. The nest box will be opened when use of rodenticide ceases on nearby Town properties. Since February 2018, mallards and a Great Blue Heron have been seen regularly on the pond, an almost immediate illustration of the rich avifauna that the property can support.

The Conservation Committee's firm view is that this idyllic property should continue to be protected as inviolate Town Open Space. Spring Down's unique combination of pond habitat and peaceful meadow, enrich the Town Center complex by providing a space for reflection and nature appreciation.

Goals:

1. Engage the community
 - a. Integrate Spring Down with established trail networks by identifying and establishing connector paths with the Town Center campus and Portola Road trails.
 - b. Build awareness about Spring Down with Town messaging on Facebook, PV Forum, and other media.
 - c. Utilize the educational value of Spring Down by encouraging local science classes and school groups to visit and observe.

- d. Enhance appreciation of nature by installing a live trail camera, perhaps focused on the pond or on the barn owl nest box when it is opened.
2. Control negative impacts on Spring Down
 - a. Prevent damage from cars driving or parking on the property by installing suitable barriers where needed.
 - b. Discourage overuse by limiting amenities to those which protect wildlife and habitat, and by maintaining paths that concentrate foot traffic in the right places.
 - c. Protect sensitive areas such as the pond margin, which might need an all-season path or boardwalk.
3. Enhance the habitat value and rural character of Spring Down
 - a. Establish restoration priorities, policies, and schedules for introducing suitable native plants and removing invasive non-native plants, taking into account the habitat needs of wildlife.
 - b. Maintain ecological connectivity by limiting fencing; existing fencing is in keeping with the rural character and may be consistent with habitat needs, but no additional fencing should be permitted.
 - c. Provide adequate protection to wildlife by requiring that dogs stay on leash, and by periodically evaluating changes in vegetation that interfere with wildlife, such as future overgrowth of the willow stand.
4. Enhance Spring Down Preserve's contribution as one of the loveliest views along the Scenic Corridor
 - a. Open pockets of view from Portola Road to the western hills.

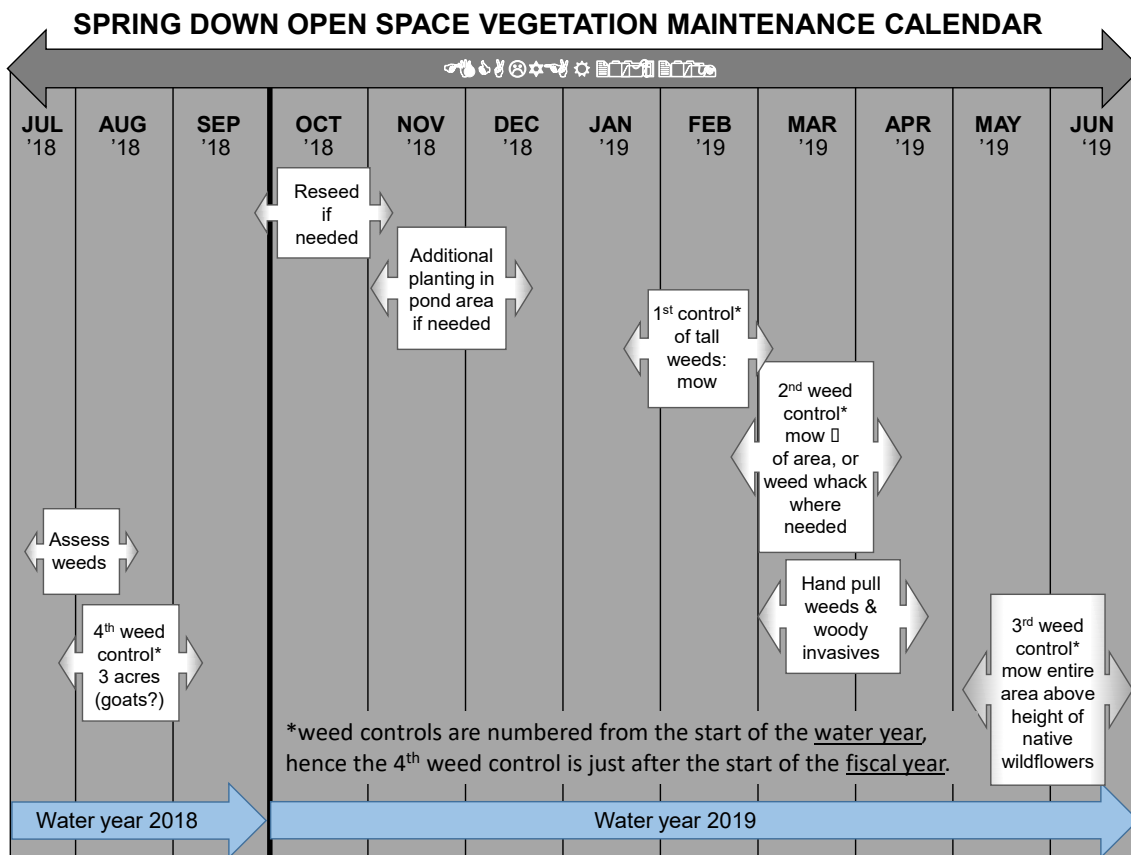


ACTION PLAN for Springdown Open Space

Conservation Committee will visit the site monthly to monitor. We anticipate working closely with Public Works and GoNative. We will make recommendations to Public Works about the optimum timing of implementing the items in the maintenance plan and any necessary specific additional tasks.

Remainder of fiscal year 2017-2018 – Focus on weed control. Strategic mowing and weed whacking to decrease the prevalence of invasive weedy grasses and thistles and prevent any further seeding of invasives. This will encourage the natives that have survived there to grow and bloom.

Fiscal year 2018-2019 – Continued focus on weed control with strategic mowing, weed whacking, hand weeding and possibly goats. New emphasis on increasing the beauty of the meadow and improving habitat conditions by seeding and planting of wildflowers and natives as needed in the fall. Monitor the various microclimates and habitats to develop a plan for appropriate differential care (sun vs shade, wet vs dry, etc.)



We request the following for 2018-9 – in our order of Priority:

1. Adequate budget to Public Works to continue the regular strategically scheduled maintenance, earmarked for this specific purpose.
 - a. Staff to provide cost estimate.
2. Lighten the low canopy of the big oak tree on north side next to the sand pile. 2 dead branches should be removed for safety. A large live drooping forked branch should be cut back to before the fork.
 - a. Staff to provide estimated one time cost of arborist pruning.
3. Cut down and remove the small oak tree growing too close to the big Live Oak tree in middle of the meadow (where the tree of heaven has been taken out). Remove the remaining trunk pieces of the tree of heaven left on the ground.
 - a. Minimal cost
4. Limb up the large Live Oak remaining in the center of the meadow. This tree shows great vigor and, if properly limbed up and opened up in its canopy, has the potential to develop into a true heritage tree, a focal point for the whole preserve. This needs to be done under the supervision of an arborist.
 - i. Staff to provide one time cost of arborist.

5. Cease rodenticide use in Town Center to allow opening of the Owl boxes.
 - a. Staff to provide estimated cost of trapping
6. Selectively thin vegetation between Portola Road and Spring Down Open Space. Remove invasives. Protect native vegetation between trail and road; open more widely between trail and Spring Down meadow. Includes, but not limited to (in general order of priority):
 - a. Cut the Acacia trees on the right-of-way
 - b. Remove the 2 small dead Toyons near Eucalyptus tree # 1
 - c. Remove all new sprouting along Eucalyptus stump # 2
 - d. Remove the Monterrey Pine
 - e. Remove the 2 large re-sprouting multi-trunk Eucalyptus #3 and #4 along Portola Road. They get more expensive to remove with each year's additional growth. They are an eyesore and the increasingly sizeable sucker stems are unstable and dangerous. Cut them as close to the ground as possible.
 - i. The re-sprouting Eucalyptus near White property (#4) provides shade and protection from the road desirable to Trails committee. When this tree is removed, shrubbery will be planted to mitigate the sight and sound of the road. The many close oaks which now are bending away from or stunted by the large eucalyptus will soon spread their canopy into the higher open area and provide significant shade to this portion of the trail.
 - f. Limb up the larger oaks along meadow side of trail.
 - g. Remove many of the small crowded acorn sprouted oaks along the trail.
 - h. Staff to provide cost estimate.
7. Replace the metal stake fencing uprights along Portola Road Trail. Leave the existing old wooden uprights and open wire fencing which has historical esthetic value and is an aid to horses on the trail. Replace the metal stake fence with a simple wooden top crossbar fence of weathered wood, leaving an opening for the access path.
 - a. Staff to provide cost estimate
8. Install a live trail camera focused on the pond with live feed to Town website.
 - a. Staff to provide estimated cost
9. Establish a Monarch butterfly habitat. Conditions for this are good along the pond overflow swale.
 - a. In Conservation Committee budget.

Going forward 2019-2020+

1. Continue a strategic yearly maintenance schedule that will minimize the re emergence of weedy invasives and encourage wildflower meadow to thrive.
2. Consider building a boardwalk from the perimeter path to the pond if monitoring shows it would be useful.
3. Identify with precision where property line is between Spring Down and White property. There is a large heritage oak along that line that would benefit from clearing underneath and arborist pruning.

4. Open a more generous view window from the street to the western hills to enhance the Scenic Corridor.
 - i. In area of acacia removal, remove vegetation on SpringDown side of trail to allow a clear view.
 - ii. **OR**, as Trails representative suggests, there is an already open area blocked only by the end of the berm where there is large dead Eucalyptus stump. Opening a window here by grinding out the old Eucalyptus stump and re-grading to lower the eastern 20 feet of the berm would require removal of very little vegetation.



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Jeremy Dennis, Town Manager

DATE: April 11, 2018

RE: Study Session, Green Infrastructure in Setbacks

RECOMMENDATION

Staff recommends that the Town Council provide feedback on this Study Session regarding green infrastructure in setbacks.

BACKGROUND

Staff has been reviewing various requests made by residents over the last year regarding opportunities to put various non-building structures (such as water tanks, solar panels, and greywater systems) in setbacks.

Although there have not been many such requests, staff believed that a discussion at the Council level was warranted, given:

1. The diversity of the types of lots in Portola Valley
2. Previous requests related to solar panels in the setback
3. A desire to provide a potential opportunity to further promote sustainable activities for the maximum number of residents

DISCUSSION

For the purposes of this Study Session, the following definitions have been made:

1. Setback – in the Town’s code, the term “yard” is used to define what most jurisdictions (and residents) refer to as setback requirements. A setback is defined as the space outside of the building envelope where the placement of constructed items is severely limited. Town code only allows landscaping, paths and retaining walls, and parking surfaces in most setbacks.

Depending on its zoning, a setback can vary in size (Attachment 1). The Town has additional special setback rules for scenic corridors, fault lines, and creeks (Attachment 2).

2. Green Infrastructure – staff has broadly defined “green infrastructure” to include at least the following:
 - a. Rainwater Collection Tanks
 - b. Solar Panels
 - c. Solar Thermal Systems
 - d. Battery Storage
 - e. Greywater Systems
 - f. EV Charger (when parking is in setback)
 - g. Bio Swales and other drainage systems
 - h. Stormwater Processing
 - i. Green Parking lot infrastructure
 - j. Vegetation Filler Strips
 - k. Rain Barrels

This list is not exhaustive, and could include additional items.

Intention of Setbacks (Yards)

Typically, a setback is intended to provide space between adjacent property owners where infrastructure does not impact private property enjoyment (e.g., views, noise, etc.). The Town’s Code does not define the intentions of having “yards”.

Purpose of a “Green Infrastructure in Setback” Program

Depending on the location in Portola Valley, some lots may not be able to otherwise accommodate green infrastructure given the:

- Shape/size of the lot
- Access to sunlight
- Geology/slope
- Height restrictions and Design Guidelines encouraging lower rooflines (and therefore greater lot coverage)

Staff does not have enough information to know whether there are a substantial number of lots in Portola Valley that cannot otherwise accommodate such infrastructure without a provision in the code to do so in the setback.

Questions for Council

Staff would like input from the Town Council on the following:

1. Do you believe that such a program is needed?

2. If such a program is warranted, should the overriding methodology:
 - a. Support minimizing visibility/impacts of green infrastructure, or
 - b. Support green infrastructure expansion with secondary regard to impacts?
 - i. Large vs small lots will be impacted in different ways
 1. Aesthetics
 2. Noise
3. Should green infrastructure be allowed in setbacks if no one could reasonably be impacted by its installation?
4. How should setbacks along public right-of-ways be treated?
 - a. Driver/trail user visibility impacts?
 - b. Other aesthetics?
 - c. Would not including properties adjacent to public right-of-way be equitable? Would excluding scenic corridors, but not side setbacks?
5. Should installation of green infrastructure in setbacks allow for alteration to the natural environment (removal of trees, etc.)? Should it be required to be restored, like other mitigation programs implemented by the Town (e.g., construction, construction staging, etc.)?
6. Should impervious surface requirements (such as a concrete pad for certain sized water tanks) be allowed in setbacks? Exempt for green infrastructure?
7. Review of such infrastructure
 - a. Staff level? ASCC? Others?

FISCAL IMPACT

None at this time. Changes to the Town's Municipal Code may result in future costs associated with code updates and/or other unanticipated issues.

ATTACHMENTS

1. Portola Valley Municipal Code Section 18.48.010
2. Portola Valley Municipal Code Section 18.58

Approved by: Jeremy Dennis, Town Manager

18.48.010 - Basic requirements.

The following tables, Table 1 and Table 2, set forth the basic parcel area, open space and bulk regulations which apply to all districts. These basic regulations are further defined and supplemented by additional requirements and exceptions in subsequent chapters. For convenience, the numbers of these chapters are set forth in column headings in the tables.

TABLE NO. 1
BASIC AREA, OPEN SPACE, BULK AND DENSITY REGULATIONS FOR
RESIDENTIAL DENSITY COMBINING DISTRICTS

Column 1	Column 2	Column 3			Column 4	Column 5	Column 6	Column 7
	<u>Ch. 18.50</u>	<u>Ch. 18.52</u>				<u>Ch. 18.54</u>		<u>Ch. 18.56</u>
Combining District	Parcel Area Square Feet	Required Yards, Feet least Depth or Width			Height Limit Feet	Maximum Ht. Limit Feet	Maximum Floor Area Square Feet	Maximum Impervious Surface Square Feet
		Front	Rear	Side				
(7.5 M)	7,500	20	20	5	15-28*	34	3,019	2,231
(15 M)	15,000	20	20	10	15-28*	34	3,623	3,877
(20 M)	20,000	20	20	10	15-28*	34	3,910	5,090
(1 A)	43,560	50	20	20	28	34	5,260	7,808
(2 A)	87,120	50	20	20	28	34	7,013	11,358
(2.5 A)	108,900	50	20	20	28	34	7,514	13,177
(3.5 A)	152,460	50	25	25	28	34	8,065	15,566
(5 A)	217,800	50	25	25	28	34	8,766	17,370

(7.5 A)	326,700	50	25	25	28	34	9,581	19,822
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* See Section 18.54.020 (B)

a) To determine the maximum amount of floor area or impervious surface permitted on a parcel, the figures from Table 1 must be inserted in Tables 1A and 1B to determine the Adjusted Maximum Floor Area and Adjusted Maximum Impervious surface. The Adjusted Maximum Floor Area and Adjusted Maximum Impervious Surface figures then supersede the Maximum Floor Area and Maximum Impervious Surface figures from Table 1.

b) For parcels over 7-1/2 acres and up to 10 acres, the floor area can be increased at the rate of 216 square feet per acre to a maximum of 10,121 square feet, and the impervious surface can be increased at the rate of 794 square feet per acre to a maximum of 21,807 square feet. For parcels 10 acres and larger, floor areas and impervious surfaces may exceed these limitations when a conditional use permit is granted therefor as provided in Chapter 18.72. The resultant floor area and impervious surface figures are to be inserted in Tables 1A and 1B to determine the Adjusted Maximum Floor Area and Adjusted Maximum Impervious Surface.

**TABLE 1A
COMPUTATION OF ADJUSTED MAXIMUM
FLOOR AREA**

1.	Enter parcel area. (____ acres)	— <u>sf</u>
2.	Enter 0.5% of parcel area for each 1% of average slope or parcel. (_____% slope) (Slope shall be measured as specified in <u>Section 18.50.041</u> .)	<u>less</u> — <u>sf</u>
3.	Enter 50% of any area on a parcel classified as Pmw, Ms, Pd, Pdf, Psc or Pf on the Town's Ground Movement Potential Map. (Total area classified as Pmw, Ms, Pd, Pdf, Md, Psc or Pf: _____ sf.)	<u>less</u> — <u>sf</u>
4.	Enter 50% of any parcel area classified as floodplain area on the Flood Insurance Rate Map referenced in <u>Section 18.32.030</u> . (Total area in floodplain _____sf [Exclude any area (_____sf) identified in item 3. above.] ^a	<u>less</u> — <u>sf</u>

5.	Sum lines 1—4 to obtain Adjusted Parcel Area (APA) (_____ acres)	<u>APA</u> — <u>sf</u>
6.	Calculate Adjusted Maximum Floor Area (AMFA) as follows:	

	a.	If APA is the same as or less than the minimum parcel area for which the combining district in which the parcel is located, determine AMFA directly or by interpolation from Table No. 1.	<u>AMFA</u> — <u>sf</u>
	b.	If APA is greater than the minimum parcel area for the combining district in which the parcel is located, determine AMFA as follows:	
	(1)	Determine maximum floor area by interpolation from Table No. 1 using APA from line 5.	— <u>sf</u>
	(2)	Enter maximum floor area for combining district in which parcel is located.	— <u>sf</u>
	(3)	Subtract line (2) from line (1).	— <u>sf</u>
	(4)	To obtain AMFA add line (2). and 50% of line (3).	<u>AMFA</u> — <u>sf</u>
	c.	Enter 5% of line 6a. or 6b.(4) as appropriate, and add to total shown for 6a. or 6b.(4) to determine AMFA if building will not exceed 1 story (18 feet) in height and 24 feet from lowest point of contact with the ground to the highest point on the building.	<u>AMFA</u> — <u>sf</u>
7.	Calculate Maximum permitted area for any single building as 85% of line 6a., 6b. (4), or 6c.);sup\sup;		— <u>sf</u>

(Ord. 2010-387 § 5, 2010; Ord. 2001-338 § 5 (part), 2001)

^a When the town engineer finds that a flood hazard map appears inaccurate, the engineer may modify said map for the purposes of the administration of Table 1A and Table 1B of the zoning ordinance and such modification shall be used in calculating the area utilized in line 4.

In all combining districts, the 85% limitation shall also include any detached garage or carport required by Title 18 "Zoning" of this Code. See Sections 18.48.020 for exceptions to the 85% limitation.

**TABLE 1B
COMPUTATION OF ADJUSTED MAXIMUM
IMPERVIOUS SURFACE**

1.	Enter parcel area. (____ acres)	____ <u>sf</u>
2.	Enter 0.5% of parcel area for each 1% of average slope or parcel. (_____% slope) (Slope shall be measured as specified in <u>Section 18.50.041</u> .)	<u>less</u> ____ <u>sf</u>
3.	Enter 50% of any area on a parcel classified as Pmw, Ms, Pd, Pdf, Psc or Pf on the Town's Ground Movement Potential Map. (Total area classified as Pmw, Ms, Pd, Pdf, Md, Psc or Pf: _____ sf.)	<u>less</u> ____ <u>sf</u>
4.	Enter 50% of any parcel area classified as floodplain area on the Flood Insurance Rate Map referenced in <u>Section 18.32.030</u> . (Total area in floodplain _____ sf) [Exclude any area (_____sf) identified in item 3. above.] ^a	<u>less</u> ____ <u>sf</u>
5.	Sum lines 1—4 to obtain Adjusted Parcel Area. (_____ acres)	<u>APA</u> ____ <u>sf</u>
6.	Calculate Adjusted Maximum Impervious Surface (AMIS) as follows:	
a.	If APA is the same as or less than the minimum parcel area for which the combining district in which the parcel is located, determine AMIS directly or by interpolation from Table No. 1.	<u>AMIS</u> ____ <u>sf</u>
b.	If APA is greater than the minimum parcel area for the combining district in which the parcel is located, determine AMIS as follows:	

	(1)	Determine maximum impervious surface by interpolation from Table No. 1 using APA from line 5.	___sf
	(2)	Enter maximum impervious surface for combining district in which parcel is located.	___sf
	(3)	Subtract line (2) from line (1).	___sf
	(4)	To obtain AMIS add line (2). and 50% of line (3).	<u>AMIS</u> ___sf

^a When the town engineer finds that a flood hazard map appears inaccurate, the engineer may modify said map for the purposes of the administration of Table 1A and Table 1B of the zoning ordinance and such modification shall be used in calculating the area utilized in line 4.

**TABLE NO. 2
BASIC AREA, OPEN SPACE, BULK AND DENSITY REGULATIONS
FOR SPECIAL AND COMMERCIAL DISTRICTS**

Column 1	Column 2	Column 3			Column 4	Column 5	Column 6	Column 7
	<u>Ch. 18.50</u>	<u>Ch. 18.52</u>				<u>Ch. 18.54</u>		<u>Ch. 18.56</u>
District	Minimum Parcel Area Required	Required Yards, Feet Least Depth or Width			Height Limit Feet	Coverage Limit %	Floor Area Ratio Limit	Impervious Surface Limit %
		Front	Rear	Side				
C-C	1 acre	50	20	20	28	20	0.18	—
A-P	1 acre	50	20	20	28	15	0.13	—
O-A	3 acres	50	25	25	20	5	—	5

(Ord. 2010-387 § 6, 2010; Ord. 1998-312 § 2, 1998; Ord. 1995-285 § 1 Exh. A (part), 1995; Ord. 1989-244 § 1 (Exh. A) (part), 1989; Ord. 1988-242 § 2 (Exh. A) (part), 1988; Ord. 1981-181 § 3, 1981; Ord. 1979-166 § 8, 1979; Ord. 1969-99 § 1 (part), 1969; Ord. 1969-95 § 1, 1969; Ord. 1968-86 § 3, 1968; Ord. 1967-80 § 1 (6200), 1967)

CHAPTER 18.58 - SPECIAL BUILDING SETBACK LINES

Sections:

18.58.010 - Intention.

Special building setback lines are intended to regulate the location of buildings where special features such as scenic roads, geologically hazardous areas, and floodplains require in the public interest setback regulations to those otherwise specified in this title.

(Ord. 1973-119 § 3 (part), 1973: Ord. 1967-80 § 1 (6209), 1967)

18.58.020 - Special building setback lines—S (scenic).

A. Purpose. Special building setback lines—S are established along streets to assure the provision of space for light, air, safety, circulation, and visual amenity, and to permit or require adjustment in the location of buildings to observe unusual physical conditions. Special building setback lines shall be adopted and amended in conformance with the requirements of Chapter 18.74 and when adopted shall be set forth on the zoning map.

- B. Requirements. No structure shall be located closer to a street parcel line than the special building setback line. In any district where the least depth or least width of yard required for such distance is greater or less than the distance set forth for any special building setback line, the distance established by the special building setback line shall govern.
- C. Measurement. The location of a special building setback line shall be established by measurements in feet measured at right angles from the parcel line of the subject parcel.
- D. Special Building Setback Lines—S Adopted.
1. Skyline Boulevard—No buildings shall be closer than two hundred feet to the right-of-way of Skyline Boulevard, provided, however, that the architectural and site control commission may allow a reduction of the setback to no less than one hundred feet when it finds that in such a location the proposed building will not be visible from the right-of-way of Skyline Boulevard.
 2. Alpine Road—No buildings shall be located closer than seventy-five feet to the right-of-way of Alpine Road in that section of Alpine Road lying between the northerly town limits and Portola Road.
 3. Portola Road—No building shall be located closer to the right-of-way of Portola Road in that section from the intersection with Alpine Road to the northwesterly town limits than as stipulated below:
 - a. In zoning districts requiring a minimum parcel area of one acre or larger, no structure shall be closer to the Portola Road right-of-way than fifty feet; however,

where a parcel has a side or rear parcel line contiguous with the Portola Road right-of-way, an accessory structure may come within twenty-five feet of the right-of-way provided the architectural and site control commission finds the structure will not be seen from Portola Road or that existing and/or proposed planting consistent with the character and quality of the Portola Road corridor will largely obscure the structure.

- b. In zoning districts requiring a minimum parcel area less than one acre, a one story house shall observe a minimum setback of thirty-five feet and any second story addition thereto shall observe a minimum setback of forty-five feet; alternatively, a two story house shall observe a minimum setback of forty feet. Structures which are not buildings shall adhere to the same setback requirements. Where a parcel has a side or rear parcel line contiguous with the Portola Road right-of-way, an accessory structure may come within twenty feet of the right-of-way provided the architectural and site control commission finds the structure will not be seen from Portola Road or that existing and/or proposed planting consistent with the character and quality of the Portola Road corridor will largely obscure the structure.
- c. Structure existing as of the date of adoption of the ordinance codified in this subdivision (August 28, 1991), which do not comply with the setback requirements described herein are not thereby deemed nonconforming structures as provided for in Chapter 18.46 and are not subject to the provisions contained therein. For such a structure, the three-dimensional space it occupies which does not comply with the setbacks stipulated in subsection D.3.a. and b. of this section becomes a building envelope. Remodeling and rebuilding may occur within such a building envelope subject to normal design review requirements provided for in this section. In addition, the architectural and site control commission may allow architectural details to extend up to two feet from any wall surface on no more than ten percent of the building perimeter within the setbacks in subsection D.3.a. and b. of this section when such details will better ensure compatibility with the character and quality of the Portola Road corridor.

(Ord. 1991-265 § 1, 1991; Ord. 1973-119 § 3 (part), 1973; Ord. 1967-80 § 1 (6209.1), 1967)

18.58.030 - Special building setbacks along earthquake faults.

A. Purpose. Special building setbacks are established along earthquake fault traces to minimize the potential loss of property and life resulting from differential movement along such traces caused by tectonic forces.

B. Maps. The town geologic map and ground movement potential map, adopted by Resolution

2279-2006, as amended from time to time, provides the basis for required fault setbacks.

Two types of setbacks are established. One type is for setbacks along the San Andreas Fault. The other type is for setbacks from fault (other than the San Andreas).

- C. Setbacks from the San Andreas Fault. The town ground movement potential map establishes required building setbacks along the active traces of the San Andreas Fault. The San Andreas Fault is a known hazard for development and it is prudent to preclude construction of buildings for human occupancy within these zones.
1. Delineation of Earthquake Fault Zones. Earthquake fault zones define the areas along faults in which primary fault rupture may occur. The map, ground movement potential adopted pursuant to town council Resolution 2279-2006, as amended, defines the boundaries of the fault zones and labels them Pf. Where the location of the fault is known and the pattern of ground breakage is parallel to the direction of the trace, the trace is classified as a "known" trace and shown in a solid line. Where the location of the trace is less well known and the pattern of expected ground breakage is parallel to the direction of the trace, the trace is classified as an "inferred" trace and is shown in a dashed line. Where the pattern of ground breakage results in an en-echelon pattern, the trace is identified on the map as an "en-echelon" trace and shown as a series of short lines at an angle to the general alignment of the trace. An "en-echelon" trace consists of relatively short ruptures, on the order of forty feet in length, oriented obliquely to the general fault trend.
 2. Required Setbacks for Buildings for Human Occupancy. The boundaries of the Pf zones constitute the required building setback lines for buildings for human occupancy. Setbacks are based on the following measurements taken at a right angle from the fault trace. Where the location of the trace is "known", the boundary of the zone is set back from the trace fifty feet from the center line of the trace. Where the location of the trace is "inferred", the boundary of the zone is set back one hundred feet from the center line of the trace. Where the trace is characterized as an "en-echelon" trace, the boundary of the zone is set back one hundred feet from the center line of the trace.
 3. Buildings not intended for Human Occupancy. The following buildings not intended for human occupancy are allowed within fault setbacks:
 - a. Buildings that do not exceed one hundred twenty square feet and are used as a tool shed, an ornamental garden structure, an animal shade structure, an agricultural building or for a similar nature and use.
 - b. Other non-habitable buildings not exceeding a floor area of one hundred twenty square feet, and are of a similar nature and use may be permitted by staff or by the planning commission upon referral by staff.
- D. Setbacks from Faults (other than the San Andreas). The town ground movement potential map shows traces noted as "fault (other than the San Andreas)." While the location and

future movement of these faults is less certain than for the San Andreas Fault, it is still prudent to make certain that buildings for human occupancy do not cross such faults.

1. Construction of new buildings for human occupancy within one hundred feet of such mapped fault traces shall be supported by a site-specific geologic investigation that demonstrates to the satisfaction of the town geologist that the structure is not underlain by the suspected fault. This investigation must include recommendations for specific geotechnical measures, including appropriate seismic design criteria and minimum setback requirements, to mitigate potential adverse impact from the mapped fault trace and the estimated potential for some degree of displacement along the fault trace alignment.
 2. Construction of new buildings not for human occupancy shall comply with required front, side and rear setbacks.
- E. Modification of Requirements. When geologic studies acceptable to the planning commission demonstrate that delineations of the San Andreas Fault setback zones or the location of faults (other than the San Andreas) are incorrect, the planning commission may approve modifications to the geologic map and/or the ground movement potential map.

(Ord. 2010-387 § 8, 2010; Ord. 1988-227 § 1, 1988; Ord. 1973-119 § 3 (part), 1973; Ord. 1967-80 § 1 (6209.2), 1967)

Editor's note— Ord. 2010-387, § 8, adopted Oct. 27, 2010, changed the title of § 18.58.030 from "Special building setback lines—EF (earthquake fault)" to "Special building setbacks along earthquake faults."



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Starla Jerome-Robinson, Interim Finance Director

DATE: April 11, 2018

RE: Fiscal Year 17-18 Budget Amendments to Capital Projects

RECOMMENDATION

Staff recommends that the Town Council appropriate the following budget amendments:

1. In the General Fund, appropriate \$55,000 to the SMTA Road Project, \$181,500 to the CIP 16/17 Street Resurfacing Project, and \$144,000 to the CIP 16/17 Equipment Project.
2. In the Grants Fund, appropriate \$98,200 to the SMTA Road Project;

BACKGROUND

For the FY 2016-17 Budget, the Town Council adopted \$653,194 to fund the following needs:

- \$387,456 for road resurfacing projects
- \$265,758 for Equipment anticipating the purchase of 3 Automated License Plate Readers (ALPR). Ultimately only 2 ALPR's were purchased.

These dollars were not expended in FY 2016-17; instead, they were expended in FY 2017-18 using other Capital Project budgets in fiscal year 17-18. This oversight was discovered by staff in the winter of 2017. Staff is recommending appropriating sufficient budget to offset the expenditures for the prior year Capital budgets. It should be noted that the budget amount requested is to offset the known expenditures and not necessarily for the original budget amount. As an example, only two ALPR were purchased instead of the three that were originally planned, requiring an appropriation of \$144,000 instead of the original \$265,758.

Due to the delay in the Capital Projects expenditures in 2016-2017 the General Fund Balance for FY 2016-17 increased by \$489,618 more than offsetting this appropriation request.

DISCUSSION

Several Capital Project appropriations are requested, with each discussed below.

With respect to these Capital Projects, the approved road work and installation of ALPR's overlapped fiscal years. As a result, those budgets were underspent in the prior fiscal year, but now need a budget re-appropriation to align the expenditures with an approved budget:

Fund	Unspent 16/17 Budget	17/18 Budget	Amended	17/18 Net Appropriation
General Fund (05)				
SMTA Road Project	52,054	-	55,000	55,000
CIP 16/17 Street Resurface	171,806	-	181,500	181,500
CIP 16/17 Equipment	265,758	-	144,000	144,000
Subtotal:	489,618	-	380,500	380,500
General Fund (05) Net Change to Adopted Expenditure Budget				380,500

In addition, the SMTA Road Project in the Grants Fund experienced a similar timing issue, resulting in a staff's recommendation for an appropriation.

Fund	Unspent 16/17 Budget	17/18 Budget	Amended	17/18 Net Appropriation
Grants Fund (08)				
SMTA Road Project	103,651	-	98,200	98,200
Subtotal:	103,651	-	98,200	98,200
Grants Fund (08) Net Change to Adopted Expenditure Budget				98,200

Reserves

General Fund reserves will decrease by approximately \$380,000 as a result of the requested appropriations above. These are dollars that were budgeted for expenditure and were expected to be spent in the prior fiscal year, so there is no actual impact to the anticipated reserves as budgeted last year. In addition, some of the expenditures are eligible for grant reimbursements.

FISCAL IMPACT

The appropriations from reserves to the above funds do not result in an overall change to the Town's expected levels of reserves or any other fund account; they represent an accounting change. The fiscal impact to the General Fund is an appropriation increase of \$380,500. The fiscal impact to the Grants Fund will be \$98,200 which is anticipated to be fully offset by grant funds.

Approved by: Jeremy Dennis, Town Manager





TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Jeremy Dennis, Town Manager

DATE: April 11, 2018

RE: Letter of Support – Cal Water’s AMI Smart Meter Pilot Project

RECOMMENDATION

Staff recommends that the Town Council authorize the Mayor to sign a letter in support of Cal Water’s AMI Smart Meter Pilot Project to be included as part of their 2018 General Rate Case to the California Public Utilities Commission (Attachment 1).

BACKGROUND/DISCUSSION

Over the last year, Staff has been meeting regularly with Cal Water Bear Gulch District Manager, Dawn Smithson, and key Cal Water staff to understand the process for deploying Smart Water Meters in Portola Valley.

The first step in the potential deployment of Smart Water Meters is for Cal Water to include it as a project in their 2018 General Rate Case to the California Public Utilities Commission (CPUC). Cal Water has been working on and will submit a pilot project in the Rate Case for Advanced Metering Infrastructure (AMI) Smart Meters to be deployed in specific areas of the Bear Gulch District, including Portola Valley.

Cal Water will submit the first draft of the Rate Case to the CPUC in May of 2018, at which time the Commission will work with Cal Water and the Office of Rate Payer Advocates (ORA) to come to a determination on whether or not the project will be included in the final Rate Case. Staff has reached out to the CPUC, Department of Water Resources and ORA to better understand this regulatory process and how the Town can best participate to gain CPUC and ORA acceptance of the Smart Water Meter project. Staff has concluded from these discussions that it is most important demonstrate that the Town is working with Cal Water, is supportive of the pilot project, and that the benefits of Smart Water Meters greatly outweigh the small rate increase that will likely result from their deployment.

Staff will return to the Council once the Rate Case is submitted to request Council input on whether or not to file a motion to participate in the Rate Case as a [formal “party” to the CPUC proceeding](#). Either way, the Town may submit comments on the proceedings to both the CPUC and the ORA. Staff will also inform the members of the Sustainability & Environmental Resources Committee of the Rate Case number so that they may send comments and encourage residents with testimonials on leaks to also send comments.

Staff has been very pleased with the progress and effort that Cal Water has made over the last year toward Smart Water Meter deployment in Portola Valley, as well as their willingness to help us navigate the regulatory process. The attached letter demonstrates to the CPUC and ORA that the Town Council is supportive of the AMI Smart Meter Pilot Project and will be included with Cal Water’s 2018 General Rate Case.

FISCAL IMPACT

None at this time.

ATTACHMENT

1. Letter of Support – Cal Water’s AMI Smart Meter Pilot Project

Approved by: Jeremy Dennis, Town Manager





Town of Portola Valley

765 Portola Road, Portola Valley, CA 94028 Tel: (650) 851-1700 Fax: (650) 851-4677

April 11, 2018

California Water Service
Attn: Dawn Smithson, District Manager
3525 Alameda de la Pulgas, Suite A
Menlo Park, CA 94025

Re: Support of Cal Water's AMI Smart Meter Pilot Project for the Bear Gulch District

Dear Ms. Smithson:

On behalf of the Portola Valley Town Council, I write this letter in support of California Water Service's (Cal Water) AMI Smart Meter Pilot Project for the Bear Gulch District, which will be included in the 2018 General Rate Case to the California Public Utilities Commission (CPUC).

Over the last five years, the Town has been working with you to bring Smart Meters to Cal Water's customers in Portola Valley. As you know, residential customers in Portola Valley use two to three times the average water use for the region. This is due both to the size of the homes and the large, expansive lots with extensive irrigation. In addition, 30% of the homes in Portola Valley have pools. These large homes, lots and pools can inherently use more water, but also make our residents more susceptible to leaks. A home with an infrequently used bathroom could have a toilet leaking for a month without being identified. The extensive irrigation systems, combined with active animal populations (e.g., rabbits, gophers), also lead to frequent, unnoticed leaks.

In exploring water-conservation programs with our Water Conservation Committee during the drought and now with our Sustainability & Environmental Resources Committee, the Town continues to hear from residents regarding large leaks due to breaks in irrigation, cracks in pools and failed appliances within the home. The Town itself has had two, massive leaks in our parks over the last two years. These leaks both happened during winter when the irrigation was off and were not discovered until we received the bills.

During the drought emergency in the Spring of 2015, the Bear Gulch District was included in the highest tier of conversation and required to reduce water use by 36% compared to 2013 usage. The Department of Water Resources is looking at a long-term water conservation framework that will likely result in additional mandates.

Smart Meters would allow residents and large landscape properties, like the Town, to be automatically notified of a leak and take steps to resolve it within hours, rather than weeks. Our

residents and businesses need the tools to be able to monitor their water use now, and in the future, to comply with regulations and avoid costly fines. In addition to getting up-to-date information on leaks, our residents are eager for data that they can use to understand trends and make smart decisions about water use and potential upgrades (both indoors and out).

We understand that Cal Water is still calculating the cost of the Smart Meter Pilot project and the impact on individual customer rates, but the preliminary estimates indicate that the result would be a small increase in monthly costs when folded into the 2018 General Rate Case. The Town Council believes that the benefit of avoiding an unexpected multi-thousand-dollar water bill (and the associated water loss) greatly outweighs a small monthly increase.

The Town Council and our residents have demonstrated in the past the willingness to take on some cost to reduce resource use and offset environmental impacts due to utility use. In May 2016, the Town Council voted to default all of its electricity customers to a 100% renewable electricity product through the Community Choice Energy Program, Peninsula Clean Energy. This was at a cost premium of 3-5% over PG&E electricity rates. Currently, there is a 95% participation rate in Portola Valley in Peninsula Clean Energy.

Portola Valley has engaged with Cal Water to install Smart Meters since before the drought emergency in 2015. Since then, we have seen many of our surrounding communities moving forward with the installation of Smart Meters and demonstrating their value. The Town and our residents have become frustrated by our lack of progress, and it has been difficult to explain why Smart Meters have yet to be made available in Portola Valley. As the Town has learned more about Cal Water's Rate Case process, we have discovered that there are significant regulatory differences between Smart Meter installation for municipal-owned utilities and investor-owned utilities. The Town is prepared to navigate the regulatory process and help the CPUC and Office of Rate Payer Advocates understand why Smart Meters are a valuable asset to our community.

Assuming the costs are reasonable, the Town Council supports Cal Water's Smart Meter Pilot Project and will assist in any way we can to move forward with the installation and implementation of Smart Meters in Portola Valley. Portola Valley welcomes the opportunity to collaborate with Cal Water on the Smart Meter Pilot Project and once implemented, we will work with Cal Water to help your customers - our residents - to utilize the Smart Meters to identify leaks, meet any water use regulations and do our part to continue to make the most of this precious resource.

Sincerely,

John Richards
Mayor, Town of Portola Valley

#9

There are no written materials for Council Liaison Committee and Regional Agencies Reports

#10

There are no written materials for Town Manager Report

TOWN COUNCIL WEEKLY DIGEST

Friday – March 30, 2018

1. Agenda (Action) – Town Council – Wednesday, March 28, 2018
2. Agenda (Cancellation) – Parks & Recreation Committee – Monday, April 2, 2018
3. Agenda – Bicycle, Pedestrian & Traffic Safety Committee – Wednesday, April 4, 2018
4. Agenda – Planning Commission – Wednesday, April 4, 2018
5. Meeting Schedule for April 2018
6. Congratulations to Interim Planning and Building Director Arly Cassidy for achieving AICP Certification

Attached Separates (Council Only)
(placed in your town hall mailbox)

1. San Francisco Estuary News – March 2018



TOWN OF PORTOLA VALLEY

7:00 PM – Regular Meeting of the Town Council
 Wednesday, March 28, 2018
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

ACTION AGENDA

7:00 PM - CALL TO ORDER AND ROLL CALL

Councilmember Hughes, Councilmember Derwin, Councilmember Aalfs, Vice Mayor Wengert and Mayor Richards

All Present

ORAL COMMUNICATIONS

Persons wishing to address the Town Council on any subject may do so now. Please note however, that the Council is not able to undertake extended discussion or action tonight on items not on the agenda.

Resident Marilyn Walters requested a plaque be placed at the Chilean Woodcutters Hut

CONSENT AGENDA

The following items listed on the Consent Agenda are considered routine and approved by one roll call motion.

The Mayor or any member of the Town Council or of the public may request that any item listed under the Consent Agenda be removed and action taken separately.

1. **Approval of Minutes** – March 14, 2018
2. **Approval of Warrant List** – March 28, 2018

Councilmember Hughes questioned Surety Deposit Refund for Redberry Ridge. Town Manager Dennis reported all trees are planted and mitigations in place

3. **Recommendation by Public Works Director** – Adoption of a Resolution for the 2017/2018 Street Resurfacing Project – Surface Seals Project No. 2018-PW01

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the 2017/2018 Street Resurfacing Project Surface Seals No. 2018-PW01 (Resolution No. __)

Vice Mayor Wengert stated 2017/2018 Street Resurfacing Project will move ahead as planned and will include testing on one or two shoulders that could potentially be included in next fiscal year budget

4. **Recommendation by Town Manager** - Join the “Yes on 68” Effort
5. **Recommendation by Town Manager** - Opposition to Two Potential Propositions
6. **Recommendation by Town Manager** - Grand Jury Request, ALPR Policy Website Access

Councilmember Derwin asked for clarification. Town Manager Dennis reported that he is working with Vigilant regarding information that will be posted on the Town’s website.

7. **Recommendation by Interim Finance Director** - Budget Amendment to Support Future San Mateo County Sheriff Gun Buyback Programs

Councilmember Hughes asked how this program will be advertise. Town Manager Dennis said beginning on Monday, April 2nd the program will be advertised at Schools, PV Forum and Next Door.

Council requested staff provide additional details of the program and agendize at a near future meeting

Items 1, 4 & 5 Approved 5-0

REGULAR AGENDA

COMMITTEE REPORTS & REQUESTS

8. Discussion – Town Center Master Plan - Architect Study Session

Architect Larry Strain reported on the Committee's findings of twenty-eight areas to be addressed, separated into six designations; Facility Improvements; Facility maintenance; Safety & EOC Planning; Community Gathering; Nature / Outdoor Recreation and Library

STAFF REPORTS AND RECOMMENDATIONS

PUBLIC HEARING

9. PUBLIC HEARING - Recommendation by Town Attorney – Introduction of Proposed Ordinance adding Chapter 18.39 [Cannabis Land Uses] and amending Section 8.12.010 [Definition of Nuisance] of the Portola Valley Municipal Code and Adoption of Finding that Ordinance is Exempt from the California Environmental Quality Act (The Planning Commission recommended adoption.)

- (a) First Reading, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Adding Chapter 18.39 [Cannabis Land Uses] and Amending Section 8.12.010 [Definitions of Nuisance] of the Portola Valley Municipal Code and Adoption of Finding that Ordinance is Exempt from the California Environmental Quality Act (The Planning Commission Recommended Adoption) (Ordinance No. ____)

Approved with amendments 3-2, Councilmembers Hughes, Derwin and Aalfs voted in favor, Vice Mayor Wengert and Mayor Richards opposed

10. COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS

Council arising out of liaison appointments to both in-town and regional committees and initiatives. *There are no written materials and the Town Council does not take action under this agenda item.*

Councilmember Hughes –

Attended a meeting to review the San Mateo County Sheriff's Contract with Vice Mayor Wengert and Town Manager Dennis.

Councilmember Derwin –

Attended a Resource Management Climate Protection meeting, the March Council of Cities dinner meeting hosted by the City of Daly City, the March 26 ASCC meeting, a C/CAG Administration meeting and Home for All workshop with Vice Mayor Wengert held on March 23rd.

Councilmember Aalfs -

Attended the March 20 Trails & Paths Committee meeting and the 2018 Yosemite Policymakers Conference presented by the Local Government Commission.

Vice Mayor Wengert -

Attended the meeting to review the Sheriff's Contract, Home for All event and a luncheon with Supervisor Simitian regarding Stanford lands.

Mayor Richards -

Attended the March 27 Conservation Committee meeting and the Annual Meals on Wheels event.

11. Town Manager Report

Recruitment for Finance Director will begin on Monday, April 2nd and recruitment for Planning and Building Director is scheduled to begin the week of April 9th. The contest to name the Vernal Pond starts next week. Staff is beginning work on the 2020 census. The '18 – '19 FY Budget process is underway. Included in the '18-'19 Budget will be an annual performance review of staff software, determining its value. Two staff members attended an Active Shooter Class held by the San Mateo County Sheriff's Department. Staff participated in an excellent EOC training with Mayor Richards in attendance.

WRITTEN COMMUNICATIONS

12. Town Council Digest – March 16, 2018 - None

13. Town Council Digest – March 23, 2018 - None

ADJOURN TO CLOSED SESSION: 9:25 pm

14. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Government Code § 54956.9(c): One Case

REPORT OUT OF CLOSED SESSION – None to Report

ADJOURNMENT – 10:00 pm

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley Library located adjacent to Town Hall. In accordance with SB343, Town Council agenda materials, released less than 72 hours prior to the meeting, are available to the public at Town Hall, 765 Portola Road, Portola Valley, CA 94028.

SUBMITTAL OF AGENDA ITEMS

The deadline for submittal of agenda items is 12:00 Noon WEDNESDAY of the week prior to the meeting. By law no action can be taken on matters not listed on the printed agenda unless the Town Council determines that emergency action is required. Non-emergency matters brought up by the public under Communications may be referred to the administrative staff for appropriate action.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only issues you or someone else raised at the Public Hearing(s) described in this agenda, or in written correspondence delivered to the Town Council at, or prior to, the Public Hearing(s).



Town of Portola Valley
Parks & Recreation Committee Meeting
Monday, April 2, 2018 – 7:30 pm
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

PARKS & RECREATION COMMITTEE

MEETING CANCELLATION NOTICE

The regular meeting of the Parks & Recreation Committee, scheduled for Monday, April 2, 2018, has been canceled. A special meeting has been scheduled for Thursday, April 19, 2018, at 7:30 pm in the Historic Schoolhouse.



TOWN OF PORTOLA VALLEY
Bicycle, Pedestrian and Traffic Safety
Committee Meeting
Wednesday, April 4, 2018 – 8:15 AM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

MEETING AGENDA

1. Roll Call
2. Oral Communications
3. Approve minutes from February 7, and March 8, 2018 Meetings
4. Sheriff's Report
5. Public Works Report
6. Ongoing Committee Business for 2018
 - 1) Report from the Pedestrian Safety Subcommittee
 - 2) Participation in "Pop-up" events
 - 3) Windy Hill parking monitoring
 - 4) 2018-'19 Committee Budget
7. Outreach possibilities for 2018
 - 1) Scheduling of Evening meetings
 - 2) Earth Day, Picnic and other Town events
8. Matters Arising
9. Time & Date for May 2018 meeting
 - 1) Wednesday, May 2, 2018
10. Adjournment



TOWN OF PORTOLA VALLEY

7:00 PM – Regular Meeting of the Planning Commission
 Wednesday, April 4, 2018
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

REGULAR MEETING AGENDA

7:00 PM - CALL TO ORDER AND ROLL CALL

Commissioners Gilbert, Hasko, Taylor, Vice-Chair Goulden, Chair Targ

ORAL COMMUNICATIONS

Persons wishing to address the Planning Commission on any subject may do so now. Please note, however, that the Planning Commission is not able to undertake extended discussion or action tonight on items not on the agenda.

NEW BUSINESS

1. Proposed Amendments to the Outdoor Lighting Ordinance and Lighting Design Guidelines (Staff: A. Cassidy)
2. Proposed Amendments to the Second Unit Ordinance (Staff: A. Cassidy)
3. Proposed Amendments to the Yards Ordinance (Staff: A. Cassidy)
4. Annual Housing Element Progress Report for 2017 (Staff: A. Cassidy) *This item has been continued to the next regular Planning Commission meeting on 4/18/18.*

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

5. Alpine Hills Tennis & Swimming Club Annual Report
6. News Digest: Planning Issues of the Day

APPROVAL OF MINUTES

7. Planning Commission Meeting of February 7, 2018
8. Planning Commission Meeting of February 21, 2018

ADJOURNMENT

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours.

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley Library located adjacent to Town Hall.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only issues you or someone else raised at the Public Hearing(s) described in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

Town of Portola Valley

Town Hall: 765 Portola Road, Portola Valley, CA 94028 Tel: (650) 851-1700 Fax: (650) 851-4677

APRIL 2018 MEETING SCHEDULE

Note: **Unless otherwise noted below and on the agenda, all meetings take place in the Historic Schoolhouse**, located at 765 Portola Road, Portola Valley, CA

TOWN COUNCIL – 7:00 PM (Meets 2nd & 4th Wednesdays)

Wednesday, April 11, 2018

Wednesday, April 25, 2018

PLANNING COMMISSION – 7:00 PM (Meets 1st & 3rd Wednesdays)

Council Liaison – Ann Wengert (for months April, May, June)

Wednesday, April 4, 2018

Wednesday, April 18, 2018

ARCHITECTURAL & SITE CONTROL COMMISSION - 7:00 PM (Meets 2nd & 4th Mondays)

Council Liaison – Jeff Aalfs (for months April, May, June)

Monday, April 9, 2018

Monday, April 23, 2018

BICYCLE, PEDESTRIAN & TRAFFIC SAFETY COMMITTEE – 8:15 AM (Meets 1st Wednesday of every month)

Council Liaison – Craig Hughes

Wednesday, April 4, 2018

CABLE & UTILITIES UNDERGROUNDING COMMITTEE

Council Liaison – Craig Hughes

As announced

CONSERVATION COMMITTEE – 7:30 PM (Meets 4th Tuesday)

Council Liaison – John Richards

Tuesday, April 24, 2018

CULTURAL ARTS COMMITTEE – (Meets 2nd Thursday of every month)

Council Liaison – John Richards

Thursday, April 12, 2018

EMERGENCY PREPAREDNESS COMMITTEE – 8:00 AM (Meets 2nd Thursday of every month) in the EOC / Conference Room at Town Hall

Council Liaison – John Richards

Thursday, April 12, 2018

FINANCE COMMITTEE

Council Liaison – Ann Wengert

Tuesday, April 10, 2018 – 5:30 PM / Town Hall Conference Room

GEOLOGIC SAFETY COMMITTEE – 7:30 PM

Council Liaison – Jeff Aalfs

As announced

HISTORIC RESOURCES COMMITTEE

Council Liaison – Jeff Aalfs

As announced

NATURE AND SCIENCE COMMITTEE – 5:00 PM (Meets 2nd Thursday of alternate even numbered months)

Council Liaison – Jeff Aalfs

Thursday, April 12, 2018

OPEN SPACE ACQUISITION ADVISORY COMMITTEE

Council Liaison – Craig Hughes

As announced

PARKS & RECREATION COMMITTEE – 7:30 PM (Meets 1st Monday of every month)

Council Liaison – Ann Wengert

Monday, April 2, 2018 – **CANCELED MEETING**

Thursday, April 19, 2018 - **SPECIAL MEETING**

PUBLIC WORKS COMMITTEE

Council Liaison – Jeff Aalfs

As announced

SUSTAINABILITY & ENVIRONMENTAL RESOURCES COMMITTEE – 10:30 AM (Meets 3rd

Monday of every month) in the EOC/Conference Room at Town Hall

Council Liaison – Ann Wengert

Monday, April 16, 2018

TRAILS & PATHS COMMITTEE – 8:15 AM (3RD Tuesday of every month, or as needed)

Council Liaison – Jeff Aalfs

Tuesday, April 17, 2018

LSA

ENVIRONMENTAL PLANNING & ANALYSIS

Berkeley	Irvine	Carlsbad
Point Richmond	Riverside	Palm Springs
Roseville	Los Angeles	San Luis Obispo
Fresno		

www.lsa.net

AICP

Congrats to northern California's newest AICP members

Expect great things from these up-and-coming planners

Northern Section

Whitney Berry	Justin Shiu
Arly Cassidy	Anne Spevack
Deland Chan	Diana Staines
Cristin Kenyon	Monica Szydluk
Grant Leonard	Ian Todd
Deena Morsilli	Sandra Villatoro
Michael Ohnemus	Richard T. Williams
Fernanda Roveri	Nancy Woltering

Sacramento Valley Section

Lydia Altick
Sara Bierman
David Schlegel

ae

urban economics for sustainable development


bae1.com

san francisco 510.547.9380
sacramento 530.750.2195
los angeles 213.471.2666
new york 212.683.4486
washington dc 202.588.8945

+ HATCH

Planning + Economics Infrastructure

Alexander.Quinn@hatch.com
Sian.Llewellyn@hatch.com
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Building Community

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2017 Bay Area real estate story in a nutshell. "Price appreciation outpacing income growth, and falling inventory that doesn't seem to be reversing course anytime soon. ... Recent data show the average person moving into the Bay Area earns \$8,500 more than the average person who leaves: \$90,000 for those coming in and \$81,500 for those going out. That's strong evidence that many middle-income Bay Area residents are being priced out and replaced by earners with higher paying jobs. Strong job growth and low supply equals high prices. ... It's taken decades to get us into this mess, and if we don't step up our housing game soon, it could take us decades to get out. —Ralph McLaughlin, Trulia's chief economist, as told to Richard Scheinin, Mercury News, <http://bayareane.ws/2EDtjRw>

TOWN COUNCIL WEEKLY DIGEST

Friday – April 6, 2018

1. Agenda – Historic Resources Committee – Thursday, April 5, 2018
2. Agenda – Finance Committee – Monday, April 9, 2018
3. Agenda – Architectural & Site Control Commission – Monday, April 9, 2018
4. Agenda – Emergency Preparedness Committee – Thursday, April 12, 2018
5. Agenda – Cultural Arts Committee – Thursday, April 12, 2018
6. Month End Financial Reports for October & September of 2017
7. Invitation to the C-SPAN StudentCam Documentary Competition Awards – Woodside Priory - Tuesday, April 17, 2018
8. Vacancy List for the May City Selection Committee Meeting
9. [Western City Magazine – April 2018](#)

Attached Separates (Council Only)
(placed in your town hall mailbox)

1. Invitation to HIIP Housing Annual Luncheon – Friday, May 11, 2018
2. Invitation to San Mateo County Central Labor Council COPE Banquet – Friday, July 20, 2018
3. Invitation to LifeMoves 2018 Benefit Breakfast for LifeMovers – Thursday, September 27, 2018
4. CASA of San Mateo County – Request for Support
5. LABOR Newsletter – April 2018



Town of Portola Valley
Historic Resources Committee
Thursday, April 5, 2018 - 2:30 PM
Heritage Room / Library at Town Center
765 Portola Road
Portola Valley, CA 94028

MEETING AGENDA

1. Call to Order
2. Oral Communications
3. Approval of Minutes – Regular meeting of March 20, 2017
4. New Business
 - a. Determining budget request for 2018-2019
 - b. Update on activities
5. Other Business
 - a. Re-authorizing petty-cash expenditures
6. Adjournment

Enclosures: Minutes of March 20, 2017



TOWN OF PORTOLA VALLEY
Finance Committee Meeting
Monday, April 9, 2018 – 5:30 PM
Town Hall Conference Room
765 Portola Road, Portola Valley, CA

MEETING AGENDA

1. Call to Order
2. Roll Call
3. Oral Communication
4. Approval of minutes from February 12, 2018 meeting
5. New Business:
 - Preview of outstanding issues, FY 2018-19 budget
 - Discussion of Development for 5-Year Capital Improvement Plan
 - Policy for Cash Reserve Levels
6. Old Business:
 - Approval of initial investment amounts, funds, and timing in Investment Fund
7. Adjournment



TOWN OF PORTOLA VALLEY

Meetings of the Architectural Site Control Commission (ASCC)

Monday, April 9, 2018

7:00 PM – Regular ASCC Meeting

Historic Schoolhouse

765 Portola Road, Portola Valley, CA 94028

REGULAR MEETING AGENDA

7:00 PM - CALL TO ORDER AND ROLL CALL

Commissioners Breen, Ross, Wilson, Vice Chair Koch and Chair Sill

ORAL COMMUNICATIONS

Persons wishing to address the Architectural and Site Control Commission on any subject may do so now. Please note however, that the Architectural and Site Control Commission is not able to undertake extended discussion or action tonight on items not on the agenda.

NEW BUSINESS

1. Architectural Review to Renew an Expired ASCC Approval for a Remodel and Addition to an Existing Home, 180 Golden Oak Drive, Kunkel Residence, File # PLN_ARCH 49-2018 (Staff: A. Cassidy)

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

2. News Digest: Planning Issues of the Day

APPROVAL OF MINUTES

3. ASCC Meeting of March 26, 2018

ADJOURNMENT

AVAILABILITY OF INFORMATION

For more information on the projects to be considered by the ASCC at the Special Field and Regular meetings, as well as the scope of reviews and actions tentatively anticipated, please contact Carol Borck in the Planning Department at Portola Valley Town Hall, 650-851-1700 ex. 211. Further, the start times for other than the first Special Field meeting are tentative and dependent on the actual time needed for the preceding Special Field meeting.

Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours. Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall.

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only issues you or someone else raised at the Public Hearing(s) described in this agenda, or in written correspondence delivered to the Architectural and Site Control Commission at, or prior to, the Public Hearing(s).



TOWN OF PORTOLA VALLEY
Regular Meeting of the
Emergency Preparedness Committee
Thursday, April 12, 2018 - 8:00 AM
EOC / Town Hall Conference Room
765 Portola Road, Portola Valley, CA 94028

MEETING AGENDA

1. 8:00 Call to order
 - Members: Mark Bercow, Dave Howes, Anne Kopf-Sill, Dale Pfau, Chris Raanes, Ray Rothrock, Craig Taylor, Bud Trapp
 - Potential Guests: Jeremy Dennis/Town Manager, Brandi de Garmeaux, Ali Taghavi, John Richards/Town Council, Dan Ghiorso and Selena Brown WFPD, Christina Corpus/Sheriff's Office, Gary Nielsen/Police Commissioner, Chuck Nile/Red Cross, Stuart Young/former EPC member, Lorrie Duval/Neighborhood Watch, Bud Eisberg/PV Public Works Committee, Mark Dahlen, Doug Keyston/Woodside Emergency Preparedness Committee, Wil Patterson/PV Public Works Committee, Jerry Shefren/resident.
2. 8:01 Oral Communications
3. 8:03 Approve minutes
 - Motion; Approve minutes for March 8, 2018 meeting
4. 8:05 CERPP/WFPD Report (Brown/Ghiorso)
5. 8:15 Town Report (de Garmeaux/Taghavi)
6. 8:25 Committee Reports
 - Medical Subcommittee Report (none)
 - Communications Subcommittee Report (Rothrock)
7. 8:35 2018 Goals – see attachment with latest draft
 - Discussion and revisions
8. 8:45 Discuss and Approve 2018-1019 EPC Budget
9. 8:55 Next meeting is May 10, 2018 – meet in conference room for a few minutes and then tour the Town's EPC facilities with Howard Young
 - Quorum check
10. 9:00 Adjourn



TOWN OF PORTOLA VALLEY
Cultural Arts Committee Meeting
Thursday, April 12, 2018 - 1:00 PM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

MEETING AGENDA

1. Call to Order
2. Oral Communications
3. Approval of Minutes – March 8, 2018
4. Old Business:
 - Debrief on Youth Photo Show
 - Speaker series planning: Pottery Night
 - Summer Concerts planning
5. New Business:
 - Plan for Dengler paintings
 - 2018/2019 Budget
6. Adjournment



MONTH END FINANCIAL REPORT FOR THE MONTH OF: OCTOBER 2017

C	Bank of America		\$ 409,433.27
A	Local Agency Investment Fund (1.14%)		\$ 14,041,494.20
S			
H	Total Cash		\$ 14,450,927.47
F	05 General Fund	\$3,882,517.81	
U	08 Grants	(95,893.59)	
N	10 Safety Tax	6,886.68	
D	15 Open Space	5,223,849.33	
S	20 Gas Tax	(108,012.59)	
	22 Measure M	24,576.64	
	25 Library Fund	307,206.30	
	30 Public Safety/COPS	109,640.07	
	40 Park in Lieu	32,950.20	
	45 Inclusion In Lieu	3,507,998.44	
	50 Storm Damage	-	
	60 Measure A	94,387.04	
	65 Road Fees	-	
	75 Crescent M.D.	103,069.06	
	80 PVR M.D.	30,003.79	
	85 Wayside I M.D.	5,348.28	
	86 Wayside II M.D.	19,884.08	
	90 Woodside Highlands M.D.	218,371.33	
	95 Arrowhead Meadows M.D.	(1,799.67)	
	96 Customer Deposits	1,089,944.27	
	Total Fund Balance		\$14,450,927.47
A	Beginning Cash Balance:	\$ 14,555,943.55	
C	Revenues for Month:	446,122.41	
T	Total Revenues for Month:	446,122.41	
I			
V			
I	Warrant List 10/11/2017	(290,123.54)	
T	Warrant List 10/25/2017	(100,291.96)	
Y	Payroll	(156,685.54)	
R	Total Expenses for Month:	(547,101.04)	
E			
C	Total JE's and Void Checks:	(4,037.45)	
A			
P	Ending Cash Balance		\$ 14,450,927.47

General Fund Assignments:

Capital Replacement	\$1,400,000.00
Unfunded Pension	47,773.00
Equipment Replacement	200,000.00
Unfunded OPEB	308,280.00
Legal Fee Contingency	100,000.00
UNASSIGNED BALANCE	\$1,826,464.80
* General Fund Total	\$3,882,517.81

*NOTE: Per Adopted Budget 2017-18 General Fund total fund balance for 6/30/18 is projected at \$4.2 million.

FISCAL HEALTH SUMMARY:

Unreserved/Spendable Percentage of General Fund (Adopted Policy is 60%)	79.49%
<i>Calculated at current GF fund balance less non-spendable funds, divided by current year budgeted operating expenditures.</i>	
Days of Running Liquidity of Spendable General Fund	359
<i>GASB recommends no less than 90 days</i>	

NOTE: General Fund assigned fund balances were approved by the Town Council on January 24, 2014. The unassigned fund balance is on the cash basis and does not include the adopted budget surplus/deficit for the fiscal year or accrued liabilities such as accounts payable or compensated absences, which are typically only accrued on June 30th of each fiscal year. This report is complete as of the last business day of the month for which it was issued. If new information arises for this or prior periods, these monthly reports will not be updated but the adjustment will be reflected in the month where the information



MONTH END FINANCIAL REPORT FOR THE MONTH OF: SEPTEMBER 2017

C	Bank of America		\$ 514,449.35
A	Local Agency Investment Fund (1.11%)		\$ 14,041,494.20
S			
H	Total Cash		\$ 14,555,943.55
F	05 General Fund	\$4,105,082.15	
U	08 Grants	(95,893.59)	
N	10 Safety Tax	5,798.27	
D	15 Open Space	5,198,465.74	
S	20 Gas Tax	(108,596.10)	
	22 Measure M	25,474.58	
	25 Library Fund	309,150.49	
	30 Public Safety/COPS	60,721.34	
	40 Park in Lieu	32,950.20	
	45 Inclusion In Lieu	3,507,998.44	
	50 Storm Damage		
	60 Measure A	75,073.62	
	65 Road Fees	-	
	75 Crescent M.D.	103,059.02	
	80 PVR M.D.	30,003.17	
	85 Wayside I M.D.	5,348.28	
	86 Wayside II M.D.	19,864.26	
	90 Woodside Highlands M.D.	228,616.81	
	95 Arrowhead Meadows M.D.	(1,799.67)	
	96 Customer Deposits	1,054,626.54	
	Total Fund Balance		\$14,555,943.55
A	Beginning Cash Balance:	\$ 15,074,879.11	
C	Revenues for Month:	388,313.13	
T	Total Revenues for Month:	388,313.13	
I			
V			
I	Warrant List 9/13/2017	(547,205.52)	
T	Warrant List 7/8/27/2017	(218,831.96)	
Y	Payroll	(139,268.32)	
R	Total Expenses for Month:	(905,305.80)	
E			
C	Total JE's and Void Checks:	(1,942.89)	
A			
P	Ending Cash Balance		\$ 14,555,943.55

General Fund Assignments:

Capital Replacement	\$1,400,000.00
Unfunded Pension	47,773.00
Equipment Replacement	200,000.00
Unfunded OPEB	308,280.00
Legal Fee Contingency	100,000.00
UNASSIGNED BALANCE	\$2,049,029.10
* General Fund Total	\$4,105,082.10

*NOTE: Per Adopted Budget 2017-18 General Fund total fund balance for 6/30/18 is projected at \$4.2 million.

FISCAL HEALTH SUMMARY:

Unreserved/Spendable Percentage of General Fund (Adopted Policy is 60%)	84.09%
<i>Calculated at current GF fund balance less non-spendable funds, divided by current year budgeted operating expenditures.</i>	
Days of Running Liquidity of Spendable General Fund	379
<i>GASB recommends no less than 90 days</i>	

NOTE: General Fund assigned fund balances were approved by the Town Council on January 24, 2014. The unassigned fund balance is on the cash basis and does not include the adopted budget surplus/deficit for the fiscal year or accrued liabilities such as accounts payable or compensated absences, which are typically only accrued on June 30th of each fiscal year. This report is complete as of the last business day of the month for which it was issued. If new information arises for this or prior periods, these monthly reports will not be updated but the adjustment will be reflected in the month where the information

Obasi, Ndidi <nobasi@c-span.org>

You're Invited! - Local students win NATIONAL documentary competition on public affairs topics

Dear Town Council Members,

You are cordially invited to attend our ceremony celebrating 3 Woodside Priory students on being 3rd Prize winners in our annual StudentCam documentary competition!

The ceremony will take place **Tuesday, April 17th, 2018 from 10:15 – 11 a.m.** at Woodside Priory (302 Portola Rd, Portola Valley, CA 94028).

StudentCam is C-SPAN's annual national video documentary competition that encourages students to think critically about issues that affect our communities and our nation. This year students in grades 6-12 were asked to create a short (5-7 minute) video documentary on a topic related to the new 2018 competition theme, "The Constitution & You: Choose a provision of the U.S. Constitution and create a video illustrating why it's important to you. C-SPAN received a record of 2,985 video submissions from over 5,700 students in 46 states and Washington, D.C. One hundred fifty students and 53 teacher prizes were awarded, totaling \$100,000 in prize money. This year we had 2,903 entries nationwide and had over 5,600 participants!

Here is additional information on the winners:

Student Winners: Lauren Kastanis, Noah Willis, Elizabeth Duncan

Grade: 12

Topic: Guns and Gridlock – The 2nd Amendment

Prize: 3rd Prize, \$750

Teacher: Marcus Stromeyer

We appreciate your attention to this, and do hope that you are able to make it out to celebrate the hard work students in your community put in to creatively engage with issues related to government, politics, and public affairs.

Should you have any questions, please feel free to reach out to me via e-mail or phone (numbers below).

Thanks!

Ndidi L. Obasi

Marketing Representative

Desk: 202-626-4655

Cell: 202-816-0116

C-SPAN[®] *Created by Cable*

April 4, 2018

Sukhmani Purewal

Vacancy in May for City Selection Committee:

Please find the vacancy list attached for City Selection Committee for the month of May.

Best,

Sukhmani S. Purewal

Assistant Clerk of the Board of Supervisors
Secretary to City Selection Committee



COUNTY OF SAN MATEO

400 County Center | Redwood City, CA 94063

Updated as of 4/4/18

Positions expiring in May!

Please submit your “Letters of Interests” by no later than Thursday, May 3, 2018 to Sukhmani Purewal, Secretary of City Selection Committee and Assitant Clerk of the Board of Supervisors via email or fax. Please email: spurewal@smcgov.org or fax: 650-363-1916.

The next City Selection Committee meeting will he held on May 18, 2018 in Woodside.

➤ **Local Agency Formation Commission (LAFCo)**

- Mike O’Neill, Pacifica
 - Expires: May 2018
 - Representing: Cities
 - Can reapply

All Cities are eligible to apply and the new term for the appointee will be: June 2018 – May 2022