



TOWN OF PORTOLA VALLEY

7:00 PM – Special Meeting of the Town Council
 Wednesday, June 27, 2018
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

***Please note change in title to item #8 - Approval of a Five Year Law Enforcement Agreement between the Town and County of San Mateo**

SPECIAL 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** – June 13, 2018 (3)
2. **Approval of Warrant List** – June 27, 2018 (9)
3. **Recommendation by Interim Finance Director** – Consultant Service Agreement: Maze & Associates Accountancy Corporation (20)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of the Second Amendment to Agreement for Audit Services Between the Town of Portola Valley and Maze & Associates Accountancy Corporation (Resolution No. __)
4. **Recommendation by Interim Finance Director** – Agreement with KPMG LLC to Evaluate and Report on the Charitable Use of the Community Hall (34)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of an Agreement Between the Town of Portola Valley and KPMG LLP (Resolution No. __)
5. **Recommendation by Interim Finance Director** – 2018-'19 Woodside Highlands and Wayside II Road Maintenance District Tax Assessments (56)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing the San Mateo County Controller to Apply the Special Tax for the Woodside Highlands Road Maintenance District to the 2018-2019 Tax Roll and to Collect the Tax at the same time as General County Taxes (Resolution No. __)
 - (b) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing the San Mateo County Controller to Apply the Special Tax for the Wayside II Road Maintenance District to the 2018-2019 Tax Roll and to Collect the Tax at the same time as General County Taxes (Resolution No. __)
6. **Recommendation by Interim Finance Director** - 2018-'19 Appropriations Limit (59)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Determining and Establishing the Appropriations Limit for Fiscal Year 2018-2019 (Resolution No. __)
7. **Resolution Congratulating the City of East Palo Alto on its 35th Anniversary of Incorporation** (69)
8. **Recommendation by Town Attorney** - ~~*Approval of a Short Term Extension to the existing Law Enforcement Agreement between the Town and San Mateo County to Allow for Continued Services until New Contract is Executed~~
 Approval of a Five Year Law Enforcement Agreement between the Town and County of San Mateo (70)
 (Updated status and contract will be provided at the meeting)

REGULAR AGENDA

STAFF REPORTS AND RECOMMENDATIONS

PUBLIC HEARINGS

9. PUBLIC HEARING – Recommendation by Interim Planning Director – First Reading of Ordinance – Outdoor (71) Lighting Ordinance; Amendments to Design Guidelines

- (a) First Reading, Waive Further Reading and Introduce an Ordinance of the Town Council of the Town Of Portola Valley Amending Title 18 [Zoning] of the Portola Valley Municipal Code Relative to Outdoor Lighting (Ord. ___)
- (b) Adoption of a Resolution of the Town Council of the Town of Portola Valley Amending the Portola Valley Lighting Design Guidelines (Resolution No. ___)

10. PUBLIC HEARING - Recommendation by Planner Richardson – Review of Amended Parcel Map to Modify (166) Easement and Driveway Improvements. File #X6D-210, 20, 30 and 40 Meadow Court (formerly 1260 Westridge Drive), Lands of Carano Trust

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Amended Parcel Map for Lands of Carano (Resolution No. ___)
- (b) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving the Execution of an Amended and Restated Subdivision Improvement Agreement Between the Town of Portola Valley and Bandel and Paula Carano (Resolution No. ___)

11. PUBLIC HEARING – Adoption of the 2018-2019 Fiscal Year Budget (244)

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting the Operating and Capital Budgets for Fiscal Year 2018-2019 (Resolution No. ___)

12. Recommendation from Communications & Sustainability Management Analyst – Selecting a Name for the (310) Vernal Pond at the Spring Down Open Space Preserve

13. Recommendation by Town Manager – Public Safety Communications Contract (312)

- (a) Adoption of a Resolution of the Town of Portola Valley Approving an Agreement for Public Safety Communications Services for Fiscal Year 2018-19 Through Fiscal Year 2020-21 Between the Town of Portola Valley and the County of San Mateo (Resolution No. ___)

14. COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS (322)

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.*

15. Town Manager Report (323)

WRITTEN COMMUNICATIONS

16. Town Council Digest – June 14, 2018 (324)

17. Town Council Digest – June 21, 2018 (334)

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. 969, JUNE 13, 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, Craig Hughes; Mayor John Richards

Absent: Councilmember Jeff Aalfs, Vice Mayor Ann Wengert

Others: Jeremy Dennis, Town Manager
Brandi de Garreaux, Assistant to the Town Manager
Arly Cassidy, Interim Planning Director
Doug Radtke, Finance Director
Starla Jerome-Robinson, Interim Finance Director
Cindy Rodas, Accounting Technician
Howard Young, Public Works Director
Cara Silver, Town Attorney
Sharon Hanlon, Town Clerk

ORAL COMMUNICATIONS

Jerrie Welch thanked the Town for putting the Paso Del Arroyo landscape project on the agenda. She said she and her neighbors have been patiently waiting for many years for this area to be beautified. She requested that the project be moved from the 2019-20 budget to the 2018-19 budget. She said other neighborhood residents have also sent emails expressing thanks that the project is finally moving forward, but also requesting that it be moved up to the 2018-19 fiscal year budget.

Town Manager Dennis said for a long time there have been conversations about doing something different with the remnant trail on Paso Del Arroyo. He said that at the time of the budget preparation, staff decided to put the trail project in year two of the five-year plan until certain legal issues were resolved. He said the potential cost of the project was not able to be accommodated in the '18-'19 budget.

CONSENT AGENDA [7:05 p.m.]

- (1) Approval of Minutes – Town Council Regular Meeting of May 23, 2018.
- (2) Approval of Warrant List – June 13, 2018, in the amount of \$128,879.34.

Councilmember Hughes moved to approve the Consent Agenda. Seconded by Councilmember Derwin, the motion carried 3-0, by roll call vote.

REGULAR AGENDA

STAFF REPORTS AND RECOMMENDATIONS

- (3) Recommendation by Town Manager – Fiscal Year 2018-19 Council Priorities.

Town Manager Dennis described the development of this guiding document for budget and work prioritization. He pointed out this priority list is a living document in that priorities change, some items get held over and continued into new fiscal years, and it adjusts to reflect the continuing desires of the Council. Staff recommended the Town Council adopt Fiscal Year 2018-19 Council Priorities, as detailed in the staff report.

Mayor Richards invited questions from the Council.

Councilmember Derwin asked where the consideration of modifications to the Second Unit Ordinance is addressed on the priority list. Town Manager Dennis said the intention is to include it in the Housing Strategic Plan – Part 2. He said they will call it out in that section as a specific item, under continued engagement with residents. He said a study session with the Council regarding ADUs is tentatively scheduled for July 11, 2018. He said staff is working on potential workshops to discuss some of the items that will be brought to the Council.

Councilmember Derwin asked regarding the Wellness Program for staff. Town Manager Dennis said, although not completely defined yet, creating a Wellness Program has been a conversation among staff for some time. It could include health-related incentive programs, transportation initiatives for staff, gym memberships, flexible work hours, etc. Assistant to the Town Manager de Garmeaux said Administrative Assistant Teresa Bowerman will be the main lead on this project. She said they plan to develop the program within the first part of the fiscal year, with implementation beginning in the second part of the fiscal year. Town Manager Dennis said a strong Wellness Program is important to employee retention and appreciation.

Councilmember Derwin said she was very supportive of the Meet & Greets and said they were well received. She encouraged involvement by more staff and Council members. Town Manager Dennis said another Meet & Greet will be announced shortly.

Councilmember Derwin suggested moving the Green Infrastructure in Setbacks Ordinance to the top of the list. Town Manager Dennis said that it can be brought as a discussion item for continued massaging by the Council. He said staff time has been scheduled to continue work on this item in the next few weeks.

Mayor Richards agreed with the description of the list as a living document that includes a fair amount of overlap. He said he was somewhat confused about why Housing-Related Conversation was being listed under Strategic Planning instead of Housing. Town Manager Dennis said the intention in A through E was to indicate that the Council had already begun a series of Strategic Planning efforts without it being under that moniker. He said these were past or continuing efforts to acknowledge the Council's direction to staff as it related to a series of Strategic Planning efforts.

Mayor Richards suggested traffic-pedestrian issues be added to the "Discussions on community-wide interests, including parking and dogs" item.

Councilmember Hughes moved to approve the Fiscal Year 2018-19 Council Priorities. Seconded by Councilmember Derwin; the motion carried 3-0.

(4) Presentation by Town Manager – Review Proposed 2018/2019 Fiscal Year Budget and Set Public Hearing

Town Manager Dennis said staff is proud that in a challenging situation with uncertainty after the loss of the Town's previous Finance Director, they found Interim Finance Director Starla Jerome-Robinson, who has done a great job guiding staff through the budget process. He also acknowledged the tremendous amount of work and attention Accounting Technician Cindy Rodas put in over the last six months over all aspects of the Finance Department. He said because Ms. Rodas has done such a tremendous job and essentially grew beyond her job description the new title of Finance Analyst is being created for her.

Finance Director Starla Jerome-Robinson and Accounting Technician Cindy Rodas presented an overview of the Town of Portola Valley Proposed Budget Fiscal Year 2018-2019, as detailed in the staff report.

Town Manager Dennis pointed out that the development of a five-year Capital Improvement Plan is the first time the Council has had the opportunity to look at anticipated major expenses over a span of time. He said it is an invaluable planning tool for the Council to understand how to allocate resources over time. He thanked Assistant to the Town Manager de Garmeaux and Public Works Director Young, who spent a tremendous amount of time putting this together.

Mayor Richards invited questions from the Council.

Councilmember Hughes said he was at the Finance Committee meeting when the budget was reviewed. He said this year's budget was very well thought out and the Committee made very few changes. He said the five-year capital plan is a very helpful addition.

Councilmember Derwin asked regarding the Park in Lieu funds. Interim Finance Director Jerome-Robinson said last year someone subdivided land, which required a park in lieu fee, which is used for park improvements. Town Attorney Silver said those are sometimes called Quimby Act fees, typically used for developing new parks or expanding the use of a park to serve residential subdivisions, not for repair and maintenance. Councilmember Hughes asked if those funds could be used similar to how Open Space funds are used, to help bring a piece of land up to a certain standard. Councilmember Derwin asked if it could be used to create a dog park. Town Attorney Silver said those uses would be allowed.

Councilmember Derwin asked where the \$6,476 came from in the Open Space-Contributions toward the Town's Open Space funds line item. Interim Finance Director Starla Jerome-Robinson said that figure represents public donations.

In response to Councilmember Derwin's question, Town Manager Dennis said the Committees go through a process to request their budgets.

Councilmember Derwin asked for an explanation of Tyler Tech-Creating Planning Reports. Interim Finance Director Starla Jerome-Robinson said that is the name of the software.

Councilmember Derwin asked about the General Plan Consultant. Town Manager Dennis said the plan for the next fiscal year is to start a process to understand what needs to be done. He noted that it has been 21 years since the last comprehensive General Plan update.

Councilmember Derwin asked why the Springdown Open Space Improvement does not start until 2019-20. Town Manager Dennis said they anticipate starting it in 2018-19, but they didn't have exact figures to include. He said Council had asked staff to have a conversation with the Open Space Acquisition Committee to find out if they would support some of the continuing efforts that the Conservation Committee had highlighted. Those conversations will continue into the next fiscal year. He said staff anticipates coming back in the summer with a budget change to accommodate that. He said one of the considerations is that, based on what monies the Town gets and when, it may make sense to spread it out a little more over time.

Councilmember Derwin asked why Paso Del Arroyo was scheduled for 2019-20 and not 2018-19. Town Manager Dennis said staff had an estimated cost to the General Fund contribution toward capital projects in the range of \$30,000 to \$50,000. He said that would mean eliminating other higher priority items. There were also legal issues that had not yet been resolved. In response to Councilmember Derwin's suggestion to move something so the Paso Del Arroyo can be put on the 2018-19 budget, Town Manager Dennis said something could be removed from the current proposed budget or it could be added, resulting in more of a deficit expenditure.

Councilmember Hughes said there is enough cushion to cover this one-time expense for Paso Del Arroyo. He was supportive of moving the budget item to this year.

Mayor Richards asked what is involved in the process of removing the trail. Public Works Director Young said the current existing trail is asphalt on the side of the road on Paso Del Arroyo. He said the shoulder is extraordinarily wide, approximately 15 feet. Residents have commented that no one uses the trail. He said when the subdivision was created, the Town accepted the trail, so it requires that the Town Council approve removal of the trail, which was dedicated to the Town, or replace it with something more aesthetically pleasing. Public Works Director Young said the trail was originally supposed to lead to something but it in fact leads nowhere. The residents are requesting beautification for the roadway. The trail could be moved to the edge of the road, where it is more useful, and landscaping could be planted in that strip of land to relieve some of the aesthetic issues with cars parked at the garage. Town Manager Dennis asked Public Works Director Young if the idea of a trail replacement has been fully vetted with the residents. Public Works Director Young said that at the time he outlined the issues to the neighbors, he did not yet know for sure that the trail had been dedicated to the Town, but he explained the two options to the neighbors if it was a dedicated trail. After extensive research, Public Works Director Young learned that the trail was dedicated to the Town and the Town owns the entire right of way.

Mayor Richards asked Public Works Director Young why Street Sweeping dropped to \$681 last year. Public Works Director Young said the street sweeping is still the same cost but was funded from reimbursements received from C/CAG.

Town Manager Dennis said staff will try to get a more accurate estimate of the costs for the Paso Del Arroyo project prior to the next meeting. He will bring an amended proposed budget to the Council on June 27. Public Works Director Young will prepare a plan and meet with the neighbors to get feedback of their desires.

Councilmember Hughes asked if the Town is looking to retain that small strip of land or if there is a potentially interested adjacent property that would acquire it from the Town. Public Works Director Young said the Town only has the right of way on that property and does not own it. Town Manager Dennis said, in general, with regard to small pieces of property owned by the Town, the Town would default on the side of being reluctant to give up Town property.

Mayor Richards invited public comment.

Katrina Berube, 40 Paso Del Arroyo. Ms. Berube said she has been in Portola Valley for 63 years. She said the so-called trail is a very bumpy, horrible, ugly, useless thing. She said her husband and another neighbor have been mowing it themselves every couple of weeks. She said nobody uses it because it's so thisty, not even dogs will walk on it. She was not in favor of replacing the trail. She said the road has no traffic, it is very wide, and people just walk on the road because it is a short five-house cul-de-sac.

Jerrie Welch, 10 Paso Del Arroyo. Ms. Welch said when Hans and Carmen Biland first conceived of creating the court, they were very much against that trail; however, in order to get their permit to subdivide and get the lots for the five homes, they were required to put in that trail.

The Council directed staff to place the Paso Del Arroyo project on the 2018-19 budget.

Councilmember Hughes moved to approve the Proposed 2018/2019 Fiscal Year Budget as amended, moving the Paso Del Arroyo project to the 2018-19 FY budget, and set the Public Hearing for June 27, 2018. Seconded by Councilmember Derwin; the motion carried 3-0.

(5) Recommendation by Town Clerk – Calling of the 2018 Election and Giving Notice of an Election

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Calling and Giving Notice of the Holding of a General Municipal Election to be Held on November 6, 2018, for the Purpose of Electing Three Members to the Town Council (Resolution No. 2760-2018)

Town Clerk Sharon Hanlon presented staff's recommendation to the Town Council to adopt the resolution ordering and calling for an election for the purpose of electing three members of the Portola Valley Town Council on November 6, 2018, including consolidation of said election with the County of San Mateo, as detailed in the staff report.

Mayor Richards invited questions from the Council.

In response to Councilmember Derwin's question, Town Clerk Hanlon said nomination papers will be available on July 16, 2018. She said she could not quote a firm figure for the filing fees but expects them to be similar to past election fees.

Councilmember Derwin moved to Adopt a Resolution of the Town Council of the Town of Portola Valley Calling and Giving Notice of the Holding of a General Municipal Election to be Held on November 6, 2018, for the Purpose of Electing Three Members to the Town Council. Seconded by Councilmember Hughes; the motion carried 3-0.

(6) COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS

Councilmember Hughes – Attended the ABAG General Assembly meeting, where they discussed the budget process, Planned Bay Area 2050, San Francisco Bay Trail, MTC-Sacramento junket, and growth of CCAs in California. He attended the Finance Committee meeting. He attended the June 11 ASCC meeting where they discussed a less expensive preliminary review process for applicants to get direction from the Commission before final plans are developed. He attended the June 12, Bicycle, Pedestrian & Traffic Safety Committee special evening meeting, where a public speaker said he had nearly been hit three times in the last few months crossing the crosswalk on Alpine Hills.

Councilmember Derwin – Attended the HEART fundraising event at the Devil's Canyon Brewery. She attended a C/CAG meeting to set the agenda for the June 14 meeting. She attended a Home for All meeting where they discussed "Fees versus Units, Designing an Effective Inclusionary Policy," with Town Manager Dennis and Interim Planning Director Cassidy. She attended the Library JPA meeting, where they passed the budget, approved the donor funds, and elected new officers. She said Half Moon Bay will be opening their new library on August 18. Councilmember Derwin said the County is now requiring all volunteers, such as Friends of the Library, to be fingerprinted. She said three volunteers from Portola Valley refuse to be fingerprinted. Councilmember Derwin also attended the Ethics and Sexual Harassment Prevention training held in the Town of Atherton with Mayor Richards.

Mayor Richards – None.

(7) Town Manager Report – Town Manager Dennis reported that the paving project will occur next week. He said they will put down slurry and immediately roll it in a test area on a portion of Portola Road to see if that is a good solution for the issues around the shoulder paving for bicyclists.

WRITTEN COMMUNICATIONS

(8) Town Council Digest – May 24, 2018

#5 – Invitation to Display National Motto "In God We Trust" in the Council Chamber. Councilmember Derwin opposed.

#6 – Email from Mr. John Roney re: Request Council Opposition to SB 54. Councilmember Derwin opposed.

(9) Town Council Digest – May 31, 2018

None.

(10) Town Council Digest – June 7, 2018

None.

ADJOURNMENT [8:31 p.m.]

Mayor Richards adjourned the meeting.

Mayor

Town Clerk

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

06/27/2018

Date: 06/20/2018

Time: 7:42 pm

Page: 1

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

ALLIANCE CONSTRUCTION	Refund Deposit, 365 Cervantes	19848	06/27/2018	
			06/27/2018	
2118 SAVERIO CT.	0788		06/27/2018	0.00
CAMPBELL	BOA	52785	06/27/2018	0.00
CA 95008				1,000.00

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

Check No.	52785	Total:	1,000.00
Total for	ALLIANCE CONSTRUCTION		1,000.00

AT&T	May Statements	19849	06/27/2018	
			06/27/2018	
P.O. BOX 9011	441		06/27/2018	0.00
CAROL STREAM	BOA	52786	06/27/2018	0.00
IL 60197-9011				286.99

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	286.99	0.00

Check No.	52786	Total:	286.99
Total for	AT&T		286.99

BANK OF AMERICA	April Statement	19889	06/27/2018	
Bank Card Center			06/27/2018	
P.O. BOX 53155	0022		06/27/2018	0.00
PHOENIX	BOA	52787	06/27/2018	0.00
AZ 85072-3155				3,490.41

GL Number	Description	Invoice Amount	Amount Relieved
05-60-4267	Tools & Equipment	422.23	0.00
05-64-4311	Software & Licensng	181.99	0.00
05-64-4320	Advertisina	195.00	0.00
05-64-4322	Dues	110.00	0.00
05-64-4326	Education & Training	400.00	0.00
05-64-4327	Educ/Train: Council & Commissn	50.00	0.00
05-64-4334	Vehicle Maintenance	197.90	0.00
05-64-4335	Sustainability	1,429.13	0.00
05-64-4336	Miscellaneous	397.65	0.00
05-66-4341	Community Hall	106.51	0.00

Check No.	52787	Total:	3,490.41
Total for	BANK OF AMERICA		3,490.41

BAY AREA GEOTECH GROUP	2017-18 Resurf Project, Field	19850	06/27/2018	
	Density Testing		06/27/2018	
138 CHARCOT AVENUE	618		06/27/2018	0.00
SAN JOSE	BOA	52788	06/27/2018	0.00
CA 95131	46161			10,855.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4585	CIPStreetTestingInsp	10,855.00	0.00

Check No.	52788	Total:	10,855.00
-----------	-------	--------	-----------

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

06/27/2018

Date: 06/20/2018

Time: 7:42 pm

Page: 2

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

Total for	BAY AREA GEOTECH GROUP	10,855.00
-----------	------------------------	-----------

BRUCE NYBERG CONTRACTOR, INC	Refund Deposit, 100 Canyon Dr.	19851	06/27/2018	
			06/27/2018	
196 EASTCREEK ROAD	0789		06/27/2018	0.00
FELTON	BOA	52789	06/27/2018	0.00
CA 95018				1,000.00

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

Check No.	52789	Total:	1,000.00
Total for	BRUCE NYBERG CONTRACTOR, I		1,000.00

BSN SPORTS	Nets for Sports Court	19852	06/27/2018	
		00006536	06/27/2018	
P.O. BOX 7726	0999		06/27/2018	0.00
DALLAS	BOA	52790	06/27/2018	0.00
TX 75209	902336573			984.26

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	984.26	984.26

Check No.	52790	Total:	984.26
Total for	BSN SPORTS		984.26

CALIFORNIA WATER SERVICE CO	Water Svc, 05/10/18-06/11/18	19856	06/27/2018	
			06/27/2018	
3525 ALAMEDA DE LAS PULGAS	0011		06/27/2018	0.00
MENLO PARK	BOA	52791	06/27/2018	0.00
CA 94025844				13,530.35

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	13,530.35	0.00

Check No.	52791	Total:	13,530.35
Total for	CALIFORNIA WATER SERVICE CO		13,530.35

CALPERS	June Unfunded Liability	19853	06/27/2018	
FISCAL SERVICES DIVISION			06/27/2018	
ATTN: RETIREMENT PROG ACCTG	0107		06/27/2018	0.00
SACRAMENTO	BOA	52792	06/27/2018	0.00
CA 94229-2703	100000015313850			1,577.88

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4080	Retirement - PERS	1,577.88	0.00

CALPERS	April Retirement	19854	06/27/2018	
FISCAL SERVICES DIVISION			06/27/2018	
ATTN: RETIREMENT PROG ACCTG	0107		06/27/2018	0.00
SACRAMENTO	BOA	52792	06/27/2018	0.00
CA 94229-2703				17,878.10

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2522	PERS Payroll	1,777.05	0.00
05-00-2556	Arrears Svc Cr	107.38	0.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

06/27/2018

Date: 06/20/2018

Time: 7:42 pm

Page: 3

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

05-50-4080	Retirement - PERS	15,793.67	0.00	
05-50-4080	Retirement - PERS	200.00	0.00	
CALPERS	May Retirement	19855	06/27/2018	
FISCAL SERVICES DIVISION			06/27/2018	
ATTN: RETIREMENT PROG ACCTG	0107		06/27/2018	0.00
SACRAMENTO	BOA	52792	06/27/2018	0.00
CA 94229-2703				17,964.74

GL Number	Description	Invoice Amount	Amount Relieved	
05-00-2522	PERS Payroll	1,777.05	0.00	
05-00-2556	Arrears Svc Cr	107.38	0.00	
05-50-4080	Retirement - PERS	16,080.31	0.00	

Check No.	52792	Total:	37,420.72
Total for	CALPERS		37,420.72

CITY OF REDWOOD CITY (IT)	May IT Support	19857	06/27/2018	
			06/27/2018	
P.O. BOX 3629	586		06/27/2018	0.00
REDWOOD CITY	BOA	52793	06/27/2018	0.00
CA 94064	BR48491			2,250.30

GL Number	Description	Invoice Amount	Amount Relieved	
05-54-4216	IT & Website Consultants	2,250.30	0.00	

Check No.	52793	Total:	2,250.30
Total for	CITY OF REDWOOD CITY (IT)		2,250.30

COUNTY OF SAN MATEO	Staff Training, Borck/Cassidy/	19858	06/27/2018	
HUMAN RESOURCES DEPT	de Garneau		06/27/2018	
455 COUNTY CENTER, 5TH FLOOR	1241		06/27/2018	0.00
SAN MATEO	BOA	52794	06/27/2018	0.00
CA 94063	CI17-058			345.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4326	Education & Training	345.00	0.00	

Check No.	52794	Total:	345.00
Total for	COUNTY OF SAN MATEO		345.00

GENTRY CONSTRUCTION	Refund Deposit, 1390 Westridge	19859	06/27/2018	
			06/27/2018	
846 PORTOLA ROAD	0387		06/27/2018	0.00
PORTOLA VALLEY	BOA	52795	06/27/2018	0.00
CA 94028				342.50

GL Number	Description	Invoice Amount	Amount Relieved	
96-54-4207	Deposit Refunds, Other Charges	342.50	0.00	

Check No.	52795	Total:	342.50
Total for	GENTRY CONSTRUCTION		342.50

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

06/27/2018

Date: 06/20/2018

Time: 7:42 pm

Page: 4

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

GREEN HALO SYSTEMS	Hosting/Access, June 2018	19861	06/27/2018	
			06/27/2018	
2431 ZANKER ROAD	0654		06/27/2018	0.00
SAN JOSE	BOA	52796	06/27/2018	0.00
CA 95131	1715			114.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4311	Software & Licensina	114.00	0.00

Check No.	52796	Total:	114.00
Total for	GREEN HALO SYSTEMS		114.00

HILLYARD, INC	Janitorial Supplies	19862	06/27/2018	
			06/27/2018	
P.O. BOX 843025	531		06/27/2018	0.00
KANSAS CITY	BOA	52797	06/27/2018	0.00
MO 64184-3025	603026286			484.31

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4340	Building Maint Equip & Supp	161.43	0.00
05-66-4341	Community Hall	161.44	0.00
25-66-4340	Building Maint Equip & Supp	161.44	0.00

HILLYARD, INC	Floor Mat Town Hall Lobby	19863	06/27/2018	
			06/27/2018	
P.O. BOX 843025	531		06/27/2018	0.00
KANSAS CITY	BOA	52797	06/27/2018	0.00
MO 64184-3025	603021224			228.93

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	228.93	0.00

Check No.	52797	Total:	713.24
Total for	HILLYARD, INC		713.24

ICMA	April Def Comp	19864	06/27/2018	
VANTAGE POINT TFER AGTS-304617			06/27/2018	
C/O M&T BANK	0084		06/27/2018	0.00
BALTIMORE	BOA	52798	06/27/2018	0.00
MD 21264-4553				3,717.92

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2557	Defer Comp	3,717.92	0.00

ICMA	May Def Comp	19865	06/27/2018	
VANTAGE POINT TFER AGTS-304617			06/27/2018	
C/O M&T BANK	0084		06/27/2018	0.00
BALTIMORE	BOA	52798	06/27/2018	0.00
MD 21264-4553				5,122.00

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2557	Defer Comp	5,122.00	0.00

Check No.	52798	Total:	8,839.92
Total for	ICMA		8,839.92

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

06/27/2018

Date: 06/20/2018

Time: 7:42 pm

Page: 5

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
INTERSTATE TRAFFIC CNTRL	Custom Neighborhood Watch	19866	06/27/2018	
	Signs		06/27/2018	
1700 INDUSTRIAL ROAD, STE B	564		06/27/2018	0.00
SAN CARLOS	BOA	52799	06/27/2018	0.00
CA 94070	225439			193.68

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	193.68	0.00

Check No.	52799	Total:	193.68
Total for	INTERSTATE TRAFFIC CNTRL		193.68

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
MICHELLE JASEN	Refund Deposit, Event 6/9/18	19860	06/27/2018	
			06/27/2018	
6 BLUE OAKS CT	0633		06/27/2018	0.00
PORTOLA VALLEY	BOA	52800	06/27/2018	0.00
CA 94028				100.00

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2562	Field Deposits	100.00	0.00

Check No.	52800	Total:	100.00
Total for	MICHELLE JASEN		100.00

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
KUSTOM SIGNALS INC	Solar Panel For Radar Speed	19867	06/27/2018	
	Trailer	00006528	06/27/2018	
P.O. BOX 411882	602		06/27/2018	0.00
KANSAS CITY	BOA	52801	06/27/2018	0.00
MO 64141-1882	553016			1,425.63

GL Number	Description	Invoice Amount	Amount Relieved
05-60-4267	Tools & Equipment	1,425.63	1,325.00

Check No.	52801	Total:	1,425.63
Total for	KUSTOM SIGNALS INC		1,425.63

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
LYNX TECHNOLOGIES, INC	GIS Hosting Fee	19868	06/27/2018	
			06/27/2018	
1350 41ST AVENUE	0294		06/27/2018	0.00
CAPITOLA	BOA	52802	06/27/2018	0.00
CA 95010	8462			250.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4311	Software & Licensina	250.00	0.00

Check No.	52802	Total:	250.00
Total for	LYNX TECHNOLOGIES, INC		250.00

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
MILLIMAN, INC.	GASB 75 Tool Access	19869	06/27/2018	
			06/27/2018	
ATTN: ANNA ORTIZ	0456		06/27/2018	0.00
WINDSOR	BOA	52803	06/27/2018	0.00
CT 06095				2,800.00

GL Number	Description	Invoice Amount	Amount Relieved
-----------	-------------	----------------	-----------------

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

06/27/2018

Date: 06/20/2018

Time: 7:42 pm

Page: 6

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

05-54-4180	Accounting & Auditing	2,800.00	0.00	
------------	-----------------------	----------	------	--

Check No.	52803	Total:	2,800.00
Total for	MILLIMAN, INC.		2,800.00

ASHLEY NORFLEET	Refund Deposit, 465 Wayside	19870	06/27/2018	
			06/27/2018	
6940 N. GREENFIELD DRIVE	0497		06/27/2018	0.00
PARK CITY	BOA	52804	06/27/2018	0.00
UT 84098				1,520.24

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	1,520.24	0.00

Check No.	52804	Total:	1,520.24
Total for	ASHLEY NORFLEET		1,520.24

NOLTE ASSOCIATES, INC. NV5	April Applicant Charges	19871	06/27/2018	
			06/27/2018	
P.O. BOX 74008680	0104		06/27/2018	0.00
CHICAGO	BOA	52805	06/27/2018	0.00
IL 89193-3243				10,294.19

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	10,294.19	0.00

Check No.	52805	Total:	10,294.19
Total for	NOLTE ASSOCIATES, INC. NV5		10,294.19

PERS HEALTH	June Health	19872	06/27/2018	
			06/27/2018	
VIA EFT	0108		06/27/2018	0.00
	BOA	52806	06/27/2018	0.00
				11,926.24

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4086	Health Insurance Medical	11,926.24	0.00

Check No.	52806	Total:	11,926.24
Total for	PERS HEALTH		11,926.24

PG&E	May Statements	19873	06/27/2018	
			06/27/2018	
BOX 997300	0109		06/27/2018	0.00
SACRAMENTO	BOA	52807	06/27/2018	0.00
CA 95899-7300				547.85

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	547.85	0.00

Check No.	52807	Total:	547.85
Total for	PG&E		547.85

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

06/27/2018

Date: 06/20/2018

Time: 7:42 pm

Page: 7

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

PLATINUM FACILITY SERVICES	June Janitorial	19874	06/27/2018	
			06/27/2018	
1530 OAKLAND RD., #150	402		06/27/2018	0.00
SAN JOSE	BOA	52808	06/27/2018	0.00
CA 95112	32189			4,903.13

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4341	Community Hall	1,203.35	0.00
05-66-4344	Janitorial Services	2,467.64	0.00
25-66-4344	Janitorial Services	1,232.14	0.00

Check No.	52808	Total:	4,903.13
Total for	PLATINUM FACILITY SERVICES		4,903.13

PORTOLA VALLEY HARDWARE	April Statement	19890	06/27/2018	
			06/27/2018	
112 PORTOLA VALLEY ROAD	0114		06/27/2018	0.00
PORTOLA VALLEY	BOA	52809	06/27/2018	0.00
CA 94028				507.44

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	60.84	0.00
05-60-4267	Tools & Equipment	341.08	0.00
05-64-4308	Office Supplies	105.52	0.00

Check No.	52809	Total:	507.44
Total for	PORTOLA VALLEY HARDWARE		507.44

ROBERTS MARKET	Home for All Event Refreshment	19875	06/27/2018	
			06/27/2018	
3015 WOODSIDE ROAD	1236		06/27/2018	0.00
WOODSIDE	BOA	52810	06/27/2018	0.00
CA 94062	244268333, 24426881			699.02

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	699.02	0.00

Check No.	52810	Total:	699.02
Total for	ROBERTS MARKET		699.02

RON RAMIES AUTOMOTIVE, INC.	May Fuel Statement	19876	06/27/2018	
			06/27/2018	
115 PORTOLA ROAD	422		06/27/2018	0.00
PORTOLA VALLEY	BOA	52811	06/27/2018	0.00
CA 94028				630.77

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	630.77	0.00

Check No.	52811	Total:	630.77
Total for	RON RAMIES AUTOMOTIVE, INC.		630.77

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

06/27/2018

Date: 06/20/2018

Time: 7:42 pm

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
SHRED-IT LLC	Earth Fair Shred Event	19877	06/27/2018	
		00006554	06/27/2018	
350 HATCH DRIVE	0352		06/27/2018	0.00
FOSTER CITY	BOA	52812	06/27/2018	0.00
CA 94404	8124841643			1,115.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4335	Sustainability	1,115.00	1,115.00

Check No.	52812	Total:	1,115.00
Total for	SHRED-IT LLC		1,115.00

SIERRA PACIFIC TURF SUPPLY INC	Fertilizer for all fields	19878	06/27/2018	
		00006552	06/27/2018	
P.O. BOX 84	842		06/27/2018	0.00
CAMPBELL	BOA	52813	06/27/2018	0.00
CA 95009	0529876-IN			2,285.43

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	2,285.43	2,265.43

Check No.	52813	Total:	2,285.43
Total for	SIERRA PACIFIC TURF SUPPLY IN		2,285.43

SLOAN, VAZQUEZ, MCAFEE	Garbage Franchise Negotiation	19879	06/27/2018	
Municipal Solid Waste Advisors	Consultant		06/27/2018	
3002 DOW AVE. #116	0790		06/27/2018	0.00
TUSTIN	BOA	52814	06/27/2018	0.00
CA 92780	PV-001			17,370.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	17,370.00	0.00

Check No.	52814	Total:	17,370.00
Total for	SLOAN, VAZQUEZ, MCAFEE		17,370.00

STAPLES CREDIT PLAN	Office Supplies-5/11/18-6/5/18	19880	06/27/2018	
			06/27/2018	
DEPT. 31 - 0000306219	430		06/27/2018	0.00
PHOENIX	BOA	52815	06/27/2018	0.00
AZ 85062-8004				1,618.04

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	1,618.04	0.00

Check No.	52815	Total:	1,618.04
Total for	STAPLES CREDIT PLAN		1,618.04

STATE COMP INSURANCE FUND	June Premium	19881	06/27/2018	
			06/27/2018	
PO BOX 748170	0122		06/27/2018	0.00
LOS ANGELES	BOA	52816	06/27/2018	0.00
CA 90074-8170				3,152.17

GL Number	Description	Invoice Amount	Amount Relieved
-----------	-------------	----------------	-----------------

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

06/27/2018

Date: 06/20/2018

Time: 7:42 pm

Page: 9

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

05-50-4094	Worker's Compensation	3,152.17	0.00	
------------	-----------------------	----------	------	--

Check No.	52816	Total:	3,152.17
Total for	STATE COMP INSURANCE FUND		3,152.17

STATE CONTROLLER'S OFFICE	Annual Street Report, FY 16-17	19882	06/27/2018	
			06/27/2018	
DEPARTMENTAL ACCTG OFC	0218		06/27/2018	0.00
SACRAMENTO	BOA	52817	06/27/2018	0.00
CA 94250-5877	FAUD-00001318			1,633.17

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4180	Accounting & Auditing	1,633.17	0.00

Check No.	52817	Total:	1,633.17
Total for	STATE CONTROLLER'S OFFICE		1,633.17

THERMAL MECHANICAL, INC	Quarterly PM Svc, April 2018	19883	06/27/2018	
			06/27/2018	
425 ALDO AVENUE	955		06/27/2018	0.00
SANTA CLARA	BOA	52818	06/27/2018	0.00
CA 95054	72974			1,539.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4341	Community Hall	513.00	0.00
05-66-4346	Mechanical Sys Maint & Repair	513.00	0.00
25-66-4346	Mechanical Sys Maint & Repair	513.00	0.00

Check No.	52818	Total:	1,539.00
Total for	THERMAL MECHANICAL, INC		1,539.00

TOTLCOM, INC.	Telephone Equipment Add-on	19884	06/27/2018	
			06/27/2018	
65 HANGAR WAY	349		06/27/2018	0.00
WATSONVILLE	BOA	52819	06/27/2018	0.00
CA 95076	271243			518.84

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	518.84	0.00

Check No.	52819	Total:	518.84
Total for	TOTLCOM, INC.		518.84

SAMANTHA WANG	Refund Deposit, 207 Westridge	19885	06/27/2018	
			06/27/2018	
23 BISHOP LANE	0791		06/27/2018	0.00
MENLO PARK	BOA	52820	06/27/2018	0.00
CA 94025				500.00

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

Check No.	52820	Total:	500.00
-----------	-------	--------	--------

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

06/27/2018

Date: 06/20/2018

Time: 7:42 pm

Page: 10

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
			<u>Total for</u>	SAMANTHA WANG 500.00

JERRI WELCH	Reimbursement, CAC Pottery	19886	06/27/2018	
	Night Event		06/27/2018	
10 PASO DEL ARROYO	0792		06/27/2018	0.00
PORTOLA VALLEY	BOA	52821	06/27/2018	0.00
CA 94028				21.03

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4150	Cultural Arts Committee	21.03	0.00

JERRI WELCH	Reimbursement, CAC Youth Photo	19887	06/27/2018	
	Event		06/27/2018	
10 PASO DEL ARROYO	0792		06/27/2018	0.00
PORTOLA VALLEY	BOA	52821	06/27/2018	0.00
CA 94028				37.18

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4150	Cultural Arts Committee	37.18	0.00

Check No.	52821	Total:	58.21
<u>Total for</u>	JERRI WELCH		58.21

WOODSIDE FIRE PROTECTION DISTR	Staff CPR Training	19888	06/27/2018	
			06/27/2018	
3111 WOODSIDE ROAD	886		06/27/2018	0.00
WOODSIDE	BOA	52822	06/27/2018	0.00
CA 94062	PV-CPR*5/2018			400.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4326	Education & Training	400.00	0.00

Check No.	52822	Total:	400.00
<u>Total for</u>	WOODSIDE FIRE PROTECTION DI		400.00

Total Invoices:	43	Grand Total:	147,160.74
		Less Credit Memos:	0.00
		Net Total:	147,160.74
		Less Hand Check Total:	0.00
		Outstanding Invoice Total:	147,160.74

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
June 27, 2018

Claims totaling \$147,160.74 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 the Town Council

FROM: Starla Jerome-Robinson, Interim Finance Director

DATE: June 27, 2018

RE: Consultant Service Agreement: Maze & Associates Accountancy Corporation

RECOMMENDATION

Staff recommends adoption of the attached Resolution authorizing execution of the Agreement between the Town of Portola Valley and Maze & Associates Accountancy Corporation.

BACKGROUND

The Town has been employing Maze & Associates Accountancy Corporation to provide auditing services and wishes to retain Maze's services as auditor under existing terms and conditions. Staff is satisfied with the service Maze has provided to the Town, and the attached Resolution and agreement will continue their provision of auditing services to the Town for the fiscal year ending June 30, 2018. In addition, Maze has institutional knowledge that will be useful with a new Finance Director on staff.

DISCUSSION

Maze & Associates Accountancy Corporation provides the following auditing services to the Town:

- Assists Town staff in the completion of other required financial reports, including Measure A compliance reports
- Assists Town staff in the completion of state annual reports of financial transactions (both for the Town itself and four maintenance districts).

FISCAL IMPACT

Cost for these services is \$29,960. Sufficient funds have been included in the proposed budget for FY 2018-19 for costs associated with the contract.

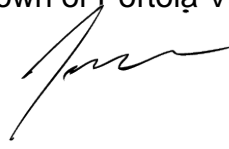
ATTACHMENT

1. Agreement between Town and Maze & Associates Accountancy Corporation
2. Resolution of the Town of Portola Valley Approving and Authorizing Execution of

Title of Agenda Item

an Agreement for Auditing Services between the Town of Portola Valley and Maze & Associates Accountancy Corporation

Approved by: Jeremy Dennis, Town Manager





May 4, 2018

Jeremy Dennis
Town Manager
Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028

Dear Jeremy:

We are pleased to confirm our understanding of the services we are to provide for the Town of Portola Valley for the year ended June 30, 2018. The services we have been engaged to provide are outlined below, but we are also available to provide additional services at your request:

- 1) Audit of the Basic Financial Statements, and assistance with the preparation of the Basic Financial Statements, and review of Management Discussion & Analysis.
- 2) Testing of compliance for Measure A and preparation of required reports.
- 3) Preparation of the Town's Annual Report of Financial Transactions (Controller's Report) and issuance of a compilation report. (See Compilation Attachment for Our Responsibilities and Your Responsibilities related to the compilation report)
- 4) Preparation of 4 Special District's Annual Report of Financial Transactions (Controller's Report) and issuance of compilation reports. (See Compilation Attachment for Our Responsibilities and Your Responsibilities related to the compilation report)
- 5) Perform procedures and issue agreed upon procedures opinion to comply with Proposition 111 Appropriation Limit increment requirements.

Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis, to supplement the Town's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the Town's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

If the Town's financial statements are accompanied by supplementary information other than RSI, we will subject the supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and will provide an opinion on it in relation to the financial statements as a whole.

Other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that information.

Accountancy Corporation
3478 Buskirk Avenue, Suite 215
Pleasant Hill, CA 94523

T 925.930.0902
F 925.930.0135
E maze@mazeassociates.com
W mazeassociates.com

Audit Objective

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the accompanying supplementary information when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America, and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. Our reports will be addressed to the Council of the Town. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with Town management in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or may withdraw from this engagement.

Audit Procedures - General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations that are attributable to the Town or to acts by management or employees acting on behalf of the Town.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of physical existence of inventories, and direct confirmation of cash, investments and certain other assets and liabilities by correspondence with selected customers, creditors and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill the Town for responding to this inquiry. At the conclusion of our audit we will also require certain written representations from management about the financial statements and related matters.

Audit Procedures - Internal Controls

Our audit will include obtaining an understanding of the Town and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

Audit Procedures - Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town's compliance with certain provisions of applicable laws, regulations, contracts,

and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Agreed-Upon Procedures

Our services to apply agreed-upon procedures will be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of those parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures described in the report either for the purpose for which the report had been requested or for any other purpose. If, for any reason, we are unable to complete the procedures, we will describe any restrictions on the performance of the procedures in our report, or will not issue a report as a result of this engagement. Because agreed-upon procedures do not constitute an examination, we will not express an opinion. In addition, we have no obligation to perform any procedures beyond those agreed to.

Other Services

We will also assist in preparing the financial statements and related notes in conformity with U.S. generally accepted accounting based on information provided by you.

Management Responsibilities

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. We understand that the Town will provide us with the Closing Checklist information required for our audit and that the Town is responsible for the accuracy and completeness of that information. You are also responsible for providing us with access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, additional information that we may request for the purpose of the audit, and unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Management is responsible for adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

Management is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (a) management, (b) employees who have significant roles in internal control, and (c) others where the fraud could have a material effect on the financial statements. Management's responsibilities include informing us of its knowledge of any allegations of fraud or suspected fraud affecting the Town received in communications from employees, former employees, regulators, or others. In addition, management is responsible for identifying and ensuring that the Town complies with applicable laws and regulations.

Management is responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. Management agrees to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. Management also agrees to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Management's responsibilities include acknowledging to us in the representation letter that: management is responsible for presentation of supplementary information in accordance with GAAP; that management believes the supplementary information, including its form and content, is fairly presented in accordance with GAAP; that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and management has disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management agrees to assume all management responsibilities for financial statement preparation services and any other nonattest services we provide; oversee the services by designating an individual, preferably from senior management with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accepting responsibility for them.

Engagement Administration, Fees, and Other

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

The audit documentation for this engagement is our property and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request in a timely manner to a federal agency providing oversight of direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Maze & Associates personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies. We will retain audit documentation for seven years after the report release date pursuant to state regulations.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

We expect to begin our audit in June 2018 and to issue our reports in December 2018. Grace Zhang is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

Our fees for these services are billed based on our contract with the Town. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if the Town's account becomes thirty days or more overdue and may not be resumed until the Town's account is paid in full.

These fees are based on anticipated cooperation from Town personnel, the completion of schedules and data requested on our Checklists, and the assumption that there will be no unexpected increases in work scope, such as new debt issues, etc., or delays which are beyond our control, as discussed on the Fees Attachment to this letter. If significant additional time is necessary, we will discuss it with Town management and arrive at a new fee before we incur any additional costs.

We understand you will provide us with basic workspace sufficient to accommodate the audit team assigned to your audit. We understand the basic workspace will be equipped with a telephone and direct Internet access, preferably a temporary network outside of your network, a public IP address and a wired connection. We understand you will also provide us with access to a fax machine and read only access to your general ledger system.

Government Auditing Standards require that we provide the Town with a copy of our most recent external peer review report, and any subsequent peer review reports received during the period of the contract. Our most recent peer review report accompanies this letter.

We appreciate the opportunity to be of service to the Town and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return the entire copy to us.



Maze & Associates

RESPONSE:

This letter correctly sets forth the understanding of the Town.

By: _____

Title: _____

Date: _____

**Town of Portola Valley Engagement Letter
Fees Attachment**

Our fees for the work described in the attached engagement letter will be as follows, unless they are adjusted for one or more of the items below.

Basic Financial Statements	\$23,375
Measure A	625
Controller's Report – Town	3,425
Controller's Report – 4 special districts	1,755
Proposition 111 Appropriation Limit	<u>510</u>
Total:	<u><u>\$29,690</u></u>

2018 Fees – Our recurring fees have been adjusted only for the change in the services component of the Bay Area Cost of Living Index for the San Francisco Bay Area of 3.3%, except as noted below:

PDF Copies of Reports – scanned copies of the above reports are available upon request at no charge. These scanned copies (300 dpi) are not high quality and the file sizes may be large, depending on the length of the report. **If you intend to post the CAFR to your website, we do not recommend using the scanned copies to do so.** If you would like a higher quality PDF file, we have listed three options below. Please contact us for more information on the specifics of these options. **Please contact us if you would like us to prepare one of the following three options** for your CAFR, or if you'd like a quote for the preparation of a file for another type of report. In addition, should you decide on one of the following options, please let us know at least a week in advance.

1. INDIVIDUAL PDF CAFR PAGES - \$200
2. WEB PDF CAFR - \$750
3. CAMERA READY PDF CAFR - \$1,000

Additional Services - The above fees are for audit and assurance services described in the accompanying engagement letter. They do not include fees for assisting with closing the books nor providing other accounting services. Should the Town require assistance beyond audit services we will provide an estimate before proceeding.

Report Finalization - Our fee is based on our understanding that all information and materials necessary to finalize all our reports will be provided to us before we complete our year-end fieldwork in your offices. In the case of financial statements, this includes all the materials and information required to print the financial statements. As in the past, we will provide final drafts of all our reports before we leave your offices. We will schedule a Final Changes Meeting with you for a date no more than two weeks after we complete our fieldwork. At that meeting, we will finalize all reports for printing. After that date, report changes you make and changes required because information was not received timely will be billed at our normal hourly rates.

Post-Closing Client Adjusting Entries - The first step in our year-end audit is the preparation of financial statement drafts from your final closing trial balance. That means any entries you make after handing us your closing trial balance must be handled as audit adjustments, or in extreme cases, by re-inputting the entire trial balance, even if the amounts are immaterial. If you make such entries and the amounts are in fact immaterial, we will bill you for the costs of the adjustments or re-input at our normal hourly rates.

Recurring Audit Adjustments - Each year we include the prior year's adjusting entries as new steps in our Closing Checklist, so that you can incorporate these entries in your closing. If we are required to continue to make these same adjustments as part of this year's audit, we will bill for this service at our normal hourly rates.

CAFR Printing - As a convenience, we can send your CAFR to a printer we use locally. We do not charge for delivering camera-ready print masters to any printer of your choice and delivering the CAFRs or BFS to you. However, we will bill you for any additional time spent on the CAFR printing at our normal hourly rates. This includes changes after the report goes to the printer, obtaining, reviewing and / or delivering printer's proofs, etc.

We can also help with CAFR design, including covers, tabs, dividers, color choices, binding, organization charts, maps, etc. We will estimate these costs for you before processing.

Grant Programs Requiring Separate Audit - Grant programs requiring separate audits represent a significant increase in work scope, and fees for these audits vary based on the grant requirements. If you wish us to determine and identify which programs are subject to audit, we will bill you for that time at our normal hourly rates.

Changes in Town Personnel - Our experience is that changes and /or reductions in Finance Department staff can have a pronounced impact on costs of performing the audit. If such changes occur, we will meet with you to assess their impact and arrive at a new fee before we begin the next phase of our work. However, we reserve the right to revisit this subject at the conclusion of the audit, based on your actual performance and our actual costs.

Town of Portola Valley Engagement Letter
Compilation Attachment
June 30, 2018

The services we have been engaged to provide are outlined below.

- Prepare and Electronically File the following reports for the Town:
 - Annual Report of Financial Transactions for the Town
 - Annual Report of Financial Transactions for 4 Special District's

We will prepare and electronically file the Annual Financial Transactions Report(s) for the year ended June 30, 2018 in accordance with the requirements of Government Code Section 53891 and the California State Controller's Office's Town's Financial Transactions Report Instructions dated 10/2017 and perform a compilation engagement with respect to the Financial Transactions Report. Town staff will provide us with a detailed trial balance and any supporting general ledger reports or schedules required to prepare the Report(s).

The supplementary information accompanying the Report(s), including the U.S. Bureau of the Census Survey and any others required by the California State Controller's Office, will be presented for purposes of additional analysis. We will not compile the supplementary information. We will not express an opinion, a conclusion, or provide any assurance on such supplementary information.

Our Responsibilities

The objective of our engagement is to-

1. prepare the Report(s) in accordance with the format prescribed by the California State Controller's Office based on information provided by you and is not intended to be a presentation in accordance with accounting principles generally accepted in the United States of America, and
2. apply accounting and financial reporting expertise to assist you in the presentation of the Report(s) without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the Report(s) in order for them to be in accordance with the format prescribed by the California State Controller's Office.

We will conduct our compilation engagement in accordance with Statements on Standards for Accounting and Review Services (SSARS) promulgated by the Accounting and Review Services Committee of the AICPA and comply with applicable professional standards, including the AICPA's *Code of Professional Conduct* and its ethical principles of integrity, objectivity, professional competence, and due care, when performing the preparation and electronic filing of the Report(s), and performing the compilation engagement.

We are not required to, and will not, verify the accuracy or completeness of the information you will provide to us for the engagement or otherwise gather evidence for the purpose of expressing an opinion or a conclusion. Accordingly, we will not express an opinion or a conclusion nor provide any assurance on the Report(s).

Our engagement cannot be relied upon to identify or disclose any Report misstatements, including those caused by fraud or error, or to identify or disclose any wrongdoing within the entity or noncompliance with laws and regulations.

We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Your Responsibilities

The engagement to be performed is conducted on the basis that you acknowledge and understand that our role is to prepare the Report(s) in accordance with the format prescribed by the California State Controller's Office and assist you in the presentation of the Report(s) in accordance with the format prescribed by the California State Controller's Office. You have the following overall responsibilities that are fundamental to our undertaking the engagement in accordance with SSARS:

1. The selection of the format prescribed by the California State Controller's Office as the financial reporting framework to be applied in the preparation of the Report(s).
2. The preparation and fair presentation of the Report(s) in accordance with the format prescribed by the California State Controller's Office.
3. The design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the Report(s).
4. The prevention and detection of fraud.
5. To ensure that the Town complies with the laws and regulations applicable to its activities.
6. The accuracy and completeness of the records, documents, explanations, and other information, including significant judgments, you provide to us for the engagement.
7. To provide us with-
 - a. access to all information of which you are aware that is relevant to the fair presentation of the Report(s), such as records, documentation, and other matters.
 - b. additional information that we may request from you for the purpose of the compilation engagement.
 - c. unrestricted access to persons within the entity of whom we determine it necessary to make inquiries.

You are also responsible for all management decisions and responsibilities and for designating an individual with suitable skills, knowledge, and experience to oversee our preparation and electronic filing of your Report(s). You are responsible for evaluating the adequacy and results of the services performed and accepting responsibility for such services.

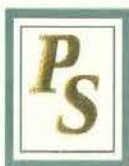
Our Report

As part of our engagement, we will issue a report that will state that we did not audit or review the Report(s) and that, accordingly, we do not express an opinion, a conclusion, or provide any assurance on it(them). If, for any reason, we are unable to complete the compilation of your Report(s), we will not issue a report on such Report(s) as a result of this engagement.

Our report will disclose that the Report(s) are presented in a prescribed form in accordance with the requirements of the California State Controller's Office and are not intended to be a presentation in accordance with accounting principles generally accepted in the United States of America.

You agree to include our accountant's compilation report in any document containing the Report(s) that indicates we have performed a compilation engagement on such Report(s) and, prior to inclusion of the report, to ask our permission to do so.

Timothy J. Krisch is the engagement partner and is responsible for supervising the compilation portion of the engagement and signing the report or authorizing another individual to sign it.



POWELL & SPAFFORD, INC.
CERTIFIED PUBLIC ACCOUNTANTS

Jessie C. Powell, CPA (Ret.)
Patrick D. Spafford, CPA

Licensed by the California Board of Accountancy
Member: American Institute of Certified Public Accountants

SYSTEM REVIEW REPORT

To the Shareholders of
Maze & Associates Accountancy Corporation
and the Peer Review Committee of the CalCPA Peer Review Program

We have reviewed the system of quality control for the accounting and auditing practice of Maze & Associates Accountancy Corporation (the firm) in effect for the year ended May 31, 2014. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. As a part of our peer review, we considered reviews by regulatory entities, if applicable, in determining the nature and extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

As required by the standards, engagements selected for review included engagements performed under *Government Auditing Standards*.

In our opinion, the system of quality control for the accounting and auditing practice of Maze & Associates Accountancy Corporation in effect for the year ended May 31, 2014, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Maze & Associates Accountancy Corporation has received a peer review rating of *pass*.

August 27, 2014

RESOLUTION NO. _____-2018

**RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PORTOLA VALLEY APPROVING AND AUTHORIZING
EXECUTION OF THE SECOND AMENDMENT TO AGREEMENT FOR AUDIT
SERVICES BETWEEN THE TOWN OF PORTOLA VALLEY
AND MAZE & ASSOCIATES ACCOUNTANCY CORPORATION**

WHEREAS, the Town of Portola Valley (“Town”) has contracted for audit services with Maze & Associates Accountancy Corporation (“Maze & Associates”) for the past twelve (12) years and has been satisfied with their performance;

WHEREAS, the term of the Agreement for Audit Services is expiring and the Town desires to enter an amendment extending the term for one (1) additional year for auditing services for the fiscal year ended June 30, 2018;

WHEREAS, the Town Council has read and considered the Third Amendment to Agreement for Audit Services (“Amendment”) between the Town and Maze & Associates.

NOW, THEREFORE, the Town Council of the Town of Portola Valley does hereby RESOLVE as follows:

1. Public interest and convenience require the Town of Portola Valley to extend the agreement for auditing services as described above.
2. The Town Council of the Town of Portola Valley hereby approves and authorizes the Mayor to execute the Amendment on behalf of the Town.

PASSED AND ADOPTED this 27th day of June, 2018.

By: _____
Mayor

ATTEST:

Town Clerk



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Starla Jerome-Robinson, Interim Finance Director

DATE: June 27, 2018

RE: Agreement with KPMG LLC to Evaluate and Report on the Charitable Use of the Community Hall

RECOMMENDATION

Staff recommends that the Town Council adopt the attached Resolution (Attachment #1) entering into an agreement with KPMG LLC (“KPMG”) for specialized accounting services related to the requirement of the Donation of Funds Agreement (Donation Agreement”) with Hasso Plattner Foundation (“Granting Agency”).

BACKGROUND

The Town received a Grant in the amount of \$2 million to fund the construction of the Community Hall. The terms of the Donation Agreement require that the use of funds received and the charitable use of the Community Hall be confirmed on an annual basis by an internationally recognized certified public accounting firm for twenty years.

The Town previously entered into two five-year (ten years total) agreements with KPMG to perform these required accounting services. The KPMG has satisfied their existing agreement.

DISCUSSION

Reporting focuses on confirming that the Community Hall is being used primarily for charitable uses purposes. Staff has worked closely with both KPMG and the German-based representatives of the Granting Agency to develop the required processes and documentation that clearly demonstrate the Town’s satisfaction of this requirement.

In as much as the Town must continue to comply with the Grant requirements, and as the representatives of the Granting Agency and the Town staff are satisfied with the service and reporting provided by KPMG staff is recommending that the Town enter into a new agreement with KPMG for the next five years of reporting requirements (Attachment #2).

FISCAL IMPACT

The cost of this five-year agreement totals \$78,310, which is just slightly more (\$1,100) than the existing five year agreement with KPMG. Staff appreciates KPMG recognized the efficiencies that are in place given the long standing relationship, and reduced their initial bid of \$93,429, saving a total of \$15,119.

The FY 2018-19 Budget includes funds for this contract

ATTACHMENT (Use indented numbers)

1. Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of an Agreement Between the Town of Portola Valley and KPMG LLP
2. Agreement between the Town of Portola Valley and KPMG LLP

Approved by: Jeremy Dennis, Town Manager



RESOLUTION NO. _____ - 2018

**RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PORTOLA VALLEY APPROVING AND AUTHORIZING
EXECUTION OF AN AGREEMENT BETWEEN THE
TOWN OF PORTOLA VALLEY AND KPMG LLP**

WHEREAS, the Town Council of the Town of Portola Valley ("Town") adopted Resolution 2337-2007 approving the Donation of Funds Agreement between the Town and the Hasso Plattner Foundation ("Granting Agency") dated June 27, 2007 that required certain annual reporting; and

WHEREAS, KPMG LLP ("KPMG") has for the past five years provided the required reporting; and

WHEREAS, the Town and the Granting Agency have been satisfied with the annual Grant Evaluation Reports prepared and issued by KPMG in accordance with the reporting requirement of the Donation of Funds Agreement and desire to continue to contract with KPMG for the preparation of the reports; and

WHEREAS, the Town Council has read and considered that certain Agreement between the Town of Portola Valley and KPMG LLP (US) ("Agreement") dated June 27, 2018.

NOW, THEREFORE, the Town Council of the Town does RESOLVE as follows:

1. Public interest and convenience require the Town of Portola Valley to enter into the Agreement described above.
2. The Town of Portola Valley hereby approves the Agreement and the Mayor is hereby authorized on behalf of the Town to execute the Agreement between the Town of Portola Valley and KPMG.

PASSED AND ADOPTED this 27th day of June, 2018

By: _____
Mayor

ATTEST:

Town Clerk

**AGREEMENT BETWEEN THE
TOWN OF PORTOLA VALLEY AND
KPMG LLP (US)**

This Agreement between the Town of Portola Valley and KPMG LLP ("Agreement") is made and entered into this 27th day of June, 2018 by and between the Town of Portola Valley, a municipal corporation ("Town"), and KPMG LLP (US), a limited liability partnership (Consultant").

RECITALS

- A. The Hasso Plattner Foundation ("Foundation") donated funds to the Town for the construction of the new Town Hall pursuant to the Donation of Funds Agreement attached hereto as Exhibit A.
- B. The Town desires to seek professional consulting services related to the grant expenditure reporting required in the Donation of Funds Agreement.
- C. The Town has determined that Consultant possesses such professional skill and ability.

THE PARTIES HEREBY AGREE AS FOLLOWS:

- 1. **SCOPE OF SERVICES.** Consultant shall perform those services specified in detail in Exhibit B.
- 2. **TERM.** The term of this Agreement shall be from the date first set forth above to 31 December 2023 or the date this Agreement is terminated as set forth below.
- 3. **COMPENSATION.** In consideration of Consultant's performance, compensation of Consultant shall not exceed the estimated fees set forth in Exhibit C. For each task set out in Exhibit C, Consultant shall not be paid more than the estimated total without the prior consent of the Town.
- 4. **METHOD OF PAYMENT.** Consultant shall invoice the Town for work performed after each task is completed as set forth in Exhibit B. Payments to Consultant by Town shall be made within 30 days after receipt by Town of Consultant's itemized invoices.
- 5. **INDEPENDENT CONTRACTOR.** Consultant, in the performance of the work and services under this Agreement, shall act as and be an independent contractor and not an agent or employee of the Town or any other governmental entity. In particular, Consultant shall receive no premium or enhanced pay for work normally understood as overtime, nor shall Consultant receive holiday pay, sick leave, administrative leave, or pay for any other time not actually worked. The intention of the parties is that Consultant shall not be eligible for benefits and shall receive no compensation from the Town except as expressly set forth in this Agreement.
- 6. **ASSIGNABILITY.** The parties agree that the expertise and experience of Consultant are material considerations for this Agreement. Consultant shall not assign, transfer, or

subcontract any interest in this Agreement, nor the performance of any of Consultant's obligations hereunder, without the prior written consent of the Town Council, and any attempt by Consultant to do so shall be void and of no effect and a breach of this Agreement. The foregoing notwithstanding, Contractor may utilize the services of KPMG AG Wirtschaftsprüfungsgesellschaft ("KPMG Germany"), to perform work under this Agreement.

7. INDEMNIFICATION AND LIMITATION OF LIABILITY.

7.1. To the fullest extent permitted by law, Consultant shall indemnify, defend and hold harmless the Town, and its elective or appointive boards, officers, employees agents and volunteers against any claims, losses, or liability (including reasonable attorneys' fees) that may arise out of or result from damages to tangible property or physical injury to any person received by reason of, or in the course of work performed under this Agreement due to the negligent, reckless, or willfully wrongful acts or omissions of Consultant or Consultant's officers, employees, agents or subcontractors. The acceptance of such services shall not operate as a waiver of such right of indemnification.

7.2 With regard to Consultant's professional services, Consultant agrees to use that degree of care and skill ordinarily exercised under similar circumstances by members of Consultant's profession, including without limitation adherence to all applicable safety standards. To the fullest extent permitted by law, Consultant shall indemnify, defend and hold harmless the Town, and its elective or appointive boards, officers, and employees from and against all liabilities, including without limitation all claims, losses, damages, penalties, fines, and judgments, associated investigation and administrative expenses, and defense costs, including, but not limited to, reasonable attorneys' fees, court costs and costs of alternative dispute resolution regardless of nature or type that arise out of, pertain to, or relate to the willful misconduct of Consultant or Consultant's officers, employees, agents or subcontractors. The provisions of this Section survive completion of the services or the termination of this Agreement. The acceptance of said services and duties by Town shall not operate as a waiver of such right of indemnification.

7.3 Except for Consultant's indemnification obligations as set forth above, Consultant's maximum liability to the Town arising for any reason relating to the Consultant's performance under this Agreement shall be limited to five times the amount of total fees set forth in Exhibit C. In no event shall either party have any liability to the other party for any lost profits or special, incidental, indirect, consequential, or punitive damages, even if such party has been advised of the possibility of such damages. This section shall apply regardless of the form of action, damage, claim, liability, cost, expense, or loss asserted, whether in contract, statute, tort (including but not limited to negligence) or otherwise.

7.4 This is a services engagement. Consultant warrants that it will perform services under this Agreement in good faith, with qualified personnel in a competent and workmanlike manner. Consultant further agrees that it shall not perform its services in a negligent manner. CONSUL TANT DISCLAIMS ALL OTHER WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

8. INSURANCE REQUIREMENTS. Consultant agrees to have and maintain the policies set forth in Exhibit D entitled "INSURANCE REQUIREMENTS," which is attached

hereto and incorporated herein. All insurance shall be subject to approval by the Town Attorney as to form and content. These requirements are subject to amendment or waiver only if so approved in writing by the Town Attorney. Consultant agrees to provide Town with a copy of said insurance certificates before work commences under this Agreement. A lapse in any required amount or type of insurance coverage during this Agreement shall be a breach of this Agreement.

9. TERMINATION.

9.1 This Agreement may be terminated by either the Town or Consultant following five days written notice of intention to terminate; thereafter, the Town shall be liable to Consultant only for those fees and costs earned by Consultant to the date of termination and which shall be substantiated by an itemized, written statement submitted to Town by Consultant. The Town's right of termination shall be in addition to all other remedies available under law to the Town. Notwithstanding the foregoing, the Town may not terminate this Agreement for default unless the Town provides Consultant with prior written notice, outlining the causes for the proposed termination, and Consultant fails to cure such causes within a reasonable amount of time, which shall be not less than ten (10) business days.

9.2 In the event of termination, Consultant shall deliver to Town all deliverables completed as of the date of termination, and upon receipt thereof, Town shall pay Consultant for services performed by Consultant through the date of termination. If Consultant's written work is contained on a hard computer disk, in the event of termination, Consultant shall, in addition to providing a written copy of the information on the hard disk, immediately transfer all written work from the hard computer disk to a soft (or floppy) computer disk and deliver said soft (or floppy) computer disk to Town.

10. OWNERSHIP AND USE OF MATERIAL. All reports, documents, or other materials developed or discovered by Consultant, or any other person engaged directly or indirectly by Consultant to perform the services required hereunder, and delivered to Town shall be and remain the property of Town.

Town acknowledges and agrees that any advice, recommendations, information or work product provided to Town by Consultant pursuant to this Agreement is for the sole use of Town, and may not be relied upon by any third party. Except as otherwise required by law (e.g. California Public Records Act), or as permitted by this Agreement (e.g. disclosure to the Foundation as detailed in Exhibit A1, Town will not disclose or permit access to such advice, recommendations, information or work product to any third party without Consultant's prior written consent.

11. WAIVER. Waiver by Town of any breach or violation of any term or condition of this Agreement shall not be deemed to be a waiver of any other term or condition contained herein or a waiver of any subsequent breach or violation of the same or any other term or condition. The acceptance by Town of the performance of any work or services by Consultant shall not be deemed to be a waiver of any term or condition of this Agreement.

12. CONSULTANT'S BOOKS AND RECORDS. Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services, supplies, materials, or equipment

provided to Town for a minimum period of three years, or for any longer period required by law, from the date of final payment to Consultant pursuant to this Agreement.

13. NOTICES. All notices and other communications required or permitted to be given under this Agreement shall be given in writing by personal delivery, by facsimile transmission with verification of receipt or by U.S. mail, postage prepaid, and return receipt requested, addressed to the respective parties as follows:

To Town:

Town Manager
Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028
Fax: (650) 851-4677

To Consultant:

Mark Fitzgerald
Principal
KPMG LLP
345 Park Avenue
New York, NY 10154
Fax: (703) 991-0744

Notice shall be deemed communicated on the earlier of actual receipt or 48-Hours after deposit in the U.S. mail, the date of delivery shown on deliverer's receipt, or by acknowledgment of facsimile transmission.

14. ATTORNEYS' FEES. In any legal action or proceeding brought for enforcement of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which the successful party may be entitled.

15. SERVICES: TOWN RESPONSIBILITIES.

15.1 It is understood and agreed that Consultant's services may include advice and recommendations; but all decisions in connection with the implementation of such advice and recommendations shall be the responsibility of, and made by, Town. Consultant will not perform management functions or make management decisions for Town.

15.2 Town agrees to cooperate with Consultant in the performance of the services under this Agreement and shall provide or arrange to provide Consultant with timely access to and use of the personnel, facilities, equipment, data and information to the extent necessary for Consultant to perform the services under the Agreement. Town acknowledges that its failure to perform these obligations could adversely affect Consultant's ability to provide the services under this Agreement. 15.3 Town acknowledges and agrees that Consultant will, in performing the services under this Agreement, base its conclusions on the facts and assumptions that Town furnishes and that Consultant may use data, material, and other information furnished by or at the request or direction of Town without any independent investigation or verification and that Consultant shall be entitled to rely upon the accuracy and completeness of such data, material and other information. Inaccuracy or incompleteness of such data, material and other information furnished to Consultant could have a material effect on Consultant's conclusions.

16. ALTERNATIVE DISPUTE RESOLUTION.

16.1 Any dispute or claim arising out of or relating to this Agreement or the services provided thereunder shall be submitted first to non-binding mediation (unless either party elects to forego mediation by initiating a written request for arbitration) and if mediation is not successful within 90 days after the issuance by one of the parties of a request for mediation then to binding arbitration in accordance with the Rules for Non-Administered Arbitration of the International Institute for Conflict Prevention and Resolution ("CPR Arbitration Rules"). By operation of this provision, the parties agree to forego litigation over such disputes in any court of competent jurisdiction.

16.2 Mediation, if selected, shall take place in Palo Alto, California using the Mediation Procedures of the International Institute for Conflict Prevention and Resolution, with the exception of Paragraph 2 (Selecting the Mediator).

16.3 Arbitration shall take place in Palo Alto, California. The arbitration panel shall have no power to award non-monetary or equitable relief of any sort except as provided in CPR Arbitration Rule 13 (Interim Measures of Protection). Damages that are inconsistent with any applicable agreement between the parties, that are punitive in nature, or that are not measured by the prevailing party's actual damages shall be unavailable in arbitration or any other forum. In no event, even if any other portion of these provisions is held to be invalid or unenforceable, shall the arbitration panel have power to make an award or impose a remedy that could not be made or imposed by a court deciding the matter in the same jurisdiction.

16.4 Either party may seek to enforce any written agreement reached by the parties during mediation, or to confirm and enforce any final award entered in arbitration, in any court of competent jurisdiction.

16.5 Notwithstanding the agreement to such procedures, either party may seek equitable relief to enforce its rights in any court of competent jurisdiction.

17. MISCELLANEOUS.

17.1 For engagements where services will be provided by Consultant through offices located in California, Town acknowledges that certain of Consultant's personnel who may be considered "owners" under the California Accountancy Act and implementing regulations (California Business and Professions Code section 5079(a); 16 Cal. Code Regs. sections 51 and 51.1) and who may provide services in connection with this engagement, may not be licensed as certified public accountants under the laws of any of the various states.

17.2 Where Consultant is reimbursed for expenses, it is Consultant's policy to bill clients the amount incurred at the time the good or service is purchased. If Consultant subsequently receives a volume rebate or other incentive payment from a vendor relating to such expenses, Consultant does not credit such payment to a client. Instead, Consultant applies such payments to reduce its overhead costs, which costs are taken into account in determining Consultant's standard billing rates and certain transaction charges that may be charged to clients.

17.3 Notwithstanding anything to the contrary set forth herein, no provision in this Agreement is or is intended to be construed as a condition of confidentiality within the

meaning of Internal Revenue Code ("IRC") sections 6011, 6111, 6112 or the regulations thereunder, or under any similar or analogous provisions of the laws of a state or other jurisdiction. In particular, Town (and each employee, representative, or other agent of Town) may disclose to any and all persons, without limitation of any kind, the tax treatment and tax structure of any transaction within the scope of this engagement and all materials of any kind (including opinions and other tax analyses) that are provided to Town relating to such tax treatment and tax structure. Town also agrees to use commercially reasonable efforts to inform Consultant of any conditions of confidentiality imposed by third party advisors with respect to any transaction on which Consultant advice is requested. Such notification must occur prior to Consultant providing any advice with respect to the transaction.

17.4 Treasury regulations under IRC section 6011 require taxpayers to disclose to the Internal Revenue Service ("IRS") their participation in reportable transactions and IRC section 6707 A imposes strict penalties for noncompliance. Town agrees to use commercially reasonable efforts to inform Consultant if Town is required to disclose any transaction covered by this Agreement as a reportable transaction to the IRS or to any state or other jurisdiction adopting similar or analogous provisions. IRC section 6111 requires a material advisor with respect to a reportable transaction to disclose information on the transaction to the IRS by a prescribed date, and IRC section 6112 requires the material advisor to maintain, and make available to the IRS upon request, a list of persons and other information with respect to the transaction. Consultant will use commercially reasonable efforts to inform Town if Consultant provides Town's identifying information to the IRS under IRC section 6111 or 6112, or to any state or other jurisdiction adopting similar or analogous provisions.

17.5 Information relating to advice Consultant provides to Town including communications between Consultant and Town and material Consultant creates in the course of providing advice may be privileged and protected from disclosure to the IRS or other governmental authority in certain circumstances. As Consultant is not able to assert the privilege on Town's behalf with respect to any communications for which privilege has been waived, Town agrees to notify Consultant of any such waivers, whether resulting from communications with Consultant or third parties in the same or a related matter. Town also understands that privilege may not be available for communications with an audit client and that Consultant personnel providing audit and non-audit services will discuss matters that may affect the audit to the extent required by applicable professional standards. Town agrees that Consultant will not assert on Town's behalf any claim of privilege unless Town specifically instructs Consultant in writing to do so after discussing the specific request and the grounds on which such privilege claim would be made. Notwithstanding the foregoing, Town acknowledges that in no event will Consultant assert any claim of privilege that Consultant concludes, after exercising reasonable judgment, is not valid.

17.6 Unless expressly provided for, Consultant's services do not include representing Town in the event of a challenge by the IRS or other tax or revenue authorities.

17.7 Town acknowledges that in connection with any tax compliance services provided by Consultant under this Agreement, Consultant may utilize the services of affiliates and third party service providers within and without the United States to organize and input data, operate the software used to generate tax returns for Town or its personnel and perform other related tasks. Town hereby consents to Consultant's use of such affiliates and third party service providers and the disclosure to such affiliates and third party service providers

and their use of tax return information, received from Town or its personnel for the purpose of preparing, assisting in preparing, or obtaining or providing services in connection with preparing, any tax return required under this Agreement.

17.8 In rendering tax advice, Consultant may consider, for example, the applicable provisions of the IRC of 1986, and the Employee Retirement Income Security Act of 1973, each as amended, and the relevant state and foreign statutes, the regulations thereunder, income tax treaties, and judicial and administrative interpretations, thereof. These authorities are subject to change, retroactively or prospectively, and any such changes could affect the validity of Consultant's advice.

18. PRIOR AGREEMENTS AND AMENDMENTS. This Agreement, including all exhibits attached hereto, represents the entire understanding of the parties as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may only be modified by a written amendment duly executed by the parties to this Agreement. Any amendment relating to compensation for Consultant shall be for only a not-to-exceed sum.

19. DRAFTING. This Agreement shall be construed as if drafted by all Parties, and each party therefore waives the provisions of Civil Code section 1654. 20. SEVERABILITY. In the event that any of the provisions of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, or by subsequent preemptive legislation, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected thereby.

21. GOVERNING LAW AND VENUE. This Agreement shall be construed and governed in accordance with the laws of the State of California. The venue for all purposes shall be the County of San Mateo or the United States Federal District Court of California Northern District.

22. Electronic Communications. Consultant may communicate with the Town by electronic mail or otherwise transmit documents in electronic form during the term of this Agreement. The Town accepts the inherent risks of these forms of communication (including the security risks of interception of or unauthorized access to such communications, the risks of corruption of such communications and the risks of viruses or other harmful devices). The Town agrees that the final hardcopy version of a document, including a deliverable, or other written communication that Consultant transmits to the Town shall supersede any previous versions transmitted electronically by Consultant to the Town unless no such hard copy is transmitted.

23. Active Spreadsheets and Electronic Files. Consultant may use models, electronic files, and spreadsheets with embedded macros created by Consultant to assist Consultant in providing the services under the Agreement. If the Town requests a working copy of any such model, electronic file or spreadsheet, Consultant may, at its discretion, make such item available to the Town for the Town's internal use only and such item shall be considered a deliverable (subject to the requirements herein); provided that the Town is responsible for obtaining the right to use any third party products necessary to use or operate such item.

IN WITNESS WHEREOF, the Town and Consultant have executed this Agreement effective as of the date written above.

TOWN:

By: _____
Town Manager

CONSULTANT:

By: 
Its: Principal, KPMG LLP (US)
EIN: 13-5565207

Deutsch

English (courtesy translation)

SPENDENVEREINBARUNG**DONATION OF FUNDS AGREEMENT**

zwischen der

between

Hasso Plattner Förderstiftung, gGmbH
 Max-Planck-Straße 8
 D-69190 Walldorf
 Deutschland

Hasso Plattner Foerderstiftung, gGmbH
 Max-Planck-Straße 8
 D-69190 Walldorf
 Deutschland

- nachfolgend auch als "HP Trust" bezeichnet -

- hereinafter referred to as "HP Trust" -

und

and

Town of Portola Valley
 765 Portola Road
 Portola Valley, California, 94028
 USA

Town of Portola Valley
 765 Portola Road
 Portola Valley, California, 94028
 USA

- nachfolgend auch als "Town" bezeichnet -

- hereinafter referred to as "Town" -

(1) HP Trust möchte den Neubau der Community Hall der Town of Portola Valley finanziell fördern. Aus diesem Grund spendet HP Trust eine Summe von USD 2.000.000. Diese Spende wird nach den Regeln und Bedingungen gewährt, die nachstehend aufgeführt sind.

(1) HP Trust intends to support the construction of the Town of Portola Valley's new Community Hall. Therefore, HP Trust donates an amount of USD 2,000,000. The funds will be granted according to the rules and conditions given below.

(2) Aufgrund des gemeinnützigen und wohltätigen Charakters von HP Trust gemäß deutschem Steuerrecht müssen diese Spendenmittel unter allen Umständen von der Town ausschließlich für gemeinnützige und steuerbegünstigte Zwecke nach deutschem Steuerrecht verwendet werden.

(2) Due to the charitable and non-profit-making character of HP Trust pursuant to German tax law, these funds necessarily have to be used by the Town exclusively for charitable and tax-privileged purposes pursuant to German tax law.

Die Spende ist ausschließlich für den Neubau der Community Hall zu verwenden.

The funds have to be used exclusively for the construction of the new Community Hall.

Damit ist auch die Community Hall selbst nach Fertigstellung ausschließlich für gemeinnützige und steuerbegünstigte Zwecke nach deutschem Steuerrecht zu nutzen, bspw. zur Förderung des Sports, des öffentlichen Gesundheitswesens, der Bildung und Erziehung, der Kunst und Kultur sowie der Jugendhilfe.

Therefore, upon completion the Community Hall itself has to be used exclusively for charitable and tax-privileged purposes pursuant to German tax law, e.g. for sports promotion, promotion of public health, education, arts, culture and youth aid.

Die Community Hall darf gelegentlich für öffentliche Feiern genutzt und für private gesellschaftliche Anlässe an Dritte vermietet werden, unter der Voraussetzung, dass

The Community Hall may be used from time to time for public festivities and may be let to third parties for private social gatherings, provided that

- (a) die Nutzung der Community Hall zu diesen Zwecken nur gelegentlich und nur kurzzeitig erfolgt,

- (a) the Community Hall is used for such purposes only occasionally and only for short periods of time,

- | | |
|---|--|
| <p>(b) die Community Hall zu diesem Zeitpunkt nicht für gemeinnützige Zwecke benötigt wird,</p> <p>(c) die Town über die durch diese Nutzung verursachten Betriebskosten hinaus ein angemessenes Entgelt für die Überlassung der Community Hall erhält und</p> <p>(d) die Town die Einnahmen hieraus ausschließlich zum Betrieb der Halle für gemeinnützige Zwecke verwendet.</p> | <p>(b) the Community Hall is not needed for charitable purposes at that time,</p> <p>(c) the Town receives a fair fee for letting the Community Hall exceeding the operating costs caused by the use and</p> <p>(d) the Town uses the proceeds exclusively in the context of running the Community Hall for charitable purposes.</p> |
|---|--|

Eine Verwendung der Spendenmittel oder eines Teils hiervon oder der Community Hall für kommerzielle Zwecke ist untersagt.

Using the funds or a part of them or using the Community Hall for commercial purposes is prohibited

(3) HP Trust wird die Spendenmittel in Abstimmung mit der Town auszahlen.

(3) HP Trust will pay out the funds in coordination with the Town.

Innerhalb einer vernünftigen Zeit nach Erhalt der Zahlung (spätestens vier Wochen nach Erhalt der Spendenmittel), ist die Town verpflichtet, HP Trust mit einer Empfangsquittung zu versehen, aus der der Tag des Empfangs der Zahlung sowie die Höhe der erhaltenen Mittel hervorgeht.

Within a reasonable period of time after the receipt of the payment (at the latest four weeks after the receipt of the funds), the Town is obliged to provide HP Trust with a notice of receipt indicating the day of the receipt of the payment as well as the amount of the funds received.

Die Town verpflichtet sich, die von HP Trust empfangenen Spendenmittel getrennt von ihrem übrigen Vermögen zu halten.

The Town shall keep the funds received by HP Trust separate from its other assets.

(4) Die mildtätige und steuerprivilegierte Verwendung der erhaltenen Mittel, der Community Hall und der Einnahmen aus der Vermietung (siehe Ziffer 2) muss durch einen international anerkannten Wirtschaftsprüfer (z.B. PricewaterhouseCoopers, Deloitte & Touche, KPMG, Ernst & Young) bestätigt werden. Diese Bestätigung soll regelmäßig (einmal pro Jahr) in Form eines schriftlichen Berichts ausgestellt und an die oben angegebene Postanschrift von HP Trust gerichtet werden.

(4) The charitable and tax-privileged use of the funds received, the use of the Community Hall and the use of the proceeds from letting the Community Hall (see number 2) has to be confirmed by an internationally recognized certified public accountant (e.g. PricewaterhouseCoopers, Deloitte & Touche, KPMG, Ernst & Young). This confirmation shall be issued continually (once a year) by means of a written report and sent to HP Trust's address above.

Die jährlichen Bestätigungen des Wirtschaftsprüfers werden durch halbjährliche Sachstandsberichte von der Town ergänzt und unterstützt.

The annual confirmation by the certified public accountant shall be accompanied and supported by a progress report from the Town every six months.

Die Town verpflichtet sich, jährlich eine Übersicht zu erstellen, aus der sich die tatsächliche Nutzung der Community Hall für

- (a) Vermietung für private gesellschaftliche Veranstaltungen,
- (b) öffentliche Feste und
- (c) gemeinnützige Zwecke gemäß dieser Spendenvereinbarung

sowie die für die Überlassung der Community Hall vereinnahmten Entgelte ergibt.

Diese Berichte sowie die Übersicht dienen als Nachweis für die ausschließliche Verwendung der Gelder sowie der Community Hall für gemeinnützige und steuerprivilegierte Zwecke gemäß diesem Vertrag.

Sofern Einrichtungen, Materialien oder andere Vermögensgegenstände angeschafft werden, die eine Nutzungsdauer von mehr als einem Jahr haben (z.B. Gebäude, Einrichtungsgegenstände, Sportgeräte oder Ähnliches), ist so lange zu berichten, bis es unwirtschaftlich wird, diese Vermögensgegenstände weiterzuverwenden oder deren Nutzungsdauer abgelaufen ist bzw. die Vermögensgegenstände aus irgendeinem anderen Grund vollständig abgeschrieben sind. Die Berichtspflicht besteht längstens für 20 Jahre. Sofern diese Vermögensgegenstände veräußert werden, darf der Veräußerungserlös nur für gemeinnützige Zwecke, wie oben beschrieben, verwendet werden.

(5) Darüber hinaus soll die Town alle Informationen verfügbar machen, die vernünftigerweise notwendig werden können, um die Verwendung der Mittel und die Nutzung der Community Hall zu beweisen und zu belegen. Sofern die deutschen Steuerbehörden weitere Informationen benötigen, wird die Town auch das Äußerstmögliche tun, um auf Anforderung von HP Trust diesem die entsprechenden Informationen zugänglich zu machen.

The Town shall once a year issue a schedule stating the actual use of the Community Hall for

- (a) letting for private social gatherings,
- (b) public festivities and
- (c) charitable purposes according to this Donation of Funds Agreement

as well as the fees received for letting the Community Hall.

The reports serve as proof for the exclusive use of the money and the Community Hall for charitable and tax-privileged purposes in accordance with this agreement.

If facilities, materials or other assets are acquired which have a useful economic life of more than one year (e.g. buildings, fitments, sports equipment or other), the reporting is owed until it becomes uneconomic to operate these assets or the useful economic life of such assets has ended and for any of these reasons the assets are written off. The reporting is owed for a period limited to 20 years at the most. If these assets are sold, the proceeds from their disposal may not be used for other than charitable ones as described above.

(5) Moreover, the Town shall make available all information reasonably necessary to prove and to demonstrate the use of the funds and the Community Hall. If the German tax authorities need further information, the Town, upon request by HP Trust, will do their utmost to obtain and to provide this information.

(6) Sollte die Town nicht in der Lage sein, die Verwendung der Mittel wie in Ziffern 3, 4 und 5 näher beschrieben, nachzuweisen, z.B. dadurch, dass die notwendigen Bestätigungen des Wirtschaftsprüfers sowie die Übersicht über die Nutzung der Community Hall gar nicht oder nicht in akzeptabler Zeit (**spätestens acht Wochen nach dem Ende des Kalenderjahres**) abgeliefert werden, ist HP Trust berechtigt, die Mittel nach eigenem Ermessen zurückzuverlangen und die Town ist verpflichtet, alle gemäß Ziffer 1 erhaltenen Mittel sofort zurückzuerstatten.

Die Town garantiert, dass die Mittel sowie die Community Hall ausschließlich für gemeinnützige Zwecke verwendet und genutzt werden.

(7) Diese Vereinbarung soll ausschließlich dem Recht der Bundesrepublik Deutschland und deutscher Gerichtsbarkeit mit der nicht ausschließenden Zuständigkeit des Gerichtsstands Heidelberg/Deutschland unterliegen. Nur die deutsche Fassung dieses Vertrages ist gültig.

(6) Should the Town fail to verify the use of the funds as specified in number 3, 4 and 5, e.g. by not delivering the certificate of the certified public accountant and the schedule concerning the use of the Community Hall at all or by not delivering it within reasonable time (**at the latest eight weeks after the end of the calendar year**), HP Trust will be entitled by its own discretion to reclaim the funds and the Town will be obliged to refund all of the moneys donated according to number 1 immediately.

The Town warrants that the funds and the Community Hall will not be used for other than charitable purposes.

(7) This agreement shall solely be construed, interpreted and applied in accordance with, and shall be governed by, the laws of the Federal Republic of Germany. The parties hereto submit to the German jurisdiction with the non-exclusive competence of the courts of Heidelberg/Germany. Only the German version of this agreement is valid.

May 21, 2007

(Datum, date)



Hasso Plattner Förderstiftung, gGmbH

(Datum, date)

Town of Portola Valley

EXHIBIT B - SERVICES TO BE PERFORMED

Evaluation of Charitable Use

Consultant will assist the Town with reporting annually on the usage of the facilities for charitable purposes according to German tax law as set out in the Donation of Funds Agreement. The foregoing notwithstanding, neither Consultant nor its professionals will provide the Town with legal advice or otherwise engage in the unauthorized practice of law. Consultant will issue a report to the Town on the charitable use of the Town Hall.

The Foundation donated funds to the Town for the construction of a Town Hall pursuant to the Donation of Funds Agreement dated May 21 2007. Due to the charitable nature of the grant, upon completion of the Town Hall construction, the Town Hall was to be used exclusively for charitable and tax-privileged purposes pursuant to German tax laws, e.g. for sports promotion, promotion of public health, education, arts, culture and youth aid.

As part of the agreement between the Foundation and the Town of Portola Valley, the charitable and tax-privileged use of the funds received from the Foundation, the use of the Town Hall and the use of proceeds from renting the Town Hall has to be confirmed by an internationally recognized certified public accounting firm. This confirmation is to be issued continually (once a year) by means of a written reports and sent to the Foundation. Additionally, the annual confirmation by the certified public accountant shall be accompanied and supported by a progress report from the Town of Portola Valley every six months.

Consultant has since 2007 has performed the verification of the charitable and tax privileged use of the funds received for construction of the Town Hall, the charitable use of the Town Hall and the use of proceeds from renting out the Town Hall. Consultant and the Town of Portola Valley signed a five year contract which expired in 2011. In 2007 and 2008, Consultant reviewed the expenditures made by the Town of Portola Valley for the construction of the Town Hall. Upon completion of the Town Hall, Consultant from 2009 reviewed and reported on the charitable use of the Town Hall and proceeds for the use of the Town Hall. In 2012, the Consultant's contract was extended for a six month period to cover an 18 month review for the period 1 January 2011 to 31 October 2012. In 2017, the Consultant's contract expired and a new 5-year contract was agreed-upon in the summer of 2018.

International Development Assistance Services service offering

The specific services requested by the Town may be the subject of such services, timing and resource requirements (including any required third party service providers), and associated fees will be agreed to by the Town and Consultant on project by project basis in writing.

Grant Making Process Design

Consultant will provide the following services to assist the Town to be consistent with tax law requirements:

Reports and Post-Funding (Grant Expenditure) Inquiry

- Assist in gathering financial information for inclusion in: (1) the Town's reports on the use of grant funds, and/or (2) the Town's reports on the use of the principal and income from capital endowment grants to be submitted to the Town. As part of this review, Consultant will assist the Town of Portola Valley with reporting annually on the usage of the facilities for charitable purposes according to German tax law as set out in the Donation of Funds Agreement.
- Assist the Town in reviewing compliance with the terms of the grant, and progress made toward achieving the purposes of the grant, including:
 - Assistance in obtaining documentation from the Town intended to demonstrate that grant expenditures were spent according to the approved proposal and as claimed. In this regard, Consultant will request the Town to provide documentation that demonstrates that expenditures were incurred for charitable purposes in accordance with the terms of the Donation of Funds Agreement with the Foundation. Consultant will also request the Town to provide documentation (e.g., receipts, purchase orders, sales receipts, salary records, tax reports, and so forth) which demonstrates that claimed expenditures were actually made.
 - Results of Consultant's assistance concerning the post-funding (grant expenditure) inquiry will be provided to the Town in a written report for their evaluation.

Consultant's elevated standards or Circular 230 noted below is applicable to this Agreement:

- Consultant does not anticipate that the written tax advice provided under this Agreement will be a Covered Opinion as defined in §10.35 of Circular 230 ("Covered Opinion"). Therefore, all the written tax advice provided under this Agreement will contain the following legend:

ANY TAX ADVICE IN THIS COMMUNICATION IS NOT INTENDED OR WRITTEN BY KPMG TO BE USED, AND CANNOT BE USED, BY A CLIENT OR ANY OTHER PERSON OR ENTITY FOR THE PURPOSE OF (i) AVOIDING PENALTIES THAT MAY BE IMPOSED ON ANY TAXPAYER OR (ii) PROMOTING, MARKETING OR RECOMMENDING TO ANOTHER PARTY ANY MATTERS ADDRESSED HEREIN.

- Consultant will not render any advice with respect to a federal or state "listed transaction" or any transaction that is substantially similar to a federal or state "listed transaction."
- Although this Agreement does not include the preparation of tax returns, it must be noted that Consultant applies elevated standards in preparing tax returns. Under these standards, Consultant must be able to determine that a return position is at least "more likely than not" to be upheld (i.e., has a greater than 50% likelihood of success if challenged by the taxing authorities). If a return position relates to a transaction that is a "principal purpose transaction" or a transaction that the IRS or a state tax authority has

identified as a "listed transaction," Consultant must arrive at a "should" confidence level (i.e., approximately a 70% or greater likelihood of success if challenged by the taxing authorities) with respect to the position. In determining whether a return position meets the appropriate standard, Consultant will not take into account the possibility that a tax return will not be audited, that an issue will not be raised on audit, or that an issue will be settled. Consultant will inform the Town as soon as possible if, during Consultant's preparation, Consultant determines circumstances exist that prevents Consultant from completing the tax return under these standards. Consultant will .not render any advice with respect to a federal or state "listed transaction" or any transaction that is substantially similar to a federal or state "listed transaction."

EXHIBIT C - ESTIMATED FEES

Total Fee over five years¹ **\$78,310**

Project expenses, such as mileage, courier and administration will be in addition to the above estimated total fees and charged at cost not exceeding US\$ 200 each year.

Year of Evaluation	Description of Services	Amount (US\$)
2018	Charitable use assessment	14,750
2019	Charitable use assessment	15,193
2020	Charitable use assessment	15,648
2021	Charitable use assessment	16,118
2022	Charitable use assessment	16,601

¹ 2012 Original fees of US\$13,380 have been adjusted by two to five percent for inflation and other economic factors

EXHIBIT D - INSURANCE REQUIREMENTS

Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to or interference with property which may arise from, or in connection with, the performance of the work hereunder and the results of that work by the Consultant, its agents, representatives, employees or subcontractors.

1. **MINIMUM SCOPE OF INSURANCE.** Coverage shall be at least as broad as:

1.1 Insurance Services Office Form No. CG 0001 covering General Liability and Commercial General Liability on an "occurrence" basis.

1.2 Insurance Services Office Form No. CA 0001 covering Automobile Liability, Code 8 (hired autos) or Code 9 (non-owned autos), if Consultant has no owned autos.

1.3 Workers' Compensation Insurance as required by the Labor Code of the State of California and Employer's Liability Insurance.

1.4 Errors and Omissions Liability Insurance appropriate to the Consultant's profession.

2. **MINIMUM LIMITS OF INSURANCE.** Consultant shall maintain limits no less than:

2.1 Comprehensive General Liability. (Including products-completed operations, personal & advertising injury) One Million Dollars (\$1,000,000) combined single limit per claim and Two Million Dollars (\$2,000,000) in the aggregate for bodily injury, personal injury and property damage. If Commercial General Liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

2.2 Automobile Liability. One Million Dollars (\$1,000,000) combined single limit per accident for bodily injury and property damage.

2.3 Workers' Compensation and Employers Liability. Workers' compensation limits as required by the Labor Code of the State of California. One Million Dollars (\$1,000,000) per accident for bodily injury and property damage.

2.4 Errors and Omissions Liability. Two Million Dollars (\$2,000,000) per Claim.

3. **OTHER INSURANCE PROVISIONS.**

3.1 General Liability Coverage. The General Liability insurance policy required pursuant to Sections 1.1 and 1.2 shall contain or be endorsed contain the following provisions:

3.1.1 The Town, its officials, employees, agents, contractors and volunteers are covered as additional insureds with respect to liability arising out of work or operations performed by, or on behalf of, the Consultant including materials, parts or equipment furnished in connection with such work or operations, and products and completed operations of the Consultant on premises owned, leased or used by the Consultant. The coverage shall

contain no special limitations on the scope of protection afforded to the Town, its officials, employees, agents and contractors.

3.1.2 The Consultant's insurance coverage is the primary insurance as respects the Town, its officials, employees, agents, contractors, and volunteers. Any insurance or self-insurance maintained by the Town, its officials, employees, agents, contractors, and volunteers shall be excess of the Consultant's insurance and shall not contribute with it. This applies only if KPMG solely caused the loss.

3.1.3 Coverage shall not be canceled by either party, except after thirty (30) days prior written notice (10 days for non-payment) by regular mail has been given to the Town.

3.1.4 Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Town, its officials, employees, agents or contractors.

3.1.5 Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

3.2 Worker's Compensation Insurance. The Worker's Compensation Policy required pursuant to Section 1.3 shall contain or be endorsed to contain the provision set forth in subsection 4.1.4 above.

3.3 Acceptability of Insurers. All required insurance shall be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the Town. Insurers current A.M. Best's ratings are:

**A.M Best
Ratings By
Carrier**

Carrier	Coverage	Rating
The Hartford	General, Workers Compensation & Auto Liability	A
North American Capacity Insurance Company	Professional (error & omissions)	A+

3.4 Claims Made Policies. If any of the required policies provide claims made coverage, the Town requires that coverage be maintained by Consultant for a period of 5 years after completion of the contract.

4. VERIFICATION OF COVERAGE. Consultant shall furnish the Town with original certificates, amendatory endorsements, effecting coverage required by this clause. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the Town before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive consultant's obligation to provide them.

Proof of insurance shall be mailed to the following address:

Town of Portola Valley
Attn: Town Clerk
765 Portola Road
Portola Valley, CA 94028

5. SUBCONTRACTORS. Consultant shall include all subcontractors as insured under its policies or shall obtain separate certificates and endorsements for each subcontractor. No subcontractors are anticipated under this Agreement.



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Starla Jerome-Robinson, Interim Finance Director

DATE: June 27, 2018

RE: **2018-19 Woodside Highlands and Wayside II Road Maintenance District Tax Assessments.**

RECOMMENDATION

Staff recommends that the Town Council adopt the attached Resolutions authorizing the San Mateo County Controller to apply charges to the 2018-2019 tax roll for the two road maintenance districts, and authorizing the tax collector to collect the taxes at the same time and in the same manner as the general county taxes are collected.

BACKGROUND

in July 1997, the Town Council acting as the Governing Boards for the Woodside Highlands and Wayside II Road Maintenance Districts, adopted Ordinances 1997-300 and 1977-301 respectively, imposing special taxes for private road maintenance on each improved parcel in the Districts. In November 1997, more than two-thirds of the voters within each district approved Measure C (Woodside Highlands) and Measure D (Wayside II), enacting the taxes. In June 2012, more than two-thirds of the voters within Wayside II approved Measure V, increasing their districts special tax.

DISCUSSION

On an annual basis, the San Mateo County Controller's Office requires the submittal of updated assessment information and resolutions authorizing the tax collector to collect the taxes at the same time and in the same manner as the general county taxes are collected. The attached resolutions authorize this tax collection.

FISCAL IMPACT

None.

ATTACHMENT

1. Resolution for the Woodside Highlands Road Maintenance District
2. Resolution for the Wayside II Road Maintenance District

Approved by: Jeremy Dennis, Town Manager

A handwritten signature in black ink, appearing to read 'Jeremy Dennis', is written over a horizontal line.

RESOLUTION NO. _____ - 2018

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY AUTHORIZING THE SAN MATEO COUNTY CONTROLLER TO APPLY THE SPECIAL TAX FOR THE WOODSIDE HIGHLANDS ROAD MAINTENANCE DISTRICT TO THE 2018-2019 TAX ROLL AND TO COLLECT THE TAX AT THE SAME TIME AS GENERAL COUNTY TAXES

WHEREAS, at its June 25, 1997 meeting, the Portola Valley Town Council, acting as the Governing Board for the Woodside Highlands Road Maintenance District, adopted Ordinance No. 1997-300, imposing a special tax for private road maintenance; and

WHEREAS, in November 1997, more than two-thirds of the voters within the Woodside Highlands Road Maintenance District approved Measure C on the ballot enacting the special tax; and

WHEREAS, each improved parcel within the Woodside Highlands Road Maintenance District is required to remit \$250 annually; and

WHEREAS, Ordinance No. 1997-300 has not been amended and none of the parcels have been modified over the past year.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Portola Valley that:

1. The Town of Portola Valley authorizes the San Mateo County Controller to apply the charges to the 2018-2019 tax roll in accordance with documents supplied by the Woodside Highlands Road Maintenance District; and
2. The Town of Portola Valley authorizes the tax collector to collect the taxes at the same time and in the same manner as the general county taxes are collected.

PASSED AND ADOPTED this 27th day of June, 2018.

By: _____
Mayor

ATTEST:

Town Clerk

RESOLUTION NO. _____-2018

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY AUTHORIZING THE SAN MATEO COUNTY CONTROLLER TO APPLY THE SPECIAL TAX FOR THE WAYSIDE II ROAD MAINTENANCE DISTRICT TO THE 2018-2019 TAX ROLL AND TO COLLECT THE TAX AT THE SAME TIME AS GENERAL COUNTY TAXES

WHEREAS, at its July 9, 1997 meeting, the Portola Valley Town Council, acting as the Governing Board for the Wayside II Road Maintenance District, adopted Ordinance No. 1997-301, imposing a special tax for private road maintenance; and

WHEREAS, in November 1997, more than two-thirds of the voters within the Wayside II Road Maintenance District approved Measure D on the ballot enacting the special tax; and

WHEREAS, in June 2012, more than two-thirds of the voters within the District approved Measure V on the ballot increasing the special tax;

WHEREAS, each improved parcel within the Wayside II Road Maintenance District is required to remit \$950 annually; and

WHEREAS, Ordinance No. 1997-301 has not been amended and none of the parcels have been modified over the past year.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Portola Valley that:

1. The Town of Portola Valley authorizes the San Mateo County Controller to apply the charges to the 2018-2019 tax roll in accordance with documents supplied by the Wayside II Road Maintenance District; and
2. The Town of Portola Valley authorizes the tax collector to collect the taxes at the same time and in the same manner as the general county taxes are collected.

PASSED AND ADOPTED this 27th day of June, 2018.

By: _____
Mayor

ATTEST:

Town Clerk



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Starla Jerome-Robinson, Interim Finance Director

DATE: June 27, 2018

RE: **2018-19 Appropriations Limit**

RECOMMENDATION

Staff recommends that the Town Council adopt the attached Resolution, determining and establishing the Town's 2018-19 Appropriations Limit.

BACKGROUND

California Law requires each public agency to calculate and adopt its Appropriations Limit for each fiscal year. This requirement stems from the 1978 passage by the voter of Proposition 4, with subsequent modification in 1990 by the passage of Proposition 111. The Appropriation Limit creates a restriction on the amount of revenue that can be appropriated in any fiscal year. The Limit is based upon actual appropriations during 1977-1978, adjusted each year for inflation and population growth. Not all revenues are restricted by the Limit, only those that are referred to as "proceeds of taxes."

Additionally, certain types of appropriations do not count against the Limit including the cost of voter-approved debt, court and Federal mandates, and qualified capital outlay.

In order to determine whether an agency is within its Limit for any given fiscal year, the agency must determine its anticipated revenues that qualify as proceeds of taxes. The allowed cost exclusions are then deducted from the total proceeds of taxes. The resulting number is the appropriations subject to the Limit for the fiscal year. This is compared with the actual adopted Limit in order to determine an agency's position over or under the Limit.

An agency may not appropriate any proceeds of taxes received in excess of its Limit. An excess may be carried forward for one year. If an excess still exists at the end of two year, it must be returned to the taxpayers through tax reductions or rebates.

Alternatively, a majority of the local voters may approve an "override" to increase the Limit for a four-year period. Very few agencies have reached or exceeded their Appropriations Limit. Those agencies that do have usually experienced a significant increase in tax base through new and extensive development, which would outstrip increases in inflation or population.

DISCUSSION

The Town's Appropriation Limit for 2018-19 is \$3,503,335.61. The amount subject to limitations is \$3,462,307, which is \$41,029 below the limit. Contributing factors include that Portola Valley is a high property tax community-- comprises 56% of all General Fund revenues, and that the assessed valuation is consistently greater than the factor which increase the Gann Limit (Consumer Price index and population growth). While the Town currently remains under the limit, this is a key area to watch, particularly next year in the budget development phase.

FISCAL IMPACT

The Gann Limit analysis is a technical and legal requirement.

ATTACHMENT

1. Resolution Determining and Establishing the Appropriations Limit for 2018-19 with Exhibit A of Worksheets Calculating Limit

Approved by: Jeremy Dennis, Town Manager



RESOLUTION No. _____-2018

**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF PORTOLA VALLEY
DETERMINING AND ESTABLISHING THE
APPROPRIATIONS LIMIT FOR FISCAL YEAR 2018-2019**

WHEREAS, the calculation of the Appropriations Limit for the Fiscal Year 2018-2019 has been completed by the Interim Finance Director; and

WHEREAS, the 2017 Appropriations Limit has been recalculated by using the higher population growth factor of the County resulting in a 2017-2018 Appropriations Limit of \$3,362,449, which was used to calculate the 2018-2019 Appropriations Limit:

WHEREAS, the manner of calculating said Limit is set forth in Exhibit A attached hereto;

WHEREAS, the City Council has reviewed and considered the Appropriations Limit calculation.

NOW, THEREFORE, be it resolved that the Town Council of the Town of Portola Valley Appropriations Limit for Fiscal Year 2018-2019 is determined to be \$3,503,336.

PASSED AND ADOPTED this 27th day of June 2018.

Mayor

ATTEST:

Town Clerk

EXHIBIT "A"

**USER FEES VERSUS COSTS
(Worksheet #1)**

**Town of Portola Valley
Fiscal Year 2018-19, Town Council Adopted Budget**

	<u>Costs</u>	<u>Fees</u>
<u>Planning and Building</u>		
Building Permits/Plan Checks/Inspections		\$ 545,000
Zoning and Planning Permits		-
Construction & Demolition Fees		15,000
Horsekeeping Permits		3,000
Consulting Fees – charges to applicants	\$ 365,000	365,000
Town Planner	229,085	
Assoc/Sr Town Planner	134,494	
Planning Tech II	109,618	
Planning Tech II	112,088	
Deputy Building Official	164,998	
Geologist/Engineer/Planning Consultants	59,420	
	<hr/>	
	\$ 1,174,703	\$ 928,000
<u>Park & Recreation – Town Center</u>		
Park & Recreation Revenue		\$ 90,150
Town Center Revenue		228,500
Maintenance Worker II	\$ 99,563	
Maintenance Worker II	103,064	
Maintenance Worker II	96,450	
Park & Town Center Utilities	105,600	
Vehicle Maintenance	14,000	
Town Center Facilities Costs	273,940	
Parks Operations	266,600	
	<hr/>	
	\$ 959,217	\$ 318,650
<u>Public Works</u>		
SDP/EP/CUP/Building Review		\$ 55,000
Franchise Fees		306,250
Public Works Director	\$ 262,118	
Public Works Operations	243,755	
	<hr/>	
	\$ 505,873	\$ 361,250

**CALCULATION OF PROCEEDS OF TAXES
(Worksheet #2)**

**Town of Portola Valley
Fiscal Year 2018-19, Town Council Adopted Budget**

	<u>Subject to Limit</u>	<u>Not Subject to Limit</u>
<u>Proceeds of Taxes</u>		
Property Taxes	\$ 2,903,313	
Sales & Use Tax	206,836	
Business License Tax	105,000	
Real Property Transfer Tax	120,750	
Utility Users' Tax - General	586,800	
HOPTR	8,500	
<u>Proceeds of Taxes for Capital Outlay</u>		
Utility Users Tax - Open Space		\$ 272,000
Measure A Sales Tax		275,000
Public Safety COPS Grant		145,000
Public Safety Sales Tax 172		15,000
<u>User Fees</u>		
Building Permits/Plan Checks/Inspections		\$ 545,000
Zoning and Planning Permits		-
Construction & Demolition Fees		15,000
Horsekeeping Permits		3,000
State Pass Through Fees		8,500
Planning Fees for Staff Review		43,000
Consulting Fees - charges to applicant		365,000
Park & Recreation Revenue		90,150
Town Center Revenue		228,500
SDP/EP/CUP/Building Review		55,000
Franchise Fees		306,250
<u>Other Revenues</u>		
Measure M		\$ 113,000
State Gas Tax		104,459
Road Maintenance Rehabilitation Account (RMRA)		78,000
Various Filing Fees		42,135
Inspection Fees		16,420
Town Library Maintenance Reimb		11,000
Miscellaneous		15,000
Fines & Forfeitures		8,500
Miscellaneous Contributions		3,000
Town Library Maintenance Reimb		100,000
Misc Taxes		2,500
Misc Grants		26,600
Subtotal (for Worksheet #3)	\$ 3,931,199	\$ 2,887,014
Interest Earning (from Worksheet #4)	<u>87,456</u>	<u>\$ 94,744</u>
Total Revenue (for Worksheet #4)	\$ 4,018,655	\$ 2,981,758

INTEREST EARNINGS PRODUCED BY TAXES
(Worksheet #3)

Town of Portola Valley
Fiscal Year 2018-19, Town Council Adopted Budget

	<u>Amount</u>	<u>Source</u>
A. Non-interest subject tax proceeds:	\$ 3,931,199	Worksheet #2
B. Minus exclusions:	550,748	Worksheet #7
C. Net invested taxes:	3,380,451	(A - B)
D. Total non-interest revenue:	6,818,213	Worksheet #2
E. Tax proceeds as percent of budget:	0.48	(C / D)
F. Interest earnings:	182,200	Budget
G. Amount of interest earned from taxes:	87,456	(E * F)
H. Amount of interest earned from non-taxes:	94,744	(F - G)

I. Take the result of steps G and H, copy to Worksheet #2

**APPROPRIATIONS SUBJECT TO LIMITATION
(Worksheet #4)**

**Town of Portola Valley
Fiscal Year 2018-19
Town Council Adopted Budget**

	<u>Amount</u>	Source
A. Subject proceeds of taxes	\$ 4,018,655	Worksheet #2
B. Exclusions	556,348	Worksheet #7
C. Appropriations subject to limitation	3,462,307	(A - B)
D. Current year limit (2018-19)	3,503,336	Worksheet #6
E. Over/(under) limit	(41,029)	(C - D)

**APPROPRIATIONS LIMIT THROUGH 2018-19
(Worksheet #5)**

**Town of Portola Valley
Fiscal Year 2018-19, Town Council Adopted Budget**

Appropriation Limit Base Year (AS AMENDED) \$ 441,943.00

Year	Previous Year Limit	Adjustment Factor	Current Year Limit
1979-80	441,943.00	1.1199	494,931.97
1980-81	494,931.97	1.1053	547,048.30
1981-82	547,048.30	1.0567	578,065.94
1982-83	578,065.94	1.0736	620,611.59
1983-84	620,611.59	1.0261	636,809.56
1984-85	636,809.56	1.067	679,475.80
1985-86	679,475.80	1.0445	709,712.47
1986-87	709,712.47	1.0504	745,481.98
1987-88	745,481.98	1.0557	787,005.32
1988-89	787,005.32	1.0542	829,661.01
1989-90	829,661.01	1.0704	888,069.15
1990-91	888,069.15	1.0552	937,090.56
1991-92	937,090.56	1.0571	990,598.44
1992-93	990,598.44	1.0183	1,008,726.39
1993-94	1,008,726.39	1.0448	1,053,917.33
1994-95	1,053,917.33	1.0259	1,081,213.79
1995-96	1,081,213.79	1.0672	1,153,871.36
1996-97	1,153,871.36	1.0561	1,218,603.54
1997-98 ¹	1,218,603.54	1.058	1,641,871.54
1998-99	1,641,871.54	1.0565	1,734,637.29
1999-00	1,734,637.29	1.0544	1,829,001.56
2000-01	1,829,001.56	1.0573	1,933,803.35
2001-02	1,933,803.35	1.0977	2,122,735.94
2002-03	2,122,735.94	1.0164	2,157,548.87
2003-04	2,157,548.87	1.0139	2,187,538.79
2004-05	2,187,538.79	1.0423	2,280,073.87
2005-06	2,280,073.87	1.0591	2,414,885.52
2006-07	2,414,885.52	1.0472	2,528,841.75
2007-08	2,528,841.75	1.0561	2,670,719.58
2008-09	2,670,719.58	1.056	2,820,666.68
2009-10	2,820,666.68	1.0183	2,872,496.82
2010-11 ²	2,872,496.81	0.9861	3,287,799.44
2011-12	3,287,799.44	1.0343	3,366,837.32
2012-13	3,366,837.32	1.0479	3,499,954.04
2013-14 ³	3,499,954.04	1.0627	2,862,302.79
2014-15	2,862,302.79	1.0094	2,889,208.44
2015-16	2,889,208.44	1.0486	3,029,623.97
2016-17	3,029,623.97	1.0644	3,224,731.75
2017-18	3,224,731.75	1.0378	3,362,449.00
2018-19	3,362,449.00	1.0419	3,503,335.61

¹ Appropriation limit for 1997-98 includes an added on Utility Users' Tax of \$352,398 to temporarily increase the Appropriation Limit with voter approval.

² Appropriation limit for 2010-11 includes impact of deducting 1997-98 Utility Users' Tax budgeted revenues and adding the 2010-11 Utility Users' Taxes budgeted revenues. Subsequent years will deduct prior year and add current year budgeted utility users' tax revenues.

³ Corrections to proceeds of taxes that are subject to limit disallowed need for UUT adjustment in the 2013-14 calculation of appropriations limit. See Worksheet #6 for fiscal year 2013-14 calculation.

⁴ Corrections to 2017-18 Appropriation Limit original calculation of \$3,346,626.61 which didn't use the higher population factor. The new Appropriations Limit was recalculated as \$3,362,449

**APPROPRIATIONS LIMIT
(Worksheet #6)**

**Town of Portola Valley
Fiscal Year 2018-19, Town Council Adopted Budget**

A.	FISCAL YEAR 2018-2019 LIMIT		\$3,362,449.00
B.	ADJUSTMENT FACTORS		
	1. Population	100.5 %	
	2. Per Capita Income	<u>103.67 %</u>	
	Total Adjustment Factor (1 x 2)	104.19 %	
C.	ANNUAL ADJUSTMENT	\$ 140,886.61	
D.	OTHER ADJUSTMENTS		
	1. Lost Responsibility	-	
	2. Transfer to Private	-	
	3. Transfer to Fees	-	
	4. Assumed Responsibility	-	
	5. CY Utility Users' Tax	-	
E.	TOTAL ADJUSTMENTS		\$ 140,886.61
F.	FICAL YEAR 2018-19 LIMIT (A + E)		<u>\$3,503,335.61</u>

* Corrections to proceeds of taxes that are subject to limit disallow need for UUT adjustment in the 2013-14 and future years' calculations of appropriations limit.

**EXCLUDED APPROPRIATIONS
(Worksheet #7)**

**Town of Portola Valley
Fiscal Year 2018-19, Town Council Adopted Budget**

	Amount
Qualified Capital: 2018-19 Steet Resurfacing - Construction	\$ 78,000
Qualified Capital: 2018-19 Steet Resurfacing - Design/Inspection	110,000
Qualified Capital: Pavement Management System Upgrade	16,000
Qualified Capital: Traffic Study	38,500
Qualified Capital: Storm Drain Study Phase I	50,000
Qualified Capital: Emergency Fire Access Gate	5,000
Qualified Capital: Town Center - Light Retrofit	32,000
Qualified Capital: Town Hall Facility Assessment & Plan	12,000
Qualified Capital: Window Install - Styrafoam Recycling Shed & Sp	20,000
Qualified Capital: Town Center Window Install	15,000
Qualified Capital: Paso Del Arroyo: remove trail and landscape are:	55,600
 Federally Mandated Appropriations*	 \$ 124,248
	 \$ 556,348

*Appropriations to Mandatory Spending Programs are funded either by permanent appropriations or by annual appropriations. Unlike discretionary programs, appropriations committees do not have control over mandatory spending, even for annual appropriations programs, since the spending levels are set by statute. Major mandatory spending programs are headlined by the three major programs: Social Security, Medicare, and Medicaid.

RESOLUTION NO. _____-2018

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY
CONGRATULATING THE CITY OF EAST PALO ALTO ON ITS
35TH ANNIVERSARY OF INCORPORATION**

WHEREAS, on July 1, 1983, the City of East Palo became incorporated; and,

WHEREAS, East Palo Alto is celebrating the 35th Anniversary as an incorporated City in San Mateo County; and,

WHEREAS, East Palo Alto is a beautiful community of approximately 30,000 residents nestled between the San Francisco Bay and the communities to the west; and,

WHEREAS, East Palo Alto is a community where the love of its original city mothers and father are celebrated to this day, and they include Mayor Barbara Moulton and Councilmember Ruben Abrica, its current Mayor, James Blakey, Jr., F.J. "Omowale" Satterwhite, and Gertrude Wilkes; and

WHEREAS, in the past 35 years, East Palo Alto has seen growth and opportunity to support its tax base, a dramatic improvement in public safety, a new jobs center which helps residents take advantage of the high technology boom within its jurisdiction, new parks at Cooley Landing and the nearby Bay Trail, and many more exciting plans to improve the quality of life for its residents and community; and,

WHEREAS, East Palo Alto is full of civic pride, community involvement and with a very bright future ahead.

NOW THEREFORE, The Town of Portola Valley hereby honors and congratulates the City of East Palo Alto on its 35th Anniversary of its Incorporation.

PASSED AND ADOPTED this 27th day of June 2018.

By: _____
John Richards, Mayor

ATTEST:

Sharon Hanlon, Town Clerk

#8

There are no written materials available for Law Enforcement Agreement between the Town and County of San Mateo



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Arly Cassidy, Interim Planning Director

DATE: June 25, 2018

RE: First Reading of Ordinance – Outdoor Lighting Ordinance; Amendments to Design Guidelines ([Link Attachments Page](#))

RECOMMENDATION

Staff recommends that the Town Council:

1. Waive reading and introduce the attached ordinance (Attachment 1) amending Chapter 18.36.040 (Accessory Uses Permitted in All Districts) and Chapter 18.42.018 (Accessory Structures) of the Portola Valley Municipal Code;
2. Adopt resolution (Attachment 2) approving amendments to the Design Guidelines relative to Outdoor Lighting; and
3. Find the project exempt under the California Environmental Quality Act.

BACKGROUND

In 2016 the Town experienced a number of burglaries and two home invasion robberies, resulting in a discussion around home security measures and the Town's regulation of such. At the Council's direction, staff held a number of study sessions with the ASCC to evaluate options for amending the municipal code and design guidelines to reflect concerns around security. On April 26, 2017, staff brought these recommendations back to Council and received direction to update the outdoor lighting regulations and the Design Guidelines (Staff Report and Minutes, Attachment 2).

On December 18, 2017 the ASCC held a study session on proposed changes and updates to the Outdoor Lighting Ordinance and Lighting Design Guidelines (Staff Report and Minutes, Attachment 3). As part of its review, the ASCC considered the various sections of code currently regulating lighting, new technologies, a model code for dark sky compliance, and general trends in lighting, such as the change from watts to lumens to describe brightness.

Staff returned to the ASCC on February 26 and March 12, 2018 (Staff Reports and Minutes, Attachments 4 & 5) with changes and updates to both code and design guideline language. At its March 12, 2018 meeting, ASCC made final tweaks to the proposed language and recommended approval to the Planning Commission. At its April 4, 2018 meeting, the Planning Commission reviewed and discussed the proposed ordinance and design guidelines, then forwarded both to the Town Council with a recommendation for approval (Staff Report and Minutes, Attachment 6).

Staff is now requesting feedback on the draft ordinance and amendments to the Lighting section of the Design Guidelines.

DISCUSSION

Portola Valley describes itself as a rural town, and the guiding documents of the Town promote protection of its rural characteristics, including a minimal approach to lighting and illumination. Outdoor lighting is discussed in four sections of the municipal code:

- 8.12.010.P – Definition of Nuisance
- 18.12.040.B.11 - Accessory Uses Permitted: R-E District: Second Units
- 18.36.040.A.8 - Uses Permitted in All Districts: Accessory Uses
- 18.42.018 - Accessory Structures: Outdoor Lighting

Zoning regulations pertain to lighting brightness, placement and use, and generally require a minimalist approach to distribution. Lighting of certain specific land uses, such as sport courts, is explicitly prohibited. In addition, the Design Guidelines include two full pages describing lighting appropriate to the Town and further describe appropriate and inappropriate lighting placement, direction and brightness.

In 2016 the Town began taking a closer look at outdoor lighting. Staff and the ASCC found that many of the regulations and guidelines were in conflict with suggestions from the SMC Sherriff's Office and were based on older technologies. For example, motion sensor lighting was once limited to a bright flood light turning on immediately, whereas current technologies allow owners to choose a slow two or three second brightening, with a limited brightness and direction. Timers, photo-sensors, and other technologies can combine to give more control and allow residents to implement subtle and tasteful lighting that also provides security.

The industry measurement of light brightness is transitioning from watts to lumens. Watts are a measure of energy used, not actual brightness, and so as energy efficiency has approved, bulbs of a given wattage have grown steadily brighter. There is an industry shift underway towards lumens to measure brightness. Table 1, below, gives watts to lumens conversions for incandescent bulbs; it should be noted, however, that each light technology (incandescent, LED, halogen) has a different lumen-to-watts conversion, resulting in slightly different values in the table below.

Table 1: Approximate Conversion of Watts to Lumens

Watts	25	40	60	75	100
Lumens	375	450	800	1125	1600

In response to these newer technologies, an increased focus on security, and a general need to clarify and consolidate the Town's outdoor lighting regulations, staff and the ASCC have worked together to craft a new ordinance and design guidelines that reflect all of these changes. Research included a close read of the Model Lighting Ordinance (Attachment 7) created by a joint team from the International Dark-Sky Association (IDA) and the Illuminating Engineering Society (IES). While this model ordinance suggests a level of regulation unnecessary in a small town like Portola Valley, it also includes helpful direction on what to consider and how to regulate lighting in order to preserve the Town's valued rural feel. In addition, the IDA Examples of Acceptable/Unacceptable Lighting Fixtures hand out (Attachment 8) is a helpful guide for individual fixture evaluation, and can be incorporated into a future FAQ document distributed by the Town.

In order to clean up and consolidate the existing code sections describing outdoor lighting, staff suggests consolidating all outdoor lighting regulations under 18.36 – Uses Permitted in All Districts: Accessory Uses. The Accessory Structures (18.42.018) code section can include direction to the new, consolidated Outdoor Lighting code sections under 18.36.040. The definition of Nuisance (8.12.010), which includes bright lighting, does not regulate outdoor lighting and can be left as is.

Following the existing structure of zoning ordinances, the draft ordinance includes the following sections: Purpose, Definitions, Applicability, Lighting Placement, Fixture Type, Lighting Control, Prohibited Lighting, and Lighting Requiring ASCC Approval. Content includes existing Town regulations compiled into one place, as well as language borrowed from the IDA/IES model ordinance. Staff attempted to clarify existing code as well as Town policy and practice.

The Design Guidelines include two pages describing appropriate and desirable lighting in Town, with updates to reflect policy and technology changes. Staff has made proposed changes to include the recommendation *for* instead of *against* motion sensors and an update from watts to lumens for specific lighting restrictions.

Should the Town Council adopt this ordinance and the new design guidelines, Staff will contact the International Dark-Sky Association to apply to become a certified Dark Sky Community. Should additional efforts be required to become such a community, Staff will return to the Planning Commission with that information.

Public Comment

No public comment had been received by staff at the writing of this report.

CEQA Compliance

The proposed ordinance is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378 of the Public Resources Code.

FISCAL IMPACT

No fiscal impact is expected from the ordinance and design review amendments.

ATTACHMENTS

1. Amended Outdoor Lighting Ordinance
2. Resolution with Amended Lighting Design Guidelines
3. April 26, 2017 Town Council Staff Report and Minutes
4. December 18, 2017 ASCC Staff Report and Minutes
5. February 26, 2018 ASCC Staff Report and Minutes
6. March 12, 2018 ASCC Staff Report and Minutes
7. April 4, 2018 Planning Commission Staff Report and Minutes
8. Model Lighting Ordinance
9. Examples of Acceptable/Unacceptable Lighting Fixtures

Approved by: Jeremy Dennis, Town Manager



ORDINANCE NO. 2018 - ____**ORDINANCE AMENDING TITLE 18 [ZONING] OF THE PORTOLA VALLEY MUNICIPAL CODE RELATIVE TO OUTDOOR LIGHTING**

WHEREAS, on April 27, 2016, the Town Council of the Town of Portola Valley ("Town") directed staff to update the outdoor lighting regulations to reflect increasing concern with safety and new lighting technologies available to residents;

WHEREAS, the Town remains committed to preserving its dark skies and rural character;

WHEREAS, Dark-Sky compliant light fixtures and their equivalent are readily available and highly effective at directing lighting only where it is needed for safety and security, and preventing the nuisance of glare;

WHEREAS, the ASCC heard public comments and helped craft new ordinance language at duly noticed hearings held on December 18, 2017, February 26, 2018 and March 12, 2018;

WHEREAS, the Planning Commission held a duly noticed hearing on April 4, 2018 regarding the proposed ordinance, and recommended them to the Town Council for approval;

WHEREAS, the proposed ordinance are not subject to the provisions of the California Environmental Quality Act ("CEQA") because the activity is not a project defined by Section 15378 of the CEQA Guidelines;

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

1. AMENDMENT OF CODE. Subsection (A)(8) of Section 18.36.040 [Uses Permitted in All Districts – Accessory Uses] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended in its entirety to read as follows:

~~8. Outdoor illumination, with the following restrictions:~~

~~a. Outdoor illumination shall be the minimum intensity necessary to provide safety for pedestrians and other nonvehicular uses.~~

~~b. The source of light, that is the bulb or other source of direct illumination, shall not be visible from off the premises. Exceptions in which the bulb itself may be visible from off the premises are nonreflector bulbs of no greater than seventy-five watts incandescent light if frosted or otherwise diffused, or no greater than twenty-five watts incandescent light if clear. This section does not by itself limit the electrical power of indirect illumination. The term "incandescent light" as~~

~~used in subsection A8b and c of this section refers to the light emitted by a standard incandescent bulb (not including spot, flood or similar special reflector bulbs).~~

~~c. The total electrical power of any single exterior light fixture visible from off the premises, irrespective of the number of bulbs the fixture can contain, shall not exceed seventy watts incandescent light if frosted or otherwise diffused, or not greater than twenty-five watts incandescent light if clear,~~

~~d. Outdoor illumination for night use of uncovered game courts, including but not limited to tennis, paddle tennis, and basketball courts, riding rings, and similar outdoor recreation facilities and areas, is prohibited;~~

8. Outdoor Illumination

i. Purpose. The purpose of this subsection is to provide clear regulations regarding allowable outdoor lighting. The Town's General Plan states: "Night lighting visible from the exterior of buildings should be strictly limited to that necessary for security, safety and identification. All night lighting, including signs, should be low intensity and shielded from view from residential areas."

This chapter aims to provide regulations for outdoor lighting that will:

- a. Permit the use of outdoor lighting that does not exceed the minimum necessary for night-time safety, utility, security, and enjoyment.
- b. Minimize adverse offsite impacts of lighting such as light trespass and obtrusive light.
- c. Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy and star gazing in keeping with the Dark Sky movement.
- d. Help protect the natural environment from the adverse effects of night lighting.
- e. Conserve energy and resources to the greatest extent possible.

ii. Definitions

- a. Brightness shall be measured in lumens.
- b. Dark Sky Compliant Fixture or Equivalent shall mean a light fixture from which all light emitted, directly or indirectly, is projected below a horizontal plane.
- c. Flood Lighting shall mean any fixture which lights a large area, as opposed to an individual feature such as a step, path or doorway.
- d. Manual switch shall mean any light requiring a physical action to control, whether by hardwires at the property, phone or computer application, or other technology.
- e. Motion-sensor shall mean any light control which is triggered by motion.
- f. Photo-cell shall mean a light-sensitive control that switches lights on or off depending on the level of outdoor light.

- g. Timer shall mean any device which controls the hours or amount of time that a light fixture is illuminated.
- iii. Applicability. All outdoor lighting installed after the date of effect of this ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location. These regulations are meant to apply only to the visible light spectrum.
 - a. Exceptions.
 - 1. Lighting for signs shall be regulated by Section 18.40, Signs.
 - 2. Temporary holiday lighting, including in trees.
- iv. Lighting Placement.
 - a. Exterior or garage door shall have one fixture each.
 - b. Low path, step and wall lights for safety and navigation purposes for pedestrian and other non-vehicular uses.
 - c. Lighting for exterior patios and dining areas shall be recessed & shielded from off-site visibility.
- v. Fixture Type. All outdoor lighting fixtures shall be Dark Sky compliant or equivalent; specifically, they shall include the following elements:
 - a. Shield directing light downward;
 - b. Bulb not protruding below horizontal plane at bottom of shield;
 - c. Light spill limited to the object to be illuminated;
 - d. Fixtures shall not have ability to swivel or adjust direction, except path lighting, which shall not swivel above a forty-five (45) degree angle from a vertical line down.
- vi. Lighting Control. Lighting controls and technologies shall be implemented to the effect that outdoor lights are on only when needed and never during daylight. Controls shall function with Dark Sky compliant fixtures. Current technologies include manual switches, photo-cells, timers, and motion-sensors. Any combination of these technologies may be used, with the following limitations:
 - a. Motion-sensor lights shall be triggered only by motion within a property and shall not be activated by motion in adjacent property or rights-of-way.
 - b. Photo-cells shall be used only to ensure lighting is off during the day, as opposed to on at night.
 - c. Timers shall be included on all motion-sensor lights to ensure that illumination is limited. Timers shall be used only to turn lights off, not on.
 - d. Lights shall self-extinguish within two minutes of being illuminated.
- vii. Prohibited Lighting. The following lighting types and systems are prohibited from being installed or used:

- a. Up-lighting;
 - b. Lighting for night use of uncovered game courts, including tennis, paddle tennis, basketball, riding rings, and similar outdoor recreation facilities and areas;
 - c. Aerial lasers and other focused beams;
 - d. Flood lights or lighting;
 - e. Searchlights;
 - f. Lighting with no on/off switch or ability to be controlled;
 - g. Any permanent or temporary lighting in which any single light source exceeds 1,125 lumens.
- viii. Lighting Requiring ASCC Approval. The following light fixtures, placements, or types are generally discouraged and require ASCC approval in order to be installed:
- a. Lighting for landscaping, trees or structures, including entryway features, pillars and posts;
 - b. Commercial parking lighting.

2. AMENDMENT OF CODE. Subsection (018) of Section 18.42 [Accessory Structures] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended in its entirety to read as follows:

~~Outdoor lighting is subject to the following limitations:~~

- ~~A. Up-lighting of landscaping or structures is prohibited and any fixtures illuminating landscaping, trees or structures shall be subject to ASCC approval.~~
- ~~B. Lighting of entryway features, including pillars and posts, are only permitted subject to prior approval by the ASCC.~~
- ~~C. Lights may not be placed in trees except as permitted in D., below.~~
- ~~D. Temporary holiday lights may be placed in trees and other locations on properties without requiring prior approval by the ASCC.~~

Outdoor Lighting. Outdoor lighting for all accessory structures shall conform to Section 18.36.040.A.8, Outdoor Illumination, of the Portola Valley Municipal Code.

3. CONSISTENCY WITH STATE LAW. This ordinance is intended to be consistent with State law regulating accessory dwelling units and to the extent there is any inconsistency with such State law requirements, State law shall control.

4. 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.

5. ENVIRONMENTAL REVIEW. Pursuant to Public Resources Code Section 15378, the proposed amendments are not a project and therefore are not subject to the California Environmental Quality Act.

6. EFFECTIVE DATE; 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.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST

Town Clerk

By: _____
Mayor

APPROVED AS TO FORM

| _____
Town Attorney

RESOLUTION NO. ____ - 2018

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF PORTOLA VALLEY AMENDING THE PORTOLA
VALLEY LIGHTING DESIGN GUIDELINES**

WHEREAS, on April 27, 2016, the Town Council of the Town of Portola Valley (“Town”) directed staff to update the outdoor lighting regulations and Design Guidelines to reflect increasing concern with safety and new lighting technologies available to residents;

WHEREAS, the Town remains committed to preserving its dark skies and rural character;

WHEREAS, Dark-Sky compliant light fixtures and their equivalent are readily available and highly effective at directing lighting only where it is needed for safety and security, and preventing the nuisance of glare;

WHEREAS, the ASCC heard public comments and helped craft new design guideline language at duly noticed hearings held on December 18, 2017, February 26, 2018 and March 12, 2018;

WHEREAS, the Planning Commission held a duly noticed hearing on April 4, 2018 regarding the amended design guidelines, and recommended them to the Town Council for approval;

WHEREAS, the proposed design guidelines are not subject to the provisions of the California Environmental Quality Act (“CEQA”) because the activity is not a project defined by Section 15378 of the CEQA Guidelines;

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

1. AMENDMENT OF DESIGN GUIDELINES. The Lighting section of the Design Guidelines of the Town of Portola Valley is hereby amended in its entirety to read as follows:

- In order to maintain the rural character of Portola Valley, a *minimal* approach should be taken to outside illumination of any use, site, or structure within the town. Excessive lighting on an individual site (and/or the impact of cumulative lighting on adjoining sites) can create a glow that tends to obscure the night sky and stars, and results in a community that is more urban and less rural.
- Use only the **minimum** amount of lighting necessary to achieve essential illumination. The primary objective of exterior lighting should be **safety** for pedestrians and other non-vehicular uses around the primary building on the site. Lighting of front entries, main access doors, frequently used stairs, etc.

may be appropriate, but should be determined on a case-by-case basis. Further, some lighting to identify address numbers and driveway entries may be acceptable, but should be considered only when it is determined that reflectors and reflective numbers cannot be used effectively.

- Natural site conditions and location should be taken into account in development of any plans for exterior lighting of a structure and/or property. Sites that have little tree cover and that are in very open and easily accessed locations should have less need for lighting than more secluded sites with heavy tree cover and difficult points of access. Further, in the development of all lighting plans, consideration should be given to maintaining the rural unlit character of the environment and to using natural lighting (e.g., moon light), lighting provided by vehicles entering a property and illumination passing through windows from inside a building.
- Exterior lighting should be located as close to building entries and key stair and accessways as possible.
- Lighting for purely decorative purposes should be avoided. For example, lighting around or within landscaped areas, accent lighting of architectural features, lighting of the perimeter parking and similar areas are discouraged. However, if landscape lighting is found necessary, for example, to light paths to a pool or deck or provide some light around such a feature that is used at night, low level recessed type lights should be used. Use of strip light type systems, such as multi-bulb step lights strips, should be avoided. Up-lighting of landscaping or structures is prohibited (Code Section 18. 36.04042.018, A.). Occasional installation of fixtures not necessary for safety but that provide symmetry are allowed, so long as they are not wired for electricity (e.g. a light fixture on either side of a garage door).
- ~~• Lighting for night use of game courts (i.e., tennis, paddle tennis, basketball, etc.) is **prohibited** (Ord. 18.36.040.b.). Such lighting is considered to be in direct conflict with the *minimal* approach to lighting desired in the town. Any lighting within or around such features should only be lighting that is necessary for safety. Such lighting should be low level and close to the ground. Any lighting that would flood large portions of the court surface is inappropriate.~~
- ~~• Lighting, for the most part, should be manually controlled so that lights are on only when needed. Lighting controls should be selected and adjusted to light areas only at the times lighting is essential. It is preferable to have lights manually controlled or on timers rather than to be controlled by photocells or motion detectors. Photocells can result in lights being on during all dark hours. Motion detectors can be triggered by animals, passing cars, etc. Such~~

~~situations disturb both the natural conditions in the area and nearby residents. Individual control of lighting by the property owner is preferred.~~

- ~~• All light fixtures should be selected for their ability to focus light on the feature (i.e., step, path, entry) to be lighted and to have minimum light spillage. Fixtures that are designed to light large areas generally are considered unacceptable. Use of conventional unshaded or non-recessed spot lights and spot light or flood light bulbs of 75 watts or greater should be avoided.~~
- ~~• The source of light in any light fixture, i.e., the bulb or other source of indirect illumination, shall not be visible off-site. Exceptions in which the bulb itself may be visible from off-site are nonreflector bulbs of no greater than 75 watts incandescent light* if frosted or otherwise diffused, or no greater than 25 watts incandescent light if clear. (Ord. 18.36.040.8b).~~
- ~~• The total electrical power of any single exterior light fixture visible from off site, irrespective of the number of bulbs the fixture can contain, shall not exceed 75 watts incandescent light if frosted or otherwise diffused, or no greater than 25 watts incandescent light if clear.~~
- ~~• In addition to the above lighting guidelines, lighting of all signs is regulated pursuant to the provisions of Ord. 18.40.050.~~
- Lighting should be controlled, selected and adjusted so that lights are on only when needed. When motion sensors or other controls allow for a more limited use of lighting, they are preferred, especially to avoid lights being left on overnight. Motion triggered lighting should fade on and off after a brief time and should be limited to main and rear entry doors, and trash areas; they should not be used for general outdoor areas. Photocell and timer-controlled lighting should also include automatic shut-offs to avoid lights being left on throughout the night.
- Exterior light fixtures should be broken into groupings, each with their own control, such that lighting in one area can be on while all other lighting is off. Motion sensors should activate the minimum lighting necessary for security or safety purposes. At the same time, a master off-switch is encouraged.
- All light fixtures should be selected for their ability to focus light on the feature to be lighted (i.e., step, path, entry) and to have minimum light spillage. Fixtures designed to light large areas, conventional unshaded or non-recessed spot lights, or flood lights are prohibited. Lighting (including pool lights) should be directed inward, toward a property's center, not outward beyond the property line.

- The source of light in any light fixture, i.e. the bulb or other source of indirect illumination, should not be visible off-site. Because homes in Portola Valley are located at multiple elevations, residents should select and place fixtures so that properties at a lower grade are minimally impacted by light visibility, direct or diffuse.
- Light color should be limited to the warmer spectrum of 2700-3500 Kelvins. Cooler-colored white and blue lights which disrupt nightlife and biological rhythms should not be used.
- When determining appropriate lumen output and spacing of outdoor lighting fixtures, the following chart, borrowed from the Portola Valley Ranch Design Guidelines, shall be used as a guide:

<u>Fixture Type</u>	<u>Max. Lumen Output for a Single Fixture</u>	<u>Maximum Lumen Output for Multiple Fixtures</u>	<u>Typical Installation</u>
<u>Overhead</u>	<u>350</u>	<u>25 per linear foot walkway</u>	<u>Generally installed at entries to carports or residences</u>
<u>Low-Height</u>	<u>225</u>	<u>40 per linear foot of walkway or deck/patio perimeter</u>	<u>Generally installed at approximately every 4-8 feet</u>
<u>Stair-Step</u>	<u>50</u>	<u>50 per 4 foot width of step</u>	<u>Generally installed on the riser or underside of every stair step</u>

~~*The term incandescent light as used herein refers to the light emitted by a standard incandescent bulb, not including spot, flood, or similar special reflector bulbs.~~

2. CONSISTENCY WITH STATE LAW. This ordinance is intended to be consistent with State law regulating accessory dwelling units and to the extent there is any inconsistency with such State law requirements, State law shall control.

3. 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.

4. ENVIRONMENTAL REVIEW. Pursuant to Public Resources Code Section 15378, the proposed amendments are not a project and therefore are not subject to the California Environmental Quality Act.

5. EFFECTIVE DATE; 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.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

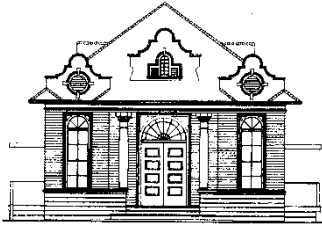
ATTEST

Town Clerk

By: _____
Mayor

APPROVED AS TO FORM

Town Attorney



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Debbie Pedro, Planning Director

DATE: April 26, 2017

RE: ASCC Recommendations on Design Guidelines and Home Security Measures

RECOMMENDATION

The ASCC recommends that the Town Council:

1. Direct staff to begin a comprehensive update of the Outdoor Lighting Ordinance.
2. Direct staff to amend the Design Guidelines as it relates to motion sensor lights.
3. Direct staff to prepare an Outdoor Lighting Frequently Asked Questions (FAQ).
4. Provide direction on the implementation of the Neighborhood Watch Sign Program.
5. Make no changes to landscaping guidelines.

BACKGROUND

Following several burglaries and two home invasion robberies last year, some residents have provided feedback to staff that current Town rules did not support certain home security options. Specifically, there may be potential conflicts between the safety measures recommended in the San Mateo County Sheriff Office's Home Security Checklist (Attachment 1) and the Town's regulations regarding outdoor lighting, landscaping, and signage.

On November 9, 2016, the Town Council directed staff to work with the ASCC on evaluating the Town's Design Guidelines as it relates to home security measures including options for lighting, landscaping and signage in road right-of-ways. The ASCC held study sessions on December 12, 2016, February 27, 2017, and March 3, 2017 and provided their recommendations to Council on these items. Additional information are included in the staff reports and minutes from the ASCC meetings. (Attachments 2-4)

DISCUSSION

As noted earlier, Council's direction was for the ASCC to evaluate the Design Guidelines as it relates to three specific security measures: motion sensor lights, landscaping, and signage within road right-of-ways. The ASCC reviewed the staff reports, listened to public input, and voted unanimously to recommend the following:

1. Landscaping

The ASCC recommended no change to the landscaping guidelines. The Town's Design Guidelines encourage integrating development with existing vegetation and the use of minimum landscaping. The County Sheriff Office's Home Security Checklist recommends trimming shrubs and bushes so there is no place for someone to hide. The ASCC found no conflict between the two and agreed that the Design Guidelines fit in well with the Sheriff Office's recommendations.

2. Signage in Road Right of Ways

Historically, the Town has generally not permitted the installation of structures or other improvements by private property owners in the public road right-of-way other than a mailbox and the required driveway to access a property. Town staff has interpreted that the current zoning code allows small neighborhood watch signs on private property per PVMC Section 18.40.030.

Since December 2016, the Town's Neighborhood Watch Coordinator Lorrie Duval has helped organized over thirteen Neighborhood Watch (NW) teams and staff has received a number of requests to install NW signs in the public right-of-way.

The ASCC recommended that NW signage in the public right-of-way be limited to the areas at or near locations for the ALPR cameras to reduce visual clutter along roadways and prevent the proliferation of signage in town. Since there is a wide variety of NW signs available with different options in materials, size, colors, and designs, the ASCC recommended using a stock 18" x 24" blue Crime Watch sign. The preference is to mount the NW sign to an existing post if possible but if no existing post is available, the ASCC recommended using a 3" x 7' corten steel instead of a wood post because it would be more durable.



On March 27, 2017, PV Neighborhood Watch Block Captains submitted a petition to the Town (Attachment 5) to place NW signs in the public right-of-way at the borders of their neighborhoods instead of at the ALPR sites. The group cited the following reasons for their request:

1. PV neighborhoods want to be able to visually show that they are supporting Neighborhood Watch for its deterrent value, and they feel they should be allowed to do so.

2. Neighborhood Watch signs only at ALPR sites are not an effective deterrent, because they are too far away from most neighborhoods.
3. Neighborhood Watch signs in the neighborhoods on private property but not in the right of way, are not as effective, because they are less likely to be noticed since they are farther away from the street.
4. The current policy of not allowing Neighborhood Watch signs in the right of way is counter-productive to its visual clutter rationale, since there are already a proliferation of Neighborhood Watch signs on fences, trees, etc., on people's personal properties

If each NW neighborhood requests to place a NW sign at their border, there may be dozens of new signs installed in the Town's right of way with more to be added as new NW groups form. Staff agrees with the ASCC that signage in the right-of-way should be kept to a minimum because it would negatively affect the scenic qualities of the road as well as the rural and natural atmosphere of the Town.

Should the Council decides to allow NW signs in the public road right-of-way at the borders of neighborhoods that have active NW programs, staff recommends that the Sign Ordinance be amended to prohibit NW signs on private property in order to limit the number of signs in Town.

3. Motion Sensor Lights

At their February 27th meeting, the ASCC requested additional information to help with further discussion on this topic. Representatives from PV Ranch were invited to attend the March 13th ASCC meeting to share their experience on the recently updated PV Ranch Design Guidelines. In addition, staff provided a summary of the Town's General Plan, Zoning Code, and Design Guidelines relative to outdoor lighting, as well as information regarding newer lighting technology and studies regarding the relationship between lighting and crime. The March 13th staff report and meeting minutes are included in Attachment 2. The ASCC's recommendations regarding lighting are as follow:

1. That a comprehensive update to the Town's Outdoor Lighting Ordinance is necessary and of high priority.

The Town's outdoor lighting regulations were adopted over 17 years ago and contain outdated performance standards (i.e. references 75 watts incandescent lights). In addition, lighting regulations are found in three separate chapters (18.12, 18.36, and 18.42) of the zoning code which should be consolidated. The International Dark-Sky Association (IDA) and the Illuminating Engineering Society (IES) have jointly developed a Model Dark Sky Lighting Ordinance that takes an approach to regulation that encourages energy savings while reducing light pollution. The ASCC recommended that the Town undertakes a comprehensive update of the Outdoor Lighting Ordinance and refers to the model ordinance and dark sky lighting ordinances adopted by other municipalities.

2. That the language in the Design Guidelines be modified to encourage the use of motion sensor switches on dark sky compliant lights on outdoor wall fixtures and path lights.

As written, the Design Guidelines discourages the use of motion sensor light. It states:

“Lighting, for the most part, should be manually controlled so that lights are on only when needed. Lighting controls should be selected and adjusted to light areas only at the times lighting is essential. It is preferable to have lights manually controlled or on timers rather than to be controlled by photocells or motion detectors. Photocells can result in lights being on during all dark hours. Motion detectors can be triggered by animals, passing cars, etc. Such situations disturb both the natural conditions in the area and nearby residents. Individual control of lighting by the property owner is preferred.”

However, based on testimony from the public and PV Ranch representatives, the ASCC agreed that motion sensitive lights that are properly deployed would result in less lighting than lights on a timer or a manual switch. As a result, the Commission recommended an amendment to the Design Guidelines to reflect this change.

3. That a straightforward list of Outdoor Lighting Frequently Asked Questions (FAQ) be developed to provide information for the public.

The FAQ would be an informative document that addresses lighting and safety, light trespasses, motion sensitive switches and dark sky compliant fixtures.

Public Comments

In addition to the petition from the PV NW Block Captains, the Town received emails from resident Karen Vahtra noting the need for security cameras to be mounted with motion sensor lighting to increase their ability to capture images. (Attachment 6)

FISCAL IMPACT

Depending on the Council’s direction, there may be fiscal impact in the form of staff time needed for the comprehensive update to the Outdoor Lighting Ordinance, amendments to the Design Guidelines, and development of the Outdoor Lighting FAQ.

ATTACHMENTS

1. San Mateo County Sheriff Office’s Home Security Checklist
2. March 13, 2017 ASCC staff report and meeting minutes
3. February 27, 2017 ASCC staff report and meeting minutes
4. December 12, 2016 ASCC staff report and meeting minutes
5. PV Neighborhood Watch Block Captains Petition dated March 27, 2017
6. Emails from Karen Vahtra dated March 15 and March 31, 2017

Approved by: Jeremy Dennis, Town Manager



PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 947, APRIL 26, 2017

CALL TO ORDER AND ROLL CALL

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

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

Absent: None

Others: Jeremy Dennis, Town Manager
Leigh Prince, Town Attorney
Debbie Pedro, Planning Director
Sharon Hanlon, Town Clerk

ORAL COMMUNICATIONS

- (1) Presentation: Recognition of Service – Lieutenant Kristina Bell and Sergeant Todd Finato with San Mateo County Sheriff's Office.

Mayor Hughes described the careers of Lt. Kristina Bell and Sgt. Todd Finato of the San Mateo County Sheriff's Office and their service to Portola Valley. Mayor Hughes presented certificates to Lt. Bell and Sgt. Finato in recognition of their service to the Town of Portola Valley.

CONSENT AGENDA [7:05 p.m.]

- (2) Approval of Minutes: Town Council Regular Meeting of March 22, 2017. *[Removed from Consent Agenda.]*
- (3) Ratification of Warrant List: April 12, 2017, in the amount of \$137,331.82.
- (4) Ratification of Warrant List: April 26, 2017, in the amount of \$90,082.27.
- (5) Appointment by Mayor: Member to the Conservation Committee.
- (6) Appointment by Mayor: Member to the Nature & Science Committee.
- (7) Request from Trails & Paths Committee: Proposed Charter Amendment.
- (8) Recommendation by Town Manager: State Bills to Oppose. *[Removed from Consent Agenda.]*
- (9) Recommendation by Town Clerk: Adoption of Ordinance Amending Title 2 of the Portola Valley Municipal Code
- (a) Second Reading, Waive Further Reading and Adopt an Ordinance of the Town Council of the Town of Portola Valley Amending Chapter 2.32 [General Municipal Elections] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code to Comply with Senate Bill 415 (Ordinance No. 2017-417)
- (10) Recommendation by Town Manager: Adoption of Ordinance Adding Chapter 9.02 [Public Safety Information] to Title 9 [Public Peace Morals and Welfare] of the Portola Valley Municipal Code

Councilmember Derwin asked why the Portola Valley School District has never been a partner. She said there is a big push in San Mateo County for workforce teacher housing. Town Manager Dennis said he is not fully aware of the history, but moving forward staff was very interested in hearing tonight's commentary relating to the expansion of the program, which provides them with further ability to go out and have those conversations. He said in his day-to-day role, as he talks to people at the school district and other places, every institution in one way or another is thinking about how to house their employees. He said there are further conversations to be had with those people to see if they could fit into a program like this or something similar.

Town Attorney Prince said she received an email from the County Council's Office to all City Attorneys to discuss this very issue as a group. She said they will probably get together in the next several months to have conversations about it.

Councilmember Derwin said it was supportive of building condos on The Priory property. Mayor Hughes agreed and said he was open to entertaining whatever suggestions any of the participants here tonight might bring to them, even if it doesn't fit within the current rules and would require some modification to do something that makes sense. Councilmember Wengert said she agreed and was sorry The Priory had left the meeting and could not hear the Council input. She said while The Priory haven't yet settled in internally on their preferred plan, the Town should be open and receptive to considering whatever they bring and helping to make that happen. Vice Mayor John Richards said it must be understood that it will be a process.

(12) Discussion and Council Action – ASCC Recommendations on Design Guidelines and Home Security Measures

Planning Director Debbie Pedro explained that, following the home invasion robberies and burglaries that occurred in Town, some residents have provided feedback to staff that the current Town rules did not support certain home security options. She presented the staff report and slide show detailing the ASCC recommendations that were developed following their three study sessions.

Mayor Hughes called for questions for staff.

Councilmember Aalfs asked how many Neighborhood Watch programs currently exist and how many are anticipated. Planning Director Pedro said there are currently 13. Town Manager Dennis said more are forming and there could be upwards of 24 but they may come and go over time.

Councilmember Wengert asked how many people use signs on their private property now for Neighborhood Watch, alarm systems, etc. Planning Director Pedro said she didn't know the exact number of Neighborhood Watch signs placed on private property, but they have seen an increase of "no trespassing" type signs, which are not prohibited. She said they have advised homeowners as a rule of thumb to limit the size of the signs to approximately 18" x 24".

In response to Council questions regarding the number of signs desired, Planning Director Pedro said there would be at least 13, but it would depend on the boundary of the Neighborhood Watch neighborhoods. She said there was not a specific proposal about whether they wanted them at boundaries or also at intersections. Town Manager Dennis said it's a tough number to guesstimate and there are parts of Town that will not have Neighborhood Watch programs. He said there is still a lot of energy around the programs, but they are now seeing second meetings occurring that have fewer attendees. He said he would predict that most of the Neighborhood Watch programs would want signs.

Councilmember Derwin asked if there was any hard data on the effectiveness of these signs. Town Manager Dennis said there is no research that he is aware of related to the effectiveness of signage; however, there is an abundance of research related to the effectiveness of the programs themselves. In response to Councilmember Derwin's question, Town Manager Dennis said he was not aware if

Piedmont or Tiburon regulated the signs. He said typically, in more suburban communities, there is much less regulation regarding that kind of signage. Councilmember Derwin asked if residents could place these signs on metal posts on their own private property. Town Manager Dennis said it is allowed per the current interpretation of the rules.

Mayor Hughes asked regarding the flexibility of changing the rules around where people can post signs on their own property. He said there was a suggestion that if the signs are allowed in the public right of way, they might be more restrictive on private property so there weren't lots of signs in both places. Town Attorney Prince said she would look into that further, but generally a sign is a form of speech and the Town has the flexibility to put parameters around size and location, but not content.

Mayor Hughes invited public comment.

John Murray, Antonio Court. Mr. Murray said he has organized four different blocks of the Neighborhood Watch program. He said the stop sign at the intersection at Adair and Sausal is a perfect place for the sign that would cover all 60 households. He said his group agreed that one sign is preferable. He said if they cannot put a sign on the stop sign, then he would put one 10 feet away on his property outside of the right of way, but feels that's sign pollution and less palatable than if the sign was right below the stop sign. He said he was unaware there could be a prohibition on signs and would think that the free speech issue should be considered. He said his group prefers the blue sign.

Jon Silver, Portola Road. Mr. Silver said while the Town should limit visual pollution, it is important for these people who are setting up these Neighborhood Watch groups to be able to put signs up in the right of way where they make the most sense, and they should also be allowed to put signs up on their own property.

Tom Moran, Hillbrook Drive, block captain on Hillbrook Drive. Mr. Moran said there was a lot of enthusiasm when they set up their Neighborhood Watch but they were flabbergasted to learn about the regulations that did not allow the signs. He said they reached out to all of the block captains and two-thirds responded in favor of signs, as detailed in the petition attached to the staff report.

Arthur Jonath, Golden Oak Drive. Mr. Jonath is part of his Neighborhood Watch group. He said that seeing signage in the right of ways looks institutionalized and feels like it indicates a crime area and lowers the worth of their property. He clarified that he was not talking about dollar value but worth in the heart and mind. He said he prefers minimizing the signs. He said we should do our job as citizens and walk around the neighborhood and pay more attention of our surroundings.

Renee Courington, Creek Park Drive, block captain. Ms. Courington her group wants a sign. She said the police have advised them they are likely to get hit because of the easy access in and out. They want a sign at the beginning and end of their street on private property or the right of way.

An unidentified resident introduced herself as a block captain on Golden Oak. She said her group is in favor of signs and said individual signs on private property were initially encouraged. She said she prefers the larger signs because the individual signs will likely drop off because participation in the program is declining somewhat. She said there don't have to be a lot of them and it could be decided based on the neighborhood.

Karen Vahtra said if the Town could organize the signs in some sort of systematic way at reasonable intervals it would look much cleaner than haphazard signs on personal property.

An unidentified resident said he is co-block captain. He said the Neighborhood Watch programs are essentially putting new foundations of community engagement in the neighborhoods. He said the signs are recognition of that community building.

He said the community building is a valuable byproduct of the Neighborhood Watch programs. He said he'd rather call themselves neighborhood coordinators. He said building the social cohesiveness of the neighborhood is the most important thing.

Ragni Pasturel, Palmer Lane, block captain on Palmer. Ms. Pasturel said this program has brought her neighborhood together. They are talking about having meetings and block parties, something that hasn't happened in the 16 years she's lived there. She said having a sign puts the stamp on them being a community of neighbors and she thinks it's very important. She would rather the signs be consistent throughout Town.

With no further public comment, Mayor Hughes thanked everyone for attending the meeting tonight and for being involved in the Neighborhood Watch programs. He said it is a very positive thing that a lot of neighbors are talking to each other, getting to know what's going on, and getting to know each other. Mayor Hughes brought the issue back to the Council for discussion.

The Council addressed the following four recommendations:

1. Direct staff to begin a comprehensive update of the Outdoor Lighting Ordinance.
2. Direct staff to amend the Design Guidelines as it relates to motion sensor lights.
3. Direct staff to prepare an Outdoor Lighting Frequently Asked Questions (FAQ).
4. Provide direction on the implementation of the Neighborhood Watch Sign Program.
5. Make no changes to landscaping guidelines.

Councilmember Aalfs was supportive of Recommendations 1, 2, 3, and 5. He said the Energy Code has a lot of language on outdoor lighting and controllers and is moving in the direction of motion sensors and timed shut-offs. He said overhauling the Design Guidelines will result in good solutions with dark sky friendly appliances on well-installed and well-commissioned timers.

Councilmember Derwin asked Karen Vahtra if the dark-sky motion detector lights would work with cameras. Mayor Hughes said most of them were infrared sensitive. Ms. Vahtra said they have not had time to research that fully.

Councilmember Wengert was supportive of Recommendations 1, 2, 3, and 5. She said she was originally skeptical of the motion sensor lights because they used to be floodlights, but with the down shielding they are moving in the right direction.

Vice Mayor John Richards was supportive of Recommendations 1, 2, 3, and 5, as long as it was made very clear that the floodlights are still not acceptable.

Mayor Hughes was supportive of Recommendations 1, 2, 3, and 5. He said one of the dark sky compliant items said lights in the blue spectrum are discouraged. He said LEDs are very blue unless they are coated. He said it might be added as part of the FAQ a recommendation to make selections more toward the warm end of the LED rather than the standard blue LED.

The Council discussed Recommendation #4: Provide direction on the implementation of the Neighborhood Watch Sign Program.

Councilmember Aalfs was supportive of having signs in the right of ways. He agreed that having the signs in the neighborhoods made more sense than putting them at the ALPRs, both to remind intruders but also to remind the residents that they are part of a Neighborhood Watch. He said that will provide the opportunity to work with the block captains to come up with a good design solution to get a minimum number of signs to achieve the purpose, combined with friendly persuasion against private property signs to minimize clutter.

Councilmember Derwin said it is a good problem to have because it means there are a lot of Neighborhood Watch programs. She said she sympathized with the frustration of the Neighborhood Watch people who want to mark their territory and feel good about what they've done, but she also agrees that when she goes into neighborhoods in other cities that have those signs, she immediately thinks it's a high crime area. Her second thought upon seeing the signs is that the neighbors are organized. She said she could possibly support 10 signs, but 40 is excessive and will materially change the experience of traveling through Portola Valley. She would like to have an idea of how many signs could be installed.

Mayor Hughes asked how many areas do not have Neighborhood Watch groups. Town Manager Dennis said there would probably be parts of the Westridge area, the Highlands and the Corte Madera Hills neighborhood that did not have Neighborhood Watch groups. Mayor Hughes said since a large part of the Town is covered, maybe there could be a set number of signs that are distributed evenly through Town.

Councilmember Wengert said she fully respects all of the work the Neighborhood Watch people have done and understands why they want signs. She said the community building part of it is a terrific outcome of all of this. She said she is concerned about having areas in Town where Neighborhood Watch is very prominent and others where it is not. She said the inconsistency is difficult to reconcile, not wanting it to be interpreted that they don't care about some neighborhoods. She agreed with Mayor Hughes about placing signs in locations to get the majority of the ingress/egress in Town, and not just at ALPRs, but she does not know if that is 20 or 50 signs.

Mayor Hughes said as time passes the borders of the Neighborhood Watch zones may change and fluctuate, so a more holistic approach may be more practical than periodically removing, adding, or moving signs.

Town Manager Dennis said he understands the frustration but has to provide feedback based on the current Town rules. He said it is essentially an encroachment permit on the public right of way and there is a process for that. Town Attorney Prince said there are a lot of issues that need to be looked at, but her gut response to these ideas is that the Town has aesthetic control over how many signs populate the right of way. She suggested possibly creating some parameters around the number of encroachment permits allowed and their geographic location, possibly with term limits. She said staff can research this further, look at best practices for other communities, and bring that information back to the Council for further discussion.

Vice Mayor John Richards said the comment "institutional nature" resonated with him. He does not like the look of any of the sign options and said they are anonymous, horrible signs that do nothing for community building. He said the sample signs make it appear that some neighborhoods have big crime problems and he would hate to see them proliferate all over Town. He said if these signs reminded people to go to meetings, that would be great, but he doesn't think they do that. He said he has heard no evidence that the signs do anything to diminish crime. He said the effort of organizing the neighborhoods is really the core of the whole thing. He said a unique sign for each neighborhood would make a lot more sense in that regard.

Councilmember Derwin supported unique neighborhood signs that have a more rustic feel and much less institutional in design, but would still want a limit on how many signs would be allowed. Councilmember Wengert said the Town doesn't want to manage the Neighborhood Watch groups because they will come and go. She agreed the sample signs were ugly but would be supportive of individual unique neighborhood signs.

Planning Director Pedro said staff has not yet developed a program on how to deal with requests. She said the thought was for a Neighborhood Watch group to come to the Town, submit an encroachment permit, and the Town would then be responsible for producing and installing the sign. She said custom

signs will be more complex, but with guidance on things such as sign size and color schemes they can develop acceptable signs for the Neighborhood Watch program.

Mayor Hughes asked the public in attendance to comment on the suggestion of more rural, customized signs.

Mr. Murray said there are already hundreds of signs for video cameras, etc. He liked the idea of having signs similar to the Alpine Hills sign. He said if they need a beta group, they'd be happy to test it out. He agreed with dissuading residents from individual signs.

Karen Vahtra said she likes the idea of unique signs and there will be less if they are put in the right of ways, focusing on the areas just off the main road.

Mr. Moran said unique signs weren't a bad idea and suggested getting rid of the text and just having the eye or some other symbol would provide all the information needed.

Town Manager Dennis reminded the Council that a couple of months ago, in the priority setting process for the next fiscal year, an item that had some interest was resident resiliency and continuing Neighborhood Watch, Emergency Preparedness, block parties, and other community and neighborhood building efforts.

Councilmember Derwin said the Backyard Habitat signs were lovely and they could design Neighborhood Watch signs that are just as lovely.

The Council directed staff to meet with the Neighborhood Watch Coordinator and block captains to create examples of appropriate signage and potential installation locations within Town. Mayor Hughes suggested the discussion be open to all neighborhoods, not just those involved in Neighborhood Watch. Town Manager Dennis said he will set up meetings and put together some examples to present to Council at a near future date.

(13) Recommendation by Town Manager – Communications Audit

Town Manager Dennis relayed the regrets of Laura Teutschel, of LT & Associates, that due to a longstanding personal commitment, she could not attend tonight's meeting.

Town Manager Dennis said that improving communications was identified as a priority for this current fiscal year. He said in an attempt to understand what issues the Town faces around communicating with its residents, he asked LT & Associates to perform a communication audit, as detailed in the staff report.

Mayor Hughes called for question from the Council.

Councilmember Derwin asked, with regard to Challenge #4 and recommendation #1, why identity was questionable. She said the Town's identity is evident in the General Plan that drives the Town's ordinances, building codes, and guidelines. She said there are 15 volunteer committees and two Commissions as confirmation of the volunteerism in Town. She said she believes the Town's identity is formed by the core values of volunteerism, conservation of resources, and preservation of open space, and it has been true for more than 50 years. She said it is also evident in the natural beauty that has been maintained, drawing hikers and bikers to Town every weekend. She said the Town's strong identity is evidenced by the facts that the Town wrote the book on slope density; preaches that buildings are to be subservient to the land; built the very first LEED Platinum municipal campus (the Town Center) in the country; and was the first group solar buy. She asked Town Manager Dennis if he was proposing the Town creates a new identity. Town Manager Dennis apologized if that aspect was misunderstood. He said the identity is clear but he is not sure it is promoted in a way that residents necessarily always connect with. He said pushing out that identity and infusing it into the communication tools in a way where



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: ASCC

FROM: Arly Cassidy, Associate Planner

DATE: December 18, 2017

RE: Study Session on Proposed Amendments to the Outdoor Lighting Ordinance and Lighting Design Guidelines

RECOMMENDATION

Staff recommends that the ASCC discuss and provide staff with comments and direction on proposed changes to the Portola Valley Municipal Code and Lighting Design Guidelines.

BACKGROUND

In 2016 the Town experienced a number of burglaries and two home invasions, resulting in a discussion around home security measures and the Town's regulation of such. At the Council's direction, staff held a number of study sessions with the ASCC to evaluate options for amending the municipal code and Design Guidelines to reflect concerns around security. On April 26, 2017, staff brought these recommendations back to Council (Attachment 1) and received direction to update the outdoor lighting regulations and the Design Guidelines. Staff is now requesting feedback on a draft ordinance and updates to the Design Guidelines.

DISCUSSION

Portola Valley describes itself as a rural Town, and the guiding documents of the Town go to lengths to protect the Town's rural characteristics, including a minimal approach to lighting and illumination. The General Plan includes a principal under the Commercial and Research - Administrative section which states:

5. *Night lighting visible from the exterior of buildings should be strictly limited to that necessary for security, safety and identification. All night lighting, including signs, should be low intensity and shielded from view from residential areas.*

Outdoor lighting is discussed in four sections of the municipal code (Attachment 2):

- 8.12.010.P, Definition of Nuisance
- 18.12.040.B.11 - Accessory Uses Permitted: R-E District: Second Units

- 18.36.040.A.8 - Uses Permitted in All Districts: Accessory Uses
- 18.42.018 - Accessory Structures: Outdoor Lighting

Zoning regulations pertain to lighting brightness, placement and use, and generally require a minimalist approach to distribution. Lighting of certain specific land uses, such as sport courts, is explicitly prohibited. In addition, the Design Guidelines include two full pages describing lighting appropriate to the Town (Attachment 3), and further describe appropriate and inappropriate lighting placement, direction and brightness.

In 2016 the Town began taking a closer look at outdoor lighting. Staff and the ASCC found that many of the regulations and guidelines were in conflict with suggestions from the SMC Sherriff's Office and were based on older technologies. For example, motion sensor lighting was once limited to a bright flood light turning on immediately, whereas current technologies allows owners to choose a slow two or three second brightening, with a limited brightness and direction. Timers, photo-sensors, and other combined technologies give more control and allow home owners to implement subtle and tasteful lighting that also provides security.

The measurement of light brightness has transitioned from watts to lumens. Watts are a measure of energy used, not actual brightness, and so as energy efficiency has approved, bulbs of a given wattage have grown steadily brighter. There is an industry shift underway towards lumens to measure of brightness. Table 1, below, gives watts to lumens conversions.

Table 1: Conversion of Watts to Lumens

Watts	25	40	60	75	100
Lumens	375	450	800	1125	1600

In response to these newer technologies, an increased focus on security, and a general need to clarify and consolidate the Town's outdoor lighting regulations, staff has drafted a new outdoor lighting ordinance for the ASCC to use as a starting point. Research included a close read of the Model Lighting Ordinance (Attachment 4) created by a joint team from the International Dark-Sky Association (IDA) and the Illuminating Engineering Society (IES). While this model ordinance suggests a level of regulation unnecessary in a small Town like Portola Valley, it also includes helpful direction on what to consider and how to regulate lighting in order to preserve the Town's valued rural feel. In addition, the IDA Examples of Acceptable/Unacceptable Lighting Fixtures hand out (Attachment 5) is a helpful guide for individual fixture evaluation, and can be incorporated into a future FAQ document distributed by the Town.

In order to clean up and consolidate the existing code sections describing outdoor lighting, staff suggests consolidating all outdoor lighting regulations under 18.36 – Uses Permitted in All Districts: Accessory Uses. The Second Units (18.12.040) and Accessory Structures (18.42.018) code sections can include direction to the new, consolidated Outdoor Lighting code sections under 18.36.040. The definition of Nuisance (8.12.010), which includes bright lighting, does not regulate outdoor lighting and can be left as is.

Following the existing structure of zoning ordinances, the draft ordinance (Attachment 6) includes the following sections: Purpose, Definitions, Applicability, Lighting Placement, Fixture

Type, Lighting Control, Prohibited Lighting, and Lighting Subject to ASCC Approval. Content includes existing Town regulations compiled into one place, as well as possible language additions from the IDA/IES model ordinance. Staff attempted to clarify existing code as well as Town policy and practice.

The Design Guidelines include two pages describing appropriate and desirable lighting in Town. The front page remains consistent with the Town's evolving approach to lighting, but the second page requires updates to reflect policy and technology changes. Staff has made proposed changes (Attachment 7) to include the recommendation for instead of against motion sensors and an update from watts to lumens for specific lighting restrictions.

REQUEST FOR DIRECTION

Staff has created working drafts of an updated Outdoor Lighting Ordinance and the Lighting Design Guidelines. These are meant to be a starting point for discussion, not staff's recommendation for final code language. Areas where staff would specifically like to hear the ASCC's feedback and get further direction include the following:

- 6. Lighting Control
 - Should any of these lighting control types automatically require ASCC review? Should certain control types be limited to a certain number of fixtures or lumens?
- 7.f Prohibited Lighting – Maximum Lumens
 - Should the code include a maximum brightness for light fixtures and sites in general? If so, what should they be?
- 8. Lighting Subject to ASCC Approval
 - Does this list feel correct? Is there anything that should be added?
- Should the Outdoor Lighting Ordinance regulate externally lit signs, explicitly or by reference within the sign ordinance?
- Should fixtures which are not Dark Sky compliant or equivalent be permitted? With what level of review?

NEXT STEPS

Following the ASCC study session, staff will make adjustments to the ordinance text and bring the item back for recommendations from ASCC and the Planning Commission, followed by final consideration and approval by the Town Council.

ATTACHMENTS

1. Staff Report to Town Council: ASCC Recommendations on Design Guidelines and Home Security Measures, dated April 26, 2017
2. Municipal code sections relating to outdoor lighting
3. Design Guidelines relating to outdoor lighting
4. Model Lighting Ordinance by IDA/IES
5. International Dark-Sky Association Examples of Acceptable/Unacceptable Lighting Fixtures
6. Working Draft: Outdoor Lighting Ordinance Elements
7. Working Draft: Updates to the Lighting Design Guidelines, both redlined and incorporated

Report approved by: Debbie Pedro, Planning Director



discussion tonight, that the ASCC reviews a mock-up of the lighting at the master bedroom deck overhang at framing, and, if one of the trees can be retained across from the cul-de-sac, another tree will be removed in its stead for a total of nine trees removed. Seconded by Commissioner Breen; the motion carried 4-0.

NEW BUSINESS

(2) Study Session on Proposed Modifications to Outdoor Lighting Ordinance and Lighting Design Guidelines.

Planning Director Pedro said this study session came about as a result of discussions around lighting, signage, and landscaping, and the need to update the Outdoor Lighting Ordinance and Lighting Design Guidelines. She said this would be the first of several meetings on this topic.

Associate Planner Cassidy presented the staff report, which included the working draft of the Outdoor Lighting Ordinance Elements and the Lighting Design Guidelines, as the focus and conversational starting point for the meeting's study session.

Associate Planner Cassidy demonstrated several bulbs of varying wattage and lumens. The Commission discussed evaluating projects using the lumen measurement versus wattage. They discussed the various types of bulbs such as incandescent, halogen, LED, etc.

Commissioner Breen was supportive of where this study was heading – moving the language toward lumens, examining the new technologies that may be useful for what residents want in terms of safety, as well as the potential for keeping the town dark and maybe going darker. She said installation and placement is important to address light trespass issues for residents.

Commissioner Koch said she supports motion sensor lights because the neighbors want them for security, but she thinks it's something that needs to be reviewed by the ASCC. Vice Chair Sill said someone should be able to have a motion sensor light, but should not be able to turn on many lights with one sensor, lighting up an entire yard. Commissioner Breen said every property is different – some are deep in the forest and need more lights, some are farther away from other properties – and she felt the ASCC must maintain some kind of control over it. She said applications need to be considered on a case-by-case basis. Vice Chair Sill said he was hoping that they could get to something that is somewhat algorithmic, so that Planning has basics they can refer to, and then move on to let the ASCC decide if appropriate. He said there should be more specific rules for basic things such as maximum lumens per fixture at certain heights and number of lights allowed in stairs, along deck rails, walkways, etc.

Planning Director Pedro asked about Item 6(a), suggesting motion sensor lights fading on and off. The Commissioners said that lights specifically for security should not fade on and off. They suggested that could be an encouragement and not mandated, perhaps belonging in the guidelines rather than code.

Regarding Item 6(b), Chair Ross said that photo cells that automatically turn lights on when it gets dark, even if they are on a timer to turn them off after a specified time, should not be allowed.

Regarding Item 6(c), Chair Ross said using timers to turn lights off is a good idea for certain things, such as instances when lights are turned on manually to walk out to the trash enclosure and then forgetting to turn the switch off. The resident may not see the light, but the neighbors

do. The Commissioners said timers that turned lights on at a specific time should not be allowed.

Chair Ross said he agreed with Commissioner Breen about crafting an ordinance that works better for specific purposes, such as security, but at the same time encourages even less general illumination than we have now, so that people don't feel the need to leave their outside lights on for a long period. For example, instead of leaving a porch light on when going out to dinner, which stays on until you get home, having it on a motion sensor so that when you get to within 5-6 feet of your doorway the light comes on.

Associate Planner Cassidy asked for specific suggestions for a limit to the number of motion sensors allowed. Commissioner Breen said most people have motion sensors near entrances or service areas such as trash enclosures. The Commission agreed that motion sensor floodlights should be prohibited. Planning Director Pedro clarified that this question was about dark sky light fixtures on motion sensor switches.

The Commission agreed with Planning Director Pedro's suggestion that if Planning could refer to a checklist of detailed criteria, then remodels and additions that include exterior lighting could be approved at staff level and would not need to come before the ASCC for a hearing, unless it was specifically forwarded by staff for ASCC review.

Heri Diarte said safety and security includes lighting, which has been proven to be a great deterrent. He agreed that motion lights shouldn't be an issue with the safety they provide, but it becomes an issue when the light becomes an annoyance. He said most of the motion sensor lights are not dark sky compliant, but at his house, he points them down, and if someone comes into his driveway, the light is not visible from outside. He said he also has lights in his trees that point toward his house to warn people inside the house that something is outside. He does not agree with a general ban of those types of lights. Chair Ross said the problem is that those types of lights are often triggered by passing animals and birds, family members walking by, etc., and the safety benefits become illusory. He said when he walks in his neighborhood and no lights are on, he can see very well and detect motion, but when a bright light comes on he is totally blinded, and then he cannot see someone standing right next to him. He said bright lights also create very effective dark shadows, which is convenient for someone wanting to hide. He said his sense is that if somebody is prowling around his house and comes up to one of his doors to try to pry a lock, and when they get within 5 feet, the dark-sky compliant light next to the door comes on, that person will think someone turned the light on, which may be just as effective as a floodlight. He said bright floodlights that point down at different places or down from trees may not be any more effective for security purposes than regular lights that get triggered by motion, providing the same startling effect.

Mr. Diarte said if the neighbor feels safer having the lights, they should be allowed to have them.

John Richards said there could be a requirement that residents can only sensor their own property. He also encouraged the Commission to be sensitive about requirements for existing houses because the motion sensor lights require neutral wiring, which is not necessarily existing in older homes.

Commissioner Breen said a lot of the security lights have been installed in the last year, and the opportunity to retrofit that will probably not occur for a very long time unless the dark sky lighting is heavily promoted. Planning Director Pedro said the plan is to provide an FAQ and public

outreach once there is a new ordinance and design guidelines. Chair Ross said the idea of self-dimming could be handled within the timer section, turning them off after a certain duration. Planning Director Pedro asked if that should be in the code or a suggestion in the guidelines. Chair Ross suggested the guidelines. Vice Chair Sill and Commissioner Breen said it should be specific and in the code. Commissioner Koch said there could be different areas, such as a covered patio for dining, where a light should stay on, or having a dinner party and leaving a porch light on for arriving guests. She said the newer lighting systems have multiple options. Chair Ross said most of the new homes have programmable lighting control systems.

[Unknown resident] asked if they were only referring to visible lights. She said she sent staff information about an infrared LED photocell light that she likes that comes on every night and greatly helps her camera. Chair Ross agreed that an ordinance should be limited to visible light.

Associate Planner Cassidy asked if there should be a maximum lumen limit for an individual fixture or a site in general. Chair Ross said in their reviews they usually ask for a reduction in the exterior lighting. He said it would be helpful if the guidelines indicated an appropriate number of exterior lights and their locations. Commissioner Breen said that is very difficult to gauge considering each property is so different. Chair Ross suggested basic things should be called out in the guidelines, for example that exterior lighting should be limited to pathways, stairways, occupied outdoor areas, etc.

Vice Chair Sill referred to a presentation given by the Ranch that included a good framework, with specifications for maximum lumens for overhead fixtures, how many lumens were required per linear foot, how many per stairstep, etc. He said that could be a starting point. He said specifying a lumens total lighting load is not the right approach, but general guidelines such as x number of lumens per x square feet of hardscape, not including the driveway area, could be helpful. He said maybe the second-floor patio would need to be added in, which wouldn't normally be called hardscape. He said those guidelines should not be excessively generous so someone does not feel they need to use the maximum.

Chair Ross said circuiting grouped in smaller batches could be encouraged. He said usually one light is used most of the time and others used rarely. He said people do not usually turn on all of their exterior lights at once.

The Commissioners agreed with all of the prohibited lighting items listed in Item 7, except for (f), setting maximum lighting loads. They agreed with setting maximum lumens per fixture depending upon placement and frequency of use.

Referring to Item #8, Associate Planner Cassidy asked if the Commissioners wanted it modified, or if there were items they wanted to add that would automatically trigger either a full public hearing or review by an ASCC member. Commissioner Koch asked about pool lighting. Planning Director Pedro said sometimes people come in just for a pool permit, which is not referred to the ASCC. She said staff looks at how much lighting is in the pool.

Chair Ross said the ASCC would review all of these items for any projects that normally come before them, but if a project wouldn't otherwise come to the ASCC, it can be reviewed at staff level with the better-defined guidelines. If staff still had concerns, they could then refer it to ASCC.

Associate Planner Cassidy asked if the Commission had any other items they wanted to add that would automatically trigger an ASCC review or an individual ASCC member review. The

Commission was comfortable with staff reviews or referral to ASCC at their discretion.

Planning Director Pedro said staff will provide an updated version of the draft for their next meeting. As was done for this meeting, Planning Director Pedro said they will post a message on the PV Forum and to the email list to advertise for the study session.

Vice Chair Sill asked if the Planning staff should be tackling the kelvin issue now or wait to see if it becomes a problem. Chair Ross said it should be discussed further.

Associate Planner Cassidy asked if the Commission wanted to discuss anything about the sign ordinance in relation to outdoor lighting at the next meeting. Chair Ross said the issue of illuminated signs is well-defined. Planning Director Pedro added that they typically come with a use permit modification.

Associate Planner Cassidy asked if dark-sky compliant or equivalent should be a requirement of the code. The Commission agreed, as long as “equivalent” is included because there aren’t many certified fixtures available and they are expensive. Associate Planner Cassidy said it will require a bit of research to determine equivalency because a lot of fixture cut sheets show the fixture without the bulb in it.

ADJOURNMENT [9:31 p.m.]



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: ASCC

FROM: Arly Cassidy, Associate Planner

DATE: February 26, 2018

RE: Review of Proposed Amendments to the Outdoor Lighting Ordinance and Lighting Design Guidelines

RECOMMENDATION

Staff recommends that the ASCC recommend approval of the proposed changes to the Portola Valley Municipal Code and Design Guidelines regarding Outdoor Lighting.

BACKGROUND

On December 18, 2017 the ASCC held a study session on proposed changes and updates to the Outdoor Lighting Ordinance and Lighting Design Guidelines. As part of its review, the ASCC considered the various sections of code currently regulating lighting, new technologies, a model code for dark sky compliance, and general trends in lighting, such as the switch from watts to lumens to describe brightness. The Committee provided direction to Staff, who have made updates to the proposed language in response. The December 18, 2017 staff report is included in its entirety as Attachment 1.

DISCUSSION

The ASCC gave clear feedback on a number of high-level concepts, including how to allow homeowners to feel secure without floodlighting their property and how to balance safety with the Town's ethos of low impact development and enjoyment of the night sky. At the ASCC's request, staff also read through the Portola Valley Ranch Design Guidelines relating to lighting, and borrowed language where appropriate. Staff proposes the following changes to the draft language (complete text in Attachments 2 & 3):

- Ordinance
 - Limit requirements to visible light spectrum
 - Lights shall not be on during the day
 - Lighting limited to useable spaces (doors, path/stairways, patios)
 - Dark sky or equivalent required for all fixtures

- Fixtures with swivel or directional adjustment not allowed
- Photo cells only used to turn lights off during day, not stay on during night
- Timers only used to turn lights off, not on
- Lighting with no on/off switch shall be prohibited
- Max lumens for single light source and total lighting lowered
- Lighting Design Guidelines
 - Remove sport court bullet, as this lighting is now prohibited by code
 - Limit number of lights connected to one sensor/switch
 - Limit use of motion sensor lighting
 - Lights should aim in, toward the house, not outside of property
 - Borrowed from Portola Valley Ranch Design Guidelines:
 - Limit light color to warmer spectrum (Kelvins)
 - Because homes are located at multiple elevations, residents should select and place fixtures so that properties at a lower grade are minimally impacted by light visibility, direct or diffuse.

The ASCC indicated that further discussion was warranted on a number of issues. These include the limitation of light color using Kelvins, and a maximum lumen limit for individual fixtures depending on their type and location. Staff has included suggested language in the Design Guidelines around the use of Kelvins to measure and limit light color at the warmer end of the spectrum, modeled off of the PV Ranch Design Guidelines.

The issue of maximum lumens for a fixture based on its type and location is a more complex issue. The Portola Valley Ranch Design Guidelines offer clear and well-thought guidance on this issue, describing four areas of permitted light placement, a maximum output per fixture, a maximum output per lit element, and the typical installation distances (see Attachment 4).

These guidelines provide a clear starting point, should the Town decide to regulate maximum lumens. Staff recommends against this regulation at this time, however. The Ranch is a homogenous environment with tight design standards which residents developed themselves or agree to before purchasing property there. The Town has more diversity in setting, architectural style, aesthetic and desired use for individual properties—and therefore desired lighting types, styles and locations. Staff welcomes the ASCC input on this recommendation.

NEXT STEPS

Should the ASCC recommend approval, staff will next take the updated ordinance and design guideline language to Planning Commission for a recommendation, and to Town Council for final review and approval.

ATTACHMENTS

1. December 18, 2017 Staff Report to ASCC on Outdoor Lighting
2. Draft Outdoor Lighting Ordinance
3. Draft Lighting Design Guidelines
4. Portola Valley Ranch Design Guidelines: Exterior Lighting

Commissioner Ross asked for clarification of the board formed concrete, noting he liked the vertical orientation. The applicant said they were leaning toward a vertical courtyard wall.

Chair Sill invited public comment. Hearing none, he brought the item back to the Commissioners for discussion.

Commissioner Wilson was supportive of the way the design fits in with the landscape. She said the lighting looked rather excessive, with two fixtures at the doors and three at the carport. She said the pathway lighting also appeared excessive.

Vice Chair Koch was supportive of the project. She said the location is excellent for their living space. She was supportive of the removals of the eucalyptus, cedar, and bay trees. She said three lights in an exposed open carport is excessive. She said the garage does not need three lights. She noted that it might be tempting to up-light a tree in the beautiful courtyard and reminded the applicant that it would not be supported.

Commissioner Ross said the project fits the Design Guidelines very well and is very respectful of the neighborhood and landscape. He said the massing is excellent, especially for this type of property with a lot of slope. He said the profile is very low, and people driving by will not see it. He liked the distributed living area concept with pods of areas and uses that provide privacy for people in the family, and how those building areas also embrace outdoor living areas. He said the only comment he had regarding the orientation and layout of the buildings is that if they turned the garage 90 degrees clockwise, facing the doors toward the east, something different could be done with the wall facing the street instead of the face of the garage doors. He said, however, since the architect mentioned he liked to design fancy doors, he will be interested to see them. The architect said they treat the garage doors as architectural elements.

Chair Sill said the applicants have done a great job with the design. He said he liked the way the house sits and the feel of it. He was supportive of the material choices. He suggested scaling back on the lighting. He said he was a bit concerned about the number of trees being planted along the front of the house. He said there should be somewhat of an open natural feel and not hedge-like. He confirmed there was no lighting at the rebuilt stable. Chair Sill said he was supportive of the project.

Chair Sill called for a five-minute break.

OLD BUSINESS

(1) Review of Updates to the Outdoor Lighting Ordinance and Lighting Design Guidelines

Interim Planning Director Cassidy said this was the ASCC's second review of the proposed changes to both the Outdoor Lighting Ordinance and the Lighting Design Guidelines. She described the background, the study sessions, and discussion items, as detailed in the staff report. She presented the proposed updated language for the Commission's review, and pointed out items that needed further discussion.

Commissioner Ross pointed out there is a commonly used path light that is typically tilted at a 45-degree angle, but is adjustable. He said he could see some utility with a swiveling fixture under certain circumstances. Interim Planning Director Cassidy said this was the ASCC's opportunity to modify the draft language where things need to be more teased out. She

suggested this item be discussed further. Commissioner Ross said he agreed that swivel lights should not be mounted on buildings so they cannot shine out toward the street.

In response to Commissioner Wilson's comments regarding using timers on lights when away on vacation, Chair Sill clarified the timers were for outside lights, not inside lights. Interim Planning Director Cassidy referred to Section 18.36.040.A.8.vi, *"Any combination of these technologies may be used so as to provide light on an as-needed basis, such as the hours of evening darkness between sunset and a household going to bed."* Chair Sill said that section does not agree with the prohibitions listed in the bullet points that followed.

Vice Chair Koch and Chair Sill expressed concern about the prohibited lighting limits. The Commission agreed that the single light source should not exceed 1,125 lumens, and the reference to a total lighting load should be deleted.

Commissioner Ross said motion sensitive controls are only for controlling lights that are otherwise approved, such as an entryway light with a fade-on and off. Interim Planning Director Cassidy said the direction received was to add the fade-on and off as a Design Guideline, and not as a hard requirement in the zoning code. She suggested a sentence be added to the Ordinance clarifying that lighting controls do not change any requirements for dark sky compliance of the fixtures. The Commission agreed. Interim Planning Director Cassidy added that there is specific language in the Design Guidelines stating motion sensors should only be triggered from within the property and not adjacent property or in the public right-of-way.

Commissioner Wilson pointed out that Section 18.36.040.A.8.iv indicates one fixture for each exterior or garage door. She said some people like the symmetry of having two fixtures and suggested specifying that two fixtures may be installed, but only one could be wired. Interim Planning Director Cassidy said it might be specified under applicability that this only refers to fixtures wired for electricity. She said she preferred the rules be as clearly stated as possible to avoid interpretation confusion either in the Code or the Design Guidelines.

In response to Chair Sill's comment, Interim Planning Director Cassidy suggested "this does not preclude master off switches" could be added to the section regarding limiting the number of lights on one switch.

Commissioner Ross suggested providing examples of allowed motion sensor lights, such as a main entryway, a remote trash enclosure, back door, etc., and to recommend against using them in general outdoor areas. Vice Chair Koch suggested adding that pool lighting should also be directed toward the house versus away from the property.

The Commission discussed the issue of allowable lumens per fixture being dependent upon fixture placement, size of property, etc. They agreed that the level of regulation used at Portola Valley Ranch would not be appropriate for the Town as a whole. Chair Sill agreed, but said the ASCC should be thinking in terms of lumen density and the application when looking at lighting plans. Commissioner Ross said having a very prescriptive regulation would burden staff with a lot of detailed review, but also provide very clear-cut rules. He said having nothing to reference leaves the Commission in danger of not knowing what standard to apply in their review. He suggested that the simple table of recommended approaches could be included in the design guidelines for guidance. He said staff could decide if a proposal was within those values. An applicant could then make a case for greater lighting based on circumstances, which could be brought before the ASCC.

Interim Planning Director Cassidy asked for clarification regarding the desired restrictions on swivel lighting. The Commission agreed on “Fixtures shall not have the ability to swivel or adjust direction, except path lighting not above 45 degrees.”

Interim Planning Director Cassidy confirmed the following changes and additions: a maximum of 1,125 lumens per fixture with no site lumen maximum listed; all lighting controls are only meant to control turning on and off of lights, and not the fixture type, which is regulated elsewhere; a master off switch is not precluded; motion sensor use should be focused at the main entry, back door, or trash enclosure, but not for general outdoor areas; pool lights shall be directed toward the house; symmetry in fixtures is allowed if they’re not wired; and the PV Ranch table shall be inserted in the Design Guidelines to be used for guidance on placement and density.

The Commission agreed that, in Section 18.36.040.A.8.i (a), “with the additional goals of productivity, enjoyment and commerce” be replaced with “and enjoyment.”

The Commission agreed to change the sentence in Section 18.36.040.A.8.vi to read: “Any combination of these technologies may be used so as to provide light on an as-needed basis, with the goal of reducing light use in general, further limited as follows.”

At the request of the Commission, Interim Planning Director Cassidy will bring the revised Ordinance and Design Guidelines back to the ASCC for a final review. It will then go to the Planning Commission and Town Council for a first and second reading, at which point it will be officially adopted. At that point, the final text will be used to create a Frequently Asked Questions document.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(4) News Digest: Planning Issues of the Day

Interim Planning Director Cassidy presented two articles of interest to the Commission.

Interim Planning Director Cassidy encouraged the Commission to attend and spread the word about “Home For All – A Community Conversation About Housing,” being held at the Community Hall on Saturday, March 3, 2018.

APPROVAL OF MINUTES

(5) ASCC Meeting of February 12, 2018

Commissioner Ross moved to approve the February 12, 2018, minutes as amended. Seconded by Commissioner Wilson, the motion passed 3-0, with Vice Chair Koch abstaining.

ADJOURNMENT [8:41 p.m.]



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: ASCC

FROM: Arly Cassidy, Associate Planner

DATE: March 12, 2018

RE: Final Review of Proposed Amendments to the Outdoor Lighting Ordinance and Lighting Design Guidelines

RECOMMENDATION

Staff recommends that the ASCC recommend approval of the proposed changes to the Portola Valley Municipal Code and Design Guidelines regarding Outdoor Lighting.

BACKGROUND

On December 18, 2017 the ASCC held a study session on proposed changes and updates to the Outdoor Lighting Ordinance and Lighting Design Guidelines (staff report, Attachment 1). As part of its review, the ASCC considered the various sections of code currently regulating lighting, new technologies, a model code for dark sky compliance, and general trends in lighting, such as the switch from watts to lumens to describe brightness.

Staff returned to the ASCC on February 26, 2018 (staff report, Attachment 2) with the discussed changes and updates to both code and design guideline language. The ASCC discussed the draft language and made final tweaks to the proposed language, as discussed below, and asked that staff return with the updated language for a final review.

DISCUSSION

In response to ASCC feedback and input, Staff has made the following changes to the draft ordinance and design guideline language (complete text in Attachments 3 & 4):

- Ordinance
 - Purpose: tweaked first item to remove commerce as a purpose
 - Fixture Type: added text to d: except path lighting, which can swivel to 45 degrees
 - Lighting Control: reorganized and rewrote initial paragraph to better describe their purpose and application

- Prohibited Lighting: removed total lighting load maximum and reduced fixture maximum to 1,125 lumens
- Lighting Design Guidelines
 - Added allowance for unwired fixtures for symmetry
 - Added description of appropriate location for motion sensor triggers
 - Added master off switch allowance
 - Added pool lights to limitation for lighting to be directed inward
 - Removed reference to sign code
 - Added intro and table from Portola Valley Ranch Design Guidelines.

NEXT STEPS

Should the ASCC recommend approval, staff will next take the updated ordinance and design guideline language to Planning Commission for a recommendation, and to Town Council for final review and approval.

ATTACHMENTS

1. December 18, 2017 Staff Report to ASCC on Outdoor Lighting
2. February 26, 2018 Staff Report to ASCC on Outdoor Lighting
3. Draft Outdoor Lighting Ordinance
4. Draft Lighting Design Guidelines

OLD BUSINESS

(2) Final Review of Updates to the Outdoor Lighting Ordinance and Lighting Design Guidelines

Interim Planning Director Cassidy presented the background of the Outdoor Lighting Ordinance and Lighting Design Guidelines and the incorporated changes and updates, as detailed in the staff report. She provided the updated ordinance and design guidelines for the Commission's review.

Commissioner Ross asked if a manual timing switch would be prohibited going forward. He said photocell sensors are available that prevent lights from coming on when it is light outside, even if the manual switch is flipped on. In response to Vice Chair Koch's question, Commissioner Ross said the feature was part of the fixture itself so the fixtures would need to be upgraded. Interim Planning Director Cassidy said if they received a complaint about lights being left on during the day, staff would contact the owner and ask them to address the issue. She said it would be a difficult thing to enforce, and the goal of putting this item within the Code instead of the Design Guidelines is to make it clear that it is the rule. She said this rule would primarily be applied when something new is happening on a property.

Interim Planning Director Cassidy said there was an anonymous comment received that the individual fixture maximum (75 watts/1125 lumens) was too bright. She brought different types of light bulbs to test.

In response to Vice Chair Koch's question, Interim Planning Director Cassidy said the Ranch maximum lumen output for a single fixture is 350 lumens.

Commissioner Breen asked if it was permissible to downlight in trees. Interim Planning Director Cassidy said that landscape lighting needs ASCC approval and uplighting is prohibited. Commissioner Breen suggested that uplighting, downlighting, moonlighting, and wall washing be prohibited. Interim Planning Director Cassidy said the lighting requiring ASCC approval includes landscaping, trees, or structures, including entryway features, pillars, and posts. She said that could be removed so it is clear that the ASCC would never grant approval for such lighting, or they could add architectural features including walls to the prohibited lighting list, which would give staff the authority to deny those requests.

Commissioner Breen said they are seeing a lot of strung café lights with large bulbs on field visits. Vice Chair Koch said holiday or temporary entertainment lighting should be allowed, but it would not be allowed as a permanent fixture in lighting plans. Interim Planning Director Cassidy said those types of lights are never included in a lighting plan. She said temporary holiday lighting, including in trees, is included as an exception.

The Commission agreed that the proposed language of the Lighting Ordinance and Design Guidelines was adequate.

Interim Planning Director Cassidy demonstrated the brightness of various light bulbs – an LED 75 watt (1100 lumens), LED 60 watt (800 lumens), halogen 60 watt (650 lumens), soft white incandescent 60 watt (550 lumens). Commissioner Ross pointed out the examples were bare bulbs that were not within dark-sky compliant fixtures.

Commissioner Breen pointed out that the ASCC started looking at lighting because it was long

overdue, the Ranch had already done it, and the residents were upset about the rash of burglaries. She said she wants lighting to be efficient, but is also hopeful that the darkness can be maintained or made even darker. She said it should be made clear that this is not an opportunity for more light, but is an opportunity to get darker.

Commissioner Ross said many of the objectionable lights seen on residences would not be approved today. He said a lot of those lights have either been retrofitted or grandfathered. He said although people might complain about them, the new regulations cannot be easily enforced. Commissioner Breen said it is good to have this ordinance and for people to understand the poetry of the General Plan and hear that this Town wants you to see the stars.

Interim Planning Director Cassidy said there is only so much control that the Town can wield over enforcing the Lighting Ordinance on existing residences; however, as people retrofit more and more, and the fixtures become less expensive, more and more homes will conform.

Chair Sill suggested specifying that a fixture shall not have the ability to swivel above a 45-degree angle down.

Commissioner Breen suggested removing “from gas or electric sources” from Section 1, Item d of the Outdoor Lighting Ordinance Elements.

Chair Sill volunteered to attend the Planning Commission meeting when the ordinance is presented, probably April 4.

Commissioner Breen moved to recommend approval of the Lighting Ordinance and the Lighting Design Guidelines as amended. Seconded by Vice Chair Koch; the motion carried 5-0.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(4) News Digest: Planning Issue of the Day

Interim Planning Director Cassidy shared articles of interest with the Commissioners.

Commissioner Breen reviewed the landscaping at the end of Goya. She said although it had been approved, she feels they are using an enormous amount of water. Interim Planning Director Cassidy said the owners are looking again at the water usage.

Commissioner Breen said she wanted a discussion with landscape architects regarding their plans for installation of meadows and how they plan to manage the invasives.

Commissioner Ross reviewed 17 Redberry, a freeform modern house stepped down the hill. He said one of the concrete pylons on the downhill elevation has been removed, increasing the glass area minimally when looking at the two elevations side-by-side.

Commissioner Ross reviewed 135 Shawnee Pass, where they were going to keep the upper half of the loop driveway and abandon the lower half. He said because of the conversion from a septic system to sewer, their well must be accessible. He said the owners are now preserving the lower half of the driveway and putting stepping stones where the upper driveway was located. He said this change will remove the driveway from the corner and is a better solution.



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: Planning Commission

FROM: Arly Cassidy, Interim Planning Director

DATE: April 4, 2018

RE: Proposed Amendments to the Outdoor Lighting Ordinance and Lighting Design Guidelines

RECOMMENDATION

Staff recommends that the Planning Commission review the proposed changes to the Portola Valley Municipal Code and Design Guidelines regarding Outdoor Lighting and approve a resolution (Attachment 1) recommending their approval to the Town Council.

BACKGROUND

In 2016 the Town experienced a number of burglaries and two home invasions, resulting in a discussion around home security measures and the Town's regulation of such. At the Council's direction, staff held a number of study sessions with the ASCC to evaluate options for amending the municipal code and Design Guidelines to reflect concerns around security. On April 26, 2017, staff brought these recommendations back to Council and received direction to update the outdoor lighting regulations and the Design Guidelines (staff report, Attachment 2). Staff is now requesting feedback on a draft ordinance and updates to the Design Guidelines.

On December 18, 2017 the ASCC held a study session on proposed changes and updates to the Outdoor Lighting Ordinance and Lighting Design Guidelines (staff report and minutes, Attachment 3). As part of its review, the ASCC considered the various sections of code currently regulating lighting, new technologies, a model code for dark sky compliance, and general trends in lighting, such as the switch from watts to lumens to describe brightness.

Staff returned to the ASCC on February 26 and March 12, 2018 (staff reports and minutes, Attachments 4 & 5) with changes and updates to both code and design guideline language. At its March 12, 2018 meeting, ASCC made final tweaks to the proposed language and recommended approval to the Planning Commission.

DISCUSSION

Portola Valley describes itself as a rural town, and the guiding documents of the Town go to lengths to protect its rural characteristics, including a minimal approach to lighting and illumination. The General Plan includes a principal under the Commercial and Research - Administrative section which states:

- 5. Night lighting visible from the exterior of buildings should be strictly limited to that necessary for security, safety and identification. All night lighting, including signs, should be low intensity and shielded from view from residential areas.*

Outdoor lighting is discussed in four sections of the municipal code (Attachment 6):

- 8.12.010.P – Definition of Nuisance
- 18.12.040.B.11 - Accessory Uses Permitted: R-E District: Second Units
- 18.36.040.A.8 - Uses Permitted in All Districts: Accessory Uses
- 18.42.018 - Accessory Structures: Outdoor Lighting

Zoning regulations pertain to lighting brightness, placement and use, and generally require a minimalist approach to distribution. Lighting of certain specific land uses, such as sport courts, is explicitly prohibited. In addition, the Design Guidelines include two full pages describing lighting appropriate to the Town (Attachment 7), and further describe appropriate and inappropriate lighting placement, direction and brightness.

In 2016 the Town began taking a closer look at outdoor lighting. Staff and the ASCC found that many of the regulations and guidelines were in conflict with suggestions from the SMC Sherriff's Office and were based on older technologies. For example, motion sensor lighting was once limited to a bright flood light turning on immediately, whereas current technologies allow owners to choose a slow two or three second brightening, with a limited brightness and direction. Timers, photo-sensors, and other technologies can combine to give more control and allow residents to implement subtle and tasteful lighting that also provides security.

The industry measurement of light brightness is transitioning from watts to lumens. Watts are a measure of energy used, not actual brightness, and so as energy efficiency has approved, bulbs of a given wattage have grown steadily brighter. There is an industry shift underway towards lumens to measure brightness. Table 1, below, gives watts to lumens conversions; it should be noted, however, that each light technology (incandescent, LED, halogen) has a different lumen-to-watts conversion, resulting in slightly different values in the table below.

Table 1: Conversion of Watts to Lumens

Watts	25	40	60	75	100
Lumens	375	450	800	1125	1600

In response to these newer technologies, an increased focus on security, and a general need to clarify and consolidate the Town's outdoor lighting regulations, staff and the ASCC have worked together to craft a new ordinance and design guidelines that reflect all of these changes. Research included a close read of the Model Lighting Ordinance (Attachment 8) created by a

joint team from the International Dark-Sky Association (IDA) and the Illuminating Engineering Society (IES). While this model ordinance suggests a level of regulation unnecessary in a small town like Portola Valley, it also includes helpful direction on what to consider and how to regulate lighting in order to preserve the Town's valued rural feel. In addition, the IDA Examples of Acceptable/Unacceptable Lighting Fixtures hand out (Attachment 9) is a helpful guide for individual fixture evaluation, and can be incorporated into a future FAQ document distributed by the Town.

In order to clean up and consolidate the existing code sections describing outdoor lighting, staff suggests consolidating all outdoor lighting regulations under 18.36 – Uses Permitted in All Districts: Accessory Uses. The Second Units (18.12.040) and Accessory Structures (18.42.018) code sections can include direction to the new, consolidated Outdoor Lighting code sections under 18.36.040. (Changes to Accessory Structures are included as part of this staff report; changes to Second Units are included in a separate staff report describing other updates to that section.) The definition of Nuisance (8.12.010), which includes bright lighting, does not regulate outdoor lighting and can be left as is.

Following the existing structure of zoning ordinances, the draft ordinance includes the following sections: Purpose, Definitions, Applicability, Lighting Placement, Fixture Type, Lighting Control, Prohibited Lighting, and Lighting Requiring ASCC Approval. Content includes existing Town regulations compiled into one place, as well as language borrowed from the IDA/IES model ordinance. Staff attempted to clarify existing code as well as Town policy and practice.

The Design Guidelines include two pages describing appropriate and desirous lighting in Town, with updates to reflect policy and technology changes. Staff has made proposed changes to include the recommendation for instead of against motion sensors and an update from watts to lumens for specific lighting restrictions. Staff Reports and Minutes from the recent ASCC meetings (Attachments 2-4) capture more of the detail around exact language choices and policy direction.

NEXT STEPS

Should the Planning Commission recommend approval, staff will next take the updated ordinance and design guideline language to Town Council for final review and approval.

ATTACHMENTS

1. Resolution with Proposed Ordinance and Proposed Lighting Design Guidelines
2. April 26, 2017 Staff Report to Town Council and Minutes
3. December 18, 2017 Staff Report to ASCC and Minutes
4. February 26, 2018 Staff Report and Minutes
5. March 12, 2018 Staff Report and Minutes
6. Current Municipal Code Sections Related to Outdoor Lighting
7. Current Lighting Design Guidelines
8. Model Lighting Ordinance
9. Examples of Acceptable/Unacceptable Lighting Fixtures

PLANNING COMMISSION REGULAR MEETING, TOWN OF PORTOLA VALLEY, APRIL 4, 2018, SCHOOLHOUSE, TOWN CENTER, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Vice Chair Goulden called the Planning Commission regular meeting to order at 7:00 p.m. Interim Planning Director Cassidy called the roll.

Present: Commissioners Gilbert and Taylor; Vice Chair Goulden; Chair Targ (arrived late)

Absent: Commissioner Hasko

Council Liaison: Mayor John Richards

Staff Present: Arly Cassidy, Interim Planning Director and Cynthia Richardson, Consultant Planner

Vice Chair Goulden moved Agenda Item 6, the Alpine Hills Tennis & Swimming Club Annual Report, to the top of the Agenda.

ORAL COMMUNICATIONS

None.

5. Alpine Hills Tennis & Swimming Club Annual Report

Consultant Planner Richardson presented the club's annual report. She said last year the Alpine Hills Tennis & Swimming Club applied for and received a Conditional Use Permit Amendment for a new clubhouse, renovation of the Roadhouse, modification to hours and locations of delivery, and an added paved parking lot in the back of the property, off of Los Trancos Road. She explained that their Conditional Use Permit called for an annual review regarding the status of the membership. She said staff has not received any comments or complaints from neighbors. She said that because the club membership is below the allowed maximum, staff does not believe the Planning Commission needs to call for a public hearing. Eric Quaid was also present to answer any questions.

Commissioner Gilbert asked if the modifications to the delivery schedules would be delayed until after the construction was completed. Mr. Quaid said right now all of the deliveries will be in the front because the rear parking lot will be under construction. He said they are currently in the staging phase, and they estimate it will take 90 days to complete the rear parking lot, at which time all deliveries will be received at the rear of the property and within the allowed hours. He said they estimated 15 months for the entire project to be completed.

The Commissioners requested that in the future the club's annual report is included in the agenda packet.

Mr. Quaid suggested that when the Conditional Use Permit is amended in the future, the membership maximum should be clarified to say no more than 550 families or 700 memberships to avoid confusion.

NEW BUSINESS

1. Proposed Amendments to the Outdoor Lighting Ordinance and Lighting Design Guidelines

Interim Planning Director Cassidy presented the proposed changes to the Portola Valley Municipal Code and Design Guidelines regarding Outdoor Lighting and requested the Planning Commission approve a resolution recommending their approval to the Town Council, as detailed in the staff report.

She also presented a demonstration of various light bulbs to the Commission. She explained the measurements of wattage, lumens, and Kelvins.

Chair Targ asked how the watts to lumens conversion table will be used. Interim Planning Director Cassidy said the table was provided for reference to the Commissioners and would not be a part of the ordinance. She said the goal is to use lumens as the metric for brightness measurement.

Vice Chair Goulden asked about the Planning Commission's role regarding this issue. Interim Planning Director Cassidy said there is no specific task assigned to the Planning Commission in the development of this ordinance. She said, however, any questions or comments by the Commissioners will add value.

Commissioner Gilbert asked if enforcement was primarily complaint-based. Interim Planning Director Cassidy said all code compliance issues are complaint driven. She said there are some code sections, such as this one, that are more difficult to enforce. She pointed out that most people do try to comply with the ordinances, and there is a lot of respect for the dark skies in Portola Valley.

Vice Chair Goulden said he has been to homes that were almost dangerous because of the lack of lighting, and he was initially concerned the new ordinance would make that even worse. He said he was pleased to see that safety was a top concern. He was supportive of the ASCC's recommendation.

Chair Targ asked how the ordinance modifications would allow a homeowner to create a more secure, light-rich environment. Interim Planning Director Cassidy said she would not use the term "light-rich," but would definitely use "more secure." She said the general goal of the ordinance is to better lay out the Town's goal of using light when it's really needed for safety, navigation, and enjoyment, allowing residents to enjoy their properties, while still respecting the Town's commitment to dark skies, and also not infringing on other people's use of their properties. She said the ordinance calls out the new technologies to allow people to better illuminate their properties when needed, while ensuring the lights are off when not needed.

Chair Targ asked if the Town has experienced diminution in dark skies in Portola Valley based on lighting within Portola Valley or if it was more generally due to ambient lighting from the surrounding region. Interim Planning Director Cassidy said she doesn't have data regarding measurable ambient light in Portola Valley increasing; however, most people agree anecdotally that the dark skies have diminished over time. She said the Town's commitment to dark skies will continue to be best felt in the darkest areas, such as Windy Hill. She said there is no way to control Bay Area smog, which will continue to reflect man-made light, and said there will likely continue to be a loss of visible starlight.

Chair Targ said he was liaison to the ASCC when this issue was being discussed. He said he was impressed by the talent, knowledge, and expertise represented on the ASCC and supported their recommendation.

Commissioner Taylor said he is concerned about the lack of will to enforce code violations. He said the way the ordinance reads, after someone receives ASCC approval and has completed construction, it would be legal to install many 1,100-lumen lights on a property as long as they were in dark-sky shades. He said there are restrictions in the guidelines, but they are not enforceable, and there is no will to enforce it. He said the easiest way to install a motion sensor light is to buy one from Home Depot, screw it into the side of a wall that points directly out and triggers, which is an anathema to everything stated in the ordinance, yet the violation will not be enforced. He suggested there be some kind of notice system from the Town for code violators. Interim Planning Director Cassidy said when a complaint is received, it is logged. She said Town practice is to contact and notify the offender that a complaint has been received. She said the majority of the Town's code enforcement cases are

resolved through a phone call and most people are apologetic and fix the problem. If there is no response or the offender seems uninterested in complying, she said a letter would be issued. She said the problem is that the Town needs to document the offense, and if it occurs after hours it is difficult for staff to respond on-site at the time the offense is occurring. Commissioner Taylor said the motion lights are particularly an issue in the higher density areas, or areas with smaller lots and steeper slopes. Interim Planning Director Cassidy said staff often follows up with issues courtesy notices upon receipt of complaints. She said Town staff encourage people to be friendly with their neighbors and have conversations if there is an issue. She agreed that it is difficult to know exactly how to enforce and how far down the path the Town wants to go enforcing lighting restrictions – such as a light that is 5 lumens above the maximum allowed. Commissioner Taylor said his primary concern is the motion lights that almost always point out to the street.

Chair Targ said it is a valid point about how to enforce the ordinance. He invited Commissioner Taylor to work with Town staff to make a recommendation to be brought back to the Commission for discussion.

Chair Targ invited questions from the public. Hearing none, Chair Targ closed the public hearing and brought the item back to the Commission for discussion.

Vice Chair Goulden said the enforcement issue is a general one and does not apply to this ordinance only. He would not be supportive of holding up this ordinance in order to address the more general enforcement issue.

Chair Targ said this ordinance as proposed does not address issues of enforcement. He suggested a listening or education session to address the important but separate issue of code enforcement.

Commissioner Taylor suggested there be some measure of whether compliance with the lighting ordinance is getting better or worse, which will better determine the level of importance of code enforcement.

Vice Chair Goulden moved to approve the Resolution of the Planning Commission of the Town of Portola Valley Recommending Approval of an Ordinance Amending Title 18 [Zoning] of the Portola Valley Municipal Code. Seconded by Commissioner Taylor; the motion carried 4-0.

Interim Planning Director Cassidy asked if the Planning Commission wanted to discuss enforcement or measurements of lighting in immediately future meetings. Chair Targ suggested Commissioner Taylor work with staff to make a recommendation for an upcoming meeting regarding code compliance enforcement. Commissioner Taylor agreed.

2. Proposed Amendments to the Second Unit Ordinance

Interim Planning Director Cassidy presented the background regarding the changes to the State ADU Ordinance and the proposed changes to the Portola Valley Municipal Code necessary to comply with the State requirements regarding the Second Unit Ordinance. Staff recommended approval of the proposed amendments to the Town Council, as detailed in the staff report.

Commissioner Taylor asked if the setbacks were for conforming or nonconforming structures. He asked if, for example, an ADU could be added to the top of a garage that had been sitting on a property line for 50 years. Interim Planning Director Cassidy said the State law is not explicit on this, and there are sections where the word “legal” is used and other sections where it is not. She said her interpretation is that it would probably be allowed on a legal non-conforming structure but would not be allowed on an illegal structure.

Commissioner Gilbert said a legal non-conforming structure could not be made more non-conforming. Interim Planning Director Cassidy agreed and said she would defer to the Town Attorney to provide clarification of the State law requirements.

Commissioner Gilbert asked if someone had a legal garage that was converted to an ADU or a portion of an ADU, they could expand the footprint up to the property line into the setback. Interim Planning Director Cassidy said that was correct, per State law. She said that in reviewing a proposal for an ADU, staff would encourage the honoring of that setback, but could not legally require it. She said the State will likely continue to issue updates because of the lack of clarity in the State's ordinance.

In response to Commissioner Taylor's question, Interim Planning Director Cassidy explained that the State's Ordinance allows the Town to place limitations such as requiring design review, parking, and limiting zones where ADUs can be built. She said if the Town removes their ordinance, none of those Town-specified limitations would be allowed.

Chair Targ asked if the language being used in the Town's ordinance was taken directly from the State. Interim Planning Director Cassidy said it is not a direct copy. She said the update executed last year was heavily vetted by the Town Attorney. She said this update has been reviewed by the Town Attorney, but there has not been a side by side comparison. She said she believes the changes in the State Code have been captured effectively in the proposed ordinance.

Chair Targ invited public comment. Hearing none, Chair Targ brought the item back to the Commission for discussion.

Chair Targ said it is highly desirable to comply with State law so the Town does not lose the flexibility it has now. He expressed concern that the Town Attorney has not done a side-by-side comparison to assure compliance. He asked the other Commissioners if they want to see a side-by-side to assure conformance or if they would address the issues as they arise.

Vice Chair Goulden was satisfied with dealing with issues as they arise and to move forward with this ordinance as proposed.

Commissioner Taylor was satisfied with the ordinance as proposed as long as something already non-conforming could not be made more non-conforming. He said if an architect or homeowner insisted because State law allowed it, the ordinance should come back to the Planning Commission for discussion.

Commissioner Gilbert suggested "or to a portion of a second unit" should be added to Section B(2)(i). Interim Planning Director Cassidy agreed and said it should be added in order to comply with the State Code.

Commissioner Gilbert suggested adding to Section B(3)(e) "no parking requirement shall apply." Interim Planning Director Cassidy agreed.

Commissioner Gilbert moved to approve the proposed changes to the Portola Valley Municipal Code regarding the Second Unit Ordinance with the two additional changes: adding "or a portion of a second unit" to Section B(2)(i) and adding "no parking requirement shall apply" to Section B(3)(e). Seconded by Commissioner Taylor; the motion carried 4-0.

3. Proposed Amendments to the Yards Ordinance

Interim Planning Director Cassidy presented the background and proposed changes to the Portola Valley Municipal Code regarding the Yards Ordinance. The Commission was asked to review the resolution and recommend approval to the Town Council, as detailed in the staff report.

Vice Chair Goulden asked regarding a general ratio between the front and rear setback measurements. Interim Planning Director Cassidy said there is not a ratio, and the measurements change by zone. She said in the larger districts, the front setback is much larger than the rear setback, but in smaller districts the front and rear setbacks tend to be more equal. She said the front setback is always larger in scenic corridors.

Chair Targ asked how this issue came about. Interim Planning Director Cassidy said it is not a common complaint; however, a homeowner brought to staff's attention that the ordinance presented an undue burden for homeowners with flag or panhandle shaped lots. Chair Targ asked if this could be handled with a variance. Interim Planning Director Cassidy said a variance relies on a finding of a true uniqueness. She said there are approximately 50 flag lots in the main portion of Town so they are not unique, and the Code should be changed for the benefit of all of them.

In response to Commissioner Taylor's question, Interim Planning Director Cassidy said when a lot is situated on a corner, the property owner can decide which side is the front. When that property abuts a street, the front is where the driveway touches the street. She said the determination gets more complex with irregular shapes.

Chair Targ invited public comment. Hearing none, he brought the item back to the Commission for discussion.

Commissioner Gilbert said she was supportive of the ordinance, acknowledging there may be some confusion and complexity for certain lots.

Chair Targ said he agreed with the point but is not comfortable without actually looking at a parcel map. He said the proposed ordinance has the potential to significantly impact neighbors. He said before he would feel comfortable changing the ordinance, he would want to know how people have dealt with the existing ordinance thus far, what it might look like to change it, and potentially noticing residents who would be affected by the change.

Commissioner Gilbert asked if the homeowner raising the issue was asking in general or if they were planning a construction project that would be affected if the Commission delayed the decision. Interim Planning Director Cassidy said she was unaware of any proposed project.

Chair Targ said there is a virtue in normalizing the code in the absence of any other issue, and it also provides some time to become better educated.

Commissioner Taylor said he would be more comfortable after looking at all of the lots. He said he is less comfortable with noticing all the neighbors. He said it seems arbitrary that the front setback gave the person adjacent to the property owner more privilege just because it happens that that lot faced the street. Chair Targ said he understands why it feels arbitrary, but said that people have been living with that since 1965, and he wants to make sure they are completely aware of what they are inviting by changing it. He said people may have a rapid acceleration or deceleration when they find out their house is closer to their neighbor's house than they thought.

In response to Commissioner Taylor's question, Interim Planning Director Cassidy said the front setback for properties on the scenic corridor is up to 75 feet. She said the most common front setback is 50 feet, and the rear setback is 20 feet.

Commissioner Gilbert said where that would come into play is if the person on the flag lot now wants to build a new house, and the residents of the lot in front now have a house much closer to them.

Commissioner Taylor said he understands that, but the idea of noticing all neighbors of all the flag lots seems a step too far.

Chair Targ said he thought raising the visibility of the issue was appropriate. Town Council Liaison Richards pointed out that any proposed project would come before the ASCC which is a further buffer. He pointed out that the setback figures were guidelines and not absolutes.

Chair Targ said he was not prepared to vote in favor of this without additional information and education about the issue.

Interim Planning Director Cassidy shared some examples of different odd-shaped flag lot properties.

Commissioner Gilbert asked if the ordinance could say something like “at the discretion of the ASCC,” for example, to take into account individual circumstances. Interim Planning Director Cassidy asked about proposed projects that were within the setback but were not required to go through the ASCC. Commissioner Gilbert said it could be a requirement to go before the ASCC. Town Council Liaison Richards said if it was an ADU, it would be an administrative decision.

Commissioner Gilbert said if the proposed ordinance was applied and someone had topographical limitations, they could ask for a variance arguing that if the setback was applied, they would not be able to build. Interim Planning Director Cassidy said they would not need to apply for a variance because the updated ordinance completely deletes the Section 18.52.110 regarding exception for a parcel not abutting on street. She said she knows of no cases that have been brought to the Planning Commission applying for that exception.

Commissioner Taylor suggested the exception clause was sufficient. He said the ambiguities could be dealt with as they came along rather than creating a new ordinance and having to deal with unknown ambiguities. He said he appreciated the goodwill in trying to make the ordinances simple and clear. He said in this case, however, there was not much to be gained by making the change.

Interim Planning Director Cassidy said staff could change how they discuss setbacks. She said currently setbacks are presented as firm requirements that would need variances to make exceptions. She said there are many projects that would not normally come before the Planning Commission, and this would add an additional body of review, which makes the process more arduous.

In response to Town Council Liaison Richards’s question, Interim Planning Director Cassidy said the ASCC approved the proposed ordinance and thought it was a simple and straightforward fix.

Commissioner Taylor said he understood the concern about making it a more arduous process, but he liked that the exception process required an open hearing and that the neighbor could come and explain their objection. He pointed out that this would only happen in very few instances. Interim Planning Director Cassidy said that for the fence ordinance and staff-level approval of ADUs, staff notices immediately adjacent neighbors. She said it could be added to the ordinance that building within the changed setback area triggers noticing to immediate neighbors, even if no public hearing is required.

Commissioner Gilbert was supportive of keeping the ordinance as is and pointing out the exception option to the homeowner who brought the issue to staff.

Commissioner Taylor was supportive of staff explaining that there are some rare exceptions that could be applied to setback requirements and then leave it to the homeowner to figure out what they want to do from there.

Vice Chair Goulden was supportive of not changing the ordinance. His concern is that by changing it, the potential is there for unnecessary and unforeseen problems.

Commissioner Taylor moved to deny this amended ordinance and suggested that staff makes clear that setbacks are subject to exceptions. Seconded by Vice Chair Goulden; the motion carried 4-0.

Commissioner Taylor expressed appreciation to Interim Planning Director Cassidy for the efforts to normalize the ordinances and said the Commission does not want to discourage that process.

4. Annual Housing Element Progress Report for 2017

This item has been continued to the next regular Planning Commission meeting.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

5. Alpine Hills Tennis & Swimming Club Annual Report

This item was moved to the top of the Agenda.

6. News Digest: Planning Issues of the Day

Interim Planning Director Cassidy shared articles of interest with the Commissioners regarding parking, pedestrian risk from vehicular impact, and teenage driver statistics.

APPROVAL OF MINUTES:

7. Planning Commission Meeting of February 7, 2018

Vice Chair Goulden moved to approve the minutes of the February 7, 2018, meeting, as amended. Seconded by Commissioner Taylor, the motion carried 4-0.

8. Planning Commission Meeting of February 21, 2018

Commissioner Taylor moved to approve the minutes of the February 21, 2018, meeting, subject to Commissioner Hasko's additional comments. Seconded by Chair Targ, the motion carried 2-0, with Vice Chair Goulden and Commissioner Gilbert abstaining.

ADJOURNMENT [9:00 p.m.]



Illuminating
ENGINEERING SOCIETY



JOINT IDA - IES

MODEL

LIGHTING

ORDINANCE

(MLO)

with USER'S GUIDE

June 15, 2011

The User Notes

The User Notes are intended to clarify the sections of the MLO for the various audiences who will use it: lighting designers, city officials, engineers, citizen groups, and others. Every effort has been made to keep the language technically accurate and clear, but since different disciplines may use the same term in different ways, or have different interpretations, some guidance may be helpful. While these Notes can not be a full tutorial on modern lighting design, it is hoped that the Notes will help facilitate the dialogue necessary to adopt the MLO.

Background

The problems of light pollution first became an issue in the 1970s when astronomers identified the degradation of the night sky due to the increase in lighting associated with development and growth. As more impacts to the environment by lighting have been identified, an international “dark sky” movement is advocating for the precautionary approach to outdoor lighting design.

Many communities have passed anti-light-pollution laws and ordinances. However, there is little or no agreement among these laws, and they vary considerably in language, technical quality, and stringency. This is confusing for designers, engineers, and code officials. The lack of a common basis prevents the development of standards, educational programs, and other means of achieving the goal of effective lighting control.

This MLO will allow communities to drastically reduce light pollution and glare and lower excessive light levels. The recommended practices of the IES can be met using readily available, reasonably priced lighting equipment. However, many conventional lighting practices will no longer be permitted, or will require special permits.

This Model Lighting Ordinance (MLO) is the result of extensive efforts by the International Dark Sky Association (IDA) and the Illuminating

Engineering Society of North America (IES). Among its features is the use of lighting zones (LZ0-4) which allow each governing body to vary the stringency of lighting restrictions according to the sensitivity of the area as well as accommodating community intent. In this way, communities can fine-tune the impact of the MLO without having to customize the MLO. The MLO also incorporates the Backlight-Uplight-Glare (BUG) rating system for luminaires, which provides more effective control of unwanted light.

Joint IDA-IESNA Model Outdoor Lighting Ordinance (MLO)

June 15, 2011

CONTENTS

I. Preamble.....	5
II. Lighting Zones.....	5
III. General Requirements for All Outdoor Lighting.....	8
IV. Requirements for Non-Residential Outdoor Lighting.....	11
V. Requirements for Residential Outdoor Lighting.....	19
VI. Lighting by Special Permit Only.....	20
VII. Existing Lighting.....	21
VIII. Enforcement and Penalties (Reserved).....	22
IX. Tables.....	23
X. Definitions.....	32
XI. (Optional) Street Lighting Ordinance.....	38

General Notes in Adopting this Model Ordinance

Adoption of this ordinance should follow the established development, review, and approval processes of the adopting authority. If no such processes are in place, this ordinance may be adopted as a new independent section of the Municipal Code.

The MLO is probably best adopted as an “overlay zoning” ordinance. This means that it overlays, but is different from, land-use zoning. It can be added to or integrated into existing ordinances or codes and cross-referenced to other applicable codes and ordinances such as the electrical code, the sign code, planning ordinances, etc.

The MLO may best be managed by assigning it to planning officials and using existing administrative structures.

Because of the diverse community and lighting needs across large areas, this MLO is not intended for adoption as a state, provincial or national ordinance. Regional coordination is encouraged. Light pollution knows no boundaries, and the effects of polluting light persist as far as 200 kilometers (about 120 miles) from the source. One large city could adopt the MLO and dramatically affect a region, but adoption in suburbs and small towns must be part of a regional effort to achieve significant improvements in the overall quality of the night sky.

Adopting agencies should also consider that the MLO, like all other modern codes, is designed to evolve over time. Lighting technology will change, and MLO changes will be needed every few years. On-going renewal cycles are strongly recommended as any part of an adopting ordinance.

MLO Development and Task Force Members

This Model Lighting Ordinance has been developed as a joint undertaking by the Illuminating Engineering Society and the International Dark-Sky Association.

The Joint Task Force responsible for developing the MLO include

IDA
 Co-Chair: Jim Benya
 Co-Chair: Nancy Clanton
 Leslie Lipstein
 Leo Smith
 Michael Mutmansky

IES
 Naomi Miller
 Cheryl English
 Denis Lavoie
 Eric Gibson

John Walter representing the electric utility industry also contributed as a member of the Joint Task Force.

I. PREAMBLE - User's Guide

In general, the preamble is part of the ordinance but is typically not part of the code. It establishes the reasons why the municipality is undertaking these regulations.

Local governments may add other purposes to the Preamble including established local government environmental or energy goals that support the model lighting ordinance. The environmental impacts of outdoor lighting fall into two categories: carbon footprint (energy used in the life of a lighting product) and obtrusive light.

CARBON FOOTPRINT	OBTRUSIVE LIGHT
Cost & Impact of Mining the Materials Used	Impact on Humans
Energy Used in Production	Impact on the Environment
Energy Used during Product Life	
Disposal/Recycling Costs	

II. LIGHTING ZONES - User's Guide

Lighting zones reflect the base (or ambient) light levels desired by a community. The use of lighting zones (LZ) was originally developed by the International Commission on Illumination (CIE) and appeared first in the US in IES Recommended Practice for Exterior Environmental Lighting, RP-33-99.

It is recommended that lower lighting zone(s) be given preference when establishing zoning criteria. Selection of lighting zone or zones should be based not on existing conditions but rather on the type of lighting environments the jurisdiction seeks to achieve. For instance, new development on previously rural or undeveloped land may be zoned as LZ-1. Using lighting zones allows a great deal of flexibility and customization without the burden of excessive regulation. For example, a jurisdiction may choose to establish vertical lighting zones with the lighting zone at street level at a higher zone than the residential housing on upper levels.

I. PREAMBLE - Ordinance Text

The purpose of this Ordinance is to provide regulations for outdoor lighting that will:

- a. Permit the use of outdoor lighting that does not exceed the minimum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.
- b. Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.
- c. Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy.
- d. Help protect the natural environment from the adverse effects of night lighting from gas or electric sources.
- e. Conserve energy and resources to the greatest extent possible.

II. LIGHTING ZONES - Ordinance Text

The Lighting Zone shall determine the limitations for lighting as specified in this ordinance. The Lighting Zones shall be as follows:

LZ0: No ambient lighting

Areas where the natural environment will be seriously and adversely affected by lighting. Impacts include disturbing the biological cycles of flora and fauna and/or detracting from human enjoyment and appreciation of the natural environment. Human activity is subordinate in importance to nature. The vision of human residents and users is adapted to the darkness, and they expect to see little or no lighting. When not needed, lighting should be extinguished.

II. LIGHTING ZONES (cont.) - User's Guide

II. LIGHTING ZONES (cont.) - Ordinance Text

However, if an adjacent use could be adversely impacted by allowable lighting, the adopting authority may require that a particular site meet the requirements for a lower lighting zone. For example, the authority could specify Lighting Zone 1 or 2 requirements if a commercial development were adjacent to a residence, hospital or open space, or to any land assigned to a lower zone.

LZ1: Low ambient lighting

Areas where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, most lighting should be extinguished or reduced as activity levels decline.

Lighting zones are best implemented as an overlay to the established zoning especially in communities where a variety of zone districts exists within a defined area or along an arterial street. Where zone districts are cohesive, it may be possible to assign lighting zones to established land use zoning. It is recommended that the lighting zone includes churches, schools, parks, and other uses embedded within residential communities.

LZ2: Moderate ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, lighting may be extinguished or reduced as activity levels decline.

Zone	Recommended Uses or Areas	Zoning Considerations
LZ-0	Lighting Zone 0 should be applied to areas in which permanent lighting is not expected and when used, is limited in the amount of lighting and the period of operation. LZ-0 typically includes undeveloped areas of open space, wilderness parks and preserves, areas near astronomical observatories, or any other area where the protection of a dark environment is critical. Special review should be required for any permanent lighting in this zone. Some rural communities may choose to adopt LZ-0 for residential areas.	Recommended default zone for wilderness areas, parks and preserves, and undeveloped rural areas. Includes protected wildlife areas and corridors.
LZ-1	Lighting Zone 1 pertains to areas that desire low ambient lighting levels. These typically include single and two family residential communities, rural town centers, business parks, and other commercial or industrial/storage areas typically with limited nighttime activity. May also include the developed areas in parks and other natural settings.	Recommended default zone for rural and low density residential areas. Includes residential single or two family; agricultural zone districts; rural residential zone districts; business parks; open space include preserves in developed areas.

LZ3: Moderately high ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderately high light levels. Lighting is generally desired for safety, security and/or convenience and it is often uniform and/or continuous. After curfew, lighting may be extinguished or reduced in most areas as activity levels decline.

LZ4: High ambient lighting

Areas of human activity where the vision of human residents and users is adapted to high light levels. Lighting is generally considered necessary for safety, security and/or convenience and it is mostly uniform and/or continuous. After curfew, lighting may be extinguished or reduced in some areas as activity levels decline.

II. LIGHTING ZONES (cont.) - User's Guide

Zone	Recommended Uses or Areas	Zoning Considerations
LZ-2	Lighting Zone 2 pertains to areas with moderate ambient lighting levels. These typically include multifamily residential uses, institutional residential uses, schools, churches, hospitals, hotels/motels, commercial and/or businesses areas with evening activities embedded in predominately residential areas, neighborhood serving recreational and playing fields and/or mixed use development with a predominance of residential uses. Can be used to accommodate a district of outdoor sales or industry in an area otherwise zoned LZ-1.	<p>Recommended default zone for light commercial business districts and high density or mixed use residential districts.</p> <p>Includes neighborhood business districts; churches, schools and neighborhood recreation facilities; and light industrial zoning with modest nighttime uses or lighting requirements.</p>
LZ-3	Lighting Zone 3 pertains to areas with moderately high lighting levels. These typically include commercial corridors, high intensity suburban commercial areas, town centers, mixed use areas, industrial uses and shipping and rail yards with high night time activity, high use recreational and playing fields, regional shopping malls, car dealerships, gas stations, and other nighttime active exterior retail areas.	<p>Recommended default zone for large cities' business district.</p> <p>Includes business zone districts; commercial mixed use; and heavy industrial and/or manufacturing zone districts.</p>
LZ-4	Lighting zone 4 pertains to areas of very high ambient lighting levels. LZ-4 should only be used for special cases and is not appropriate for most cities. LZ-4 may be used for extremely unusual installations such as high density entertainment districts, and heavy industrial uses.	<p>Not a default zone.</p> <p>Includes high intensity business or industrial zone districts.</p>

III. GENERAL REQUIREMENTS - User's Guide

This Section sets out the requirements that apply to all lighting, both residential and non-residential.

Each adopting jurisdiction should incorporate their existing standards as to when compliance with new regulations is required, when repair or remodeling triggers compliance and if the new ordinance will be retroactive to existing development. The Applicability section of this model ordinance should serve as a guide if the adopting jurisdiction does not have standards or policies in place. Likewise, the adopting jurisdiction should use their existing policies and definitions of what constitutes public monuments, and temporary and/or emergency lighting. Community attitudes and precedents should be taken into account in deciding to regulate seasonal holiday lighting.

EXEMPTIONS - User's Guide

This is standard language intended to prevent conflict of laws and to give the community the ability to set specific lighting requirements in special plans and under use permits. It can be amended to conform to similar language in other ordinances. For example, while public monuments, statuary, and flags should be lighted, the lighting also should be limited to avoid excess.

Lighting for streets, roads, and highways is usually regulated by a street lighting ordinance, and is not covered by this model ordinance. However, since street lighting can affect nearby areas, some recognition of its effect is appropriate. (See Section XI)

SIGN LIGHTING - User's Guide

A sign lighting ordinance is strongly recommended if not already in place. It should carefully limit lighting to prevent over-lighted signs from being used to circumvent lighting ordinances.

III. GENERAL REQUIREMENTS - Ordinance Text

A. *Conformance with All Applicable Codes*

All outdoor lighting shall be installed in conformance with the provisions of this Ordinance, applicable Electrical and Energy Codes, and applicable sections of the Building Code.

B. *Applicability*

Except as described below, all outdoor lighting installed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.

Exemptions from III.(B.) The following are not regulated by this Ordinance

- a. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement, unless regulated with a streetlighting ordinance.

Note to adopting agency: if using the street lighting ordinance (Section XI), this exemption should read as follows:

Lighting within the public right-of-way or easement for the principal purpose of illuminating roads and highways. No exemption shall apply to any street lighting and to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside of the public right of way or easement.

- b. Lighting for public monuments and statuary.
- c. Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance).
- d. Repairs to existing luminaires not exceeding 25% of total installed luminaires.

III. GENERAL REQUIREMENTS (cont.) - Ordinance Text

- e. Temporary lighting for theatrical, television, performance areas and construction sites;
- f. Underwater lighting in swimming pools and other water features
- g. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens.
- h. Lighting that is only used under emergency conditions.
- i. In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the authority.

Exceptions to III. (B.) All lighting shall follow provisions in this ordinance; however, any special requirements for lighting listed in a) and b) below shall take precedence.

- a. Lighting specified or identified in a specific use permit.
- b. Lighting required by federal, state, territorial, commonwealth or provincial laws or regulations.

C. Lighting Control Requirements

1. Automatic Switching Requirements

Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device.

LIGHTING CONTROLS - User's Guide

This section requires all outdoor lighting to have lighting controls that prohibit operation when sufficient daylight is available, and to include the capability, either through circuiting, dimming or alternating sources, to be able to reduce lighting without necessarily turning all lighting off.

CURFEW REQUIREMENTS - User's Guide

The intent is to reduce or eliminate lighting after a given time. Benefits include reduced environmental impact, longer hours of improved astronomy, energy savings, and improved sleeping conditions for residents. Additionally, some police departments have indicated that post-curfew light reductions make drive-by patrolling easier because it allows them to see further into and through a site.

The authority should determine the time of curfew and the amount of lighting reduction based on the character, norms and values of the community.

Typically, curfews go into effect one hour after the close of business. Restaurants, bars and major entertainment facilities such as sports stadiums, may require the curfew go into effect two hours after the close of business. The authority may elect to have no curfew for facilities with shift workers and 24 hour operations, or to extend the curfew time to meet specific needs. The MLO can be modified to address those concerns.

Areas without street lights or with very low ambient light levels should consider turning off all non-emergency lighting at curfew while commercial areas or urban areas may prefer a reduction in lighting levels. A reduction of at least 30% is recommended for most uses.

III. GENERAL REQUIREMENTS (cont.) - Ordinance Text

Exceptions to III.(C.) 1. Automatic lighting controls are not required for the following:

- a. Lighting under canopies.
- b. Lighting for tunnels, parking garages, garage entrances, and similar conditions.

2. Automatic Lighting Reduction Requirements

The Authority shall establish curfew time(s) after which total outdoor lighting lumens shall be reduced by at least 30% or extinguished.

Exceptions to III.(C.) 2. Lighting reductions are not required for any of the following:

- a. With the exception of landscape lighting, lighting for residential properties including multiple residential properties not having common areas.
- b. When the outdoor lighting consists of only one luminaire.
- c. Code required lighting for steps, stairs, walkways, and building entrances.
- d. When in the opinion of the Authority, lighting levels must be maintained.
- e. Motion activated lighting.
- f. Lighting governed by special use permit in which times of operation are specifically identified.
- g. Businesses that operate on a 24 hour basis.

IV. NON-RESIDENTIAL LIGHTING - User's Guide

This section addresses non-residential lighting and multiple-family residences having common spaces, such as lobbies, interior corridors or parking. Its intent is to:

- Limit the amount of light that can be used
- Minimize glare by controlling the amount of light that tends to create glare
- Minimize sky glow by controlling the amount of uplight
- Minimize the amount of off-site impacts or light trespass

This MLO provides two methods for determining compliance. The *prescriptive method* contains precise and easily verifiable requirements for luminaire light output and fixture design that limit glare, uplight, light trespass and the amount of light that can be used. The *performance method* allows greater flexibility and creativity in meeting the intent of the ordinance. Note that both the prescriptive and the performance method limit the *amount* of light that can be used, but do not control *how* the lighting is to be used.

Most outdoor lighting projects that do not involve a lighting professional will use the prescriptive method, because it is simple and does not require engineering expertise.

For the prescriptive method, the initial luminaire lumen allowances defined in Table A (Parking Space Method) or B (Hardscape Area Method) will provide basic lighting (parking lot and lighting at doors and/or sensitive security areas) that is consistent with the selected lighting zone. The prescriptive method is intended to provide a safe lighting environment while reducing sky glow and other adverse offsite impacts. The Per Parking Space Method is applicable in small rural towns and is a simple method for small retail “mom and pop” operations without drive lane access and where the parking lot is immediately adjacent to the road. A jurisdiction may

IV. NON-RESIDENTIAL LIGHTING - Ordinance Text

For all non-residential properties, and for multiple residential properties of seven domiciles or more and having common outdoor areas, all outdoor lighting shall comply either with Part A or Part B of this section.

PRESCRIPTIVE METHOD - User's Guide

also allow a prescriptive method for classes of sites, such as car dealerships, gas stations, or other common use areas.

Note that the values are for initial luminaire lumens, not footcandles on the target (parking lot, sidewalk, etc). Variables such as the efficiency of the luminaire, dispersion, and lamp wear can affect the actual amount of light so the lumens per square foot allowance is not equal to footcandles on the site. By specifying initial luminaire lumen values, it is easier for officials to verify that the requirement is being met. Initial luminaire lumens are available from photometric data. Each initial luminaire lumens calculation should be supplied on the submittal form.

Solid state luminaires, such as LEDs, do not have initial lamp lumens, only initial luminaire lumens (absolute photometry). Other luminaires tested with relative photometry will have initial luminaire lumens which can be calculated by multiplying initial lamp lumens by the luminaire efficiency. In this example, three types of luminaires are used to light a parking area and building entry in a light commercial area. Two of these three luminaires use metal halide lamps: 70 watt wall mounted area lights and 150 watt pole mounted area lights. For these, the Initial Luminaire Lumens is equal to the initial lamp lumens multiplied by the luminaire efficiency. These values are entered into the compliance chart. The lumen value for the building mounted LED luminaires is equal to the lumens exiting the luminaire. Therefore, the value already represents the Initial Luminaire Lumens and no luminaire efficiency is needed. The total Luminaire Lumens for the site is equal to 247,840.

The allowable lumens are based on the lighting zone and the total hardscape area. Referencing Table B, the allowed lumens are 2.5/SF for LZ2. Multiplying this by the total hardscape square footage gives a value of 250,000 lumens allowed. Because this value is greater than the value calculated for the site, the project complies. Listed below is an example on a typical compliance worksheet for the Prescriptive Method.

IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text

A. Prescriptive Method

An outdoor lighting installation complies with this section if it meets the requirements of subsections 1 and 2, below.

1. Total Site Lumen Limit

The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B). Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens.

The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

IV. NON-RESIDENTIAL LIGHTING (cont.) - User's Guide

IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text

In this example, three types of luminaires are used to light a parking area and building entry in a light commercial area. Two of these three luminaires use metal halide lamps: 70 watt wall mounted area lights and 150 watt pole mounted area lights. For these, the Initial Luminaire Lumens is equal to the initial lamp lumens multiplied by the luminaire efficiency. These values are entered into the compliance chart. The lumen value for the building mounted LED luminaires is equal to the lumens exiting the luminaire. Therefore, the value already represents the Initial Luminaire Lumens and no luminaire efficiency is needed. The total Luminaire Lumens for the site is equal to 247,840. The allowable lumens are based on the lighting zone and the total hardscape area. Referencing Table B, the allowed lumens are 2.5/SF for LZ2. Multiplying this by the total hardscape square footage gives a value of 250,000 lumens allowed. Because this value is greater than the value calculated for the site, the project complies.

PRESCRIPTIVE METHOD EXAMPLE - COMPLIANCE CHART			
<i>Lamp Descriptions</i>	<i>QTY</i>	<i>Initial Luminaire Lumens</i>	<i>Total</i>
70 W Metal Halide	8	3,920	31,360
150 W Metal Halide	20	9,600	192,000
18 W LED	24	1,020	24,480
TOTAL INITIAL LUMINAIRE LUMENS			247,840
SITE ALLOWED TOTAL INITIAL LUMENS*			250,000
PROJECT IS COMPLIANT?			YES

* Listed below is the method of determining the allowed total initial lumen for non-residential outdoor lighting using the hardscape areamethod. (Table B).

SITE ALLOWED TOTAL INITIAL LUMENS	
<i>Site Description</i>	Light Commercial
<i>Lighting Zone</i>	LZ-2
<i>Hardscape Area (SF)</i>	100,000
<i>Allowed Lumens per SF of Hardscape (Table B)</i>	2.5
<i>Site Allowed Total Initial Lumens (lumens per SF X hardscape area)</i>	250,000

PRESCRIPTIVE METHOD (cont.) - User's Guide

LIMITS TO OFFSITE IMPACTS

The prescriptive method of the MLO restricts uplighting, including upward light emitted by decorative luminaires. A jurisdiction may choose to preserve some types of lighting, including lighting of monuments or historic structures. In this case, the adopting jurisdiction should exempt or otherwise regulate these types of lighting carefully so that it does not inadvertently allow glaring or offensive lighting systems.

Offsite effects of light pollution include glare, light trespass, sky glow, and impacts on the nocturnal environment. All of these are functions of the fixture or luminaire design and installation. This document replaces the previous luminaire classification terminology of full cut-off, semi cut-off, and cut-off because those classifications were not as effective in controlling offsite impacts as with the new IESNA luminaire classification system as described in TM-15-07.

A traditional method of defining light trespass is to identify a maximum light level at or near the property line. However, this method does not address offensive light that is not directed toward the ground, or the intensity of glaring light shining into adjacent windows. The requirements defined in Table C limit the amount of light in all quadrants that is directed toward or above the property line. The Backlight/Uplight/Glare (BUG) rating will help limit both light trespass and glare. (A detailed explanation of the BUG system is provided in the section on Table C.)

The limits for light distribution established in Table C (for the BUG rating system) prevent or severely limit all direct upward light. A small amount of uplight reflected by snow, light-colored pavement or a luminaire's supporting arms is inevitable and is not limited by the prescriptive method of this ordinance.

IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text

PRESCRIPTIVE METHOD

2. Limits to Off Site Impacts

All luminaires shall be rated and installed according to Table C.

3. Light Shielding for Parking Lot Illumination

All parking lot lighting shall have no light emitted above 90 degrees.

Exception:

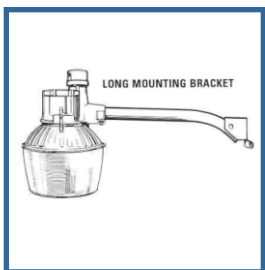
a) Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table C-1 for Backlight, Table C-2 for Uplight, and Table C-3 for Glare, without the need for external field-added modifications.

PRESCRIPTIVE METHOD (cont.) - User's Guide

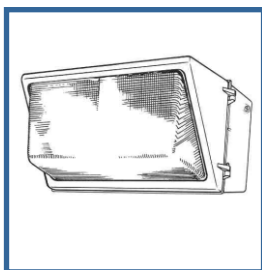
IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text

LIMITS TO OFFSITE IMPACTS

A seemingly non-compliant fixture, such as a post-top translucent acorn luminaire, may in certain cases meet the BUG ratings, as long as it has proper interior baffling within the acorn globe. However, the BUG ratings in Table C will limit the use of the following types of luminaires in all lighting zones:



Barn Lights



**Non-Shielded
Wall Packs**



**Floodlights or
lights not aimed
downward**

PERFORMANCE METHOD - User's Guide

The performance method is best for projects with complex lighting requirements or when the applicant wants or needs more flexibility in lighting design. The performance method is also used when any lighting designer plans to aim or direct any light fixture upward (above 90 degrees). An engineer or lighting professional generally will be required to design within the performance method. An adopting jurisdiction may also wish to hire an engineer or lighting professional to review and approve projects using this method and/or incorporate review of the performance method into special review procedures.

The Performance Method is also best for projects where higher lighting levels are required compared to typical area lighting. An example might be a car sales lot where more light might be required on the new cars than would be needed for a standard parking lot. Another example is a gas station canopy requiring more light than a building entrance canopy.

The first step in the Performance Method regulates overlighting by establishing the Total Initial Site Lumens (Table D) that are allowed.

Allowances include the summation of the following (Table D):

- 1) Initial lumen allowance per site
- 2) Per area (SF) of hardscape

Table E allows additional lumens for unique site conditions.

Examples of allowances include:

- 1) Per building entrance/exit
- 2) Per length (linear feet) of Outdoor Sales Frontage Perimeter
- 3) Per area (SF) of Vehicle Service Station Canopy
- 4) Plus more ...

The Site Total Initial Site Lumens allowed are a combination of allowances from Table D and Table E.

IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text

B. Performance Method

1. Total Site Lumen Limit

The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Tables D and E. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens.

The total installed initial luminaire lumens of all is calculated as the sum of the initial luminaire lumens for all luminaires.

IV. NON-RESIDENTIAL LIGHTING (cont.) - User's Guide

LIMITS TO OFFSITE IMPACTS (cont.)

The second step in the Performance Method is to determine if the proposed luminaires are producing off site impacts such as glare, sky glow and light trespass. One may either use Option A which are the Maximum Allowable BUG Ratings in Table C, or Option B through computer lighting calculations show compliance with Maximum Vertical Illuminance at any point in the plane of the property line in Table F. Option B will be required for all non-residential luminaires that

- A) do not have BUG ratings, or
- B) exceed the BUG ratings,
- C) are not fully shielded, or
- D) have adjustable mountings.

For the performance method, Option B (2) requires photometric calculations for the site perimeter, to a height of no less than 33 feet (10 meters) above the tallest luminaire. Vertical illuminances at eye height (5 feet above grade) will give values that can be used to verify compliance by comparing actual site conditions to the photometric plan submitted during review.

Note that the MLO specifies 'total initial luminaire lumens' as a measurement in addition to footcandles/lux. The footcandle (lux) is equal to one lumen per square meter. Lux is the metric unit and is equal to one lumen per square meter.

IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text

PERFORMANCE METHOD

2. Limits to Off Site Impacts

All luminaires shall be rated and installed using either Option A or Option B. Only one option may be used per permit application.

Option A: All luminaires shall be rated and installed according to Table C.

Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including inter-reflections in the following manner:

- 1) Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.
- 2) Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.

The design complies if:

- a) The total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and
- b) The maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.

DESIGN COMPLIANCE - User's Guide

The application form will require information about the number of luminaires, the number of lamps in each luminaire, the initial luminaire lumens for each luminaire and the initial lumen output for each lamp (based on the wattage and type of lamp selected) as well as plans showing the site area measurements. This will allow the reviewer to verify that the lumen output of all the luminaires does not exceed the allowance.

Field verification can be achieved by asking the applicant and/or owner to verify that the luminaire type, lamp type and wattages specified have been used. Also ask the applicant for photometric data for each luminaire, since the initial luminaire lumens and B-U-G ratings are stated on the photometric report.

However, if a jurisdiction requires additional on-site verification, it may also request a point-by-point photometric plan. While this will not be a true measure of compliance with the criteria of this Ordinance, comparing the actual measured levels on site to the photometric plan can be an indication whether or not the installed lighting varies from the approved design.

V. RESIDENTIAL LIGHTING - User's Guide

This section applies to single family home, duplexes, row houses, and low rise multi-family buildings of 6 dwelling units or less.

RESIDENTIAL LIGHTING EXCEPTIONS

The exceptions allow for typical lighting that might exceed the specified limits.

Landscape Lighting - While not common in residential areas, it can cause light pollution and light trespass if it is not controlled.

Lighting controlled by Vacancy (Motion) Sensor - Reduces light pollution and light trespass and should be encouraged.

RESIDENTIAL LIGHTING EXAMPLE

In this example on the following page, five different luminaires are used on a residential property. Each luminaire must comply to meet the requirements. The site plan following shows luminaire types followed by a tabulation of each luminaire, whether or not it is fully shielded, lamp type, and initial luminaire lumens. If the luminaire lumens are not known, multiply the initial lamp lumens by the luminaire efficiency. If the efficiency is not known, multiply the initial lamp lumens by 0.7 as a reasonable assumption. The maximum allowable lumen values come from Table G, based on the shielding classification and location on the site. In this case, each luminaire complies with the requirements of Table G.

Comparison of efficacy by power
(120 Volt Incandescent lamps)

Output (Lumens)	Power (Watt)		
	Incan	CFL	LED
500	40	8 - 10	9
850	60	13 - 18	12 - 15
1,200	75	18 - 22	15
1,700	100	23 - 28	18

V. RESIDENTIAL LIGHTING - Ordinance Text

A. General Requirements

For residential properties including multiple residential properties not having common areas, all outdoor luminaires shall be fully shielded and shall not exceed the allowed lumen output in Table G, row 2.

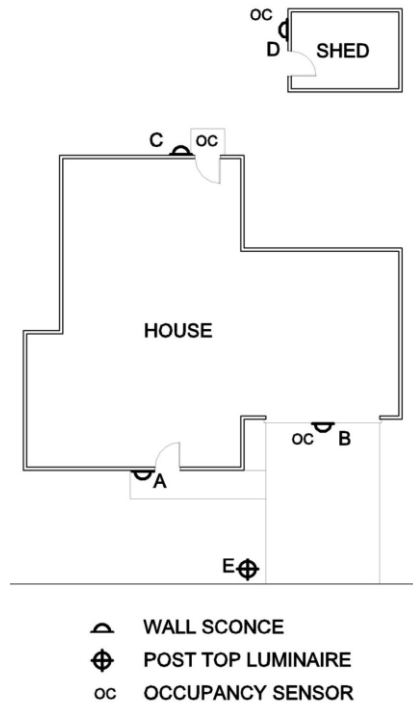
Exceptions

1. One partly shielded or unshielded luminaire at the main entry, not exceeding the allowed lumen output in Table G row 1.
2. Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G row 3.
3. Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G row 4.
4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and not exceeding the allowed lumen output in Table G row 5.
5. Open flame gas lamps.
6. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated.
7. Lighting exempt per Section III (B.).

B. Requirements for Residential Landscape Lighting

1. Shall comply with Table G.
2. Shall not be aimed onto adjacent properties.

V. RESIDENTIAL LIGHTING - User's Guide



Property Type: Residential Lighting Zone 1								
Luminaire Type	Location	Luminaire Description	Fully Shielded	Lamp Type	Initial Luminaire Lumens*	Maximum Allowed Initial Luminaire Lumens (Table G)	Controls	Compliant
A	Front Entry	Decorative wall sconce	No	9W CFL	420	420	None	Yes
B	Garage Door	Fully shielded wall pack	Yes	23W CFL	1050	1260	Occupancy Sensor	Yes
C	Back Entry	Decorative wall sconce	No	7W CFL	280	315	Occupancy Sensor	Yes
D	Shed Entry	Fully shielded wall pack	Yes	40W INC	343	1260	Occupancy Sensor	Yes
E	Driveway	Fully shielded post top	Yes	13W CFL	1260	1260	None	Yes

*Initial Luminaire Lumens are calculated by multiplying the total initial lamp lumens by the luminaire efficiency. If the luminaire efficiency is not known, assume an efficiency of 70% and multiply the lamp lumens value by 0.7.

VI. LIGHTING BY SPECIAL PERMIT ONLY - User's Guide

This section addresses types of lighting that are intrusive or complex in their impacts and need a higher level of scrutiny and/or site sensitivity.

It should be noted that safety could be compromised if lighting conforming to this ordinance is located adjacent to excessively bright and/or glaring lighting.

It is important that the authority set clear and reasonable guidelines for applying for a special lighting use permit, and establish rules and procedures for granting or refusing them. They may differ from existing special use policies, in which case one or the other may be changed to achieve the overall goal of effective lighting without glare, sky glow, or light trespass.

SPORTS FIELD LIGHTING

For athletic and sports fields, the appropriate level of lighting will depend on the Class of Play and Facilities. Class of Play is divided into 4 categories, depending on the number of fixed spectator seats. (Competition play intended for nighttime TV broadcast may require higher lighting levels).

CLASS I: Competition play at facilities with 5,000 or more fixed spectator seats. (Professional, Colleges & Universities, some Semi-Professional & Large Sports Cubs)

CLASS II: Games at facilities with over 1,500 fixed spectator seats. (Smaller Universities and Colleges, some Semi-pro, large amateur leagues and high schools with large spectator facilities)

CLASS III: Games at facilities with over 500 fixed spectator seats. (Sports Clubs and amateur leagues, some high schools and large training professional training facilities with spectator sections)

CLASS IV: Competition or recreational play at facilities with 500 fixed spectator seats or less. Class IV Class of Play applies to games at which family and close friends of the players and staff are usually the majority of spectators. (Smaller amateur leagues, park and recreation department facilities, most Little Leagues smaller high schools, elementary and middle schools, and social events)

VI. LIGHTING BY SPECIAL PERMIT ONLY - Ordinance Text

A. High Intensity and Special Purpose Lighting

The following lighting systems are prohibited from being installed or used except by special use permit:

1. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
2. Aerial Lasers.
3. Searchlights.
4. Other very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.

B. Complex and Non-Conforming Uses

Upon special permit issued by the Authority, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:

1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
2. Construction lighting.
3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
4. Parking structures.
5. Urban parks
6. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
7. Theme and amusement parks.
8. Correctional facilities.

To obtain such a permit, applicants shall demonstrate that the proposed lighting installation:

- a. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method.

SPORTS FIELD LIGHTING

When Class of Play is above Class IV, a dual control should be installed to limit illumination to Class IV levels during practices where spectators are fewer than 500.

(See IES Recommended Practice for Sports and Recreational Area Lighting RP-6)

VII. EXISTING LIGHTING - User's Guide

Adoption of this section on existing lighting is strongly encouraged.

If the adopting jurisdiction has criteria in place that require a property to come into compliance with the current zoning ordinance, it is recommended that the criteria also be applied to bringing existing lighting into compliance. If there are no established criteria, this section of the MLO is recommended.

Amortization allows existing lighting to gradually and gracefully come into compliance. Substantial changes or additions to existing properties are considered the same as new construction, and must comply.

Most outdoor lighting can be fully depreciated once it is fully amortized, usually no longer than 10 years, if not sooner, from the date of initial installation. Some jurisdictions may prefer to require phase-out in a substantially shorter period. The Authority may also wish to require compliance much sooner for "easy fixes" such as re-aiming or lowering lumen output of lamps. Where lighting is judged to be a safety hazard, immediate compliance can be required.

VI. LIGHTING BY SPECIAL PERMIT ONLY (cont.) - Ordinance Text

- b. Employs lighting controls to reduce lighting at a Project Specific Curfew ("Curfew") time to be established in the Permit.
- c. Complies with the Performance Method after Curfew.

The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

VII. EXISTING LIGHTING - Ordinance Text

Lighting installed prior to the effective date of this ordinance shall comply with the following.

A. Amortization

On or before [amortization date], all outdoor lighting shall comply with this Code.

B. New Uses or Structures, or Change of Use

Whenever there is a new use of a property (zoning or variance change) or the use on the property is changed, all outdoor lighting on the property shall be brought into compliance with this Ordinance before the new or changed use commences.

C. Additions or Alterations

1. Major Additions.

If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:

VII. EXISTING LIGHTING (cont.) - Ordinance Text

Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.

Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.

2. **Minor Modifications, Additions, or New Lighting Fixtures for Non-residential and Multiple Dwellings**

For non-residential and multiple dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting.

Any new lighting shall meet the requirements of this Ordinance.

3. **Resumption of Use after Abandonment**

If a property with non-conforming lighting is abandoned for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

VIII. ENFORCEMENT & PENALTIES - Ordinance Text

(Reserved)

VIII. ENFORCEMENT AND PENALTIES - User's Guide

Enforcement and penalties will vary by jurisdiction. There are, however, certain practices that will promote compliance with lighting regulations. Education is a key tool in promoting compliance. Proactive enforcement procedures can include providing a copy of the lighting regulations to every contractor at the time they visit to obtain a building permit. Another effective tool is a requirement that the builder or developer acknowledge in writing that the he or she is familiar with the lighting requirements and will submit a lighting plan for approval.

VIII. ENFORCEMENT AND PENALTIES (cont.) - User's Guide

Submission of the Lighting Plan should be required as a precondition to any approvals. The Lighting Plan should include the location and BUG rating for each luminaire, specify whether compliance is by the performance or prescriptive method, and a worksheet to show that the luminaires and their BUG ratings are compliant.

IX. TABLES - User's Guide

The tables are to be reviewed periodically by a joint committee of the IES and IDA, and adjusted as standards and technology permit. If more research on the impacts of outdoor lighting shows the effects of light pollution to be a significant concern, then the values in the tables may be modified. Such changes will have no significant impact to the balance of the language of the Ordinance or Code.

VIII. ENFORCEMENT & PENALTIES - Ordinance Text**IX. TABLES - Ordinance Text****Table A - Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Per Parking Space Method**

May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 lms/space	490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

Table B - Allowed Total Initial Lumens per Site for Non-residential Outdoor Lighting, Hardscape Area Method

May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Base Allowance				
0.5 lumens per SF of Hardscape	1.25 lumens per SF of Hardscape	2.5 lumens per SF of Hardscape	5.0 lumens per SF of Hardscape	7.5 lumens per SF of Hardscape

IX. TABLES - Ordinance Text

Table B - Lumen Allowances, in Addition to Base Allowance

	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Additional allowances for sales and service facilities. No more than two additional allowances per site, Use it or Lose it.					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	0	4 lumens per square foot	8 lumens per square foot	16 lumens per square foot	16 lumens per square foot
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area	0	0	1,000 per LF	1,500 per LF	2,000 per LF
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 lumens per pump (based on 5 fc horiz)	8,000 lumens per pump (based on 10 fc horiz)	16,000 lumens per pump (based on 20 fc horiz)	24,000 lumens per pump (based on 20 fc horiz)

IX. TABLES - TABLE C BUG RATING - User's Guide

Work on the BUG system started in 2005 when the IES upgraded the roadway cutoff classification system. The original system, which included the ratings full cutoff, cutoff, semi-cutoff and non cutoff, had been designed as a rating system focused on brightness and glare control. However, with increasing demand for control of uplight and light trespass in addition to glare, IES realized that a more comprehensive system was needed. IES developed *TM-15 Luminaire Classification System for Outdoor Luminaires*.

As this is a relatively new rating system, and many people may not be familiar with it, more explanation of how the rating system works is provided here. For example, some people are familiar with terms such as "full cutoff" and they may expect the MLO to include those terms. It will be very important that all groups recognize that older terms and concepts are inadequate for the complex tasks of controlling light pollution. It is recommended that the new rating system adopted in TM-15, as followed herein by the MLO, be used intact and exclusively.

BUG requires downlight only with low glare (better than full cut off) in lighting zones 0, 1 and 2, but allows a minor amount of uplight in lighting zones 3 and 4. In lighting zones 3 and 4, the amount of allowed uplight is enough to permit the use of very well shielded luminaires that have a decorative drop lens or chimney so that dark sky friendly lighting can be installed in places that traditional-appearing luminaires are required. BUG typically cannot be used for residential luminaires unless they have been photometrically tested. For non-photometrically tested residential luminaires, shielding description is used instead.

The lumen limits established for each lighting zone apply to all types of lighting within that zone. This includes, but is not limited to, specialty lighting, façade lighting, security lighting and the front row lighting for auto dealerships. BUG rating limits are defined for each luminaire and

IX. TABLES (cont.) - Ordinance Text**Table C - Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings**

May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

TABLE C-1	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Backlight Rating*					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from property line and ideally oriented**	B1	B2	B3	B4	B4
0.5 to 1 mounting heights from property line and ideally oriented**	B0	B1	B2	B3	B3
Less than 0.5 mounting height to property line and properly oriented**	B0	B0	B0	B1	B2

*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the center-line of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

IX. TABLES - TABLE C BUG RATING (cont.) - User's Guide

are based on the internal and external design of the luminaire, its aiming, and the initial luminaire lumens of the specified luminaires. The BUG rating limits also take into consideration the distance the luminaire is installed from the property line in multiples of the mounting height (See Table C).

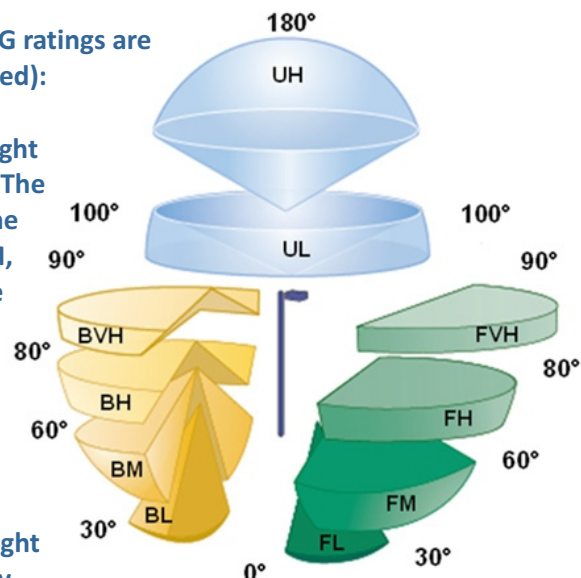
The three components of BUG ratings are based on IES TM-15-07 (revised):

Backlight, which creates light trespass onto adjacent sites. The B rating takes into account the amount of light in the BL, BM, BH and BVH zones, which are in the direction of the luminaire OPPOSITE from the area intended to be lighted.

Uplight, which causes artificial sky glow. Lower uplight (zone UL) causes the most sky glow and negatively affects professional and academic astronomy. Upper uplight (UH) not reflected off a surface is mostly energy waste. The U rating defines the amount of light into the upper hemisphere with greater concern for the light at or near the horizontal angles (UL).

Glare, which can be annoying or visually disabling. The G rating takes into account the amount of frontlight in the FH and FVH zones as well as BH and BVH zones.

BUG ratings apply to the Lighting Zone of the property under consideration.



IX. TABLES (cont.) - Ordinance Text

IX. TABLES - TABLE C BUG RATING (cont.) - User's Guide

(Key: UH=Uplight High, UL=Uplight Low, BVH=Backlight Very High, BH=Backlight High, BM=Backlight Medium, BL=Backlight Low, FVH=Forward Light Very High, FH=Forward Light High, FM=Forward Light Medium, FL=Forward Light Low.)

In general, a higher BUG rating means more light is allowed in solid angles, and the rating increases with the lighting zone. However, a higher B (backlight) rating simply indicates that the luminaire directs a significant portion of light behind the pole, so B ratings are designated based on the location of the luminaire with respect to the property line. A high B rating luminaire maximizes the spread of light, and is effective and efficient when used far from the property line. When luminaires are located near the property line, a lower B rating will prevent unwanted light from interfering with neighboring properties.

At the 90-180 degree ranges:

- Zone 0 allows no light above 90 degrees.
- Zone 1 allows only 10 lumens in the UH and UL zones, 20 lumens total in the complete upper hemisphere. (This is roughly equivalent to a 5 W incandescent lamp).
- Zone 2 allows only 50 lumens in the UH and UL zones, 100 lumens total (less than a 25W incandescent lamp).
- Zone 3 allows only 500 lumens in the UH and UL zones, 1000 lumens total (about the output of a 75W incandescent bulb).
- Zone 4 allows only 1,000 lumens in the UH and UL zones, 2000 lumens total (about the output of a 100W incandescent bulb).

IX. TABLES (cont.) - Ordinance Text

Table C - 2 Maximum Allowable Uplight (BUG) Ratings - Continued

TABLE C-2	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%

Table C - 3 Maximum Allowable Glare (BUG) Ratings - Continued

TABLE C-3	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1

*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

TABLE D EXAMPLE - PERFORMANCE METHOD - User's Guide

The first step in the Performance Method is to establish the Site Total Initial Site Lumens which regulates overlighting. The performance method allows layers of light depending on the complexity of the site.

Table D establishes the basic total initial site lumens allowed. These lumen allowances are added together for a total initial site lumen allowance. Allowances include:

- 1) Initial lumen allowance per site
- 2) Per area (SF) of hardscape

IX. TABLES (cont.) - Ordinance Text

Table D Performance Method Allowed Total Initial Site Lumens

May be used on any project.

Lighting Zone	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Allowed Lumens Per SF	0.5	1.25	2.5	5.0	7.5
Allowed Base Lumens Per Site	0	3,500	7,000	14,000	21,000

Table E Performance Method Additional Initial Luminaire Lumen Allowances. All of the following are "use it or lose it" allowances.

All area and distance measurements in plan view unless otherwise noted.

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED. THESE ALLOWANCES ARE "USE IT OR LOSE IT".					
Building Entrances or Exits. This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of the door.	400	1,000	2,000	4,000	6,000
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without obstruction.	0	0	8/SF	16/SF	24/SF

TABLE E PERFORMANCE METHOD - User's Guide

The allowable light levels for these uses defined in Table E may be used to set a prescriptive lighting allowance for these uses in each lighting zone. It should be noted that the lighting allowance defined in Table E is only applicable for the area defined for that use and cannot be transferred to another area of the site. For some uses, such as outdoor sales, the jurisdiction is encouraged to define a percentage of the total hardscape area that is eligible for the additional lighting allowance. For example, a set percentage of a car dealership's lot may be considered a display area and receive the additional lighting allowance where the remainder of the lot would be considered storage, visitor parking, etc. and cannot exceed the base light levels defined in Table A.

TABLE E EXAMPLE - PERFORMANCE METHOD - User's Guide

IX. TABLES (cont.) - Ordinance Text

Table E - Performance Method Additional Initial Lumen Allowances (cont.)

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Sales or Non-sales Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.	0	3/SF	6/SF	12/SF	18/SF
Guard Stations. This allowance is lumens per unit area of guardhouse plus 2000 sf per vehicle lane. In order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.	0	6/SF	12/SF	24/SF	36/SF
Outdoor Dining. This allowance is lumens per unit area for the total illuminated hardscape of outdoor dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining	0	1/SF	5/SF	10/SF	15/SF
Drive Up Windows. This allowance is lumens per window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.					
Vehicle Service Station Hardscape. This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this allowance, luminaires must be illuminating the hardscape area and must not be within a building below a canopy, beyond property lines, or obstructed by a sign or other structure.	0	4/SF	8/SF	16/SF	24/SF

IX. TABLES (cont.) - Ordinance Text

Table E - Performance Method Additional Initial Lumen Allowances (cont.)

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
<p>Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.</p>	0	8/SF	16/SF	32/SF	32/SF
<p>Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.</p>					
<p>Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.</p>	0	4/SF	8/SF	12/SF	18/SF
<p>Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.</p>	0	0	1,000/LF	1,500/LF	2,000/LF

IX. TABLES (cont.) - Ordinance Text

Table F Maximum Vertical Illuminance at any point in the plane of the property line

Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX	1.5 FC or 15.0 LUX

IX. TABLES (cont.) - Ordinance Text

Table G - Residential Lighting Limits

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3	LZ 4
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not allowed	420 lumens	630 lumens	630 lumens	630 lumens
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	630 lumens	1,260 lumens	1,260 lumens	1,260 lumens	1,260 lumens
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	Not allowed	315 lumens	315 lumens	315 lumens	315 lumens
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not allowed	Not allowed	1,050 lumens	2,100 lumens	2,100 lumens
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not allowed	Not allowed	1,260 lumens	2,100 lumens	2,100 lumens
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not allowed	Not allowed	525 lumens	525 lumens	525 lumens

* Luminaire lumens equals Initial Lamp Lumens for a lamp, multiplied by the number of lamps in the luminaire

TABLE G RESIDENTIAL LIGHTING - User's Guide

Residential Light Levels

Most residential lighting has traditionally used incandescent lamps which are identified by their wattage. However, since new technologies provide more light for fewer watts, it is no longer possible to regulate residential lighting solely by providing a maximum wattage. Table G, therefore, lists maximum initial luminaire lumens only.

X. DEFINITIONS - User's Guide

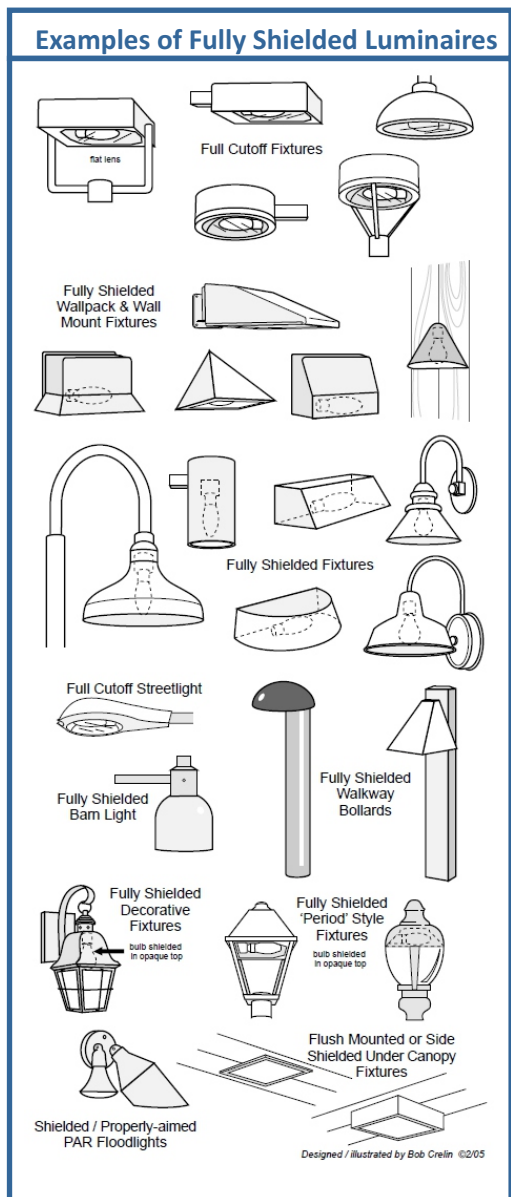
Definitions are typically generally added to any code when new code sections are added. The definitions are legally required and play a significant role in the interpretation of the ordinance and code.

Most city attorneys will not accept references to outside sources regardless of credibility, such as the IES Handbook. Thus as a general rule, a definition for an unfamiliar term (e.g. lumens) must be added by the adopting ordinance.

When adopting or integrating the MLO definitions, be sure to retire conflicting technical terminology. In particular, the latest IES Luminaire Classification System as defined in IES TM-15-07 is likely to need attention.

X. DEFINITIONS - Ordinance Text

<i>Absolute Photometry</i>	Photometric measurements (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79
<i>Architectural Lighting</i>	Lighting designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.
<i>Authority</i>	The adopting municipality, agency or other governing body.
<i>Astronomic Time Switch</i>	An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.
<i>Backlight</i>	For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
<i>BUG</i>	A luminaire classification system that classifies backlight (B), uplight (U) and glare (G).
<i>Canopy</i>	A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)
<i>Common Outdoor Areas</i>	One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of the domiciles.
<i>Curfew</i>	A time defined by the authority when outdoor lighting is reduced or extinguished.



X. DEFINITIONS - Ordinance Text

<p><i>Emergency conditions</i></p>	<p>Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or, lighting for security purposes used solely during an alarm.</p>
<p><i>Footcandle</i></p>	<p>The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.</p>
<p><i>Forward Light</i></p>	<p>For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.</p>
<p><i>Fully Shielded Luminaire</i></p>	<p>A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.</p>
<p><i>Glare</i></p>	<p>Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.</p>
<p><i>Hardscape</i></p>	<p>Permanent hardscape improvements to the site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and non-vegetated landscaping that is 10 feet or less in width. Materials may include concrete, asphalt, stone, gravel, etc.</p>
<p><i>Hardscape Area</i></p>	<p>The area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive Method and Performance Methods. Refer to Hardscape definition.</p>

X. DEFINITIONS - Ordinance Text

<i>Hardscape Perimeter</i>	The perimeter measured in linear feet is used to calculate the Total Site Lumen Limit in the Performance Method. Refer to Hardscape definition.
<i>IDA</i>	International Dark-Sky Association.
<i>IESNA</i>	Illuminating Engineering Society of North America.
<i>Impervious Material</i>	Sealed to severely restrict water entry and movement
<i>Industry Standard Lighting Software</i>	Lighting software that calculates point-by-point illuminance that includes reflected light using either ray-tracing or radiosity methods.
<i>Lamp</i>	A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.
<i>Landscape Lighting</i>	Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.
<i>LED</i>	Light Emitting Diode.
<i>Light Pollution</i>	Any adverse effect of artificial light including, but not limited to, glare, light trespass, sky-glow, energy waste, compromised safety and security, and impacts on the nocturnal environment.

X. DEFINITIONS - Ordinance Text

<i>Light Trespass</i>	Light that falls beyond the property it is intended to illuminate.
<i>Lighting</i>	“Electric” or “man-made” or “artificial” lighting. See “lighting equipment”.
<i>Lighting Equipment</i>	Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.
<i>Lighting Zone</i>	An overlay zoning system establishing legal limits for lighting for particular parcels, areas, or districts in a community.
<i>Lighting Equipment</i>	Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.
<i>Low Voltage Landscape Lighting</i>	Landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.
<i>Lumen</i>	The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).
<i>Luminaire</i>	The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

X. DEFINITIONS - Ordinance Text

<i>Luminaire Lumens</i>	For luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.
<i>Lux</i>	The SI unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10 footcandle.
<i>Mounting height</i>	The height of the photometric center of a luminaire above grade level.
<i>New lighting</i>	Lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.
<i>Object</i>	A permanent structure located on a site. Objects may include statues or artwork, garages or canopies, outbuildings, etc.
<i>Object Height</i>	The highest point of an entity, but shall not include antennas or similar structures.
<i>Ornamental lighting</i>	Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or landscaping, and installed for aesthetic effect.

Mounting Height: The horizontal spacing of poles is often measured in units of “mounting height”. Example: “The luminaires can be spaced up to 4 mounting heights apart.”

X. DEFINITIONS - Ordinance Text

<i>Ornamental Street Lighting</i>	A luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics: <ul style="list-style-type: none"> · designed to mount on a pole using an arm, pendant, or vertical tenon; · opaque or translucent top and/or sides; · an optical aperture that is either open or enclosed with a flat, sag or drop lens; · mounted in a fixed position; and · with its photometric output measured using Type C photometry per IESNA LM-75-01.
<i>Outdoor Lighting</i>	Lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.
<i>Partly shielded luminaire</i>	A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.
<i>Pedestrian Hardscape</i>	Stone, brick, concrete, asphalt or other similar finished surfaces intended primarily for walking, such as sidewalks and pathways.
<i>Photoelectric Switch</i>	A control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.
<i>Property line</i>	The edges of the legally-defined extent of privately owned property.

X. DEFINITIONS - Ordinance Text

<i>Relative photometry</i>	Photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.
<i>Repair(s)</i>	The reconstruction or renewal of any part of an existing luminaire for the purpose of its ongoing operation, other than relamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a luminaire with new lamp and/or ballast technology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new. "Repair" does not include normal relamping or replacement of components including capacitor, ballast or photocell.
<i>Replacement Lighting</i>	Lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.
<i>Sales area</i>	Uncovered area used for sales of retail goods and materials, including but not limited to automobiles, boats, tractors and other farm equipment, building supplies, and gardening and nursery products.
<i>Seasonal lighting</i>	Temporary lighting installed and operated in connection with holidays or traditions.
<i>Shielded Directional Luminaire</i>	A luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.
<i>Sign</i>	Advertising, directional or other outdoor promotional display of art, words and/or pictures.

X. DEFINITIONS - Ordinance Text

<i>Sky Glow</i>	The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.
<i>Temporary lighting</i>	Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.
<i>Third Party</i>	A party contracted to provide lighting, such as a utility company.
<i>Time Switch</i>	An automatic lighting control device that switches lights according to time of day.
<i>Translucent</i>	Allowing light to pass through, diffusing it so that objects beyond cannot be seen clearly (not transparent or clear).
<i>Unshielded Luminaire</i>	A luminaire capable of emitting light in any direction including downwards.
<i>Uplight</i>	For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.
<i>Vertical Illuminance</i>	Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

XI. OPTIONAL STREETLIGHT ORDINANCE - User's Guide

This section was added since the first public review. It is designed to work closely with the proposed revision to ANSI/IES RP-8 Standard Practice for Roadway and Street Lighting.

Street and roadway lighting is one of the world's largest causes of artificial skyglow. Many adopting agencies will recognize that the MLO will make privately owned lighting more efficient and environmentally responsible than their street lighting systems. But because the process of designing street lighting often requires more precise lighting calculations, applying the MLO directly to street lighting is not advised. Using existing standards of street lighting is recommended, particularly IES RP-8 and AASHTO standards.

Until a new recommended practice for street lighting can be developed, this section can serve to prevent most of the uplift of street lighting systems without setting specific requirements for the amount of light, uniformity of light, or other performance factors. Adopting agencies should include these basic improvements to street lighting along with regulations to private lighting.

Lighting streets with "period" ornamental luminaires that evoke the look of a time when the light source was a gas flame can cause glare if high-lumen lamps are used. Such ornamental street lights should not exceed a BUG rating of G1. If additional illuminance and/or uniformity is desired, the ornamental fixtures should be supplemented by higher mounted fully shielded luminaires, as illustrated in RP-33-99.

Few street lighting warranting processes exist. The adopting agency needs to gauge whether a complex warranting systems is required, or if a simple one using posted speeds, presence of pedestrians, or other practical considerations is sufficient.

Examples of a current street lighting warranting system are included in the Transportation Association of Canada's Guide for the Design of Roadway Lighting 2006.

XI. OPTIONAL STREETLIGHT ORDINANCE - Ordinance Text

Note to the adopting authority: *the intent of this section is that it only applies to streets and not to roadways or highways.*

A. Preamble

The purpose of this Ordinance is to control the light pollution of street lighting, including all collectors, local streets, alleys, sidewalks and bike-ways, as defined by ANSI/IES RP-8 Standard Practice for Roadway and Street Lighting and in a manner consistent with the Model Lighting Ordinance.

B. Definitions

Roadway or Highway lighting is defined as lighting provided for freeways, expressways, limited access roadways, and roads on which pedestrians, cyclists, and parked vehicles are generally not present. The primary purpose of roadway or highway lighting is to help the motorist remain on the roadway and help with the detection of obstacles within and beyond the range of the vehicle's headlights.

Street lighting is defined as lighting provided for major, collector, and local roads where pedestrians and cyclists are generally present. The primary purpose of street lighting is to help the motorist identify obstacles, provide adequate visibility of pedestrians and cyclists, and assist in visual search tasks, both on and adjacent to the roadway.

Ornamental Street Lighting is defined as a luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics:

- designed to mount on a pole using an arm, pendant, or vertical tenon;
- opaque or translucent top and/or sides;
- an optical aperture that is either open or enclosed with a flat, sag or drop lens;
- mounted in a fixed position; and
- with its photometric output measured using Type C photometry per IESNA LM-75-01.

XI. OPTIONAL STREETLIGHT ORDINANCE - Ordinance Text***C. Scope***

All street lighting not governed by regulations of federal, state or other superceding jurisdiction.

EXCEPTION: lighting systems mounted less than 10.5 feet above street level and having less than 1000 initial lumens each.

D. Master Lighting Plan

The Authority shall develop a Master Lighting Plan based on the American Association of State Highway and Transportation Officials (AASHTO) Roadway Lighting Design Guide GL-6, October 2005, Chapter 2. Such plan shall include, but not be limited to, the Adoption of Lighting Zones and:

1. Goals of street lighting in the jurisdiction by Lighting Zone
2. Assessment of the safety and security issues in the jurisdiction by Lighting Zone
3. Environmentally judicious use of resources by Lighting Zone
4. Energy use and efficiency by Lighting Zone
5. Curfews to reduce or extinguish lighting when no longer needed by Lighting Zone

E. Warranting

The Authority shall establish a warranting process to determine whether lighting is required. Such warranting process shall not assume the need for any lighting nor for continuous lighting unless conditions warrant the need. Lighting shall only be installed where warranted.

XI. OPTIONAL STREETLIGHT ORDINANCE - Ordinance Text

F. Light Shielding and Distribution

All street lighting shall have no light emitted above 90 degrees.

Exception: Ornamental street lighting for specific districts or projects shall be permitted by special permit only, and shall meet the requirements of Table H below without the need for external field-added modifications.

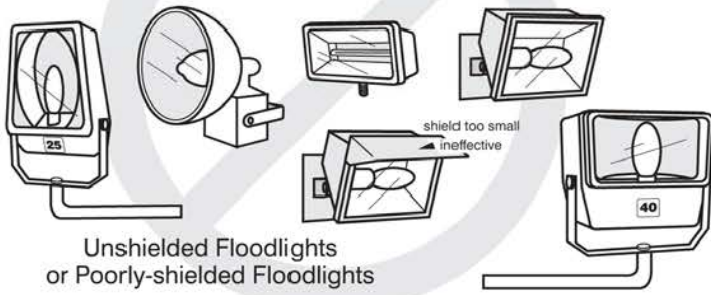
Table H - Uplight Control Requirements for Ornamental Street Lights - by Special Permit Only

Lighting Zone	Maximum Uplight Rating
LZ-0	U-0
LZ-1	U-1
LZ-2	U-2
LZ-3	U-3
LZ-4	U-4

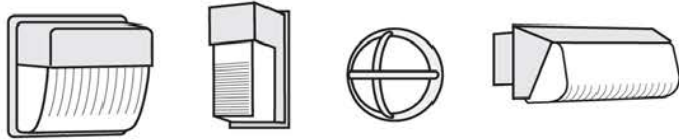
Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged

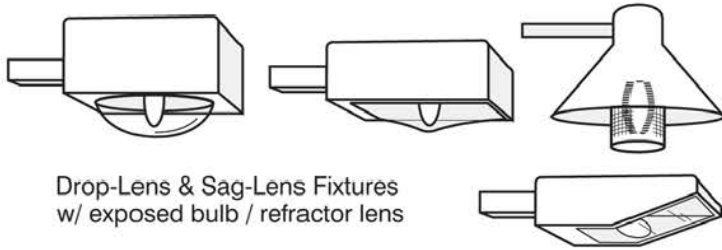
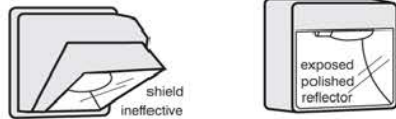
Fixtures that produce glare and light trespass



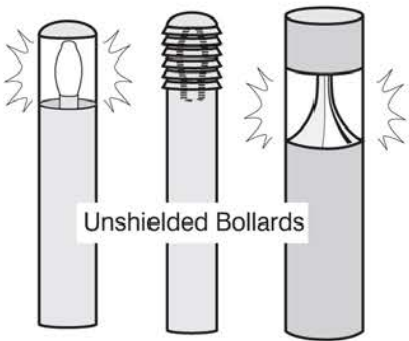
Unshielded Floodlights or Poorly-shielded Floodlights



Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures



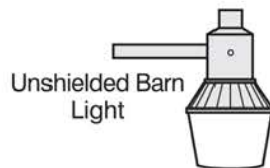
Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens



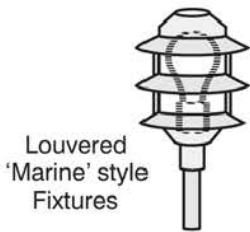
Unshielded Bollards



Unshielded Streetlight



Unshielded Barn Light



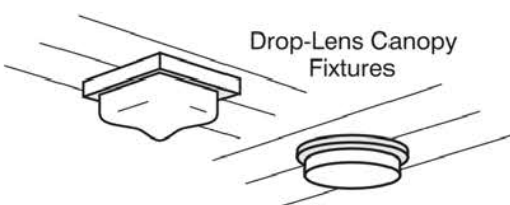
Louvered 'Marine' style Fixtures



Unshielded 'Period' Style Fixtures



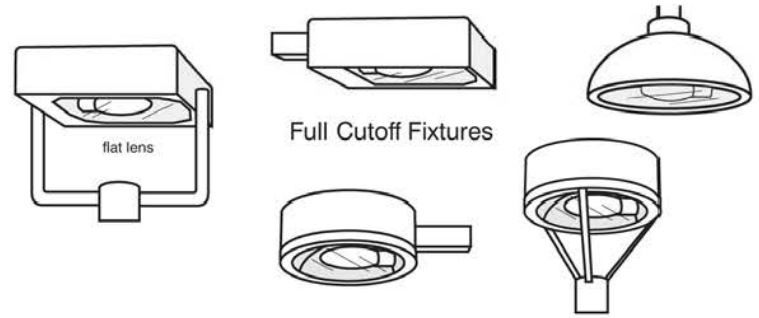
Unshielded PAR Floodlights



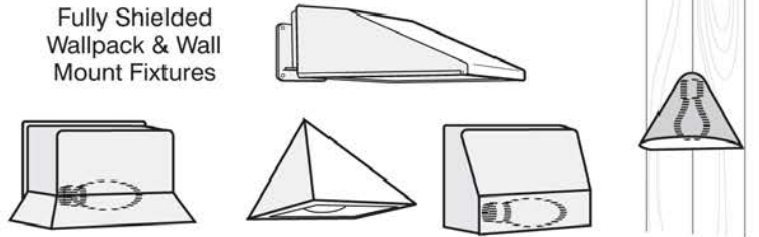
Drop-Lens Canopy Fixtures

Acceptable

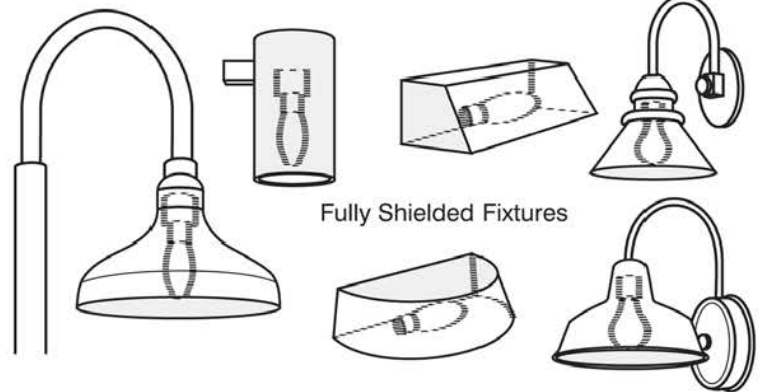
Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



Full Cutoff Fixtures



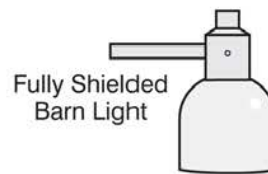
Fully Shielded Wallpack & Wall Mount Fixtures



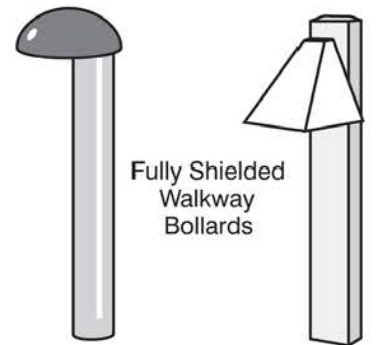
Fully Shielded Fixtures



Full Cutoff Streetlight



Fully Shielded Barn Light



Fully Shielded Walkway Bollards



Fully Shielded Decorative Fixtures

bulb shielded in opaque top

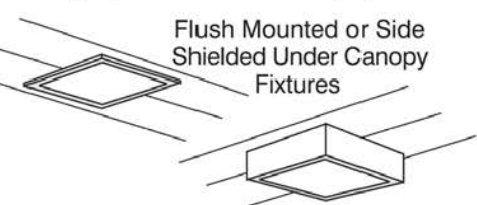


Fully Shielded 'Period' Style Fixtures

bulb shielded in opaque top



Shielded / Properly-aimed PAR Floodlights



Flush Mounted or Side Shielded Under Canopy Fixtures



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Cynthia Richardson, Planner

DATE: June 27, 2018

RE: Review of Amended Parcel Map to modify easement and driveway improvements. File #X6D-210, 20, 30 and 40 Meadow Court (formerly 1260 Westridge Drive), Lands of Carano Trust. ([Link to Attachment Page](#))

RECOMMENDATION

Staff recommends that the Town Council adopt a resolution (Attachment 1) approving the Amended Parcel Map, and adopt a resolution (Attachment 2) approving the Amended and Restated Subdivision Improvement Agreement.

BACKGROUND

On May 2, 2018 the Planning Commission reviewed the attached resolutions, heard public testimony and recommended to the Town Council approval of the amended parcel map and associated documents. Additional background information can be found in the Planning Commission staff report included as Attachment 3 and draft minutes found in Attachment 4.

Pursuant to the Subdivision Map Act, Article 7, Section 66472.1 findings are included within the attached resolutions. The map act states that the Town Council shall confine the hearing to consideration of, and action on, the proposed modification.

DISCUSSION

The applicants wish to move the easement and driveway improvements away from the creek to ensure stabilization of the creek bank now and in the future. Some undercutting of the creek bank occurred during the heavy rains last year, prompting concerns. The map amendment does not change any lot lines or the subdivision landscape plantings. The applicant has provided a graphic illustration of the change to the common driveway easement which necessitates the map amendment (Attachment 5).

The Town Surveyor has reviewed the amended parcel map and has determined that the map is technically correct. In addition the Town Attorney has reviewed the Amended and Restated Subdivision Improvement Agreement and Amended and

Amended Parcel Map, 20/30/40 Meadow Court June 27, 2018

Restated Declaration of Intent to Create Covenants and Private Easements for Driveway and for Fire and Water and for Maintenance (Attachment 6), and found them to be acceptable. Town staff and consultants have completed review of all aspects of the proposed parcel map documents and find them to be in order for recording.

During the hearing the Planning Commission questioned the insertion of the common storm drain facilities under item 3 in the CC&R document. This addition to the CC&R's merely memorialized that the three parcels are going to share in the cost to maintain the common storm drain facilities.

A Mitigated Negative Declaration was adopted for the original subdivision project. The amendment to the map is minor and no new or more severe impacts have been identified beyond those examined in the previously adopted Mitigated Negative Declaration. Therefore, no additional CEQA review is required for this project.

FISCAL IMPACT

None.

ATTACHMENTS

1. Resolution of the Amended Parcel Map and Exhibit A
2. Resolution of the Subdivision Improvement Agreement, final and redline version
3. Planning Commission staff report May 2, 2018
4. Planning Commission minutes May 2, 2018
5. Graphic illustrating amendment
6. Declaration of Intent to Create Covenants and Private Easements for Driveway and For Fire and Water and for Maintenance, final and redlined version

Approved by: Jeremy Dennis, Town Manager



RESOLUTION NO. 2018-

**RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PORTOLA VALLEY APPROVING
AMENDED PARCEL MAP FOR LANDS OF CARANO**

WHEREAS, on September 20, 2016 the Final Parcel Map, Subdivision Improvement Agreement and Declaration of Intent to Create Covenants and Private Easements for Driveway and For Fire and Water and for Maintenance, were recorded

WHEREAS, Bandel and Paula Carano, the property owners, submitted an Amended Parcel Map that proposed minor adjustments to an ingress/egress easement in favor of Parcels A and B, Public Emergency Vehicle Access Easement and Public Utility Easement on the recorded Parcel Map; and

WHEREAS, the Town of Portola Valley Planning Commission on May 2, 2018 unanimously recommended to the Town Council approval of the Amended Parcel Map for the property commonly known as 20, 30 and 40 Meadow Court (formerly known as 1260 Westridge Drive); and

WHEREAS, Town staff has reviewed the proposed Amended Parcel Map, attached hereto as Exhibit A, and finds it to be technically correct.

NOW, THEREFORE, the Town Council of the Town of Portola Valley does hereby approve the proposed amended parcel map as set forth in Exhibit A and finds as follows:

- 1. *There are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary.***

The applicant wishes to move the roadway easement farther away from the creek so that any future creek erosion will not damage the new roadway.

- 2. *The modifications do not impose any additional burden on the fee owners of the real property.***

No additional burdens will occur for the owner of the three properties.

- 3. *The modifications do not alter any right, title, or interest in the real property reflected on the recorded map.***

The owner of all three properties is requesting the modification to the map and the amendment does not alter any right, title or interest in the real property.

- 4. *The Town of Portola Valley finds that the map as modified conforms to Section 66474 of the Subdivision Map Act as follows:***

- a. *That the proposed map is consistent with the Town of Portola Valley General Plan.***

The proposal is to modify a private ingress/egress easement, a Public Emergency Vehicle Access Easement and Public Utility Easement. There

will be no change to the lot lines within the subdivision, and the proposal is consistent with the Town’s General Plan.

b. That the site is physically suitable for the type of development.

The original parcel map was determined to be physically suitable for the development and no substantial changes have been made with this amendment.

c. That the site is physically suitable for the proposed density of development.

The site is physically suitable for the density of development as determined with the original parcel map. The modification to the easements will not change the density of development.

d. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

By moving the roadway farther away from the existing creek there will be less impact to the environment and there will be no trees or existing vegetation harmed. No damage or injury will be caused.

e. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

The modification to the easement and improvements will not cause serious health problems as services are available to serve the subdivision and the project would not create any hazardous situations.

f. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Moving the easement will not create any conflicts with easements, acquired by the public at large, for access through or use of property.

PASSED AND ADOPTED at the regular meeting of the Town Council of the Town of Portola Valley on June 27, 2018.

By: _____
John Richards, Mayor

ATTEST: _____
Sharon Hanlon, Town Clerk

EXHIBIT A

AMENDMENT NOTES

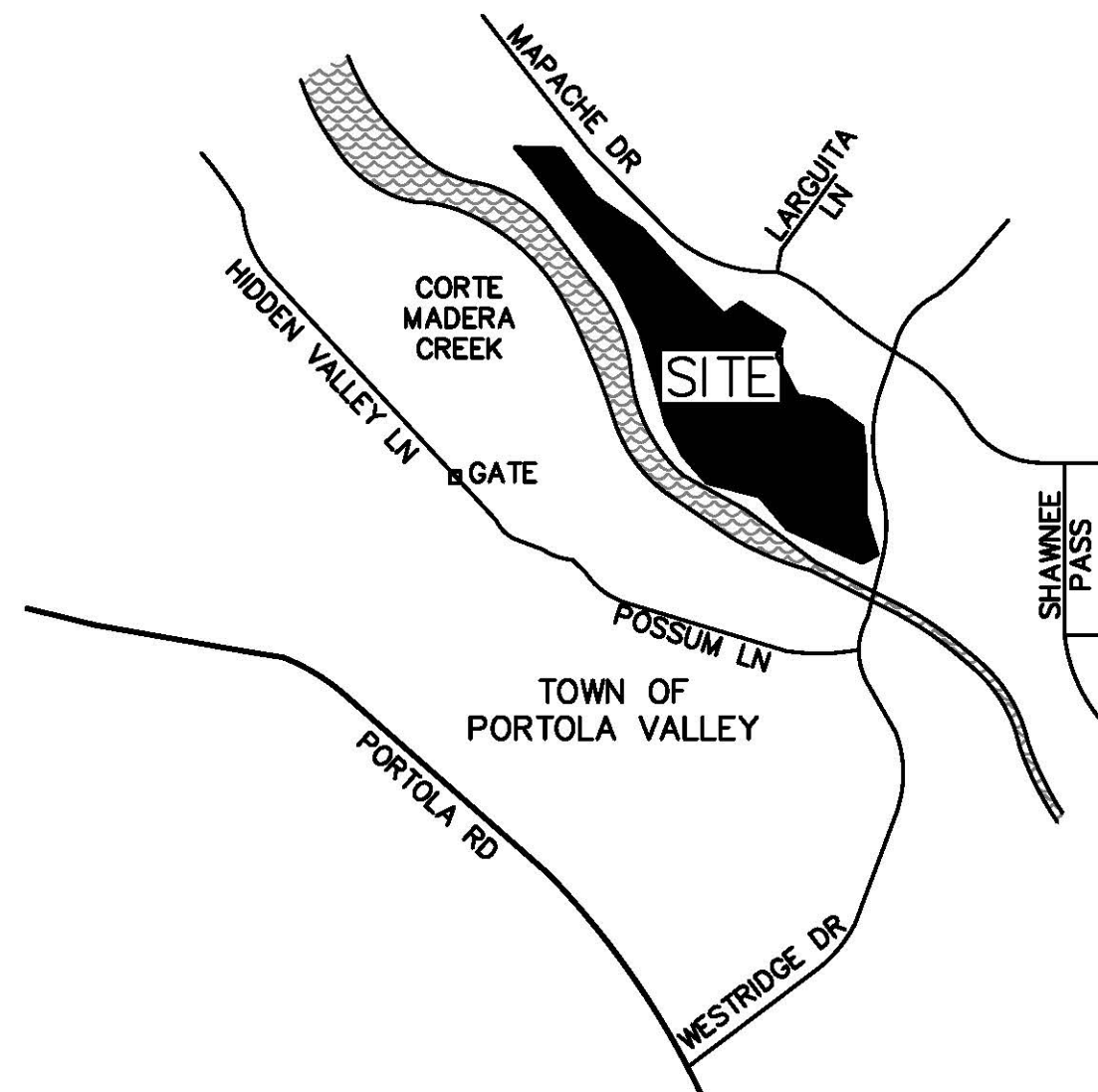
THIS MAP AMENDS SHEETS 3 AND 4 OF THE ORIGINAL PARCEL MAP FILED IN BOOK 83 OF PARCEL MAPS AT PAGES 7-10, SAN MATEO COUNTY RECORDS.

THE AMENDMENTS MADE ARE THE FOLLOWING:

1. CHANGED NAME OF MEADOW COURT TO MEADOW LANE.
2. THE PRIVATE INGRESS/EGRESS EASEMENT IN FAVOR OF PARCELS A & B, PUBLIC E.V.A.E (EMERGENCY VEHICLE ACCESS EASEMENT), PRIVATE FIRE & WATER EASEMENT, AND PUBLIC UTILITY EASEMENT (P.U.E) WAS AMENDED.
3. THE 12' PUBLIC E.V.A.E (EMERGENCY VEHICLE ACCESS EASEMENT) WAS AMENDED.
4. THE SANITARY SEWER EASEMENT (SHOWN FOR VISUAL PURPOSES) WAS AMENDED.

CURRENT OWNER

BANDEL L. CARANO AND PAULA MICHELLE CARANO, AS TRUSTEES OF THE BANDEL & PAULA CARANO TRUST, DATED JANUARY 12, 2004.



VICINITY MAP
NTS

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2018, AT _____ M.
IN BOOK _____ OF PARCEL MAPS AT PAGE _____ AT THE
REQUEST OF GREGORY F. BRAZE

FILE NO. _____ FEE \$ _____

MARK CHURCH, COUNTY RECORDER

BY: _____
DEPUTY

TOWN SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS AMENDED MAP ON BEHALF OF THE CITY OF PORTOLA VALLEY. THE CHANGES MADE COMPLY WITH SECTION 66469 OF THE SUBDIVISION MAP ACT, AND I AM SATISFIED THAT THIS AMENDED MAP IS TECHNICALLY CORRECT.

SHERRIE J. ZIMMERMAN, PLS 8964 _____ DATE _____
TOWN SURVEYOR FOR THE TOWN OF PORTOLA VALLEY
COUNTY OF SAN MATEO, STATE OF CALIFORNIA

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF SHORENSTEIN REALTY SERVICES IN AUGUST 2015. I HEREBY STATE THAT THIS AMENDED PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

GREGORY F. BRAZE _____ DATE _____
EXP. 12/31/18



AMENDED PARCEL MAP

BEING A SUBDIVISION OF THE LANDS OF BANDEL L. CARANO & PAULA MICHELLE CARANO, TRUSTEES OF THE BANDEL & PAULA CARANO TRUST DATED JANUARY 12, 2004, AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED AUGUST 6, 2013, AS INSTRUMENT NO. 2013-113949, OFFICIAL RECORDS OF SAN MATEO COUNTY

TOWN OF PORTOLA VALLEY SAN MATEO COUNTY CALIFORNIA
NOVEMBER 2017



LEA & BRAZE ENGINEERING, INC.

CIVIL ENGINEERS • LAND SURVEYORS

2495 INDUSTRIAL PARKWAY WEST
HAYWARD, CALIFORNIA 94545
(510) 887-4086
FAX (510) 887-3019
WWW.LEABRAZE.COM

LEGEND AND NOTES

- SUBDIVISION BOUNDARY LINE
- INTERIOR BOUNDARY LINE
- PROPERTY LINE
- - - - - EASEMENT
- CENTERLINE
- FOUND MONUMENT AS NOTED
- SET 3/4" IRON PIPE W/PLASTIC PLUG & TACK, LS 7623

BASIS OF BEARINGS

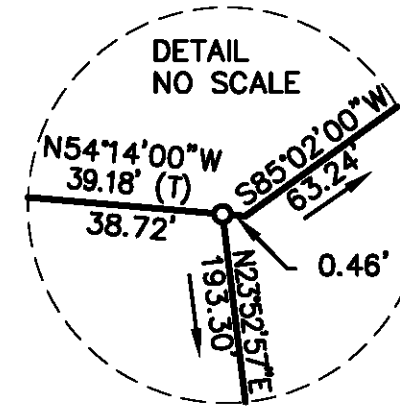
THE BASIS OF BEARING FOR THIS MAP IS THE BEARING SOUTH 74°50'00" EAST BETWEEN FOUND MONUMENTS ALONG THE CENTERLINE OF POSSUM LANE AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 781, CORTE MADERA ACRES", FILED IN BOOK 52 OF MAPS AT PAGE 11

REFERENCES

- ① SUBJECT GRANT DEED, INST. NO. 2013-113949
- ② TRACT NO. 687, 38 MAPS 30-37
- ③ TRACT NO. 759, 48 MAPS 34-36
- ④ TRACT NO. 104, 51 MAPS 12-13, ROTATED CCW 00° 02'40"
- ⑤ TRACT NO. 781, 52 MAPS 11
- ⑥ RECORD OF SURVEY, 8 LLS 65
- ⑦ CERTIFICATE OF COMPLIANCE 2003-319713

GENERAL NOTES

- 1. AREA: PARCEL A = 179,949± S.F (4.13± AC)
PARCEL B = 190,269± S.F (4.37± AC)
PARCEL C = 134,995± S.F (3.10± AC)
- 2. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

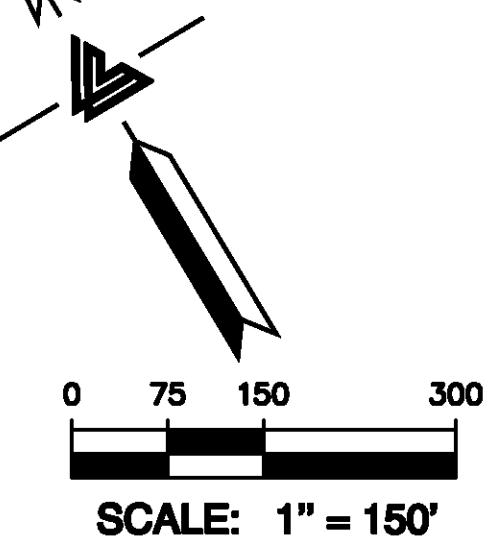


LINE	LENGTH	BEARING
L1	16.72'	S54°07'20\"W
L2	153.13'	N84°40'00\"W
L3	71.74'	N57°30'00\"W
L4	92.30'	N34°55'00\"W
L5	42.70'	N11°46'00\"E
L6	110.00'	N64°10'00\"W
L7	50.13'	N11°23'00\"W
L8	33.33'	N41°32'00\"W
L9	80.56' (T)	S81°02'00\"W
L10	30.00'	N28°15'00\"W
L11	54.19' (54.16' (1) (54.18' (7))	N24°44'00\"E
L12	109.19'	N49°38'09\"W
L13	21.92'	N71°36'00\"W
L14	69.81'	S69°54'36\"W
L15	109.04'	N71°36'00\"W
L16	49.74'	N29°44'00\"E
L17	63.24'	S85°02'00\"W
L18	39.18' (T)	N54°14'00\"W
L19	56.40'	N48°18'00\"E
L20	101.90'	N09°02'00\"W
L21	33.50'	S73°29'00\"W
L22	107.40'	S49°40'00\"W
L23	53.58'	N64°39'00\"W
L24	33.46'	S34°18'00\"W
L25	105.89'	N34°52'00\"W
L26	129.47' (T)	N57°00'00\"W
L27	67.89'	N72°48'00\"W
L28	88.22' (T) (88.10' (1) (88.34' (7))	N54°04'00\"W
L29	42.69' (42.65' (6) (42.73' (7))	N18°30'00\"W
L30	110.05' (108.61' (1) (111.49' (6))	N47°42'00\"W
L31	58.28' (58.24' (1) (58.32' (6))	S00°02'40\"E*
L32	125.00'	S30°02'40\"E*

L33	90.00'	S22°57'20\"W*
L34	100.00'	S07°02'40\"E*
L35	60.00'	S67°02'40\"E*
L36	85.00'	S29°57'20\"W*
L37	50.00'	S60°02'40\"E*
L38	50.00'	S59°57'20\"E*
L39	120.00'	S60°02'40\"E*
L40	112.28'	S13°43'10\"E*
L41	95.00'	S28°16'40\"E*
L42	92.06'	N84°12'20\"E*
L43	42.94'	N84°12'20\"E*
L44	60.95' (60.00' (1) (61.90' (7))	S26°09'43\"E (S26°45'E) (1) (5) (6) (7)
L45	95.00'	S74°45'00\"E
L46	76.00'	S40°55'00\"E
L47	53.07'	S06°05'00\"E
L48	92.00'	S69°15'00\"W
L49	95.00'	S20°45'00\"E
L50	159.06' (159.05' (1) (159.07' (7))	S83°15'00\"E
L51	49.52'	S62°11'00\"E
L52	168.78' (166.778' (1))	N72°45'00\"E
L53	92.00'	S29°30'00\"E
L54	175.00'	N70°30'00\"E
L55	130.00'	S49°30'00\"E
L56	97.91'	S57°00'00\"E
L57	8.77'	S79°21'16\"E
L58	117.85'	N15°46'00\"E

CURVE	RADIUS	DELTA	LENGTH
C1	315.00'	26°07'41"	143.65'

* BEARINGS PER ①④⑥⑦ ROTATED CCW 00° 02'40" TO MATCH MONUMENTS

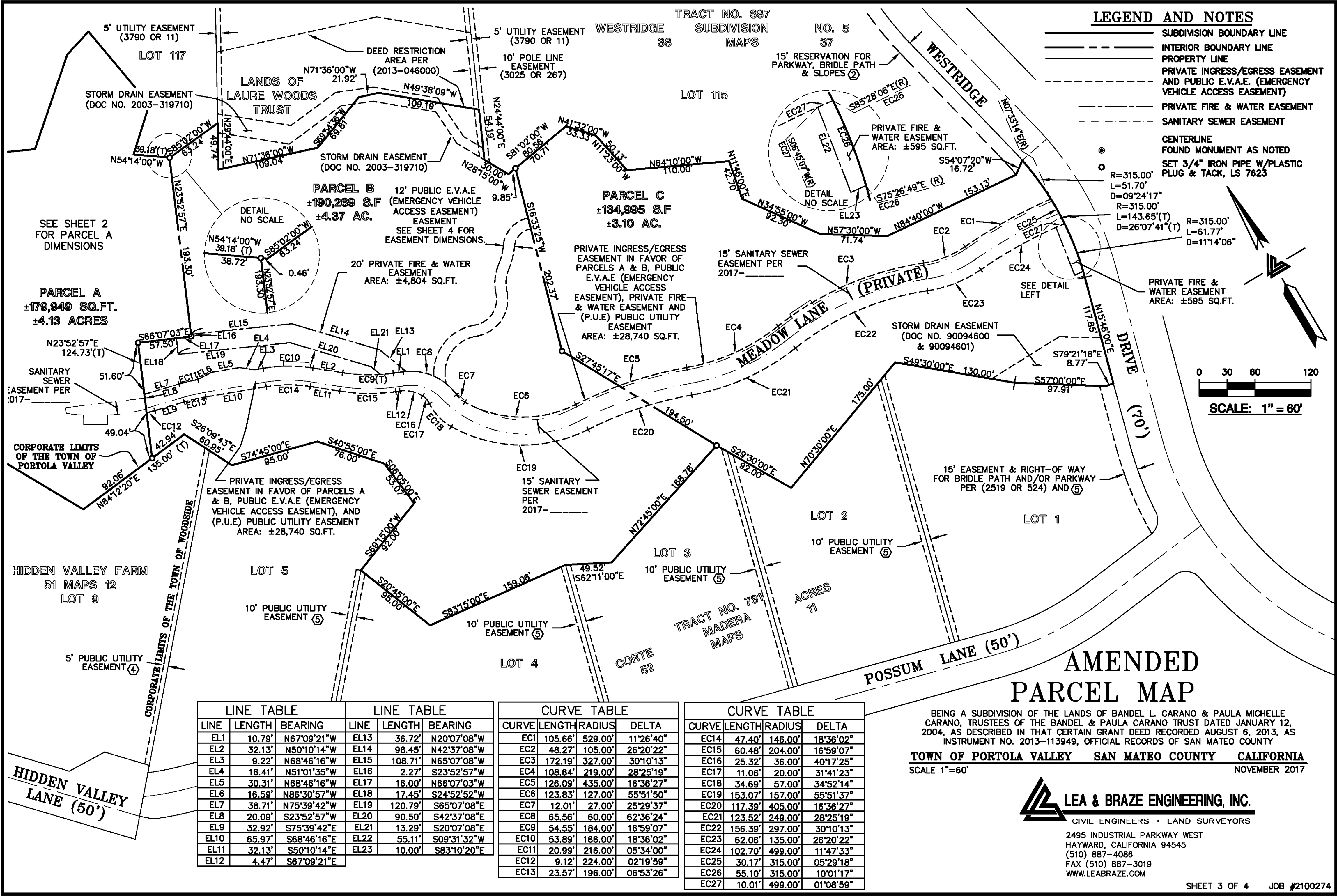


AMENDED PARCEL MAP

BEING A SUBDIVISION OF THE LANDS OF BANDEL L. CARANO & PAULA MICHELLE CARANO, TRUSTEES OF THE BANDEL & PAULA CARANO TRUST DATED JANUARY 12, 2004, AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED AUGUST 6, 2013, AS INSTRUMENT NO. 2013-113949, OFFICIAL RECORDS OF SAN MATEO COUNTY

TOWN OF PORTOLA VALLEY SAN MATEO COUNTY CALIFORNIA
SCALE 1"=150'
NOVEMBER 2017

LEA & BRAZE ENGINEERING, INC.
CIVIL ENGINEERS • LAND SURVEYORS
2495 INDUSTRIAL PARKWAY WEST
HAYWARD, CALIFORNIA 94545
(510) 887-4086
FAX (510) 887-3019
WWW.LEABRAZE.COM



LINE TABLE			LINE TABLE		
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
EL1	10.79'	N67°09'21"W	EL13	36.72'	N20°07'08"W
EL2	32.13'	N50°10'14"W	EL14	98.45'	N42°37'08"W
EL3	9.22'	N68°46'16"W	EL15	108.71'	N65°07'08"W
EL4	16.41'	N51°01'35"W	EL16	2.27'	S23°52'57"W
EL5	30.31'	N68°46'16"W	EL17	16.00'	N66°07'03"W
EL6	16.59'	N86°30'57"W	EL18	17.45'	S24°52'52"W
EL7	38.71'	N75°39'42"W	EL19	120.79'	S65°07'08"E
EL8	20.09'	S23°52'57"W	EL20	90.50'	S42°37'08"E
EL9	32.92'	S75°39'42"E	EL21	13.29'	S20°07'08"E
EL10	65.97'	S68°46'16"E	EL22	55.11'	S09°31'32"W
EL11	32.13'	S50°10'14"E	EL23	10.00'	S83°10'20"E
EL12	4.47'	S67°09'21"E			

CURVE TABLE				CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA	CURVE	LENGTH	RADIUS	DELTA
EC1	105.66'	529.00'	11°26'40"	EC14	47.40'	146.00'	18°36'02"
EC2	48.27'	105.00'	26°20'22"	EC15	60.48'	204.00'	16°59'07"
EC3	172.19'	327.00'	30°10'13"	EC16	25.32'	36.00'	40°17'25"
EC4	108.64'	219.00'	28°25'19"	EC17	11.06'	20.00'	31°41'23"
EC5	126.09'	435.00'	16°36'27"	EC18	34.69'	57.00'	34°52'14"
EC6	123.83'	127.00'	55°51'50"	EC19	153.07'	157.00'	55°51'37"
EC7	12.01'	27.00'	25°29'37"	EC20	117.39'	405.00'	16°36'27"
EC8	65.56'	60.00'	62°36'24"	EC21	123.52'	249.00'	28°25'19"
EC9	54.55'	184.00'	16°59'07"	EC22	156.39'	297.00'	30°10'13"
EC10	53.89'	166.00'	18°36'02"	EC23	62.06'	135.00'	26°20'22"
EC11	20.99'	216.00'	05°34'00"	EC24	102.70'	499.00'	11°47'33"
EC12	9.12'	224.00'	02°19'59"	EC25	30.17'	315.00'	05°29'18"
EC13	23.57'	196.00'	06°53'26"	EC26	55.10'	315.00'	10°01'17"
				EC27	10.01'	499.00'	01°08'59"

BEING A SUBDIVISION OF THE LANDS OF BANDEL L. CARANO & PAULA MICHELLE CARANO, TRUSTEES OF THE BANDEL & PAULA CARANO TRUST DATED JANUARY 12, 2004, AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED AUGUST 6, 2013, AS INSTRUMENT NO. 2013-113949, OFFICIAL RECORDS OF SAN MATEO COUNTY

TOWN OF PORTOLA VALLEY SAN MATEO COUNTY CALIFORNIA

SCALE 1"=60' NOVEMBER 2017

LEA & BRAZE ENGINEERING, INC.
 CIVIL ENGINEERS • LAND SURVEYORS
 2495 INDUSTRIAL PARKWAY WEST
 HAYWARD, CALIFORNIA 94545
 (510) 887-4086
 FAX (510) 887-3019
 WWW.LEABRAZE.COM

LINE TABLE		
LINE	LENGTH	BEARING
EL28	12.03'	N16°33'25"E

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
EC28	12.02'	53.00'	12°59'33"
EC29	55.98'	40.00'	80°11'28"
EC30	65.19'	40.00'	93°22'20"
EC31	24.50'	40.00'	35°05'38"
EC32	25.03'	82.00'	17°29'12"
EC33	27.76'	21.00'	75°43'38"
EC34	42.53'	33.00'	73°50'33"
EC35	21.36'	70.00'	17°29'12"
EC36	31.85'	52.00'	35°05'38"
EC37	45.63'	28.00'	93°22'20"
EC38	72.78'	52.00'	80°11'28"
EC39	4.05'	65.00'	03°34'13"
EC40	15.44'	60.00'	14°44'24"

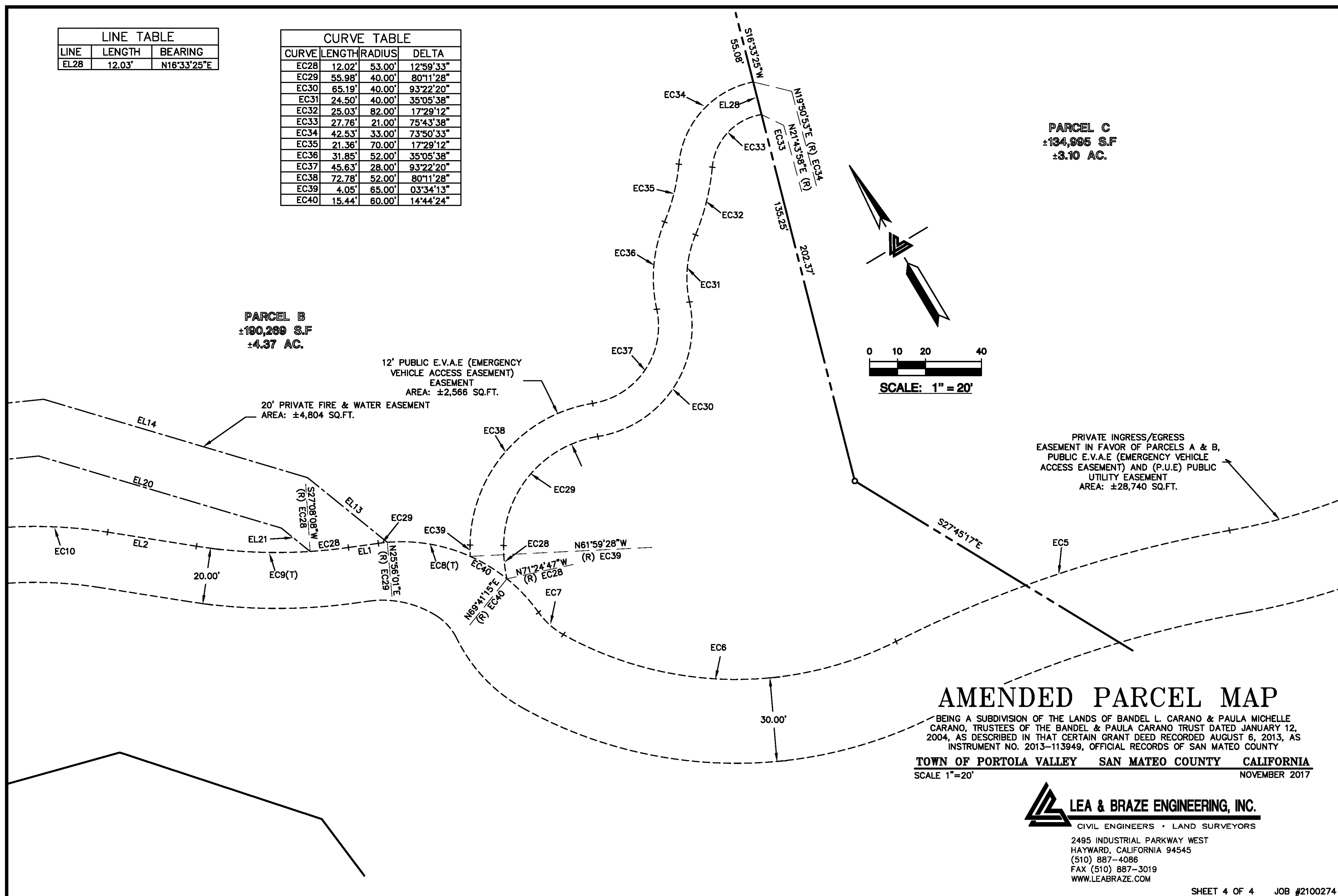
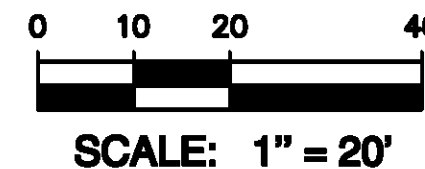
PARCEL C
±134,995 S.F.
±3.10 AC.

PARCEL B
±190,269 S.F.
±4.37 AC.

12' PUBLIC E.V.A.E (EMERGENCY
VEHICLE ACCESS EASEMENT)
EASEMENT
AREA: ±2,566 SQ.FT.

20' PRIVATE FIRE & WATER EASEMENT
AREA: ±4,804 SQ.FT.

PRIVATE INGRESS/EGRESS
EASEMENT IN FAVOR OF PARCELS A & B,
PUBLIC E.V.A.E (EMERGENCY VEHICLE
ACCESS EASEMENT) AND (P.U.E) PUBLIC
UTILITY EASEMENT
AREA: ±28,740 SQ.FT.



AMENDED PARCEL MAP

BEING A SUBDIVISION OF THE LANDS OF BANDEL L. CARANO & PAULA MICHELLE CARANO, TRUSTEES OF THE BANDEL & PAULA CARANO TRUST DATED JANUARY 12, 2004, AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED AUGUST 6, 2013, AS INSTRUMENT NO. 2013-113949, OFFICIAL RECORDS OF SAN MATEO COUNTY
TOWN OF PORTOLA VALLEY SAN MATEO COUNTY CALIFORNIA
 SCALE 1"=20' NOVEMBER 2017

LEA & BRAZE ENGINEERING, INC.
 CIVIL ENGINEERS • LAND SURVEYORS
 2495 INDUSTRIAL PARKWAY WEST
 HAYWARD, CALIFORNIA 94545
 (510) 887-4086
 FAX (510) 887-3019
 WWW.LEABRAZE.COM

RESOLUTION NO. 2018-

**RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PORTOLA VALLEY APPROVING
THE EXECUTION OF AN AMENDED AND RESTATED
SUBDIVISION IMPROVEMENT AGREEMENT
BETWEEN THE TOWN OF PORTOLA VALLEY AND
BANDEL & PAULA CARANO**

WHEREAS, the Town of Portola Valley Planning Commission recommended approval of the Amended Parcel Map for the property commonly known as 20, 30 and 40 Meadow Court (formerly known as 1260 Westridge Drive) on May 2, 2018; and

WHEREAS, the Town of Portola Valley Town Council approves of the Amended Parcel Map for the property on June 27, 2018; and

WHEREAS, the original conditions of approval for the Tentative Parcel Map included a requirement that the property owners, Bandel and Paula Carano, enter into a subdivision improvement agreement guaranteeing certain improvements; and

WHEREAS, the amended map necessitates the execution of an Amended and Restated Subdivision Improvement Agreement between the Town of Portola Valley and Bandel and Paula Carano; and

NOW, THEREFORE, BE IT RESOLVED BY the Town Council of the Town of Portola Valley as follows:

1. Public interest and convenience require the Town of Portola Valley to enter into the Amended and Restated Agreement described above.
2. The Town of Portola Valley Planning Commission recommended approval of the amended Agreement between the Town of Portola Valley and Bandel & Paula Carano.
3. The Town of Portola Valley Town Council approved the amended Agreement between the Town of Portola Valley and Bandel & Paula Carano.

PASSED AND ADOPTED at the regular meeting of the Town Council of the Town of Portola Valley on June 27, 2018.

By: _____
John Richards, Mayor

ATTEST: _____
Sharon Hanlon, Town Clerk

**AMENDED AND RESTATED TOWN OF PORTOLA VALLEY
SUBDIVISION IMPROVEMENT AGREEMENT**
(Lands of Carano 1260 Westridge Drive)

This Amended and Restated Subdivision Improvement Agreement (“Agreement”), executed this ___ day of _____, 2018, by and between the Town of Portola Valley, a municipal corporation of the State of California ("Town"), and Bandel L. Carano and Paula Michelle Carano, Trustees of the Bandel & Paula Carano Trust ("Subdivider"). This Agreement amends, restates and supersedes the Town of Portola Valley Subdivision Improvement Agreement recorded on September 20, 2016, as Series # 2016-096043.

RECITALS

A. On August 5, 2011, the Town Planning Commission approved the Tentative Subdivision Map X6D-210 and the Planned Unit Development X7D-171 for the property commonly known as 1260 Westridge Drive (“Property”) subject to conditions, including, but not limited to, entering into a subdivision improvement agreement for identified on and off-site improvements.

B. Subdivider is the owner of the Property and desires to enter into this Agreement to satisfy the conditions of approval requiring a subdivision improvement agreement for on and off-site improvements.

C. Subdivider desires to subdivide certain land in the Town in accordance with a map filed with the Town Council of Portola Valley, marked and designated Final Parcel Map, Subdivision of the Lands of Carano.

D. Subdivider applied for and on _____, 2018 received approval from the Town Council of the Town of Portola Valley for the Amended Parcel Map for the Property to realign the common driveway as it passes through Parcel B of the three lot subdivision.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions herein contained, and for other valuable consideration, the receipt of which is hereby acknowledged, the parties do hereby agree as follows:

1. Subdivider agrees that they will construct at their sole cost and expense, all those certain on and off-site improvements (collectively “Improvements”) shown on the improvement plans titled "Subdivision Improvement Plan 1260 Westridge Drive, Portola Valley, California" consisting of sixteen (16) sheets dated September 15, 2017 (hereinafter referred to as “Improvement Plans”) approved by the Town Public Works Director. The Improvement Plans are hereby made a part of this Agreement as if set forth at length, required by the Portola Valley Municipal Code and required by the conditions of approval for the Tentative Subdivision Map and Planned Unit Development Statement.

2. No improvement work shall be undertaken by the Subdivider until all plans and specifications have been submitted to and approved in writing by the Town Public Works Director, nor shall any change be made in said plans and specifications or in the

work of improvement to be done under them without the prior written approval of the Town.

3. Subdivider agrees that the Improvements will be constructed under and subject to the inspection of and to the satisfaction of the Town Public Works Director.

4. Subdivider agrees that they will construct the Improvements identified in the Improvement Plans in accordance with the requirements set forth therein, all applicable ordinances, resolutions and orders of the Town enacted or adopted by the Town Council as amended or revised as of the date of this Agreement, and governing statutes of the State of California or of the United States of America.

5. All structures made non-conforming by the lot lines created by the subdivision shall be completely removed, to the satisfaction of the Town Public Works Director.

6. Subdivider filed and submitted security, in a form approved by Town, to the Town as obligee in the penal sum of Eight Hundred Fifty-Five Thousand Ninety Dollars (\$855,090) conditioned upon the full and faithful performance of each of the terms, covenants and conditions of this Agreement and conditioned upon the full and faithful performance of any and all improvement work required hereunder.

7. Subdivider filed and submitted a bond, in a form approved by Town, or cash deposit to be held in a non-interest bearing account in the amount of Forty-Two Thousand Seven Hundred Fifty-Five Dollars (\$42,755) to cover the costs of any errors made by the Subdivider or their contractors that causes environmental damage during the construction of the Improvements.

8. All Improvements shall be completed and ready for final inspection by the Town Public Works Director within twelve (12) months of the date of execution of this Agreement. If Subdivider fails to complete the work required by this Agreement within that time, Town may, at its option, and after giving ten (10) days' written notice thereof to Subdivider, complete the same and recover the full cost and expense thereof from Subdivider by way of the security bond.

9. In the event that Subdivider fails to perform any obligation on their part to be performed hereunder, Subdivider agrees to pay all costs and expenses incurred by the Town in securing performance of such obligation, and if suit is brought by the Town to enforce this Agreement, Subdivider agrees to pay the costs of the suit and reasonable attorneys' fees to be fixed by the Court.

10. Subdivider filed and submitted security, in a form approved by Town, to the Town as obligee in the penal sum of Eight Hundred Fifty-Five Thousand Ninety Dollars (\$855,090), inuring to the benefit of any contractor, his subcontractors and to persons renting equipment or furnishing labor or materials to them for the cost of labor and materials furnished in connection with any and all improvement work required hereunder.

11. Subdivider agrees to pay all costs for labor or materials in connection with the work of improvement hereunder.

12. The performance security required hereunder shall be reduced to a maintenance/warranty security of ten percent (10%) of the security's original value for a period of not less than one (1) year after the date of final completion of the Improvements. Any defects in the Improvements shall be corrected by the Subdivider at their expense. This maintenance/warranty security shall be released after the warranty inspection of the Improvements, by the Town Public Works Director.

13. Prior to execution of this Agreement, and at Subdivider's expense, Subdivider shall provide the Town with a general liability insurance policy with endorsements showing the Town as an additional insured which insures the Town, its officers, employees, agents and volunteers against liability for injuries to persons or property (with minimum coverage of \$500,000.00 for each person and \$1,000,000.00 for each occurrence and \$250,000.00 for property damage in each occurrence) in connection with work performed by, for or on behalf of Subdivider. Said policy shall: (a) be issued by an insurance company authorized to transact business in the State of California; (b) be written on the Standard California Comprehensive General Liability Policy Form which includes, but is not limited to, property damage and bodily injury; (c) be written on an occurrence basis; (d) require thirty (30) days' prior written notice to the Town of cancellation or coverage reduction; (e) provide that it is full primary coverage; (f) provide that the Town, its officers and employees shall not be precluded from claim against other insured parties thereunder; (g) be maintained in effect until final acceptance of Subdivider's Improvements. If Subdivider does not comply with the provisions of this paragraph, the Town may (at its election and in addition to other legal remedies) take out the necessary insurance, and Subdivider shall immediately repay the Town the premium therefor.

14. Subdivider agrees that any general contractor engaged by the Subdivider for any work of improvement under this Agreement will have:

14.1 In full force and effect, a Worker's Compensation Insurance as shown by a Certificate of Worker's Compensation Insurance issued by an admitted insurer. Said Certificate shall state that there is in existence a valid policy of Worker's Compensation Insurance in a form approved by the California Insurance Commissioner. The certificate shall show the expiration date of the policy, that the full deposit premium on the policy has been paid and that the insurer will give the Town at least thirty (30) days' prior written notice of the cancellation or coverage reduction of the policy; or

14.2 In full force and effect, a Certificate of Consent to Self-Insure issued by the Director of Industrial Relations and certified by him to be current, together with a Declaration under penalty of perjury in a form satisfactory to the Town Attorney that said Certificate is in full force and effect and that the Subdivider or its general contractor shall immediately notify the Town in writing in the event of its cancellation or coverage reduction at any time prior to the completion of all work of improvement.

15. Subdivider agrees to indemnify and save harmless the Town, the Town Council, the Town Public Works Director and any other officer, employee or agent of the Town from any and all costs, expenses, claims, liabilities or damages, known or unknown, to persons or property heretofore or hereafter arising out of or in any way connected with

the performance of work or other obligation to be performed in furtherance of this Agreement, including, but not limited to, all costs and attorneys' fees incurred in defending any claim arising as a result thereof.

16. Subdivider agrees as a condition of the subdivision approval and use of entitlement to defend at its sole cost and expense any action brought against the Town because of issuance of this entitlement or, in the alternative, to relinquish such entitlement. Subdivider will reimburse the Town for any court costs and attorneys' fees which the Town may be required by a Court to pay as a result of such action, but such participation shall not relieve Subdivider of their obligation under this condition.

17. Subdivider agrees to pay all costs and expenses incurred by the Town, pursuant to the statement of understanding, in connection with the subdivision. Subdivider shall provide adequate deposits for this purpose with additional deposits as required by the Town.

18. Subdivider remitted the following sums to the Town for fees identified below:

Map Fee	\$1,390
Storm Drain Fee	\$7,436.88
Parks & Recreation Fee	\$26,469.00
Housing In Lieu Fee	\$573,524.00
 TOTAL	 \$608,819.88

19. Any permits necessary for the completion of any of the improvements required of Subdivider shall be acquired by Subdivider at its sole cost and expense.

20. This Agreement shall be deemed to include any final conditions imposed by Town upon the approval of the tentative and final maps related to public improvements of the subdivision.

21. Subdivider agrees that, upon ten (10) days' written notice from Town, it will immediately remedy, restore, repair or replace, at its sole cost and expense and to the satisfaction of Town Public Works Director, all defects, damages or imperfections due to or arising from faulty materials or workmanship appearing within a period of not less than one (1) year after the date of initial acceptance of all said improvements. If Subdivider fails to remedy, restore, repair, or replace said defects, damages or imperfections as herein required, the Town may, at its option, do so and recover the full cost and expense thereof from Subdivider. This covenant shall be explicitly included within the obligation of the security bond referenced above.

22. This Agreement shall bind the heirs, administrators, executors, successors, assigns and transferees of Subdivider. It is agreed and understood that the covenants in this Agreement shall run with the land and are for the benefit of the other lands in the Town of Portola Valley, and are made by Subdivider expressly, their heirs, administrators, executors, successors, assigns and transferees and to the Town, its successors and assigns.

24. All notices which are required to be given, or which may be given, by either party to this agreement, shall be in writing and may be served by personal delivery or by mail. Notices shall be deemed to have been served when deposited in the United States mail, postage prepaid, registered or certified, addressed as follows, or to such other address as from time to time may be designated by either party by giving notice to the other party, as follows:

Town:

Town of Portola Valley
Attn: Town Manager
765 Portola Road
Portola Valley, CA 94028

Subdivider:

Bandel Carano
c/o John Hanna
Hanna & Van Atta
525 University Ave., Suite 600
Palo Alto, CA 94301

Failure to receive or to acknowledge receipt for notice served by mail shall not invalidate the notice.

25. Nothing contained in this Agreement shall be construed to be a waiver, release or extension of any provision heretofore required by ordinance, resolution or order of the Town Council of the Town.

26. Time is of the essence for this Agreement. All covenants herein contained shall be deemed to be conditions. The singular shall include the plural; the masculine gender shall include the feminine and neuter genders.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

SUBDIVIDER:

Bandel L. Carano, Trustee

Paula Michelle Carano, Trustee

ATTEST:

TOWN OF PORTOLA VALLEY:

By: _____
Town Clerk

By: _____
Mayor

APPROVED AS TO FORM:

Town Attorney

**AMENDED AND RESTATED TOWN OF PORTOLA VALLEY
SUBDIVISION IMPROVEMENT AGREEMENT**
(Lands of Carano 1260 Westridge Drive)

This Amended and Restated Subdivision Improvement Agreement ("Agreement"), executed this ___ day of _____, 2016~~2018~~, by and between the Town of Portola Valley, a municipal corporation of the State of California ("Town"), and Bandel L. Carano and Paula Michelle Carano, Trustees of the Bandel & Paula Carano Trust ("Subdivider"). This Agreement amends, restates and supersedes the Town of Portola Valley Subdivision Improvement Agreement recorded on September 20, 2016, as Series # 2016-096043.

RECITALS

A. On August 5, 2011, the Town Planning Commission approved the Tentative Subdivision Map X6D-210 and the Planned Unit Development X7D-171 for the property commonly known as 1260 Westridge Drive ("Property") subject to conditions, including, but not limited to, entering into a subdivision improvement agreement for identified on and off-site improvements.

B. Subdivider is the owner of the Property and desires to enter into this Agreement to satisfy the conditions of approval requiring a subdivision improvement agreement for on and off-site improvements.

C. Subdivider desires to subdivide certain land in the Town in accordance with a map filed with the Town Council of Portola Valley, marked and designated Final Parcel Map, Subdivision of the Lands of Carano.

D. Subdivider applied for and on _____, 2018 received approval from the Town Council of the Town of Portola Valley for the Amended Parcel Map for the Property to realign the common driveway as it passes through Parcel B of the three lot subdivision.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions herein contained, and for other valuable consideration, the receipt of which is hereby acknowledged, the parties do hereby agree as follows:

1. Subdivider agrees that they will construct at their sole cost and expense, all those certain on and off-site improvements (collectively "Improvements") shown on the improvement plans titled "Subdivision Improvement Plan 1260 Westridge Drive, Portola Valley, California" consisting of ~~twenty four sixteen~~ (2416) sheets dated September 15, 2017 (hereinafter referred to as "Improvement Plans") approved by the Town Public Works Director. The Improvement Plans are hereby made a part of this Agreement as if set forth at length, required by the Portola Valley Municipal Code and required by the conditions of approval for the Tentative Subdivision Map and Planned Unit Development Statement.

2. No improvement work shall be undertaken by the Subdivider until all plans and specifications have been submitted to and approved in writing by the Town Public

Works Director, nor shall any change be made in said plans and specifications or in the work of improvement to be done under them without the prior written approval of the Town.

3. Subdivider agrees that the Improvements will be constructed under and subject to the inspection of and to the satisfaction of the Town Public Works Director.

4. Subdivider agrees that they will construct the Improvements identified in the Improvement Plans in accordance with the requirements set forth therein, all applicable ordinances, resolutions and orders of the Town enacted or adopted by the Town Council as amended or revised as of the date of this Agreement, and governing statutes of the State of California or of the United States of America.

5. All structures made non-conforming by the lot lines created by the subdivision shall be completely removed, to the satisfaction of the Town Public Works Director.

6. ~~Prior to the execution of this Agreement, Subdivider shall file and submit~~ filed and submitted security, in a form approved by Town, to the Town as obligee in the penal sum of Eight Hundred Fifty-Five Thousand Ninety Dollars (\$855,090) conditioned upon the full and faithful performance of each of the terms, covenants and conditions of this Agreement and conditioned upon the full and faithful performance of any and all improvement work required hereunder.

7. ~~Prior to the execution of this Agreement, Subdivider shall file and submit~~ filed and submitted a bond, in a form approved by Town, or cash deposit to be held in a non-interest bearing account in the amount of Forty-Two Thousand Seven Hundred Fifty-Five Dollars (\$42,755) to cover the costs of any errors made by the Subdivider or their contractors that causes environmental damage during the construction of the Improvements.

8. All Improvements shall be completed and ready for final inspection by the Town Public Works Director within twelve (12) months of the date of execution of this Agreement. If Subdivider fails to complete the work required by this Agreement within that time, Town may, at its option, and after giving ten (10) days' written notice thereof to Subdivider, complete the same and recover the full cost and expense thereof from Subdivider by way of the security bond.

9. In the event that Subdivider fails to perform any obligation on their part to be performed hereunder, Subdivider agrees to pay all costs and expenses incurred by the Town in securing performance of such obligation, and if suit is brought by the Town to enforce this Agreement, Subdivider agrees to pay the costs of the suit and reasonable attorneys' fees to be fixed by the Court.

10. ~~Prior to the execution of this Agreement, Subdivider shall file and submit~~ filed and submitted security, in a form approved by Town, to the Town as obligee in the penal sum of Eight Hundred Fifty-Five Thousand Ninety Dollars (\$855,090), inuring to the benefit of any contractor, his subcontractors and to persons renting equipment or furnishing labor or materials to them for the cost of labor and materials furnished in connection with any and all improvement work required hereunder.

11. Subdivider agrees to pay all costs for labor or materials in connection with the work of improvement hereunder.

12. The performance security required hereunder shall be reduced to a maintenance/warranty security of ten percent (10%) of the security's original value for a period of not less than one (1) year after the date of final completion of the Improvements. Any defects in the Improvements shall be corrected by the Subdivider at their expense. This maintenance/warranty security shall be released after the warranty inspection of the Improvements, by the Town Public Works Director.

13. Prior to execution of this Agreement, and at Subdivider's expense, Subdivider shall provide the Town with a general liability insurance policy with endorsements showing the Town as an additional insured which insures the Town, its officers, employees, agents and volunteers against liability for injuries to persons or property (with minimum coverage of \$500,000.00 for each person and \$1,000,000.00 for each occurrence and \$250,000.00 for property damage in each occurrence) in connection with work performed by, for or on behalf of Subdivider. Said policy shall: (a) be issued by an insurance company authorized to transact business in the State of California; (b) be written on the Standard California Comprehensive General Liability Policy Form which includes, but is not limited to, property damage and bodily injury; (c) be written on an occurrence basis; (d) require thirty (30) days' prior written notice to the Town of cancellation or coverage reduction; (e) provide that it is full primary coverage; (f) provide that the Town, its officers and employees shall not be precluded from claim against other insured parties thereunder; (g) be maintained in effect until final acceptance of Subdivider's Improvements. If Subdivider does not comply with the provisions of this paragraph, the Town may (at its election and in addition to other legal remedies) take out the necessary insurance, and Subdivider shall immediately repay the Town the premium therefor.

14. Subdivider agrees that any general contractor engaged by the Subdivider for any work of improvement under this Agreement will have:

14.1 In full force and effect, a Worker's Compensation Insurance as shown by a Certificate of Worker's Compensation Insurance issued by an admitted insurer. Said Certificate shall state that there is in existence a valid policy of Worker's Compensation Insurance in a form approved by the California Insurance Commissioner. The certificate shall show the expiration date of the policy, that the full deposit premium on the policy has been paid and that the insurer will give the Town at least thirty (30) days' prior written notice of the cancellation or coverage reduction of the policy; or

14.2 In full force and effect, a Certificate of Consent to Self-Insure issued by the Director of Industrial Relations and certified by him to be current, together with a Declaration under penalty of perjury in a form satisfactory to the Town Attorney that said Certificate is in full force and effect and that the Subdivider or its general contractor shall immediately notify the Town in writing in the event of its cancellation or coverage reduction at any time prior to the completion of all work of improvement.

15. Subdivider agrees to indemnify and save harmless the Town, the Town Council, the Town Public Works Director and any other officer, employee or agent of the Town from any and all costs, expenses, claims, liabilities or damages, known or unknown,

to persons or property heretofore or hereafter arising out of or in any way connected with the performance of work or other obligation to be performed in furtherance of this Agreement, including, but not limited to, all costs and attorneys' fees incurred in defending any claim arising as a result thereof.

16. Subdivider agrees as a condition of the subdivision approval and use of entitlement to defend at its sole cost and expense any action brought against the Town because of issuance of this entitlement or, in the alternative, to relinquish such entitlement. Subdivider will reimburse the Town for any court costs and attorneys' fees which the Town may be required by a Court to pay as a result of such action, but such participation shall not relieve Subdivider of their obligation under this condition.

17. Subdivider agrees to pay all costs and expenses incurred by the Town, pursuant to the statement of understanding, in connection with the subdivision. Subdivider shall provide adequate deposits for this purpose with additional deposits as required by the Town.

18. ~~Upon the execution of this Agreement, Subdivider agrees to remit~~ remitted the following sums to the Town for fees identified below:

Map Fee	\$1,390
Storm Drain Fee	\$7,436.88
Parks & Recreation Fee	\$26,469.00
Housing In Lieu Fee	\$573,524.00
TOTAL	\$608,819.88

19. Any permits necessary for the completion of any of the improvements required of Subdivider shall be acquired by Subdivider at its sole cost and expense.

20. This Agreement shall be deemed to include any final conditions imposed by Town upon the approval of the tentative and final maps related to public improvements of the subdivision.

21. Subdivider agrees that, upon ten (10) days' written notice from Town, it will immediately remedy, restore, repair or replace, at its sole cost and expense and to the satisfaction of Town Public Works Director, all defects, damages or imperfections due to or arising from faulty materials or workmanship appearing within a period of not less than one (1) year after the date of initial acceptance of all said improvements. If Subdivider fails to remedy, restore, repair, or replace said defects, damages or imperfections as herein required, the Town may, at its option, do so and recover the full cost and expense thereof from Subdivider. This covenant shall be explicitly included within the obligation of the security bond referenced above.

22. This Agreement shall bind the heirs, administrators, executors, successors, assigns and transferees of Subdivider. It is agreed and understood that the covenants in this Agreement shall run with the land and are for the benefit of the other lands in the Town of Portola Valley, and are made by Subdivider expressly, their heirs, administrators,

executors, successors, assigns and transferees and to the Town, its successors and assigns.

24. All notices which are required to be given, or which may be given, by either party to this agreement, shall be in writing and may be served by personal delivery or by mail. Notices shall be deemed to have been served when deposited in the United States mail, postage prepaid, registered or certified, addressed as follows, or to such other address as from time to time may be designated by either party by giving notice to the other party, as follows:

Town:

Town of Portola Valley
Attn: Town Manager
765 Portola Road
Portola Valley, CA 94028

Subdivider:

Bandel Carano
c/o John Hanna
Hanna & Van Atta
525 University Ave., Suite 600
Palo Alto, CA 94301

Failure to receive or to acknowledge receipt for notice served by mail shall not invalidate the notice.

25. Nothing contained in this Agreement shall be construed to be a waiver, release or extension of any provision heretofore required by ordinance, resolution or order of the Town Council of the Town.

26. Time is of the essence for this Agreement. All covenants herein contained shall be deemed to be conditions. The singular shall include the plural; the masculine gender shall include the feminine and neuter genders.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

SUBDIVIDER:

Bandel L. Carano, Trustee

Paula Michelle Carano, Trustee

ATTEST:

TOWN OF PORTOLA VALLEY:

By: _____
Town Clerk

By: _____
Mayor

|

APPROVED AS TO FORM:

Town Attorney



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: Planning Commission

FROM: Cynthia Richardson, Planner

DATE: May 2, 2018

RE: Review of Amended Parcel Map, File #X6D-210, 20, 30 and 40 Meadow Court (formerly 1260 Westridge Drive), Lands of Carano Trust

RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution (Attachment 1) recommending approval to the Town Council of the Amended Parcel Map, and a resolution (Attachment 2) recommending approval of the Amended and Restated Subdivision Improvement Agreement.

BACKGROUND

On July 20, 2016 the Planning Commission reviewed the final map associated with this 3-lot subdivision and recommended its approval to the Town Council. On August 10, 2016 the Town Council approved the final map along with the Subdivision Improvement Agreement and Declaration of Intent to Create Covenants and Private Easements for Driveway and For Fire and Water and for Maintenance. The parcel map and associated documents were recorded on September 20, 2016.

The Planning Commission on February 1, 2017, approved a new residence and site development permit on each of the three lots. The three new homes and the subdivision improvements are currently under construction.

On February 21, 2018 the applicant applied for an amendment to the recorded final parcel map and documents associated with the approval. The purpose of the change is to facilitate the driveway realignment by moving the private ingress/egress easement farther away from the existing creek. The map amendment is necessary because the ingress/egress easement was recorded as part of the subdivision parcel map and not by separate document. No property lines or lot sizes will be modified. The applicant has provided a graphic illustration of the change to the roadway easement that necessitates the map amendment (Attachment 3).

DISCUSSION

The Town of Portola Valley's Subdivision Ordinance does not include provisions for amending a recorded parcel map; therefore, the Town must follow the Subdivision Map Act, Article 7,

Section 66472.1 regulations. Within the resolution are findings required by this section of the code. The Planning Commission and City Council shall confine the hearing to consideration of, and action on, the proposed modification.

The applicants wish to move the easement and driveway improvements farther away from the creek to ensure stabilization of the creek bank now and in the future. The applicants consulted with Urban Tree Management, who reviewed the driveway realignment and state that there would be no negative impacts to any heritage trees (Attachment 4). In addition, staff has reviewed the Subdivision Landscape Screening Plan and finds that no changes are required due to the road realignment. No other impacts are expected.

The Town Surveyor has reviewed the amended parcel map and has determined that the map is technically correct (Attachment 5). In addition the Town Attorney has reviewed the Amended and Restated Subdivision Improvement Agreement and Amended and Restated Declaration of Intent to Create Covenants and Private Easements for Driveway and for Fire and Water and for Maintenance (Attachment 6), and found them to be acceptable.

Review and action on the amended parcel map is essentially a procedural step limited to the review of the parcel map modification. Town staff and consultants have completed review of all aspects of the proposed parcel map documents and find them to be in order for recording.

Public Comment

No comments have been received by staff.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration was adopted for the original subdivision project. The amendment to the map is minor and no new or more severe impacts have been identified beyond those examined in the previously adopted Mitigated Negative Declaration. Therefore, no additional CEQA review is required for this project.

CONCLUSION

Staff recommends that the Planning Commission review the Amended Parcel Map and associated documents and recommend to the Town Council that the map amendment be approved.

ATTACHMENTS

1. Resolution recommending approval of the Amended Parcel Map
2. Resolution recommending approval of the Subdivision Improvement Agreement, and redline version
3. Graphic illustrating amendment
4. Urban Tree Management memo dated February 14, 2018
5. Town Surveyor memo dated February 3, 2018
6. Declaration of Intent to Create Covenants and Private Easements for Driveway and For Fire and Water and for Maintenance, and redlined version
7. Amended Parcel Map

Report approved by: Arly Cassidy, Interim Planning Director



RESOLUTION NO. 2018-

**RESOLUTION OF THE PLANNING COMMISSION OF THE
TOWN OF PORTOLA VALLEY RECOMMENDING APPROVAL OF AN
AMENDED PARCEL MAP FOR LANDS OF CARANO**

WHEREAS, Bandel and Paula Carano, the property owners, submitted an Amended Parcel Map that proposed minor adjustments to an ingress/egress easement in favor of Parcels A and B, Public Emergency Vehicle Access Easement and Public Utility Easement on the recorded Parcel Map; and

WHEREAS, the Town of Portola Valley Planning Commission held a duly noticed public hearing on May 2, 2018 to consider the Amended Parcel Map and to carefully consider the record and all of the information, documents and comments received; and

WHEREAS, Town staff has reviewed the proposed Amended Parcel Map, attached hereto as Exhibit A, and finds it to be technically correct.

NOW, THEREFORE, the Planning Commission of the Town of Portola Valley does hereby recommend that the Town Council approve the proposed amended parcel map as set forth in Exhibit A and finds as follows:

- 1. *There are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary.***

The applicant wishes to move the roadway easement farther away from the creek so that any future creek erosion will not damage the new roadway.

- 2. *The modifications do not impose any additional burden on the fee owners of the real property.***

No additional burdens will occur for the owner of the three properties.

- 3. *The modifications do not alter any right, title, or interest in the real property reflected on the recorded map.***

The owner of all three properties is requesting the modification to the map and the amendment does not alter any right, title or interest in the real property.

- 4. *The Town of Portola Valley finds that the map as modified conforms to Section 66474 of the Subdivision Map Act as follows:***

- a. *That the proposed map is consistent with the Town of Portola Valley General Plan.***

The proposal is to modify a private ingress/egress easement, a Public Emergency Vehicle Access Easement and Public Utility Easement. There will be no change to the lot lines within the subdivision, and the proposal is consistent with the Town's General Plan.

b. That the site is physically suitable for the type of development.

The original parcel map was determined to be physically suitable for the development and no substantial changes have been made with this amendment.

c. That the site is physically suitable for the proposed density of development.

The site is physically suitable for the density of development as determined with the original parcel map. The modification to the easements will not change the density of development.

d. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

By moving the roadway farther away from the existing creek there will be less impact to the environment and there will be no trees or existing vegetation harmed. No damage or injury will be caused.

e. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

The modification to the easement and improvements will not cause serious health problems as services are available to serve the subdivision and the project would not create any hazardous situations.

f. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Moving the easement will not create any conflicts with easements, acquired by the public at large, for access through or use of property.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the Town of Portola Valley on May 2, 2018.

Ayes:

Noes:

Absent:

Abstain:

By: _____
Nicholas Targ, Chairperson

ATTEST: _____
Arly Cassidy, Interim Planning Director

RESOLUTION NO. 2018-

RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PORTOLA VALLEY RECOMMENDING APPROVAL OF THE EXECUTION OF AN AMENDED AND RESTATED SUBDIVISION IMPROVEMENT AGREEMENT BETWEEN THE TOWN OF PORTOLA VALLEY AND BANDEL & PAULA CARANO

WHEREAS, the Town of Portola Valley Planning Commission recommends approval of the Amended Parcel Map for the property commonly known as 20, 30 and 40 Meadow Court (formerly known as 1260 Westridge Drive) on May 2, 2018; and

WHEREAS, the original conditions of approval for the Tentative Parcel Map included a requirement that the property owners, Bandel and Paula Carano, enter into a subdivision improvement agreement guaranteeing certain improvements; and

WHEREAS, the amended map necessitates the execution of an Amended and Restated Subdivision Improvement Agreement between the Town of Portola Valley and Bandel and Paula Carano; and

NOW, THEREFORE, BE IT RESOLVED BY the Planning Commission of the Town of Portola Valley as follows:

1. Public interest and convenience require the Town of Portola Valley to enter into the Amended and Restated Agreement described above.
2. The Town of Portola Valley Planning Commission recommends approval of the amended Agreement between the Town of Portola Valley and Bandel & Paula Carano.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the Town of Portola Valley on May 2, 2018.

Ayes:

Noes:

Absent:

Abstain:

By: _____
Nicholas Targ, Chairperson

ATTEST: _____
Arly Cassidy, Interim Planning Director

**AMENDED AND RESTATED TOWN OF PORTOLA VALLEY
SUBDIVISION IMPROVEMENT AGREEMENT**
(Lands of Carano 1260 Westridge Drive)

This Amended and Restated Subdivision Improvement Agreement ("Agreement"), executed this ___ day of _____, 2018, by and between the Town of Portola Valley, a municipal corporation of the State of California ("Town"), and Bandel L. Carano and Paula Michelle Carano, Trustees of the Bandel & Paula Carano Trust ("Subdivider"). This Agreement amends, restates and supersedes the Town of Portola Valley Subdivision Improvement Agreement recorded on September 20, 2016, as Series # 2016-096043.

RECITALS

A. On August 5, 2011, the Town Planning Commission approved the Tentative Subdivision Map X6D-210 and the Planned Unit Development X7D-171 for the property commonly known as 1260 Westridge Drive ("Property") subject to conditions, including, but not limited to, entering into a subdivision improvement agreement for identified on and off-site improvements.

B. Subdivider is the owner of the Property and desires to enter into this Agreement to satisfy the conditions of approval requiring a subdivision improvement agreement for on and off-site improvements.

C. Subdivider desires to subdivide certain land in the Town in accordance with a map filed with the Town Council of Portola Valley, marked and designated Final Parcel Map, Subdivision of the Lands of Carano.

D. Subdivider applied for and on _____, 2018 received approval from the Town Council of the Town of Portola Valley for the Amended Parcel Map for the Property to realign the common driveway as it passes through Parcel B of the three lot subdivision.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions herein contained, and for other valuable consideration, the receipt of which is hereby acknowledged, the parties do hereby agree as follows:

1. Subdivider agrees that they will construct at their sole cost and expense, all those certain on and off-site improvements (collectively "Improvements") shown on the improvement plans titled "Subdivision Improvement Plan 1260 Westridge Drive, Portola Valley, California" consisting of sixteen (24) sheets dated September 15, 2017 (hereinafter referred to as "Improvement Plans") approved by the Town Public Works Director. The Improvement Plans are hereby made a part of this Agreement as if set forth at length, required by the Portola Valley Municipal Code and required by the conditions of approval for the Tentative Subdivision Map and Planned Unit Development Statement.

2. No improvement work shall be undertaken by the Subdivider until all plans and specifications have been submitted to and approved in writing by the Town Public Works Director, nor shall any change be made in said plans and specifications or in the

work of improvement to be done under them without the prior written approval of the Town.

3. Subdivider agrees that the Improvements will be constructed under and subject to the inspection of and to the satisfaction of the Town Public Works Director.

4. Subdivider agrees that they will construct the Improvements identified in the Improvement Plans in accordance with the requirements set forth therein, all applicable ordinances, resolutions and orders of the Town enacted or adopted by the Town Council as amended or revised as of the date of this Agreement, and governing statutes of the State of California or of the United States of America.

5. All structures made non-conforming by the lot lines created by the subdivision shall be completely removed, to the satisfaction of the Town Public Works Director.

6. Subdivider filed and submitted security, in a form approved by Town, to the Town as obligee in the penal sum of Eight Hundred Fifty-Five Thousand Ninety Dollars (\$855,090) conditioned upon the full and faithful performance of each of the terms, covenants and conditions of this Agreement and conditioned upon the full and faithful performance of any and all improvement work required hereunder.

7. Subdivider filed and submitted a bond, in a form approved by Town, or cash deposit to be held in a non-interest bearing account in the amount of Forty-Two Thousand Seven Hundred Fifty-Five Dollars (\$42,755) to cover the costs of any errors made by the Subdivider or their contractors that causes environmental damage during the construction of the Improvements.

8. All Improvements shall be completed and ready for final inspection by the Town Public Works Director within twelve (12) months of the date of execution of this Agreement. If Subdivider fails to complete the work required by this Agreement within that time, Town may, at its option, and after giving ten (10) days' written notice thereof to Subdivider, complete the same and recover the full cost and expense thereof from Subdivider by way of the security bond.

9. In the event that Subdivider fails to perform any obligation on their part to be performed hereunder, Subdivider agrees to pay all costs and expenses incurred by the Town in securing performance of such obligation, and if suit is brought by the Town to enforce this Agreement, Subdivider agrees to pay the costs of the suit and reasonable attorneys' fees to be fixed by the Court.

10. Subdivider filed and submitted security, in a form approved by Town, to the Town as obligee in the penal sum of Eight Hundred Fifty-Five Thousand Ninety Dollars (\$855,090), inuring to the benefit of any contractor, his subcontractors and to persons renting equipment or furnishing labor or materials to them for the cost of labor and materials furnished in connection with any and all improvement work required hereunder.

11. Subdivider agrees to pay all costs for labor or materials in connection with the work of improvement hereunder.

12. The performance security required hereunder shall be reduced to a maintenance/warranty security of ten percent (10%) of the security's original value for a period of not less than one (1) year after the date of final completion of the Improvements. Any defects in the Improvements shall be corrected by the Subdivider at their expense. This maintenance/warranty security shall be released after the warranty inspection of the Improvements, by the Town Public Works Director.

13. Prior to execution of this Agreement, and at Subdivider's expense, Subdivider shall provide the Town with a general liability insurance policy with endorsements showing the Town as an additional insured which insures the Town, its officers, employees, agents and volunteers against liability for injuries to persons or property (with minimum coverage of \$500,000.00 for each person and \$1,000,000.00 for each occurrence and \$250,000.00 for property damage in each occurrence) in connection with work performed by, for or on behalf of Subdivider. Said policy shall: (a) be issued by an insurance company authorized to transact business in the State of California; (b) be written on the Standard California Comprehensive General Liability Policy Form which includes, but is not limited to, property damage and bodily injury; (c) be written on an occurrence basis; (d) require thirty (30) days' prior written notice to the Town of cancellation or coverage reduction; (e) provide that it is full primary coverage; (f) provide that the Town, its officers and employees shall not be precluded from claim against other insured parties thereunder; (g) be maintained in effect until final acceptance of Subdivider's Improvements. If Subdivider does not comply with the provisions of this paragraph, the Town may (at its election and in addition to other legal remedies) take out the necessary insurance, and Subdivider shall immediately repay the Town the premium therefor.

14. Subdivider agrees that any general contractor engaged by the Subdivider for any work of improvement under this Agreement will have:

14.1 In full force and effect, a Worker's Compensation Insurance as shown by a Certificate of Worker's Compensation Insurance issued by an admitted insurer. Said Certificate shall state that there is in existence a valid policy of Worker's Compensation Insurance in a form approved by the California Insurance Commissioner. The certificate shall show the expiration date of the policy, that the full deposit premium on the policy has been paid and that the insurer will give the Town at least thirty (30) days' prior written notice of the cancellation or coverage reduction of the policy; or

14.2 In full force and effect, a Certificate of Consent to Self-Insure issued by the Director of Industrial Relations and certified by him to be current, together with a Declaration under penalty of perjury in a form satisfactory to the Town Attorney that said Certificate is in full force and effect and that the Subdivider or its general contractor shall immediately notify the Town in writing in the event of its cancellation or coverage reduction at any time prior to the completion of all work of improvement.

15. Subdivider agrees to indemnify and save harmless the Town, the Town Council, the Town Public Works Director and any other officer, employee or agent of the Town from any and all costs, expenses, claims, liabilities or damages, known or unknown, to persons or property heretofore or hereafter arising out of or in any way connected with

the performance of work or other obligation to be performed in furtherance of this Agreement, including, but not limited to, all costs and attorneys' fees incurred in defending any claim arising as a result thereof.

16. Subdivider agrees as a condition of the subdivision approval and use of entitlement to defend at its sole cost and expense any action brought against the Town because of issuance of this entitlement or, in the alternative, to relinquish such entitlement. Subdivider will reimburse the Town for any court costs and attorneys' fees which the Town may be required by a Court to pay as a result of such action, but such participation shall not relieve Subdivider of their obligation under this condition.

17. Subdivider agrees to pay all costs and expenses incurred by the Town, pursuant to the statement of understanding, in connection with the subdivision. Subdivider shall provide adequate deposits for this purpose with additional deposits as required by the Town.

18. Subdivider remitted the following sums to the Town for fees identified below:

Map Fee	\$1,390
Storm Drain Fee	\$7,436.88
Parks & Recreation Fee	\$26,469.00
Housing In Lieu Fee	\$573,524.00
 TOTAL	 \$608,819.88

19. Any permits necessary for the completion of any of the improvements required of Subdivider shall be acquired by Subdivider at its sole cost and expense.

20. This Agreement shall be deemed to include any final conditions imposed by Town upon the approval of the tentative and final maps related to public improvements of the subdivision.

21. Subdivider agrees that, upon ten (10) days' written notice from Town, it will immediately remedy, restore, repair or replace, at its sole cost and expense and to the satisfaction of Town Public Works Director, all defects, damages or imperfections due to or arising from faulty materials or workmanship appearing within a period of not less than one (1) year after the date of initial acceptance of all said improvements. If Subdivider fails to remedy, restore, repair, or replace said defects, damages or imperfections as herein required, the Town may, at its option, do so and recover the full cost and expense thereof from Subdivider. This covenant shall be explicitly included within the obligation of the security bond referenced above.

22. This Agreement shall bind the heirs, administrators, executors, successors, assigns and transferees of Subdivider. It is agreed and understood that the covenants in this Agreement shall run with the land and are for the benefit of the other lands in the Town of Portola Valley, and are made by Subdivider expressly, their heirs, administrators, executors, successors, assigns and transferees and to the Town, its successors and assigns.

24. All notices which are required to be given, or which may be given, by either party to this agreement, shall be in writing and may be served by personal delivery or by mail. Notices shall be deemed to have been served when deposited in the United States mail, postage prepaid, registered or certified, addressed as follows, or to such other address as from time to time may be designated by either party by giving notice to the other party, as follows:

Town:

Town of Portola Valley
Attn: Town Manager
765 Portola Road
Portola Valley, CA 94028

Subdivider:

Bandel Carano
c/o John Hanna
Hanna & Van Atta
525 University Ave., Suite 600
Palo Alto, CA 94301

Failure to receive or to acknowledge receipt for notice served by mail shall not invalidate the notice.

25. Nothing contained in this Agreement shall be construed to be a waiver, release or extension of any provision heretofore required by ordinance, resolution or order of the Town Council of the Town.

26. Time is of the essence for this Agreement. All covenants herein contained shall be deemed to be conditions. The singular shall include the plural; the masculine gender shall include the feminine and neuter genders.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

SUBDIVIDER:

Bandel L. Carano, Trustee

Paula Michelle Carano, Trustee

ATTEST:

TOWN OF PORTOLA VALLEY:

By: _____
Town Clerk

By: _____
Mayor

APPROVED AS TO FORM:

Town Attorney

**AMENDED AND RESTATED TOWN OF PORTOLA VALLEY
SUBDIVISION IMPROVEMENT AGREEMENT**
(Lands of Carano 1260 Westridge Drive)

This Amended and Restated Subdivision Improvement Agreement ("Agreement"), executed this ___ day of _____, ~~2016~~2018, by and between the Town of Portola Valley, a municipal corporation of the State of California ("Town"), and Bandel L. Carano and Paula Michelle Carano, Trustees of the Bandel & Paula Carano Trust ("Subdivider"). This Agreement amends, restates and supersedes the Town of Portola Valley Subdivision Improvement Agreement recorded on September 20, 2016, as Series # 2016-096043.

RECITALS

A. On August 5, 2011, the Town Planning Commission approved the Tentative Subdivision Map X6D-210 and the Planned Unit Development X7D-171 for the property commonly known as 1260 Westridge Drive ("Property") subject to conditions, including, but not limited to, entering into a subdivision improvement agreement for identified on and off-site improvements.

B. Subdivider is the owner of the Property and desires to enter into this Agreement to satisfy the conditions of approval requiring a subdivision improvement agreement for on and off-site improvements.

C. Subdivider desires to subdivide certain land in the Town in accordance with a map filed with the Town Council of Portola Valley, marked and designated Final Parcel Map, Subdivision of the Lands of Carano.

D. Subdivider applied for and on _____, 2018 received approval from the Town Council of the Town of Portola Valley for the Amended Parcel Map for the Property to realign the common driveway as it passes through Parcel B of the three lot subdivision.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions herein contained, and for other valuable consideration, the receipt of which is hereby acknowledged, the parties do hereby agree as follows:

1. Subdivider agrees that they will construct at their sole cost and expense, all those certain on and off-site improvements (collectively "Improvements") shown on the improvement plans titled "Subdivision Improvement Plan 1260 Westridge Drive, Portola Valley, California" consisting of sixteen (~~2416~~) sheets dated September 15, 2017 (hereinafter referred to as "Improvement Plans") approved by the Town Public Works Director. The Improvement Plans are hereby made a part of this Agreement as if set forth at length, required by the Portola Valley Municipal Code and required by the conditions of approval for the Tentative Subdivision Map and Planned Unit Development Statement.

2. No improvement work shall be undertaken by the Subdivider until all plans and specifications have been submitted to and approved in writing by the Town Public Works Director, nor shall any change be made in said plans and specifications or in the

work of improvement to be done under them without the prior written approval of the Town.

3. Subdivider agrees that the Improvements will be constructed under and subject to the inspection of and to the satisfaction of the Town Public Works Director.

4. Subdivider agrees that they will construct the Improvements identified in the Improvement Plans in accordance with the requirements set forth therein, all applicable ordinances, resolutions and orders of the Town enacted or adopted by the Town Council as amended or revised as of the date of this Agreement, and governing statutes of the State of California or of the United States of America.

5. All structures made non-conforming by the lot lines created by the subdivision shall be completely removed, to the satisfaction of the Town Public Works Director.

6. ~~Prior to the execution of this Agreement,~~ Subdivider shall file and submit filed and submitted security, in a form approved by Town, to the Town as obligee in the penal sum of Eight Hundred Fifty-Five Thousand Ninety Dollars (\$855,090) conditioned upon the full and faithful performance of each of the terms, covenants and conditions of this Agreement and conditioned upon the full and faithful performance of any and all improvement work required hereunder.

7. ~~Prior to the execution of this Agreement,~~ Subdivider shall file and submit filed and submitted a bond, in a form approved by Town, or cash deposit to be held in a non-interest bearing account in the amount of Forty-Two Thousand Seven Hundred Fifty-Five Dollars (\$42,755) to cover the costs of any errors made by the Subdivider or their contractors that causes environmental damage during the construction of the Improvements.

8. All Improvements shall be completed and ready for final inspection by the Town Public Works Director within twelve (12) months of the date of execution of this Agreement. If Subdivider fails to complete the work required by this Agreement within that time, Town may, at its option, and after giving ten (10) days' written notice thereof to Subdivider, complete the same and recover the full cost and expense thereof from Subdivider by way of the security bond.

9. In the event that Subdivider fails to perform any obligation on their part to be performed hereunder, Subdivider agrees to pay all costs and expenses incurred by the Town in securing performance of such obligation, and if suit is brought by the Town to enforce this Agreement, Subdivider agrees to pay the costs of the suit and reasonable attorneys' fees to be fixed by the Court.

10. ~~Prior to the execution of this Agreement,~~ Subdivider shall file and submit filed and submitted security, in a form approved by Town, to the Town as obligee in the penal sum of Eight Hundred Fifty-Five Thousand Ninety Dollars (\$855,090), inuring to the benefit of any contractor, his subcontractors and to persons renting equipment or furnishing labor or materials to them for the cost of labor and materials furnished in connection with any and all improvement work required hereunder.

11. Subdivider agrees to pay all costs for labor or materials in connection with the work of improvement hereunder.

12. The performance security required hereunder shall be reduced to a maintenance/warranty security of ten percent (10%) of the security's original value for a period of not less than one (1) year after the date of final completion of the Improvements. Any defects in the Improvements shall be corrected by the Subdivider at their expense. This maintenance/warranty security shall be released after the warranty inspection of the Improvements, by the Town Public Works Director.

13. Prior to execution of this Agreement, and at Subdivider's expense, Subdivider shall provide the Town with a general liability insurance policy with endorsements showing the Town as an additional insured which insures the Town, its officers, employees, agents and volunteers against liability for injuries to persons or property (with minimum coverage of \$500,000.00 for each person and \$1,000,000.00 for each occurrence and \$250,000.00 for property damage in each occurrence) in connection with work performed by, for or on behalf of Subdivider. Said policy shall: (a) be issued by an insurance company authorized to transact business in the State of California; (b) be written on the Standard California Comprehensive General Liability Policy Form which includes, but is not limited to, property damage and bodily injury; (c) be written on an occurrence basis; (d) require thirty (30) days' prior written notice to the Town of cancellation or coverage reduction; (e) provide that it is full primary coverage; (f) provide that the Town, its officers and employees shall not be precluded from claim against other insured parties thereunder; (g) be maintained in effect until final acceptance of Subdivider's Improvements. If Subdivider does not comply with the provisions of this paragraph, the Town may (at its election and in addition to other legal remedies) take out the necessary insurance, and Subdivider shall immediately repay the Town the premium therefor.

14. Subdivider agrees that any general contractor engaged by the Subdivider for any work of improvement under this Agreement will have:

14.1 In full force and effect, a Worker's Compensation Insurance as shown by a Certificate of Worker's Compensation Insurance issued by an admitted insurer. Said Certificate shall state that there is in existence a valid policy of Worker's Compensation Insurance in a form approved by the California Insurance Commissioner. The certificate shall show the expiration date of the policy, that the full deposit premium on the policy has been paid and that the insurer will give the Town at least thirty (30) days' prior written notice of the cancellation or coverage reduction of the policy; or

14.2 In full force and effect, a Certificate of Consent to Self-Insure issued by the Director of Industrial Relations and certified by him to be current, together with a Declaration under penalty of perjury in a form satisfactory to the Town Attorney that said Certificate is in full force and effect and that the Subdivider or its general contractor shall immediately notify the Town in writing in the event of its cancellation or coverage reduction at any time prior to the completion of all work of improvement.

15. Subdivider agrees to indemnify and save harmless the Town, the Town Council, the Town Public Works Director and any other officer, employee or agent of the Town from any and all costs, expenses, claims, liabilities or damages, known or unknown, to persons or property heretofore or hereafter arising out of or in any way connected with the performance of work or other obligation to be performed in furtherance of this Agreement, including, but not limited to, all costs and attorneys' fees incurred in defending any claim arising as a result thereof.

16. Subdivider agrees as a condition of the subdivision approval and use of entitlement to defend at its sole cost and expense any action brought against the Town because of issuance of this entitlement or, in the alternative, to relinquish such entitlement. Subdivider will reimburse the Town for any court costs and attorneys' fees which the Town may be required by a Court to pay as a result of such action, but such participation shall not relieve Subdivider of their obligation under this condition.

17. Subdivider agrees to pay all costs and expenses incurred by the Town, pursuant to the statement of understanding, in connection with the subdivision. Subdivider shall provide adequate deposits for this purpose with additional deposits as required by the Town.

18. ~~Upon the execution of this Agreement,~~ Subdivider ~~agrees to remit remitted~~ the following sums to the Town for fees identified below:

Map Fee	\$1,390
Storm Drain Fee	\$7,436.88
Parks & Recreation Fee	\$26,469.00
Housing In Lieu Fee	\$573,524.00
 TOTAL	 \$608,819.88

19. Any permits necessary for the completion of any of the improvements required of Subdivider shall be acquired by Subdivider at its sole cost and expense.

20. This Agreement shall be deemed to include any final conditions imposed by Town upon the approval of the tentative and final maps related to public improvements of the subdivision.

21. Subdivider agrees that, upon ten (10) days' written notice from Town, it will immediately remedy, restore, repair or replace, at its sole cost and expense and to the satisfaction of Town Public Works Director, all defects, damages or imperfections due to or arising from faulty materials or workmanship appearing within a period of not less than one (1) year after the date of initial acceptance of all said improvements. If Subdivider fails to remedy, restore, repair, or replace said defects, damages or imperfections as herein required, the Town may, at its option, do so and recover the full cost and expense thereof from Subdivider. This covenant shall be explicitly included within the obligation of the security bond referenced above.

22. This Agreement shall bind the heirs, administrators, executors, successors, assigns and transferees of Subdivider. It is agreed and understood that the covenants in

this Agreement shall run with the land and are for the benefit of the other lands in the Town of Portola Valley, and are made by Subdivider expressly, their heirs, administrators, executors, successors, assigns and transferees and to the Town, its successors and assigns.

24. All notices which are required to be given, or which may be given, by either party to this agreement, shall be in writing and may be served by personal delivery or by mail. Notices shall be deemed to have been served when deposited in the United States mail, postage prepaid, registered or certified, addressed as follows, or to such other address as from time to time may be designated by either party by giving notice to the other party, as follows:

Town:

Town of Portola Valley
Attn: Town Manager
765 Portola Road
Portola Valley, CA 94028

Subdivider:

Bandel Carano
c/o John Hanna
Hanna & Van Atta
525 University Ave., Suite 600
Palo Alto, CA 94301

Failure to receive or to acknowledge receipt for notice served by mail shall not invalidate the notice.

25. Nothing contained in this Agreement shall be construed to be a waiver, release or extension of any provision heretofore required by ordinance, resolution or order of the Town Council of the Town.

26. Time is of the essence for this Agreement. All covenants herein contained shall be deemed to be conditions. The singular shall include the plural; the masculine gender shall include the feminine and neuter genders.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

SUBDIVIDER:

Bandel L. Carano, Trustee

Paula Michelle Carano, Trustee

ATTEST:

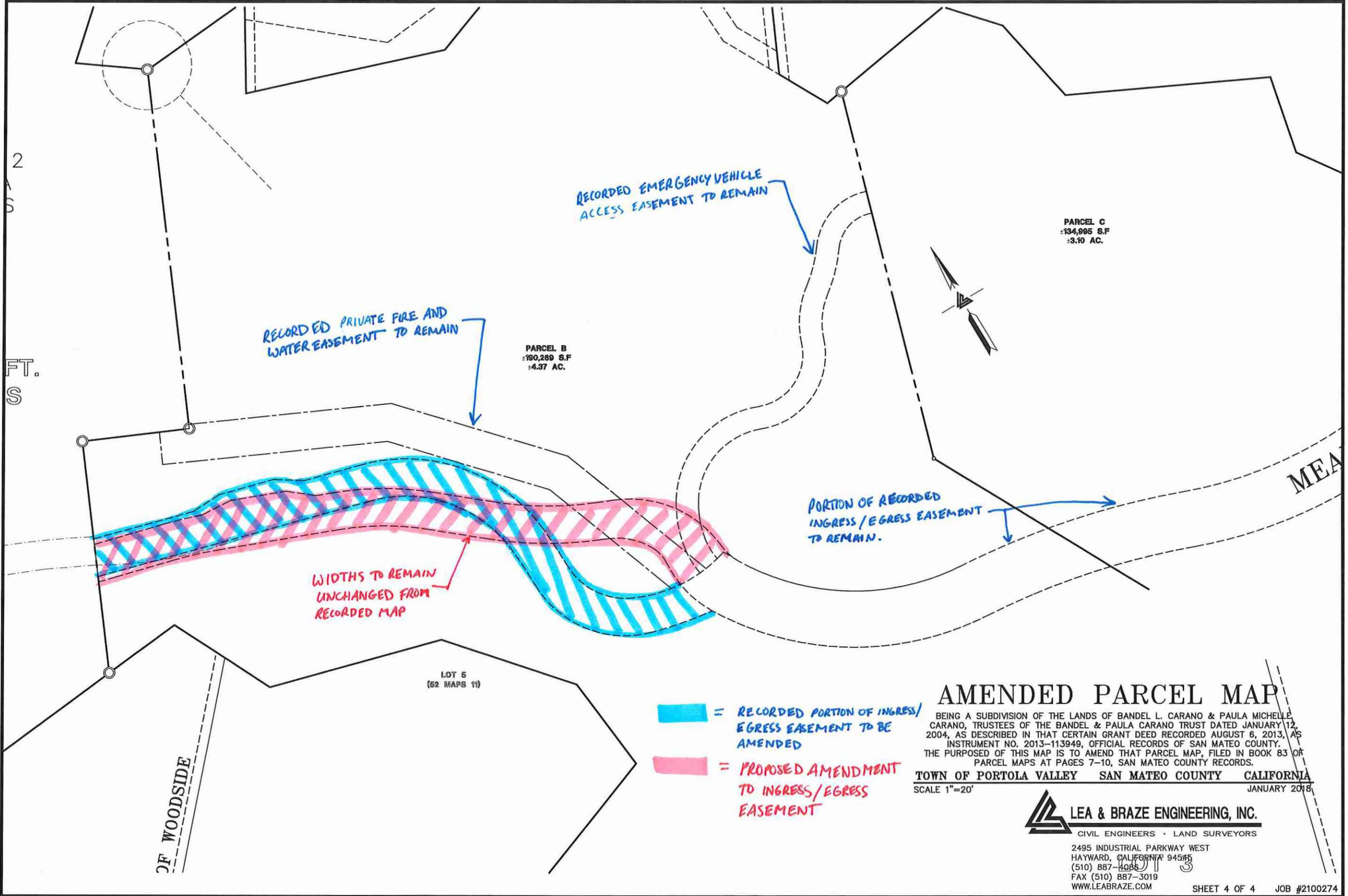
TOWN OF PORTOLA VALLEY:

By: _____
Town Clerk

By: _____
Mayor

|
APPROVED AS TO FORM:

Town Attorney



- = RECORDED PORTION OF INGRESS/EGRESS EASEMENT TO BE AMENDED
- = PROPOSED AMENDMENT TO INGRESS/EGRESS EASEMENT

AMENDED PARCEL MAP

BEING A SUBDIVISION OF THE LANDS OF BANDEL L. CARANO & PAULA MICHELLE CARANO, TRUSTEES OF THE BANDEL & PAULA CARANO TRUST DATED JANUARY 12, 2004, AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED AUGUST 6, 2013, AS INSTRUMENT NO. 2013-113949, OFFICIAL RECORDS OF SAN MATEO COUNTY. THE PURPOSE OF THIS MAP IS TO AMEND THAT PARCEL MAP, FILED IN BOOK 83 OF PARCEL MAPS AT PAGES 7-10, SAN MATEO COUNTY RECORDS.

TOWN OF PORTOLA VALLEY SAN MATEO COUNTY CALIFORNIA
 SCALE 1"=20' JANUARY 2018

LEA & BRAZE ENGINEERING, INC.
 CIVIL ENGINEERS • LAND SURVEYORS
 2495 INDUSTRIAL PARKWAY WEST
 HAYWARD, CALIFORNIA 94545
 (510) 887-4086
 FAX (510) 887-3019
 WWW.LEABRAZE.COM



2/14/18

Villa Del Prato
30 Meadow Ct. AKA 1260 Westridge Dr.
Lot B
Portola Valley, CA 94028

RE: **Driveway Realignment Sign Off**

To Whom It May Concern:

Assignment

It was my assignment to review the driveway realignment and insure that no heritage trees would be negatively impacted.

Summary Statement

I have seen the plans and walked the site. The Contractors and Designers have included us in the planning and we were able to ensure that no trees would be negatively impacted by the driveway realignment. I approve of this plan.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael P. Young", written over a horizontal line.

Michael P. Young



ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided to this arborist is assumed to be correct. No responsibility is assumed for matters legal in character nor is any opinion rendered as to the quality of any title.
2. This arborist can neither guarantee nor be responsible for accuracy of information provided by others.
3. This arborist shall not be required to give testimony or to attend court by reason of the information provided by this arborist unless subsequent written arrangements are made, including payment of an additional fee for services.
4. Loss or removal of any part of this report invalidates the entire report.
5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person(s) to whom it is addressed without written consent of this arborist.
6. This report and the values expressed herein represent the opinion of this arborist, and this arborist's fee is in no way contingent upon the reporting of a specified value nor upon any finding to be reported.
7. Sketches, diagrams, graphs, photos, etc., in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys.
8. This report has been made in conformity with acceptable appraisal/evaluation/diagnostic reporting techniques and procedures, as recommended by the International Society of Arboriculture.
9. When applying any pesticide, fungicide, or herbicide, always follow label instructions.
10. No tree described in this report was climbed, unless otherwise stated. This arborist cannot take responsibility for any defects which could only have been discovered by climbing. A full root collar inspection, consisting of excavating the soil around the tree to uncover the root collar and major buttress roots, was not performed, unless otherwise stated. This arborist cannot take responsibility for any root defects which could only have been discovered by such an inspection.

ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.



February 3, 2018
SJB00717/19/25

Cynthia Richardson, Consulting Planner
Town of Portola Valley
765 Portola Road, Portola Valley, CA 94028

RE: Lands of Carano - Third Review

Dear Cynthia,

We have completed our final review of the submittal package for the Lands of Carano Amended Parcel Map and Easement Legal descriptions and Plats, and submit the following questions and comments.

Parcel Map Comments:

1. The Amended Parcel Map is approved / technically correct. All comments have been addressed.

Should you have any questions, please feel free to call (707) 592-0465 or email sjz.cad@gmail.com

Submitted by: NV5

A handwritten signature in blue ink, appearing to read 'S. Zimmerman', is written over a light blue circular stamp or watermark.

Sherrie Zimmerman, PLS 8964

Recording Requested By:

When Recorded Return To:

Hanna & Van Atta
525 University Avenue, Suite 600
Palo Alto, California 94301

APN: 077-050-200

AMENDED AND RESTATED DECLARATION OF INTENT TO CREATE COVENANTS
AND PRIVATE EASEMENTS FOR DRIVEWAY AND
FOR FIRE AND WATER AND FOR MAINTENANCE

IF THIS DOCUMENT CONTAINS ANY RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, GENETIC INFORMATION, NATIONAL ORIGIN, SOURCE OF INCOME AS DEFINED IN SUBDIVISION (P) OF SECTION 12955 OF THE GOVERNMENT CODE, OR ANCESTRY, THAT RESTRICTION VIOLATES STATE AND FEDERAL FAIR HOUSING LAWS AND IS VOID, AND MAY BE REMOVED PURSUANT TO SECTION 12956.2 OF THE GOVERNMENT CODE. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.

AMENDED AND RESTATED DECLARATION OF INTENT TO CREATE COVENANTS
AND PRIVATE EASEMENTS FOR DRIVEWAY AND
FOR FIRE AND WATER AND FOR MAINTENANCE

THIS AMENDED AND RESTATED DECLARATION is intended to comply with California Civil Code §§845 and 1468, and relates to the creation and maintenance of the private driveways and a fire and water easement located in the Town of Portola Valley ("Town") within portions of Parcels A, B and C ("Parcels"), as said Parcels are shown on that certain Parcel Map entitled "Parcel Map, being a subdivision of the lands of Bandel L. Carano & Paula Michelle Carano, Trustees of the Bandel & Paula Carano Trust dated January 12, 2004", which map was filed in the Office of the Recorder of the County of San Mateo, State of California, in Book 83 of Parcel Maps at pages 7 through 10, as amended by Amended Parcel Map filed in the Office of the Recorder of the County of San Mateo, State of California, in Book ___ of Parcel Maps, at pages ___ through ___ ("Parcel Map"). The areas containing said private driveways and fire and water easement are more particularly described on the Parcel Map.

1. Bandel L. Carano and Paula Michelle Carano, Trustees of the Bandel and Paula Carano Trust ("Owners") are the owners of the Parcels. Owners intend by this document to bind themselves and any heirs, successors or assigns of the Parcels to the covenants contained herein.

Law Offices of
Hanna & Van Atta
525 UNIVERSITY AVENUE, SUITE 600
PALO ALTO, CA 94301
TELEPHONE (650) 321-5700

04/09/18

-1-

2. Reciprocal easements for driveways and fire and water purposes are hereby reserved and covenanted over portions of the Parcels as shown on the Parcel Map. The easement areas include: A private ingress/egress easement for a common driveway (“PIEE” or “Common Driveway”); and a private fire and water easement (“PFWE”). The easements are for ingress, egress and installation, maintenance, repair and replacement of fire waterlines. The easements are described as follows:

<u>Easement Area</u>	<u>Dominant Tenement</u>	<u>Servient Tenement</u>
PIEE	Parcels A and B	Parcels B and C
PFWE	Parcels A, B and C	Parcels B and C

Said easements are nonexclusive, permanent, appurtenant to the respective dominant tenements, and constitute covenants running with the land.

3. The owner of Parcel B and its heirs, successors or assigns shall cause to be repaired the Common Driveway when the owner of Parcel B believes that such repair is necessary; or, when the Common Driveway has deteriorated to such an extent that it no longer meets the minimum design requirements of the subdivision improvement plans, or maintenance of the Common Driveway is required to ensure access by emergency vehicles to the Parcels served by the Common Driveway. Each of the owners of Parcels A, B and C shall share equally in the cost of maintenance and repair of the Common Driveway (subject to the provisions of Paragraph 6 hereafter), and the common storm and drainage facilities.

4. Repairs shall also include the removal of overhead or side brush that restricts the use of the Common Driveway and maintenance of the existing storm drainage facilities and utilities. Any such repairs shall be performed in such a manner as to preserve the character of the Common Driveway. The road surface subject to maintenance under this Amended and Restated Declaration shall be the commonly travelled surface only, and shall not include the road surfaces extending from the Common Driveway to individual driveways serving the respective Parcels.

5. If any Parcel owner causes the Common Driveway or any portion thereof to be excavated, filled or significantly disturbed or damaged on account of activities peculiar to that Parcel owner, then the Parcel owner so involved shall be obligated, on his/her own account and at his/her own expense to repair the Common Driveway to original or better condition as soon as possible.

6. The Common Driveway shall remain unobstructed at all times to permit access by emergency and service vehicles (except when repairs are being made). The Common Driveway is subject to an easement for emergency vehicles.

7. Each of the owners of Parcels A, B and C shall be equally responsible for and shall maintain repair and replace the entry gates, pillars and lighting.

8. The owner of each Parcel is responsible for and shall maintain the owner’s Parcel and all improvements, trees, fencing and landscaping thereon in first class condition at all times.

9. Each Parcel shall be separately metered for all utilities. Each Parcel shall be entitled to passage over any other Parcel to access the meter serving such Parcel if it is located on another Parcel.

10. Each Parcel owner shall maintain the fire waterlines, storm and sanitary sewer lines, utilities or other facilities located within and serving the owner’s Parcel that are not maintained by a public utility, district, or the Town.

11. The foregoing covenants contained in this Amended and Restated Declaration shall bind and inure to the benefit of all parties having any right, title or interest in Parcels A, B and C, their heirs, representatives, successors and assigns, and shall run with and be a burden upon each Parcel described herein, and shall be enforceable by any party entitled to the benefit of this covenant, whether or not such covenants are specifically referred to in any instrument of conveyance.

IN WITNESS WHEREOF, the undersigned owners have executed this Amended and Restated Declaration this ____ day of April 2018.

**Bandel L. Carano & Paula Michelle Carano,
Trustees of the Bandel & Paula Carano Trust**

By: _____
Bandel L. Carano, Trustee

By: _____
Paula Michelle Carano, Trustee

A notary public or other officer completing the certificate verifies only the identity of the individual who signed the document to which the certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

On _____, 201__ before me, Tonya D. Dumont, a Notary Public, personally appeared Bandel L. Carano who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

(SEAL)

A notary public or other officer completing the certificate verifies only the identity of the individual who signed the document to which the certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF SAN MATEO

On _____, 201__ before me, Tonya D. Dumont, a Notary Public, personally appeared Paula Michelle Carano who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

(SEAL)

Recording Requested By:

When Recorded Return To:

Hanna & Van Atta
525 University Avenue, Suite 600
Palo Alto, California 94301

APN: 077-050-200

**AMENDED AND RESTATED DECLARATION OF INTENT TO CREATE COVENANTS
AND PRIVATE EASEMENTS FOR DRIVEWAY AND
FOR FIRE AND WATER AND FOR MAINTENANCE**

IF THIS DOCUMENT CONTAINS ANY RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, GENETIC INFORMATION, NATIONAL ORIGIN, SOURCE OF INCOME AS DEFINED IN SUBDIVISION (P) OF SECTION 12955 OF THE GOVERNMENT CODE, OR ANCESTRY, THAT RESTRICTION VIOLATES STATE AND FEDERAL FAIR HOUSING LAWS AND IS VOID, AND MAY BE REMOVED PURSUANT TO SECTION 12956.2 OF THE GOVERNMENT CODE. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.

Law Offices of
Hanna & Van Atta
525 UNIVERSITY AVENUE, SUITE 600
PALO ALTO, CA 94301
TELEPHONE (650) 321-5700

07/08/16

**AMENDED AND RESTATED DECLARATION OF INTENT TO CREATE COVENANTS
AND PRIVATE EASEMENTS FOR DRIVEWAY AND
FOR FIRE AND WATER AND FOR MAINTENANCE**

THIS **AMENDED AND RESTATED** DECLARATION is intended to comply with California Civil Code §§845 and 1468, and relates to the creation and maintenance of the private driveways and a fire and water easement located in the Town of Portola Valley ("Town") within portions of Parcels A, B and C ("Parcels"), as said Parcels are shown on that certain Parcel Map entitled "Parcel Map, being a subdivision of the lands of Bandel L. Carano & Paula Michelle Carano, Trustees of the Bandel & Paula Carano Trust dated January 12, 2004", which map was filed in the Office of the Recorder of the County of San Mateo, State of California, in Book 83 of Parcel Maps at pages 7 through 10, ~~as amended by Amended Parcel Map filed in the Office of the Recorder of the County of San Mateo, State of California, in Book of Parcel Maps, at pages through ("Parcel Map").~~ The areas containing said private driveways and fire and water easement are more particularly described on the Parcel Map.

1. Bandel L. Carano and Paula Michelle Carano, Trustees of the Bandel and Paula Carano Trust ("Owners") are the owners of the Parcels. Owners intend by this document to bind themselves and any heirs, successors or assigns of the Parcels to the covenants contained herein.

2. Reciprocal easements for driveways and fire and water purposes are hereby reserved and covenanted over portions of the Parcels as shown on the Parcel Map. The easement areas include: A private ingress/egress easement for a common driveway ("PIEE" or "Common Driveway"); and a private fire and water easement ("PFW"). The easements are for ingress, egress and installation, maintenance, repair and replacement of fire waterlines. The easements are described as follows:

<u>Easement Area</u>	<u>Dominant Tenement</u>	<u>Servient Tenement</u>
PIEE	Parcels A and B	Parcels B and C
PFW	Parcels A, B and C	Parcels B and C

Said easements are nonexclusive, permanent, appurtenant to the respective dominant tenements, and constitute covenants running with the land.

3. The owner of Parcel B and its heirs, successors or assigns shall cause to be repaired the Common Driveway when the owner of Parcel B believes that such repair is necessary; or, when the Common Driveway has deteriorated to such an extent that it no longer meets the minimum design requirements of the subdivision improvement plans, or maintenance of the Common Driveway is required to ensure access by emergency vehicles to the Parcels served by the Common Driveway. Each of the owners of Parcels A, B and C shall share equally in the cost of maintenance and repair of the Common Driveway (subject to the provisions of Paragraph 6 hereafter), ~~and the common storm and drainage facilities.~~

4. Repairs shall also include the removal of overhead or side brush that restricts the use of the Common Driveway and maintenance of the existing storm drainage facilities and utilities. Any such repairs shall be performed in such a manner as to preserve the character of the Common Driveway. The road surface subject to maintenance under this **Amended and Restated** Declaration shall be the commonly travelled surface only, and shall not include the road surfaces extending from the Common Driveway to individual driveways serving the respective Parcels.

5. If any Parcel owner causes the Common Driveway or any portion thereof to be excavated, filled or significantly disturbed or damaged on account of activities peculiar to that Parcel owner, then the Parcel owner so involved shall be obligated, on his/her own account and at his/her own expense to repair the Common Driveway to original or better condition as soon as possible.

6. The Common Driveway shall remain unobstructed at all times to permit access by emergency and service vehicles (except when repairs are being made). The Common Driveway is subject to an easement for emergency vehicles.

7. Each of the owners of Parcels A, B and C shall be equally responsible for and shall maintain repair and replace the entry gates, pillars and lighting.

8. The owner of each Parcel is responsible for and shall maintain the owner's Parcel and all improvements, trees, fencing and landscaping thereon in first class condition at all times.

9. Each Parcel shall be separately metered for all utilities. Each Parcel shall be entitled to passage over any other Parcel to access the meter serving such Parcel if it is located on another Parcel.

10. Each Parcel owner shall maintain the fire waterlines, storm and sanitary sewer lines, utilities or other facilities located within and serving the owner's Parcel that are not maintained by a public utility, district, or the Town.

11. The foregoing covenants contained in this Amended and Restated Declaration shall bind and inure to the benefit of all parties having any right, title or interest in Parcels A, B and C, their heirs, representatives, successors and assigns, and shall run with and be a burden upon each Parcel described herein, and shall be enforceable by any party entitled to the benefit of this covenant, whether or not such covenants are specifically referred to in any instrument of conveyance.

IN WITNESS WHEREOF, the undersigned owners have executed this Amended and Restated Declaration this _____ day of ~~July, 2016~~April 2018.

**Bandel L. Carano & Paula Michelle Carano,
Trustees of the Bandel & Paula Carano Trust**

By: _____
Bandel L. Carano, Trustee

By: _____
Paula Michelle Carano, Trustee

A notary public or other officer completing the certificate verifies only the identity of the individual who signed the document to which the certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

On _____, 201__ before me, Tonya D. Dumont, a Notary Public, personally appeared Bandel L. Carano who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

(SEAL)

A notary public or other officer completing the certificate verifies only the identity of the individual who signed the document to which the certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF SAN MATEO

On _____, 201__ before me, Tonya D. Dumont, a Notary Public, personally appeared Paula Michelle Carano who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

(SEAL)

AMENDMENT NOTES

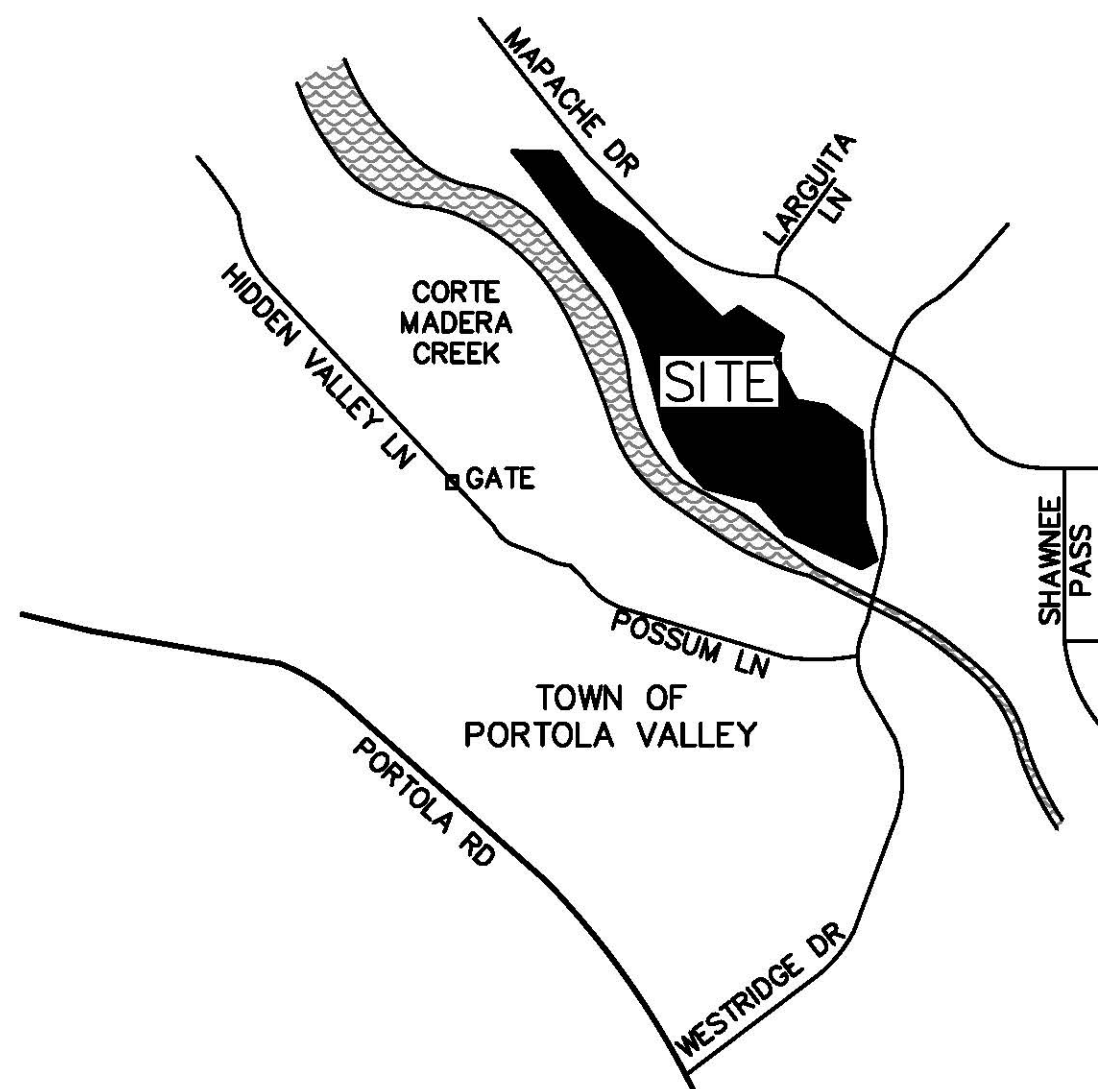
THIS MAP AMENDS SHEETS 3 AND 4 OF THE ORIGINAL PARCEL MAP FILED IN BOOK 83 OF PARCEL MAPS AT PAGES 7-10, SAN MATEO COUNTY RECORDS.

THE AMENDMENTS MADE ARE THE FOLLOWING:

1. CHANGED NAME OF MEADOW COURT TO MEADOW LANE.
2. THE PRIVATE INGRESS/EGRESS EASEMENT IN FAVOR OF PARCELS A & B, PUBLIC E.V.A.E (EMERGENCY VEHICLE ACCESS EASEMENT), PRIVATE FIRE & WATER EASEMENT, AND PUBLIC UTILITY EASEMENT (P.U.E) WAS AMENDED.
3. THE 12' PUBLIC E.V.A.E (EMERGENCY VEHICLE ACCESS EASEMENT) WAS AMENDED.
4. THE SANITARY SEWER EASEMENT (SHOWN FOR VISUAL PURPOSES) WAS AMENDED.

CURRENT OWNER

BANDEL L. CARANO AND PAULA MICHELLE CARANO, AS TRUSTEES OF THE BANDEL & PAULA CARANO TRUST, DATED JANUARY 12, 2004.



VICINITY MAP
NTS

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2018, AT _____ M.
IN BOOK _____ OF PARCEL MAPS AT PAGE _____ AT THE
REQUEST OF GREGORY F. BRAZE

FILE NO. _____ FEE \$ _____

MARK CHURCH, COUNTY RECORDER

BY: _____
DEPUTY

TOWN SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS AMENDED MAP ON BEHALF OF THE CITY OF PORTOLA VALLEY. THE CHANGES MADE COMPLY WITH SECTION 66469 OF THE SUBDIVISION MAP ACT, AND I AM SATISFIED THAT THIS AMENDED MAP IS TECHNICALLY CORRECT.

SHERRIE J. ZIMMERMAN, PLS 8964 _____ DATE _____
TOWN SURVEYOR FOR THE TOWN OF PORTOLA VALLEY
COUNTY OF SAN MATEO, STATE OF CALIFORNIA

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF SHORENSTEIN REALTY SERVICES IN AUGUST 2015. I HEREBY STATE THAT THIS AMENDED PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

GREGORY F. BRAZE _____ DATE _____
EXP. 12/31/18



AMENDED PARCEL MAP

BEING A SUBDIVISION OF THE LANDS OF BANDEL L. CARANO & PAULA MICHELLE CARANO, TRUSTEES OF THE BANDEL & PAULA CARANO TRUST DATED JANUARY 12, 2004, AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED AUGUST 6, 2013, AS INSTRUMENT NO. 2013-113949, OFFICIAL RECORDS OF SAN MATEO COUNTY

TOWN OF PORTOLA VALLEY SAN MATEO COUNTY CALIFORNIA
NOVEMBER 2017



LEA & BRAZE ENGINEERING, INC.

CIVIL ENGINEERS • LAND SURVEYORS

2495 INDUSTRIAL PARKWAY WEST
HAYWARD, CALIFORNIA 94545
(510) 887-4086
FAX (510) 887-3019
WWW.LEABRAZE.COM

LEGEND AND NOTES

- SUBDIVISION BOUNDARY LINE
- INTERIOR BOUNDARY LINE
- PROPERTY LINE
- - - - - EASEMENT
- CENTERLINE
- FOUND MONUMENT AS NOTED
- SET 3/4" IRON PIPE W/PLASTIC PLUG & TACK, LS 7623

BASIS OF BEARINGS

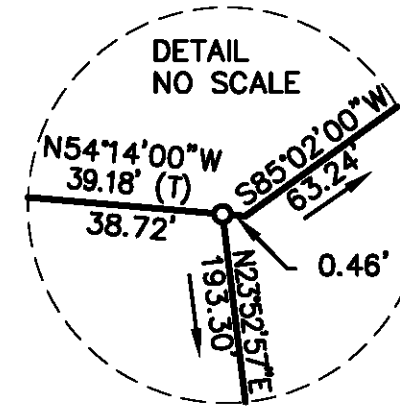
THE BASIS OF BEARING FOR THIS MAP IS THE BEARING SOUTH 74°50'00" EAST BETWEEN FOUND MONUMENTS ALONG THE CENTERLINE OF POSSUM LANE AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 781, CORTE MADERA ACRES", FILED IN BOOK 52 OF MAPS AT PAGE 11

REFERENCES

- ① SUBJECT GRANT DEED, INST. NO. 2013-113949
- ② TRACT NO. 687, 38 MAPS 30-37
- ③ TRACT NO. 759, 48 MAPS 34-36
- ④ TRACT NO. 104, 51 MAPS 12-13, ROTATED CCW 00° 02'40"
- ⑤ TRACT NO. 781, 52 MAPS 11
- ⑥ RECORD OF SURVEY, 8 LLS 65
- ⑦ CERTIFICATE OF COMPLIANCE 2003-319713

GENERAL NOTES

- 1. AREA: PARCEL A = 179,949± S.F (4.13± AC)
PARCEL B = 190,269± S.F (4.37± AC)
PARCEL C = 134,995± S.F (3.10± AC)
- 2. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

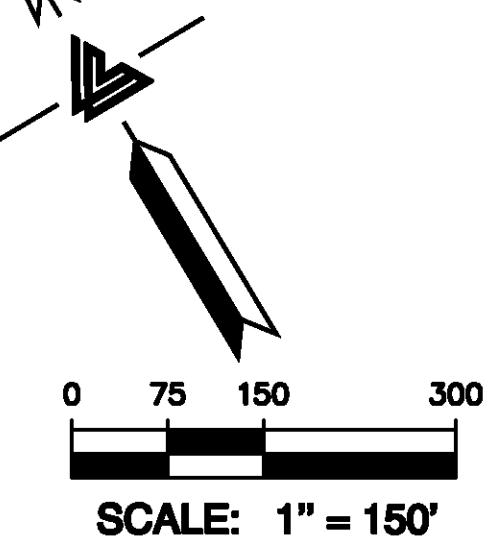


LINE	LENGTH	BEARING
L1	16.72'	S54°07'20\"W
L2	153.13'	N84°40'00\"W
L3	71.74'	N57°30'00\"W
L4	92.30'	N34°55'00\"W
L5	42.70'	N11°46'00\"E
L6	110.00'	N64°10'00\"W
L7	50.13'	N11°23'00\"W
L8	33.33'	N41°32'00\"W
L9	80.56' (T)	S81°02'00\"W
L10	30.00'	N28°15'00\"W
L11	54.19' (54.16' (1) (54.18' (7))	N24°44'00\"E
L12	109.19'	N49°38'09\"W
L13	21.92'	N71°36'00\"W
L14	69.81'	S69°54'36\"W
L15	109.04'	N71°36'00\"W
L16	49.74'	N29°44'00\"E
L17	63.24'	S85°02'00\"W
L18	39.18' (T)	N54°14'00\"W
L19	56.40'	N48°18'00\"E
L20	101.90'	N09°02'00\"W
L21	33.50'	S73°29'00\"W
L22	107.40'	S49°40'00\"W
L23	53.58'	N64°39'00\"W
L24	33.46'	S34°18'00\"W
L25	105.89'	N34°52'00\"W
L26	129.47' (T)	N57°00'00\"W
L27	67.89'	N72°48'00\"W
L28	88.22' (T) (88.10' (1) (88.34' (7))	N54°04'00\"W
L29	42.69' (42.65' (6) (42.73' (7))	N18°30'00\"W
L30	110.05' (108.61' (1) (111.49' (6))	N47°42'00\"W
L31	58.28' (58.24' (1) (58.32' (6))	S00°02'40\"E*
L32	125.00'	S30°02'40\"E*

L33	90.00'	S22°57'20\"W*
L34	100.00'	S07°02'40\"E*
L35	60.00'	S67°02'40\"E*
L36	85.00'	S29°57'20\"W*
L37	50.00'	S60°02'40\"E*
L38	50.00'	N59°57'20\"E*
L39	120.00'	S60°02'40\"E*
L40	112.28'	S13°43'10\"E*
L41	95.00'	S28°16'40\"E*
L42	92.06'	N84°12'20\"E*
L43	42.94'	N84°12'20\"E*
L44	60.95' (60.00' (1) (61.90' (7))	S26°09'43\"E*
L45	95.00'	S74°45'00\"E*
L46	76.00'	S40°55'00\"E*
L47	53.07'	S06°05'00\"E*
L48	92.00'	S69°15'00\"W*
L49	95.00'	S20°45'00\"E*
L50	159.06' (159.05' (1) (159.07' (7))	S83°15'00\"E*
L51	49.52'	S62°11'00\"E*
L52	168.78' (166.778' (1) (170.78' (7))	N72°45'00\"E*
L53	92.00'	S29°30'00\"E*
L54	175.00'	N70°30'00\"E*
L55	130.00'	S49°30'00\"E*
L56	97.91'	S57°00'00\"E*
L57	8.77'	S79°21'16\"E*
L58	117.85'	N15°46'00\"E*

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	315.00'	26°07'41"	143.65'

* BEARINGS PER ①④⑥⑦ ROTATED CCW 00° 02'40" TO MATCH MONUMENTS

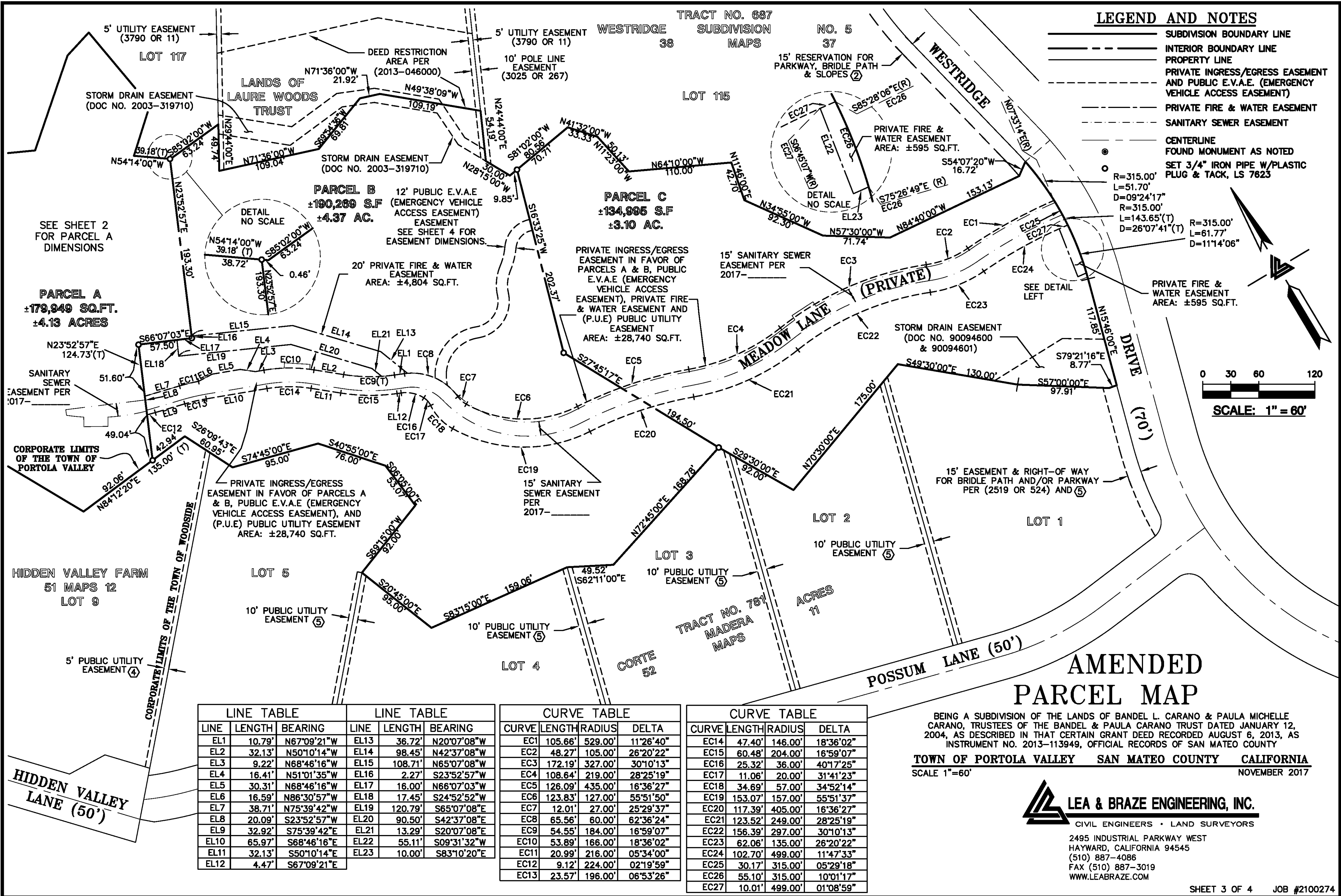


AMENDED PARCEL MAP

BEING A SUBDIVISION OF THE LANDS OF BANDEL L. CARANO & PAULA MICHELLE CARANO, TRUSTEES OF THE BANDEL & PAULA CARANO TRUST DATED JANUARY 12, 2004, AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED AUGUST 6, 2013, AS INSTRUMENT NO. 2013-113949, OFFICIAL RECORDS OF SAN MATEO COUNTY

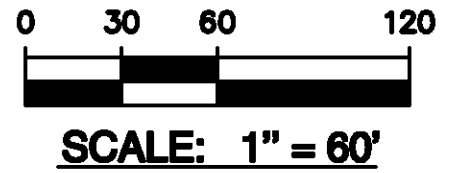
TOWN OF PORTOLA VALLEY SAN MATEO COUNTY CALIFORNIA
SCALE 1"=150'
NOVEMBER 2017

LEA & BRAZE ENGINEERING, INC.
CIVIL ENGINEERS • LAND SURVEYORS
2495 INDUSTRIAL PARKWAY WEST
HAYWARD, CALIFORNIA 94545
(510) 887-4086
FAX (510) 887-3019
WWW.LEABRAZE.COM



LEGEND AND NOTES

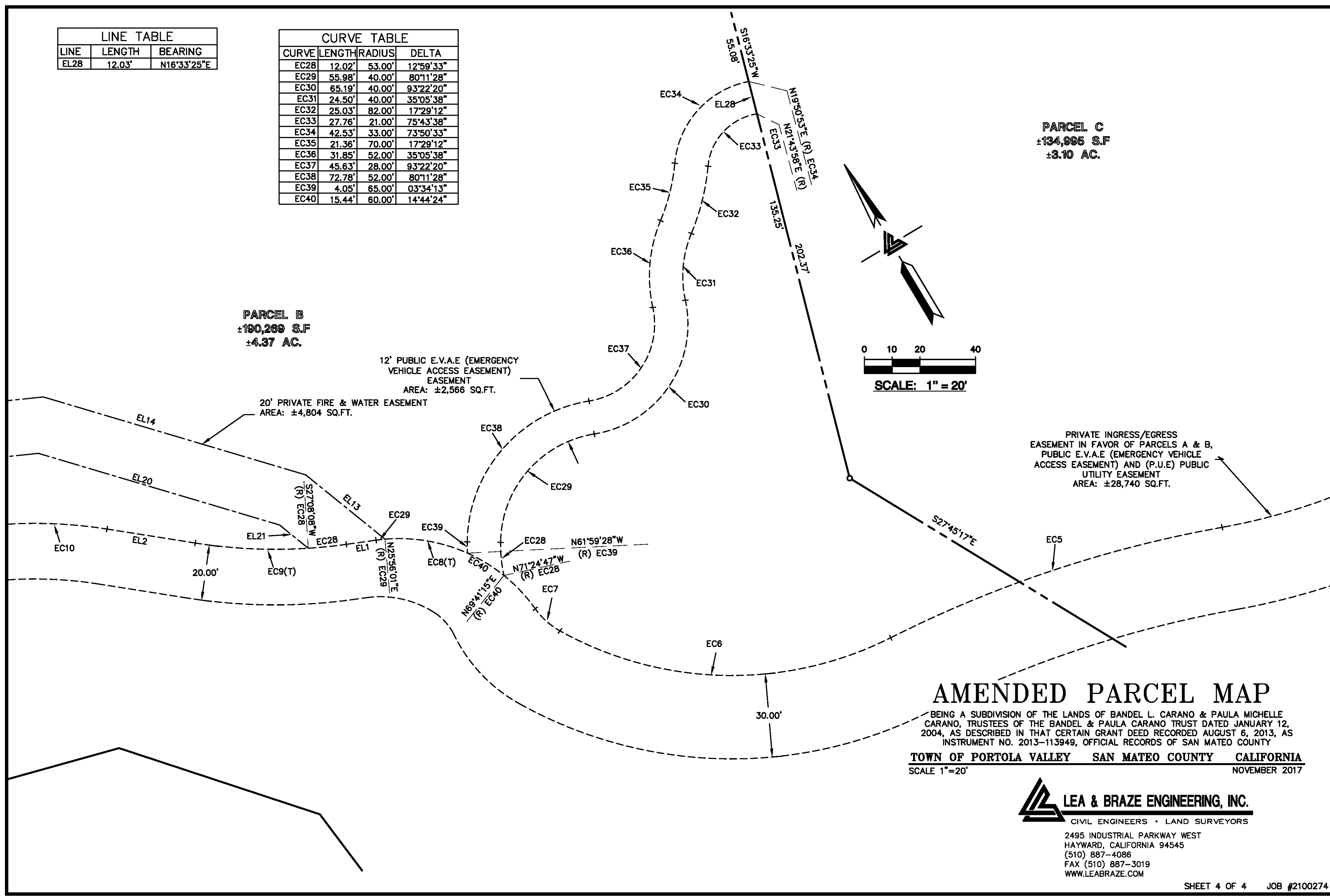
- SUBDIVISION BOUNDARY LINE
- INTERIOR BOUNDARY LINE
- PROPERTY LINE
- - - PRIVATE INGRESS/EGRESS EASEMENT AND PUBLIC E.V.A.E. (EMERGENCY VEHICLE ACCESS EASEMENT)
- - - PRIVATE FIRE & WATER EASEMENT
- - - SANITARY SEWER EASEMENT
- CENTERLINE
- FOUND MONUMENT AS NOTED
- SET 3/4" IRON PIPE W/PLASTIC PLUG & TACK, LS 7623



LINE TABLE			LINE TABLE			CURVE TABLE				CURVE TABLE			
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING	CURVE	LENGTH	RADIUS	DELTA	CURVE	LENGTH	RADIUS	DELTA
EL1	10.79'	N67°09'21"W	EL13	36.72'	N20°07'08"W	EC1	105.66'	529.00'	11°26'40"	EC14	47.40'	146.00'	18°36'02"
EL2	32.13'	N50°10'14"W	EL14	98.45'	N42°37'08"W	EC2	48.27'	105.00'	26°20'22"	EC15	60.48'	204.00'	16°59'07"
EL3	9.22'	N68°46'16"W	EL15	108.71'	N65°07'08"W	EC3	172.19'	327.00'	30°10'13"	EC16	25.32'	36.00'	40°17'25"
EL4	16.41'	N51°01'35"W	EL16	2.27'	S23°52'57"W	EC4	108.64'	219.00'	28°25'19"	EC17	11.06'	20.00'	31°41'23"
EL5	30.31'	N68°46'16"W	EL17	16.00'	N66°07'03"W	EC5	126.09'	435.00'	16°36'27"	EC18	34.69'	57.00'	34°52'14"
EL6	16.59'	N86°30'57"W	EL18	17.45'	S24°52'52"W	EC6	123.83'	127.00'	55°51'50"	EC19	153.07'	157.00'	55°51'37"
EL7	38.71'	N75°39'42"W	EL19	120.79'	S65°07'08"E	EC7	12.01'	27.00'	25°29'37"	EC20	117.39'	405.00'	16°36'27"
EL8	20.09'	S23°52'57"W	EL20	90.50'	S42°37'08"E	EC8	65.56'	60.00'	62°36'24"	EC21	123.52'	249.00'	28°25'19"
EL9	32.92'	S75°39'42"E	EL21	13.29'	S20°07'08"E	EC9	54.55'	184.00'	16°59'07"	EC22	156.39'	297.00'	30°10'13"
EL10	65.97'	S68°46'16"E	EL22	55.11'	S09°31'32"W	EC10	53.89'	166.00'	18°36'02"	EC23	62.06'	135.00'	26°20'22"
EL11	32.13'	S50°10'14"E	EL23	10.00'	S83°10'20"E	EC11	20.99'	216.00'	05°34'00"	EC24	102.70'	499.00'	11°47'33"
EL12	4.47'	S67°09'21"E				EC12	9.12'	224.00'	02°19'59"	EC25	30.17'	315.00'	05°29'18"
						EC13	23.57'	196.00'	06°53'26"	EC26	55.10'	315.00'	10°01'17"
										EC27	10.01'	499.00'	01°08'59"

LINE TABLE		
LINE	LENGTH	BEARING
EL28	12.03'	N16°33'25"E

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
EC28	12.02'	53.00'	12°59'33"
EC29	55.98'	40.00'	80°11'28"
EC30	65.19'	40.00'	93°22'20"
EC31	24.50'	40.00'	35°05'38"
EC32	25.03'	82.00'	17°29'12"
EC33	27.76'	21.00'	75°43'38"
EC34	42.53'	33.00'	73°50'33"
EC35	21.36'	70.00'	17°29'12"
EC36	31.85'	52.00'	35°05'38"
EC37	45.63'	28.00'	93°22'20"
EC38	72.78'	52.00'	80°11'28"
EC39	4.05'	65.00'	03°34'13"
EC40	15.44'	60.00'	14°44'24"



PARCEL B
±190,269 S.F.
±4.37 AC.

PARCEL C
±134,995 S.F.
±3.10 AC.

12' PUBLIC E.V.A.E (EMERGENCY
VEHICLE ACCESS EASEMENT)
EASEMENT
AREA: ±2,566 SQ.FT.

20' PRIVATE FIRE & WATER EASEMENT
AREA: ±4,804 SQ.FT.

PRIVATE INGRESS/EGRESS
EASEMENT IN FAVOR OF PARCELS A & B,
PUBLIC E.V.A.E (EMERGENCY VEHICLE
ACCESS EASEMENT) AND (P.U.E) PUBLIC
UTILITY EASEMENT
AREA: ±28,740 SQ.FT.

AMENDED PARCEL MAP

BEING A SUBDIVISION OF THE LANDS OF BANDEL L. CARANO & PAULA MICHELLE CARANO, TRUSTEES OF THE BANDEL & PAULA CARANO TRUST DATED JANUARY 12, 2004, AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED AUGUST 6, 2013, AS INSTRUMENT NO. 2013-113949, OFFICIAL RECORDS OF SAN MATEO COUNTY
TOWN OF PORTOLA VALLEY SAN MATEO COUNTY CALIFORNIA
SCALE 1"=20' NOVEMBER 2017

LEA & BRAZE ENGINEERING, INC.
CIVIL ENGINEERS • LAND SURVEYORS
2495 INDUSTRIAL PARKWAY WEST
HAYWARD, CALIFORNIA 94545
(510) 887-4086
FAX (510) 887-3019
WWW.LEABRAZE.COM

NEW BUSINESS

1. Review of Amended Parcel Map, File #X6D-210, 20, 30 and 40 Meadow Court (formerly 1260 Westridge Drive), Lands of Carano Trust

Planner Richardson presented the Amended Parcel Map for the Carano subdivision, described the background, and recommended adoption of a resolution recommending approval to the Town Council for the Amended Parcel Map and a resolution recommending approval of the Amended and Restated Subdivision Improvement Agreement, as detailed in the staff report. She pointed out the discussion tonight is limited to the modification of an access easement.

Commissioner Hasko asked why this easement change was not done earlier and if this change was due to new information received. Planner Richardson said it was her understanding the request to move further from the creek was to ensure the stability of the creekbank. She invited the applicant's engineer to provide additional information. The applicant's engineer said the map was recorded during the droughts, when the creek was only a trickle. He said the winter storms happened after the map was recorded, and they noticed a large amount of erosion occurring, so they decided it would be better for the future stability of the roadway to move it away from the creek.

Commissioner Hasko asked how they calculated the correct distance to move the line. The project engineer said it was moved to the other side of a large 32" oak tree. Commissioner Hasko asked if there were scientific or professional parameters or just a general "farther away is better" concept. The engineer said the change would provide the property owner and client with more time to take preventative measures to stabilize the creekbank if anything progressed.

Commissioner Kopf-Sill asked why they did not move the road further all along the creek. The project engineer said they walked the creek after the winter storms and noticed that the erosion was most severe in the corner near the oak tree. He said farther down the road, the steepness of the slope decreases as well as the amount of undercutting and erosion. He said more of the existing vegetation there is still intact versus closer to the oak tree and the bend in the creek, where there is much less vegetation protecting the creekbank.

In response to Chair Targ's question, the project engineer said there was no change in the amount of soil that would be cut. He said there is an existing gravel driveway and, for the most part, this line follows that. He said they were cautious to make sure that the square footage of the pavement being replaced for this roadway was equal to what was previously approved.

Commissioner Taylor pointed out a typo in the Agreement, Section 1, where it should say "sixteen (16) sheets."

Chair Targ invited additional questions from the Commission. Hearing none, he invited the applicant or applicant's representatives to comment further. Hearing none, Chair Targ invited public comment.

Tasha Morgridge, 107 Mapache. Ms. Morgridge said in the past they toured the property on invitation of the architect. She said they were told it was one property and could not be subdivided. She asked if that had changed.

Chair Targ pointed out that the issue before the Planning Commission tonight is limited to the change in the easement. He asked staff to address Ms. Morgridge's question. Planner Richardson said the property was divided into a three-lot subdivision a number of years ago. She said there is one owner

developing the property for private use as a family compound of three homes. In response to Ms. Morgridge's question, Planner Richardson said the properties could be sold separately. Ms. Morgridge said she and the other neighbors on the tour with the architect were told very explicitly that there was one road, one driveway, and therefore it could not be sold separately. She said this made the neighbors feel more comfortable. Planner Richardson said the intent throughout the public hearing process was that there would be three individual lots that could be sold by this owner separately at any time.

John Morgridge said the neighbors were also told at that time that the site could not be three separate properties because of the size of the driveway relative to handling fire trucks. He said at that time the road was referred to as a driveway and not a road. He said they were told there were three buildings – one for a swimming pool, one for a tennis court, and then the main house. Planner Richardson said the driveway is a shared driveway for all three parcels, and it does meet Fire Department standards for turnaround, width, compaction, weight, etc.

Tasha Morgridge said they were not told the truth. Interim Planning Director Cassidy said she was sorry to hear that something may have been misrepresented. She asked them to contact her to discuss it further. Ms. Morgridge said they would not cause a fuss, but said it just does not feel good.

Chair Targ expressed appreciation for the speakers coming forward because it is important for the Commission to understand the circumstances and have these kinds of issues ventilated.

Hearing no additional public comment, Chair Targ closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Hasko referred to the Amended and Restated Declaration of Intent to Create Covenants and Private Easements for the Driveway. She asked why there was the new language regarding a common storm and drainage facility. Planner Richardson said the storm drain has not changed from the old design to the new design. The project engineer said the runoff coming off of the common driveway was originally meant to be handled within the easement by a gravel dissipation trench that would allow the water to percolate through the ground. He said after seeing the erosion that occurred during the winter storms, the geotechnical engineer reconsidered allowing them to do that for the sake of the longevity of the pavement and asked them to reconfigure the storm drainage. He said they went from the infiltration gravel trench to actual storm drain retention systems that would then deposit the water to a drainage swale at the back of the property. He said because the retention systems were added, for the purposes of future maintenance of the different retention systems that are on each separate lot, they spoke with the client and the client's real estate attorney, who both agreed it would be advantageous for them to include in the Declaration of Intent to Record Easements that the maintenance of these retention systems for the purposes of handling storm drain runoff from the driveways would be maintained jointly by all three property owners, versus each individual property owner maintaining whatever was on their property. He said that is why the language had to be included. Commissioner Hasko asked if the Town needed to have a separate brief on that or if it was immaterial. Planner Richardson said it is fairly immaterial. She said it was part of the subdivision improvement plans and has been approved by the outside Town engineering consultant, NV5, and also by the Public Works Director. In response to Commissioner Hasko's question, Planner Richardson said this had no implications that the Planning Commission needed to consider. Chair Targ asked if there was a reason why this issue was not brought to the attention of the Planning Commission. Planner Richardson said it was a change that was made in the course of reviewing the subdivision improvement documents that would normally be done within the Public Works Department.

Chair Targ reopened the public hearing. He said given the history and interest expressed by the public, he asked if there were any further comments by members of the public due to this new information.

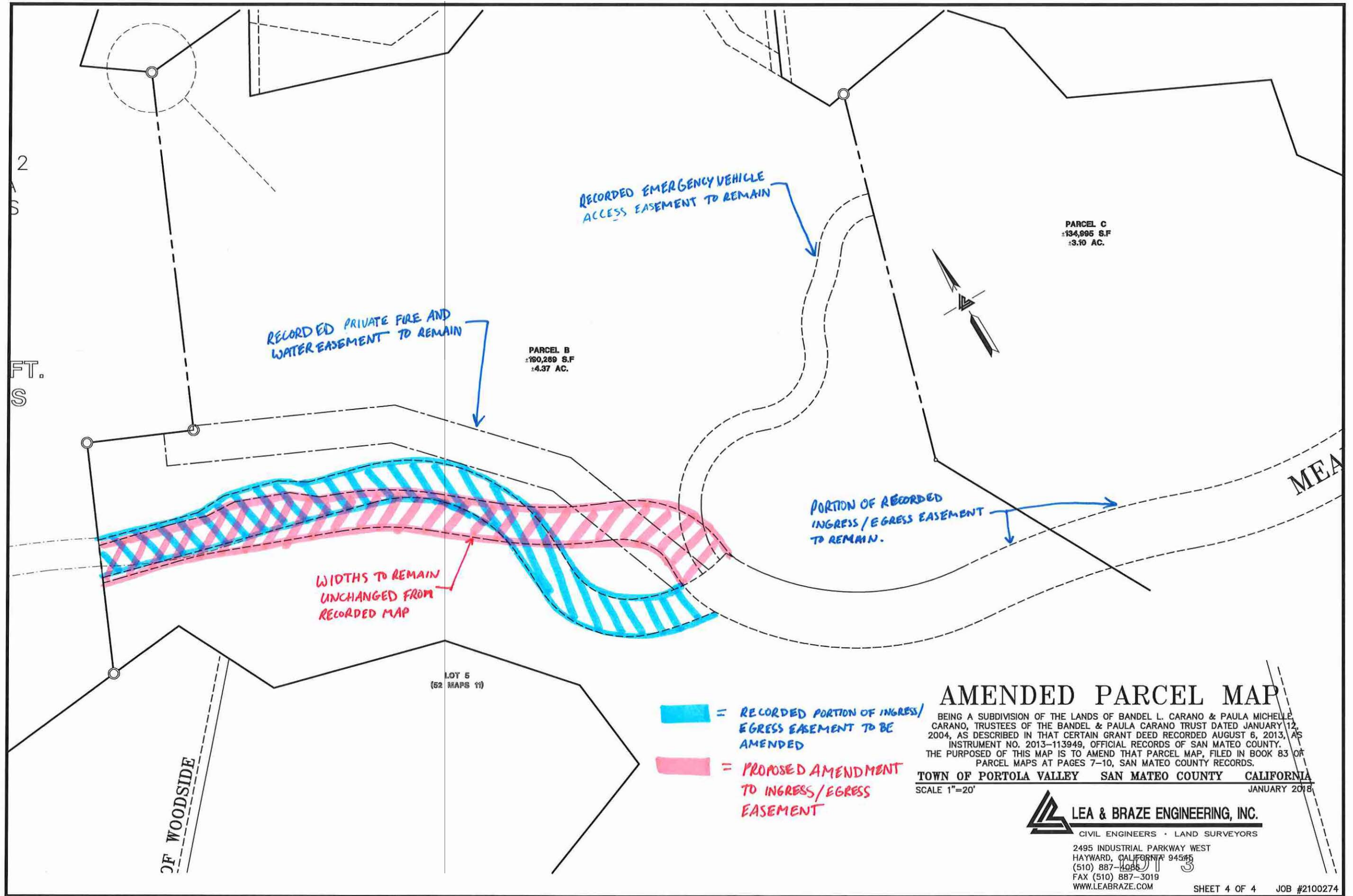
Hearing none, Chair Targ closed the public hearing and brought the item back to the Commission for further discussion.

Commissioner Hasko said from her perspective, if this is helping to address a potential issue, she would support approval of the easement adjustment.

Chair Targ agreed and called for a motion.

Vice Chair Goulden moved to approve the Amended Parcel Map for the Lands of Carano. Seconded by Commissioner Taylor; the motion carried 5-0.

Vice Chair Goulden moved to approve the Amended and Restated Subdivision Improvement Agreement between the Town of Portola Valley and Paul Carano. Seconded by Commissioner Taylor; the motion carried 5-0.



- = RECORDED PORTION OF INGRESS/EGRESS EASEMENT TO BE AMENDED
- = PROPOSED AMENDMENT TO INGRESS/EGRESS EASEMENT

AMENDED PARCEL MAP

BEING A SUBDIVISION OF THE LANDS OF BANDEL L. CARANO & PAULA MICHELLE CARANO, TRUSTEES OF THE BANDEL & PAULA CARANO TRUST DATED JANUARY 12, 2004, AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED AUGUST 6, 2013, AS INSTRUMENT NO. 2013-113949, OFFICIAL RECORDS OF SAN MATEO COUNTY. THE PURPOSE OF THIS MAP IS TO AMEND THAT PARCEL MAP, FILED IN BOOK 83 OF PARCEL MAPS AT PAGES 7-10, SAN MATEO COUNTY RECORDS.

TOWN OF PORTOLA VALLEY SAN MATEO COUNTY CALIFORNIA
 SCALE 1"=20' JANUARY 2018

LEA & BRAZE ENGINEERING, INC.
 CIVIL ENGINEERS • LAND SURVEYORS
 2495 INDUSTRIAL PARKWAY WEST
 HAYWARD, CALIFORNIA 94545
 (510) 887-4086
 FAX (510) 887-3019
 WWW.LEABRAZE.COM

Recording Requested By:

When Recorded Return To:

Hanna & Van Atta
525 University Avenue, Suite 600
Palo Alto, California 94301

APN: 077-050-200

**AMENDED AND RESTATED DECLARATION OF INTENT TO CREATE COVENANTS
AND PRIVATE EASEMENTS FOR DRIVEWAY AND
FOR FIRE AND WATER AND FOR MAINTENANCE**

IF THIS DOCUMENT CONTAINS ANY RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, GENETIC INFORMATION, NATIONAL ORIGIN, SOURCE OF INCOME AS DEFINED IN SUBDIVISION (P) OF SECTION 12955 OF THE GOVERNMENT CODE, OR ANCESTRY, THAT RESTRICTION VIOLATES STATE AND FEDERAL FAIR HOUSING LAWS AND IS VOID, AND MAY BE REMOVED PURSUANT TO SECTION 12956.2 OF THE GOVERNMENT CODE. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.

**AMENDED AND RESTATED DECLARATION OF INTENT TO CREATE COVENANTS
AND PRIVATE EASEMENTS FOR DRIVEWAY AND
FOR FIRE AND WATER AND FOR MAINTENANCE**

THIS AMENDED AND RESTATED DECLARATION is intended to comply with California Civil Code §§845 and 1468, and relates to the creation and maintenance of the private driveways and a fire and water easement located in the Town of Portola Valley ("Town") within portions of Parcels A, B and C ("Parcels"), as said Parcels are shown on that certain Parcel Map entitled "Parcel Map, being a subdivision of the lands of Bandel L. Carano & Paula Michelle Carano, Trustees of the Bandel & Paula Carano Trust dated January 12, 2004", which map was filed in the Office of the Recorder of the County of San Mateo, State of California, in Book 83 of Parcel Maps at pages 7 through 10, as amended by Amended Parcel Map filed in the Office of the Recorder of the County of San Mateo, State of California, in Book ___ of Parcel Maps, at pages ___ through ___ ("Parcel Map"). The areas containing said private driveways and fire and water easement are more particularly described on the Parcel Map.

1. Bandel L. Carano and Paula Michelle Carano, Trustees of the Bandel and Paula Carano Trust ("Owners") are the owners of the Parcels. Owners intend by this document to bind themselves and any heirs, successors or assigns of the Parcels to the covenants contained herein.

Law Offices of
Hanna & Van Atta
525 UNIVERSITY AVENUE, SUITE 600

PALO ALTO, CA 94301

TELEPHONE (650) 321-5700

04/09/18

-1-

2. Reciprocal easements for driveways and fire and water purposes are hereby reserved and covenanted over portions of the Parcels as shown on the Parcel Map. The easement areas include: A private ingress/egress easement for a common driveway (“PIEE” or “Common Driveway”); and a private fire and water easement (“PFWWE”). The easements are for ingress, egress and installation, maintenance, repair and replacement of fire waterlines. The easements are described as follows:

<u>Easement Area</u>	<u>Dominant Tenement</u>	<u>Servient Tenement</u>
PIEE	Parcels A and B	Parcels B and C
PFWWE	Parcels A, B and C	Parcels B and C

Said easements are nonexclusive, permanent, appurtenant to the respective dominant tenements, and constitute covenants running with the land.

3. The owner of Parcel B and its heirs, successors or assigns shall cause to be repaired the Common Driveway when the owner of Parcel B believes that such repair is necessary; or, when the Common Driveway has deteriorated to such an extent that it no longer meets the minimum design requirements of the subdivision improvement plans, or maintenance of the Common Driveway is required to ensure access by emergency vehicles to the Parcels served by the Common Driveway. Each of the owners of Parcels A, B and C shall share equally in the cost of maintenance and repair of the Common Driveway (subject to the provisions of Paragraph 6 hereafter), and the common storm and drainage facilities.

4. Repairs shall also include the removal of overhead or side brush that restricts the use of the Common Driveway and maintenance of the existing storm drainage facilities and utilities. Any such repairs shall be performed in such a manner as to preserve the character of the Common Driveway. The road surface subject to maintenance under this Amended and Restated Declaration shall be the commonly travelled surface only, and shall not include the road surfaces extending from the Common Driveway to individual driveways serving the respective Parcels.

5. If any Parcel owner causes the Common Driveway or any portion thereof to be excavated, filled or significantly disturbed or damaged on account of activities peculiar to that Parcel owner, then the Parcel owner so involved shall be obligated, on his/her own account and at his/her own expense to repair the Common Driveway to original or better condition as soon as possible.

6. The Common Driveway shall remain unobstructed at all times to permit access by emergency and service vehicles (except when repairs are being made). The Common Driveway is subject to an easement for emergency vehicles.

7. Each of the owners of Parcels A, B and C shall be equally responsible for and shall maintain repair and replace the entry gates, pillars and lighting.

8. The owner of each Parcel is responsible for and shall maintain the owner’s Parcel and all improvements, trees, fencing and landscaping thereon in first class condition at all times.

9. Each Parcel shall be separately metered for all utilities. Each Parcel shall be entitled to passage over any other Parcel to access the meter serving such Parcel if it is located on another Parcel.

10. Each Parcel owner shall maintain the fire waterlines, storm and sanitary sewer lines, utilities or other facilities located within and serving the owner’s Parcel that are not maintained by a public utility, district, or the Town.

11. The foregoing covenants contained in this Amended and Restated Declaration shall bind and inure to the benefit of all parties having any right, title or interest in Parcels A, B and C, their heirs, representatives, successors and assigns, and shall run with and be a burden upon each Parcel described herein, and shall be enforceable by any party entitled to the benefit of this covenant, whether or not such covenants are specifically referred to in any instrument of conveyance.

IN WITNESS WHEREOF, the undersigned owners have executed this Amended and Restated Declaration this ___ day of April 2018.

**Bandel L. Carano & Paula Michelle Carano,
Trustees of the Bandel & Paula Carano Trust**

By: _____
Bandel L. Carano, Trustee

By: _____
Paula Michelle Carano, Trustee

A notary public or other officer completing the certificate verifies only the identity of the individual who signed the document to which the certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

On _____, 201__ before me, Tonya D. Dumont, a Notary Public, personally appeared Bandel L. Carano who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

(SEAL)

A notary public or other officer completing the certificate verifies only the identity of the individual who signed the document to which the certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF SAN MATEO

On _____, 201__ before me, Tonya D. Dumont, a Notary Public, personally appeared Paula Michelle Carano who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

(SEAL)

Recording Requested By:

When Recorded Return To:

Hanna & Van Atta
525 University Avenue, Suite 600
Palo Alto, California 94301

APN: 077-050-200

**AMENDED AND RESTATED DECLARATION OF INTENT TO CREATE COVENANTS
AND PRIVATE EASEMENTS FOR DRIVEWAY AND
FOR FIRE AND WATER AND FOR MAINTENANCE**

IF THIS DOCUMENT CONTAINS ANY RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, GENETIC INFORMATION, NATIONAL ORIGIN, SOURCE OF INCOME AS DEFINED IN SUBDIVISION (P) OF SECTION 12955 OF THE GOVERNMENT CODE, OR ANCESTRY, THAT RESTRICTION VIOLATES STATE AND FEDERAL FAIR HOUSING LAWS AND IS VOID, AND MAY BE REMOVED PURSUANT TO SECTION 12956.2 OF THE GOVERNMENT CODE. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.

Law Offices of
Hanna & Van Atta
525 UNIVERSITY AVENUE, SUITE 600
PALO ALTO, CA 94301
TELEPHONE (650) 321-5700

**AMENDED AND RESTATED DECLARATION OF INTENT TO CREATE COVENANTS
AND PRIVATE EASEMENTS FOR DRIVEWAY AND
FOR FIRE AND WATER AND FOR MAINTENANCE**

THIS AMENDED AND RESTATED DECLARATION is intended to comply with California Civil Code §§845 and 1468, and relates to the creation and maintenance of the private driveways and a fire and water easement located in the Town of Portola Valley (“Town”) within portions of Parcels A, B and C (“Parcels”), as said Parcels are shown on that certain Parcel Map entitled “Parcel Map, being a subdivision of the lands of Bandel L. Carano & Paula Michelle Carano, Trustees of the Bandel & Paula Carano Trust dated January 12, 2004”, which map was filed in the Office of the Recorder of the County of San Mateo, State of California, in Book 83 of Parcel Maps at pages 7 through 10, ~~on 10, as amended by Amended Parcel Map filed in the _____ day Office of _____, 20____, the Recorder of the County of San Mateo, State of California, in Book _____ of Parcel Maps, at pages _____ through _____ (“Parcel Map”).~~ The areas containing said private driveways and fire and water easement are more particularly described on the Parcel Map.

1. Bandel L. Carano and Paula Michelle Carano, Trustees of the Bandel and Paula Carano Trust (“Owners”) are the owners of the Parcels. Owners intend by this document to bind themselves and any heirs, successors or assigns of the Parcels to the covenants contained herein.

2. Reciprocal easements for driveways and fire and water purposes are hereby reserved and covenanted over portions of the Parcels as shown on the Parcel Map. The easement areas include: A private ingress/egress easement for a common driveway (“PIEE” or “Common Driveway”); and a private fire and water easement (“PFWE”). The easements are for ingress, egress and installation, maintenance, repair and replacement of fire waterlines. The easements are described as follows:

<u>Easement Area</u>	<u>Dominant Tenement</u>	<u>Servient Tenement</u>
PIEE	Parcels A and B	Parcels B and C
PFWE	Parcels A, B and C	Parcels B and C

Said easements are nonexclusive, permanent, appurtenant to the respective dominant tenements, and constitute covenants running with the land.

3. The owner of Parcel B and its heirs, successors or assigns shall cause to be repaired the Common Driveway when the owner of Parcel B believes that such repair is necessary; or, when the Common Driveway has deteriorated to such an extent that it no longer meets the minimum design requirements of the subdivision improvement plans, or maintenance of the Common Driveway is required to ensure access by emergency vehicles to the Parcels served by the Common Driveway. Each of the owners of Parcels A, B and C shall share equally in the cost of maintenance and repair of the Common Driveway (subject to the provisions of Paragraph 6 hereafter), ~~and the common storm and drainage facilities.~~

4. Repairs shall also include the removal of overhead or side brush that restricts the use of the Common Driveway and maintenance of the existing storm drainage facilities and utilities. Any such repairs shall be performed in such a manner as to preserve the character of the Common Driveway. The road surface subject to maintenance under this Amended and Restated Declaration shall be the commonly travelled surface only, and shall not include the road surfaces extending from the Common Driveway to individual driveways serving the respective Parcels.

5. If any Parcel owner causes the Common Driveway or any portion thereof to be excavated, filled or significantly disturbed or damaged on account of activities peculiar to that Parcel

owner, then the Parcel owner so involved shall be obligated, on his/her own account and at his/her own expense to repair the Common Driveway to original or better condition as soon as possible.

6. The Common Driveway shall remain unobstructed at all times to permit access by emergency and service vehicles (except when repairs are being made). The Common Driveway is subject to an easement for emergency vehicles.

7. Each of the owners of Parcels A, B and C shall be equally responsible for and shall maintain repair and replace the entry gates, pillars and lighting.

8. The owner of each Parcel is responsible for and shall maintain the owner's Parcel and all improvements, trees, fencing and landscaping thereon in first class condition at all times.

9. Each Parcel shall be separately metered for all utilities. Each Parcel shall be entitled to passage over any other Parcel to access the meter serving such Parcel if it is located on another Parcel.

10. Each Parcel owner shall maintain the fire waterlines, storm and sanitary sewer lines, utilities or other facilities located within and serving the owner's Parcel that are not maintained by a public utility, district, or the Town.

11. The foregoing covenants contained in this Amended and Restated Declaration shall bind and inure to the benefit of all parties having any right, title or interest in Parcels A, B and C, their heirs, representatives, successors and assigns, and shall run with and be a burden upon each Parcel described herein, and shall be enforceable by any party entitled to the benefit of this covenant, whether or not such covenants are specifically referred to in any instrument of conveyance.

IN WITNESS WHEREOF, the undersigned owners have executed this Amended and Restated Declaration this _____ day of ~~July, 2016~~ April 2018.

**Bandel L. Carano & Paula Michelle Carano,
Trustees of the Bandel & Paula Carano Trust**

By: _____
Bandel L. Carano, Trustee

By: _____
Paula Michelle Carano, Trustee

A notary public or other officer completing the certificate verifies only the identity of the individual who signed the document to which the certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

On _____, 201__ before me, Tonya D. Dumont, a Notary Public, personally appeared Bandel L. Carano who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

(SEAL)

A notary public or other officer completing the certificate verifies only the identity of the individual who signed the document to which the certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF SAN MATEO

On _____, 201__ before me, Tonya D. Dumont, a Notary Public, personally appeared Paula Michelle Carano who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

(SEAL)



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council
FROM: Jeremy Dennis, Town Manager
DATE: June 27, 2018
RE: Proposed Town Budget FY 2018-2019.

RECOMMENDATION

Staff recommends adoption of a Resolution of the Town Council of the Town of Portola Valley adopting the operating and capital budgets for fiscal year 2018-2019.

BACKGROUND

Staff presented a detailed analysis of the Fiscal Year 2018-19 budget document to the Town Council at its June 13, 2018 meeting. The budget is set forth tonight for final Town Council approval in a Public Hearing.

DISCUSSION

After Public Comment and Council discussion, the Town Council directed moving forward the Paso Del Arroyo project into the 2018-19 Capital Improvement Budget, which will change the General Fund Capital Projects expenditures from \$456,500 to \$512,100 in the General Fund, and a total of \$967,100 for all funds. No other changes were proposed at the June 13th meeting.

FISCAL IMPACT

Each Fiscal Year budget sets out authorized expenditures which fund the Town Council's Priorities, Projects and Programs.

ATTACHMENT

1. Resolution
2. Town of Portola Valley Budget for Fiscal Year 2018-19

Approved by: Jeremy Dennis, Town Manager

A handwritten signature in black ink, appearing to read 'Jeremy Dennis', is written over a horizontal line.

RESOLUTION NO. _____-2018

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF PORTOLA VALLEY ADOPTING THE OPERATING
AND CAPITAL BUDGETS FOR FISCAL YEAR 2018-19**

WHEREAS, the Town Manager has reviewed and analyzed the Town of Portola Valley's finances and has projected revenues and expenditures for Fiscal Year 2018-19;

WHEREAS, the Town Manager presented the proposed budget to the Town's Finance Committee on June 4, 2018 and to the Town Council on June 13, 2018 for review and consideration; and

WHEREAS, the Town Council conducted a noticed public hearing on June 27, 2018 to review the proposed operating and capital budget.

NOW, THEREFORE, the Town Council of the Town of Portola Valley does **RESOLVE** the following:

1. To adopt the Town's Fiscal Year 2018-19 operating and capital budgets, overall reflecting the following:
 - a. Projected revenues: **\$7,000,413**
 - b. Projected expenditures & transfers: **\$7,058,138**
2. The budget shall be effective July 1, 2018.
3. The amount of the 2018-2019 Fiscal Year operating and capital budget for each account area of the budget may be drawn upon in the form of warrants issued for payment of demands and certified in accordance with the provisions of the California Government Code Sections 37208 and 37209.
4. The Town Manager shall periodically report to the Town Council the amount and classification of revenues received and expenditures made.
5. A copy of the adopted budget shall be kept on file with the Town Clerk of the Town of Portola Valley, as the official budget of the Town of Portola Valley for the 2018-2019 Fiscal Year.

REGULARLY PASSED AND ADOPTED this 27th day of June 2018.

Mayor

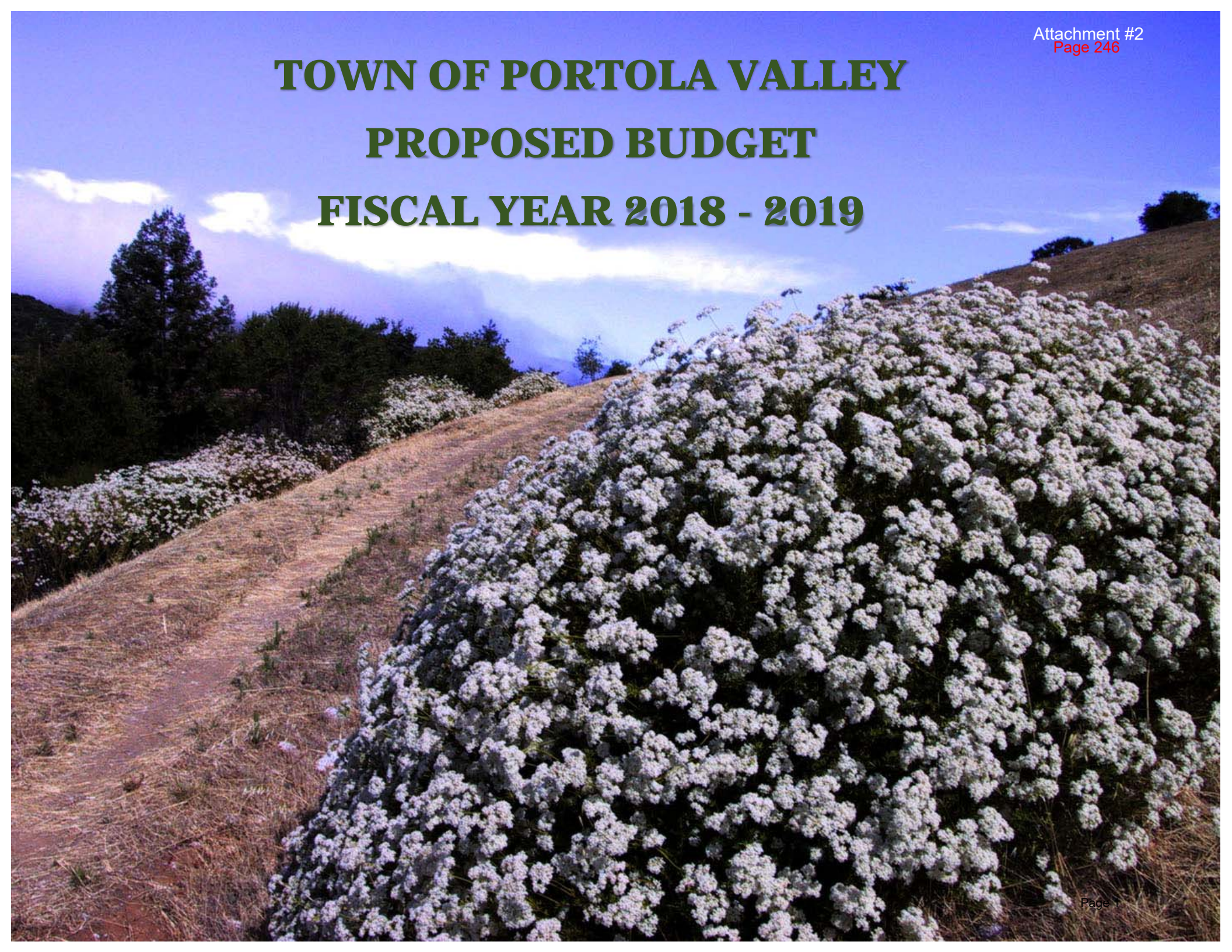
ATTEST

Town Clerk

TOWN OF PORTOLA VALLEY

PROPOSED BUDGET

FISCAL YEAR 2018 - 2019



TOWN OF PORTOLA VALLEY

DRAFT OPERATING & CAPITAL BUDGETS

Fiscal Year 2018-19

Presented to:

Mayor John Richards

Vice Mayor Ann Wengert

Councilmember Jeff Aalfs

Councilmember Maryann Moise Derwin

Councilmember Craig Hughes

Prepared by:

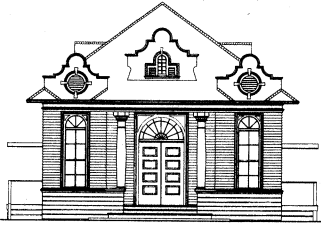
Jeremy Dennis, Town Manager

Starla Jerome-Robinson, Interim Finance Director

June 2018

TABLE OF CONTENTS

Transmittal Memo, Organization Chart, and Fund Descriptions.....	4-11
Revenue & Expenses by Governmental Fund	12
Fund Activity Summary	13
Revenues - Table of Contents	14
Total Revenues Budget Summary	15
2017/18 Budget/Projected Revenues vs 2018/19 Proposed Revenues	16
Revenues Budget by General Fund and All Others	17
Revenues Budgetary Details	18-29
Expenditures - Table of Contents	30-31
Total Expenditures Budget Summary	32
2017/18 Budget/Projected vs 2018/19 Proposed Expenditures	33
Expenditures Budget by General Fund and All Others	34
Expenditures Budgetary Details	35-45
Draft Initial Five-Year Capital Improvement Program 2018	46-57
Town of Portola Valley 2017-18 Accomplishments	58-59
Town of Portola Valley 2018-19 Council Priorities	60-64



TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Jeremy Dennis, Town Manager
Starla Jerome-Robinson, Interim Finance Director

DATE: June 27, 2018

RE: Proposed 2018-19 Budget

We are pleased to present the Town of Portola Valley proposed Fiscal Year 2018-19 budget. This document represents the alignment of Council Priorities and associated efforts, in addition to the typical day-to-day government operations of planning review, building inspections, road and resource maintenance, resident support, and code enforcement (to name a few), with the coming year's expenditures.

As the smallest municipality in San Mateo County (both in budget and size of staff), even slight changes to revenues and expenditures can significantly impact service delivery to residents. This budget has limited expenditure growth through careful review of every departmental outlay, allowing for a budget that represents our collective best sense of costs moving forward. With this budget, Town Staff can continue to provide excellent service to residents at reasonable expenditure levels.

General Fund Overview

The Town's fiscal condition remains strong and the proposed FY 2018-19 budget anticipates a General Fund operating surplus of \$207,071. Capital Projects, an important outlay of General Fund, reduces the General Fund operating surplus by ~~\$456,500~~\$12,100. Due to insufficient Gas Tax funding, a transfer of \$132,196 to the Transportation Fund is necessary to fill the funding gap between the Town's commitment to Public Works operational needs as well as Capital Projects to maintain Streets and Roads. While a General Fund deficit of ~~\$381,625~~\$437,225 is shown as a result of these transfers, one-time expenditures are the driver and are not required to ensure the normal excellence of town operations and

resident support. It should be noted that without the continued revenue stream from the Utility User Tax (estimated at \$586,800 in 18-19), the overall General Fund picture would be dire.

General Fund Revenues

Overall, General Fund revenues total \$5,394,654, an increase of \$151,957 or 3%, when compared to the prior year's budgeted amount. Significant changes of note in General Fund revenues are as follows:

Property taxes – FY 2017-18 property tax revenue is expected to be \$2,675,000 or \$192,798 more than the budgeted amount based on the San Mateo County Assessor's written estimate. Secured property taxes represent approximately 56% of General Fund revenues.

The budget for FY 2018-19 assumes a 4.75% increase to \$2,793,313 or \$118,313 over the FY 17-18 projected amount and is based on forecasts provided by the San Mateo County Assessor's Office. Other municipalities are projecting between 4% to 6.5% growth in their property taxes in the coming year.

Sales and Use Tax – FY 2017-18 sales tax appears to show some growth for an estimated year-end of \$221,566 but a slight reduction is budgeted for 2018-19 of about 5% resulting in a budget of \$207,000. Staff has budgeted conservatively for sales tax revenue based on data provided by our Sales Tax consultant, who notes a reporting error impacting two categories (Restaurants & Hotels and General Consumer Goods) which resulted in a lower Portola Valley estimate for 2018-19.

Gas Tax – FY 2017-18 revenues continue to be fairly flat due to volatile gasoline prices and wide swings under the complex fuel tax swap system, which remains through FY 2018-19.

Revenue from the new Section 2103 excise tax variable (price-based) rate is based on gasoline prices increasing from 11.7 cents per gallon to 15.7 cents per gallon, effective July 1, 2018. The Board of Equalization, however, failed to take action to adjust the price, which results in no change to the price. As a result, revenues for 2018-19 will be consistent with 2017-18. The Gas Tax estimates used in the budget are supplied by the State Department of Finance.

Additionally, the Road Maintenance and Rehabilitation Act (SB1: RMRA) of 2017 is a significant new investment in California's transportation system. The Act increases per gallon fuel excise taxes, diesel fuel, sales taxes and vehicle registration taxes, stabilizes price-based fuel tax rates and provides for inflationary adjustments to rates in future years. Two new transportation taxes will be effective as of November 1, 2017, a 12 cent per gallon increase to the gasoline

excise tax and an 20 cent per gallon increase to the diesel fuel excise tax. Revenue for 2017-18 is estimated at \$28,000, and \$78,000 for 2018-19.¹

Permits and Fees – Significant analysis of each category of the revenue that makes up Permits and Fees has been completed but this is an area that can be unpredictable. Planning staff carefully reviewed expected projects in the coming year, looked at historical data, and based each permit and fee amount on that analysis. Staff anticipates revenues to be stable during the next year. This estimate does not anticipate a change in the fee structure based on a Fee Study currently underway that will be presented to Town Council early in the next fiscal year.

General Fund Operating Expenditures

General fund operating expenditures are \$5,187,583, an increase of \$310,359 or 6.4% when compared to the 2017-18 amended budget.

Administration and Operations (personnel) – The Administration and Operations FY 2018-19 budget is proposed to increase by \$86,750 or 3.5% over the budgeted amount for FY 2017-18. Reasons for this include:

- No new positions proposed
- Significant 19.5% increases in PERS retirement or \$45,000
- Annual 3.6% COLA adjustment for employees based on CPI
- Five merit increases totaling \$21,294 and one re-classification
- Substantial 25% growth in workers compensation costs, an increase of \$11,000
- Deletion of the budget for Town Council Health Insurance Access which can be adjusted if desired. The offsetting revenue was also deleted, resulting in no net difference to the overall budget.

While the overall budget unit increased by only 3.5%, the Administrative salaries increased disproportionately, or about 9%. There are two noteworthy causes:

- In 2017-18 the new position of Communications and Special Projects Analyst was only budgeted for 75% of the year: and
- In 2018-19 the new Finance Director position is budgeted at 20% more than in 2017-18

¹ At the time of the drafting of this message, repeal of RMRA funding may be placed on the November ballot. Staff will develop an alternative road maintenance plan should a repeal occur.

Service Agreements – A 9% increase by San Mateo County for contract law enforcement has been proposed, which is reflected in the budget, while these discussions are ongoing. The overall impact to the General Fund is only 6% or an additional \$58,700 as a result of shifting an additional \$45,000 to the COPS fund now that the dedicated revenue is growing (COPS Growth Funding).

Services and Supplies - An increase of \$100,600 for Services and Supplies is comprised primarily of a \$21,400 increase for converting historical documents to digital status, a \$33,150 adjustment in Software and Licensing to account for technology in place but insufficiently budgeted for (Accela, DocuSign, Website Accessibility Software, etc). Technology is key to customer service and delivery, but requires ever increasingly sophisticated software. The Utilities budget was increased by almost \$15,000 or about 16% and the Liability Insurance was also increased by 15% based on actual experience.

Public Works – This budget area remains fairly stable, and is slightly less than FY 2017-18 budgeted amount. This budget area supports right-of-way tree trimming and mowing, trail rehabilitation and tools and equipment. The Town has taken an herbicide-free and pesticide-free management approach to its trails and public right-of-way, which requires additional mowing, maintenance intervention and mechanical trapping.

Town Center - A slight decrease of \$7,020 or 3.6% over the FY 2017-18 budgeted amount is proposed. This unit supports HVAC mechanical repairs, building maintenance for all Town facilities and EV charging station maintenance. The Town Center is 10 years in age so staff is proposing several Capital Improvement Projects to maintain and improve the Town Center facility. A request for \$29,000 for improvements to the Library (including a water bottle filling station and carpet replacement) are also included in this category to reflect updates and renovations to the Library as requested by their staff.

General Fund Capital Improvement Projects/Capital Equipment Purchases

The FY 2018-19 budget includes, for the first time, a Five-Year Capital Improvement Program. This five-year plan is a summary of all the projects anticipated for review and funding. Having all projects in one place allows the Town Council to fully understand anticipated capital obligations and plan for their funding or postponement accordingly.

General Fund Capital Improvement expenditures are \$~~456,500~~512,100 a decrease of (\$~~390,000~~334,070) or ~~4639.5%~~ when compared to the prior year's budget. This significant difference results from budget amendments since the roadwork projects were started in FY16-17 but most of the work was performed in FY17-18. This year's General Fund monies provide for several Capital Improvement projects including:

- The annual street resurfacing program, which is also supported by Measure A and M dollars
- An update to the Pavement Management System and a Traffic Study requested by the Bicycle Pedestrian Traffic Safety Committee
- A Storm Drain Study
- Town Center Facility Improvement including creating a Facility Assessment & Maintenance Plan, a Lighting Retrofit, installation of a hot water spigot in the Farmers Market area and a shed to protect the Styrofoam recycling; and the installation of an operable window in the Town Hall loft area.
- An easement improvement at Paso Del Arroyo, a project which the Town Council moved forward from 2019-20
- A new truck for Public Works and a replacement server

General Fund Reserves

In Fiscal Year 2018-19, the adjustments to the current General Fund Balance Assignments (Reserves) are of great interest. The Town Manager presented his recommendation to the Finance Committee on June 4th, which after reviewing they modified for presentation to the Town Council. Specifically, they are recommending that the Unfunded Pension Liability and the Unfunded Retiree Medical Other Post-Employment Benefits (OPEB) reflect the June 30, 2017 values identified in the Basic Financial Statements. The other change was accepted, specifically decreasing the Equipment Replacement Assignment from \$200,000 to \$100,000. These modifications would leave a projected June 30, 2019 is Unassigned balance of \$2,013,433. These changes are included in the 2018-19 Fund Activity Summary towards the front of the budget book.

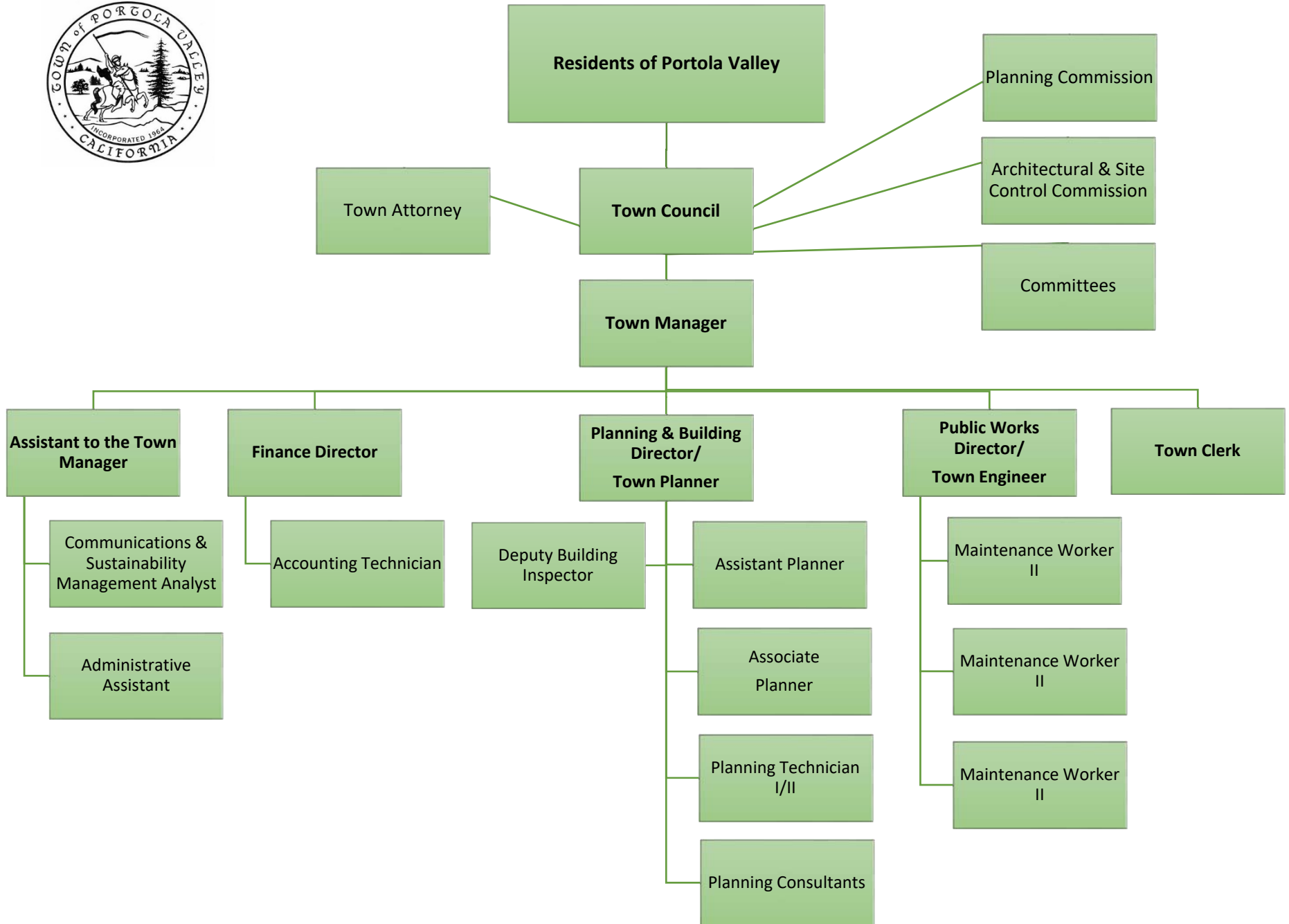
Acknowledgments

This has been a challenging year for the financial and budgetary operations of the Town. In November, the Town's Finance Director left the Town due to the rising cost of housing in the Bay Area. Since that time, we have been incredibly fortunate to have Starla Jerome-Robinson serve as the Interim Finance Director. Her steady hand, vast experience, and positive energy have been a welcome addition to Town Hall.

Cindy Rodas, the Town's Accounting Technician, spent countless hours after the loss of our Finance Director performing new tasks and taking on new responsibilities that ensured seamless service levels for all who work with the Finance Department. Thank you for keeping us going!

As with last year, all of the department heads participated in the creation of this budget. Their efforts, particularly those related to the creation of the new five-year capital improvement program, are much appreciated.

Finally, thank you to the Finance Committee for their review and recommendation of this budget proposal. Their continued desire and interest in ensuring the best possible budget for recommendation are inspirational too the entire team.





Town of Portola Valley Fund Descriptions

5	General Fund	The Town's operating fund; all general operating revenues and expenditures are processed through it.
8	Grants	Used to record all revenues and expenditures related to county, State, and Federal grants.
10	Safety Tax	A half-cent State sales tax revenue designated exclusively for local agency public safety services. (Sec. 35 of Art. XIII of Cal Const)
15	Open Space	Used for acquisition and support of open space parcels in Town.
20	Gas Tax	For maintenance and repairs to streets.
22	Measure M	County-generated vehicle registration revenue to be used for local streets and roads for congestion mitigation and water pollution prevention programs.
25	Library Fund	Library service revenue from San Mateo County Library JPA to be spent on library related activities as mutually agreed by the JPA and Town Council.
30	COPS – Public Safety	Citizens' Options for Public Safety: a supplemental State law enforcement fund for special law and traffic enforcement.
40	Park-in-Lieu	Subdivision developer's fee that can only be used for parks or recreational purposes.
45	Inclusionary-in-Lieu	A subdivision developer's fee, payable by fee or land, which can only be used for affordable housing.
50	Storm Damage	Initially created during the 1998-99 Alpine Road slide repairs, this fund is used as necessary to track federal or state-reimbursed storm-related road repairs.
60	Measure A Funds	A half-cent County sales tax revenue designated for the improvement of local transportation, including streets and roads.
65	Road Impact Fee	Recovers the cost of repairs from building permit applicants to Town roads due to wear and tear from construction vehicles. Collection of these fees was suspended by the Council in 2010.
75	Crescent M.D.	Maintenance District Funds
80	PVR M.D.	
85	Wayside I M.D.	
86	Wayside II M.D.	
90	Woodside H'lands M.D.	
95	Arrowhead M'dows M.D.	
96	Customer Deposits	Deposit fund for customer fees to pay for consulting costs associated with individual building projects. Any remaining deposit amounts are refunded to customer when project is completed.

2018-19 Revenues and Expenses by Governmental Fund

	Fund 5		Fund 8	Fund 10	Fund 15	Fund 20	Fund 22	Fund 25	Fund 30	Fund 40	Fund 45	Fund 50	Fund 60	Fund 65	Fund 96	TOTALS
Revenues	OPERATING	CAPITAL IMPRS	GRANTS	PUBLIC SAFETY	OPEN SPACE	TRANSPORTATION	MEASURE M/CCAG	LIBRARY	C O P S	Park-in-Lieu	Inclusionary-in-Lieu	Storm Damage	MEASURE A	ROAD FEES	CASE REVIEWS	
Government Agency	11,000		26,600	15,000		182,459	113,000	100,000	145,000				275,000			\$ 868,059
Franchise Fees	306,250															306,250
Permits & Fees	626,500															626,500
Other Revenues	10,500				1,000											11,500
Parks & Recreation	90,150															90,150
Service Charges	127,555														365,000	492,555
Revenue from Taxes	3,335,899															3,335,899
Town Center Facilities	228,500															228,500
Interest	71,500				61,500	100	300	4,100	500	200	42,000		2,000			182,200
Utility Users' Taxes	586,800				272,000											858,800
Revs. Sub-Totals	\$ 5,394,654	\$ -	\$ 26,600	\$ 15,000	\$ 334,500	\$ 182,559	\$ 113,300	\$ 104,100	\$ 145,500	\$ 200	\$ 42,000	\$ -	\$ 277,000	\$ -	\$ 365,000	\$ 7,000,413
Expenditures																
Administration & Operations	2,573,813															\$ 2,573,813
Committees & Commissions	66,800															66,800
Consultant Services	527,000					10,000									365,000	902,000
Miscellaneous	46,097		6,600													52,697
Parks Operations	261,600															261,600
Public Works Operations	6,000					226,755	11,000									243,755
Service Agreements	1,013,083			15,000					145,000							1,173,083
Services & Supplies	507,750		20,000					25,600								553,350
Town Center Facilities	185,440							78,500								263,940
Exp. Sub-Totals	\$ 5,187,583	\$ -	\$ 26,600	\$ 15,000	\$ -	\$ 236,755	\$ 11,000	\$ 104,100	\$ 145,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 365,000	\$ 6,091,038
Capital Improvements																
Road Improvement		78,000				78,000	67,000						275,000			\$ 498,000
Annual Road Testing/Inspection		55,000														55,000
Annual Road Future Year Design		55,000														55,000
Pavement Management Sys Update		16,000														16,000
Traffic Study		38,500														38,500
Paso del Arroyo		55,600														55,600
Springdown Improvement																-
Storm Drain Repairs							35,000									35,000
Storm Drain Study - Phase I		50,000														50,000
Emergency Fire Access Gate		5,000														5,000
Town Center Light Retrofit		32,000														32,000
Town Center Facility Assessment & Plan		12,000														12,000
Styrofoam Recycling Shed & Spiigot		20,000														20,000
Window Install		15,000														15,000
Facilities Equipment		80,000														80,000
Capital Improvements	\$ -	\$ 512,100	\$ -	\$ -	\$ -	\$ 78,000	\$ 102,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 275,000	\$ -	\$ -	\$ 967,100
Revs Less Exps/Cap Imps	207,071	-512,100	-	-	334,500	-132,196	-	0	-	-	-	-	-	-	-	-57,725
Interfund Transfers																
General Fund to Transportation	(132,196)					132,196										-
General Fund Capital Transfer	(512,100)	512,100														-
Transfers	\$ (644,296)	\$ 512,100	\$ -	\$ -	\$ -	\$ 132,196	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Net Change in Fund Balance (Revenue - Exp - CIP + Transfers)	\$ (437,225)	\$ -	\$ -	\$ -	\$ 334,500	\$ -	\$ 300	\$ -	\$ 500	\$ 200	\$ 42,000	\$ -	\$ 2,000	\$ -	\$ -	\$ (57,725)

Town of Portola Valley 2018-19 Fund Activity Summary

FUND	7/1/2018 ESTIMATED BALANCE	2018-19 ESTIMATED REVENUES	2018-19 ESTIMATED EXPENDITURES	2018-19 TRANSFERS IN(OUT)	6/30/2019 PROJECTED BALANCE
General Purpose Funds					
General Fund Unassigned	2,395,058	5,394,654	5,699,683	(132,196)	1,957,833
Unfunded Pension Liab Assignment	523,840				523,840
Equipment Replacemt Assignment	100,000				100,000
Capital Repl/Emergency Assignment	1,400,000				1,400,000
Legal Contingency Assignment	100,000				100,000
Unfunded Retiree Medical OPEB	281,102				281,102
Sub-Total	\$ 4,800,000	\$ 5,394,654	\$ 5,699,683	\$ (132,196)	\$ 4,362,775
Restricted Funds					
Bonds and Grants (8)	(1,615)	26,600	26,600		(1,615)
Public Safety (10)	(5,000)	15,000	15,000		(5,000)
Open Space (15)	5,351,482	334,500	0		5,685,982
Transportation/Public Works (20)	(87,700)	182,559	314,755	132,196	(87,700)
Measure M (22)	15,000	113,300	113,000		15,300
Library Fund (25)	250,000	104,100	104,100		250,000
Public Safety/COPS (30)	100,000	145,500	145,000		100,500
Park In Lieu (40)	33,000				33,000
Inclusionary In Lieu (45)	3,548,000	42,000			3,590,000
Measure A (60)	18,000	277,000	275,000		20,000
Applicant Deposits (96)	957,244	365,000	365,000		592,244
Sub-Total	\$ 10,178,411	\$ 1,605,559	\$ 1,358,455	\$ 132,196	\$ 10,557,711
Grand Total	\$ 14,978,411	\$ 7,000,213	\$ 7,058,138	\$ -	\$ 14,920,486

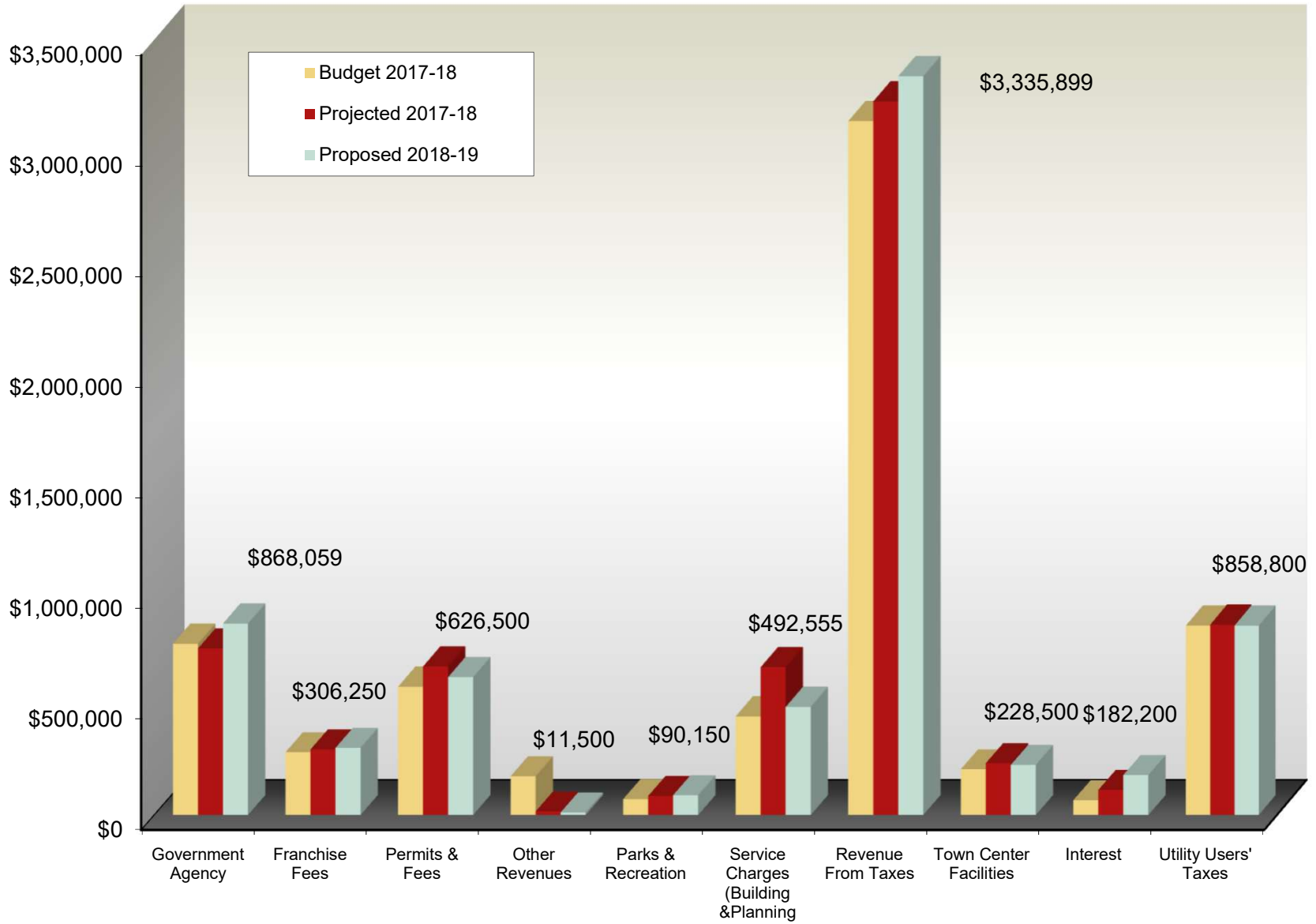
TOWN OF PORTOLA VALLEY
2018-19

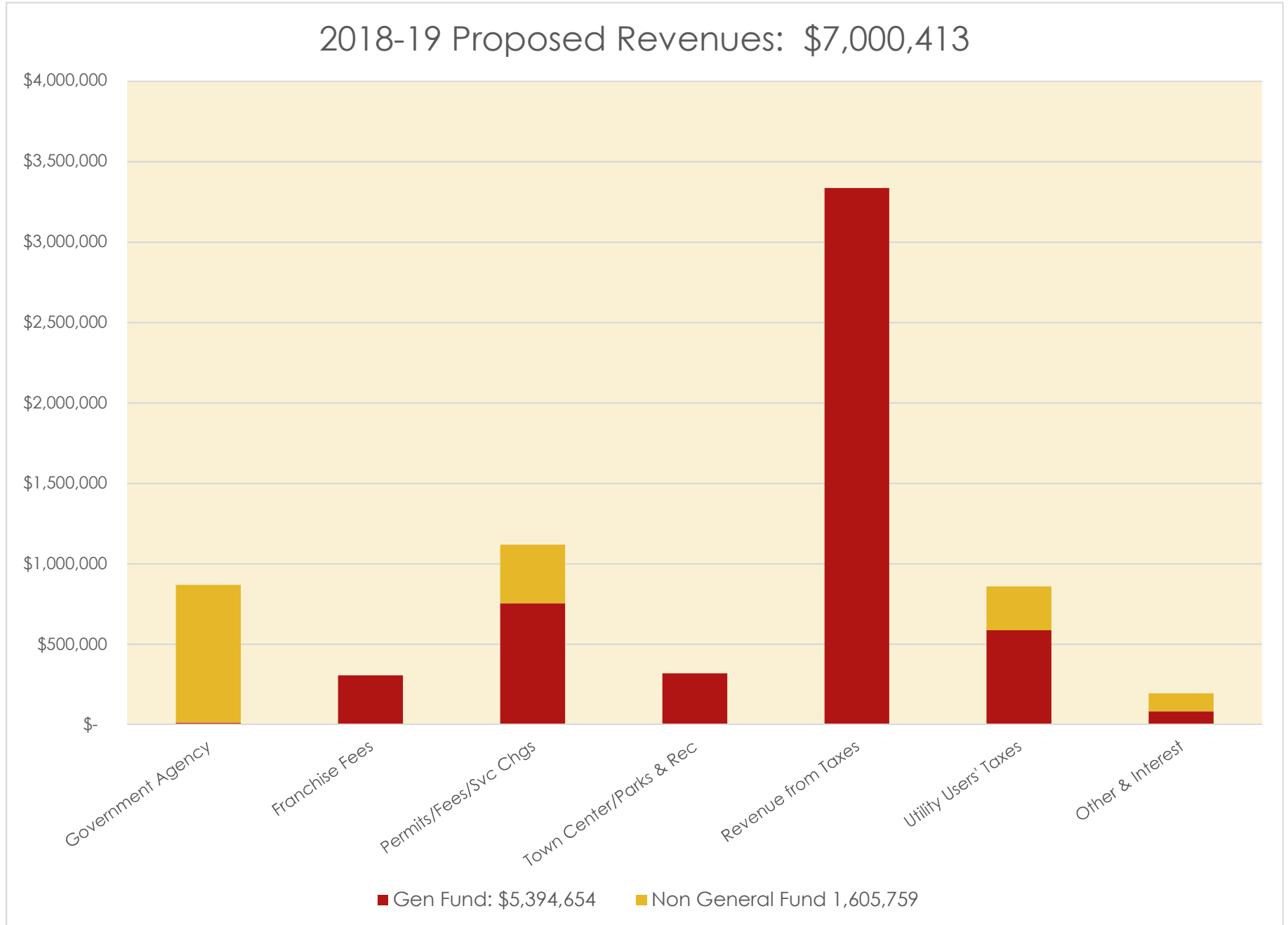
Total Revenues Budget Summary

Revenues	2017-18 Adopted Budget	2017-18 Projected at Year End	2018-19 Proposed Budget	\$ / Change per Projected Year End	% / Change per Adopted 17-18 Budget	% / Change per Projected Year End
Government Agency	777,120	755,774	868,059	112,285	11.70	14.86
Franchise Fees	286,313	299,303	306,250	6,947	6.96	2.32
Permits & Fees	583,500	675,144	626,500	(48,644)	7.37	(7.20)
Other Revenues	176,582	16,051	11,500	(4,551)	(93.49)	(28.35)
Parks & Recreation	72,013	86,513	90,150	3,637	25.19	4.20
Service Charges (Building & Plann	449,910	671,605	492,555	(179,050)	9.48	(26.66)
Revenue From Taxes	3,133,346	3,222,465	3,335,899	113,434	6.46	3.52
Town Center Facilities	208,400	236,175	228,500	(7,675)	9.64	(3.25)
Interest	67,000	114,200	182,200	68,000	171.94	59.54
Utility Users' Taxes	859,206	863,300	858,800	(4,500)	(0.05)	(0.52)
Grand Total	6,613,390	6,940,530	7,000,413	59,883	6%	1%



2017-18 Budget/Projected Revenue vs 2018-19 Proposed Revenue



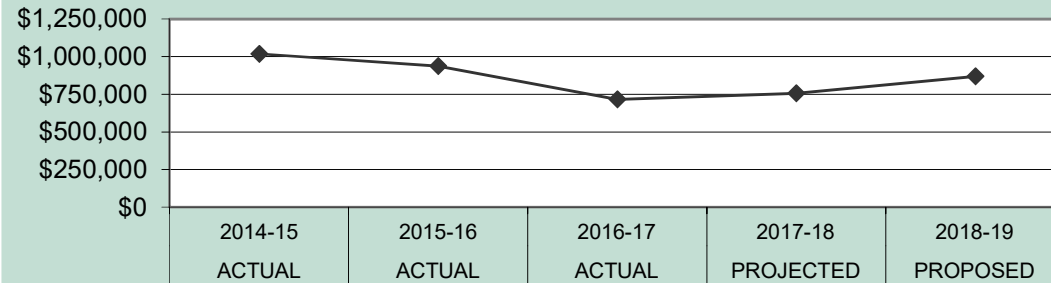


TOWN of PORTOLA VALLEY

2017-18 BUDGET WORKSHEET



Government Agency



Account Description/Activity	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	PROPOSED	ACCOUNT CODE
	2014-15	2015-16	2016-17	2017-18	2017-18	2018-19	
1 Motor Vehicle VLF funding was diverted by State legislation in 2011/12 to support the continuation of COPS funding.	1,936	-	-	-	2,478	2,500	05-10-3001
2 Measure A Sales Tax Half percent sales tax restricted for transportation uses.	269,709	263,426	274,575	283,823	247,329	275,000	60-10-3002
3 Proposition 172 Funds - Public Safety Sales Tax Half-cent sales tax restricted for public safety issues.	13,418	10,537	15,502	14,858	14,425	15,000	10-10-3004
4 Public Safety COPS Grant Annual state allotment which can only be used for public safety.	100,000	127,382	131,033	100,000	115,886	145,000	30-10-3006
5 State Gas Tax Pooled Statewide and reallocated based upon population and other factors.	90,874	59,513	84,702	110,223	87,138	104,459	20-10-3008 20-10-3010 20-10-3012
6 Homeowners' Property Tax Relief (HOPTR)	9,429	7,902	8,864	9,800	8,592	8,500	05-10-3016
State Mandated Costs Reimbursements State reimbursements totalling \$57,400 filed for legislated municipal expenses from 2001 forward.	18,136	6,132	-	0	-	-	05-10-3017

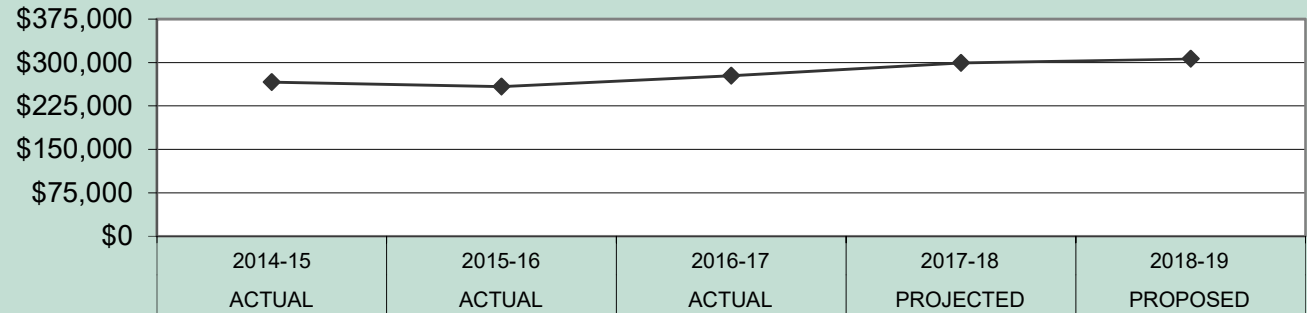
Account Description/Activity		ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	PROPOSED	ACCOUNT CODE
		2014-15	2015-16	2016-17	2017-18	2017-18	2018-19	
7	Road Maintenance Rehabilitation Account (RMRA) The account allocates revenue to local streets, roads and other transportation uses.	49,996	23,255	12,681	27,938	11,734	78,000	20-10-3015
8	Measure M This reimbursement-based revenue is derived from an additional vehicle registration fee for San Mateo County residents or improvements to local streets and roads.	123,000	108,441	81,147	109,502	81,147	113,000	22-10-3019
9	Supplemental C/CAG Program: Trash Reduction	-	10,500	-	9,773	9,773	-	22-10-3096
10	Potential Emergency Relief (Upper Alpine Rd) Reimbursable funds per Governor approval	73,482	163,799	-	-	-	-	50-10-3021
11	San Mateo County Library Donor Funds	-	-	102,603	79,603	51,900	100,000	25-16-3092
12	Miscellaneous Grants							
	ABAG-PLAN Risk Management Grant	4,086	-	-	1,600	1,600	1,600	08-10-3029
	OBAG Federal Aid Grant for Road Improvement	224,000	-	-	-	-	-	08-10-3031
	SMTA Measure A Grant Reimbursement	40,600	155,889	-	-	118,772	-	08-10-3033
	C/CAG SMCEW Muni Energy Grant	-	-	-	-	-	20,000	08-10-3030
	Beverage Container Recycling Programs - Cal Recycle	-	-	5,000	30,000	5,000	5,000	08-10-3038
	Sub-Total Miscellaneous Grants				31,600		26,600	
	Sub-Total	1,018,666	936,776	716,107	777,120	755,774	868,059	

TOWN of PORTOLA VALLEY

2017-18 BUDGET WORKSHEET



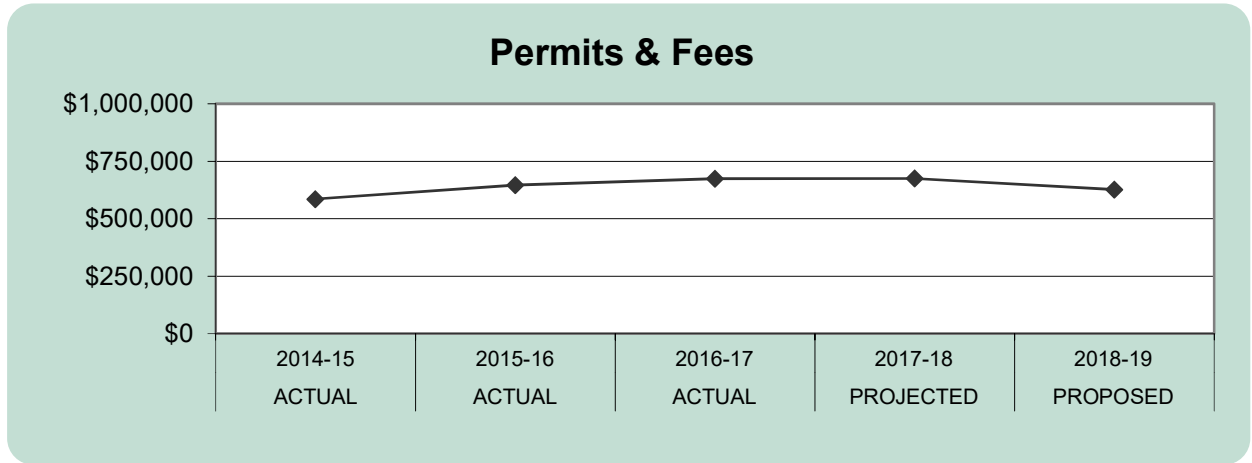
Franchise Fees



Account Description/Activity	ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 2018-19	ACCOUNT CODE
1 PG&E Franchise fee for PG&E regulated by the State through a Town franchise ordinance.	73,405	76,788	81,728	82,000	85,000	87,300	05-12-3040
2 California Water Company Fees based upon 1% of total water revenues generated by CalWater in the Town.	36,628	37,164	40,063	37,000	41,303	42,550	05-12-3042
3 Greenwaste Recovery Company Franchise fees based upon 7.7% of total revenues generated by GWR within the Town.	70,698	74,493	81,339	79,313	84,000	86,500	05-12-3044
4 Comcast and AT&T Cable Services Franchise fees based upon 5% of total revenues generated by Comcast Cable Services within the Town. Includes \$500/mo PEG fees.	85,384	69,939	73,786	88,000	89,000	89,900	05-12-3046
Sub-Total	266,115	258,385	276,916	286,313	299,303	306,250	

TOWN of PORTOLA VALLEY

2017-18 BUDGET WORKSHEET



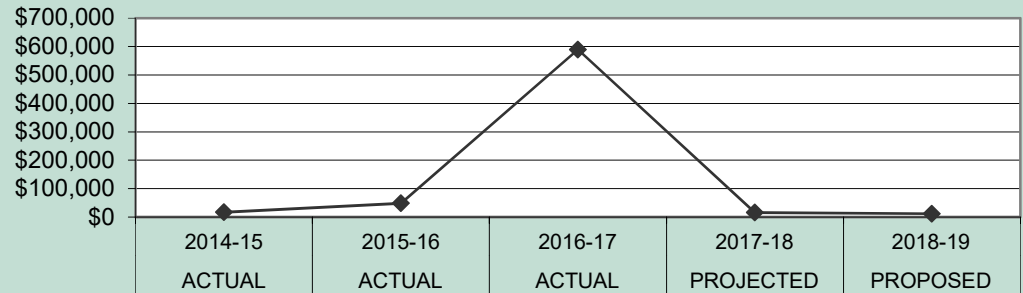
Account Description/Activity	ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 2018-19	ACCOUNT CODE
1 Building Permits/Plan Check/Inspection Fees Issued for all building construction within the Town.	523,301	559,850	570,467	525,000	590,000	545,000	05-14-3060
2 Site Development Permits property site as a result of improvements or construction.	30,255	40,575	35,485	25,000	30,000	30,000	05-14-3062
3 Encroachment Permits Fee for permits required to conduct work in public right-of-way.	8,125	14,905	10,810	9,500	10,000	10,000	05-14-3064
4 Conditional Use Permits Permits required for a special use on private property.	4,150	10,380	26,990	6,000	10,000	10,000	05-14-3066
5 Building Permit Review/Planning Fee/TempOcc Building permit fee for review of building permits for ASCC/Planning compliance.	6,640	6,457	5,160	5,000	5,000	5,000	05-14-3068
6 Horsekeeping Permits Permits required to keep horses on private property. There are currently 185 permitted horses.	2,960	2,990	2,320	3,000	3,000	3,000	05-14-3070
7 Construction and Demolition Fee Fee to offset cost of implementing C&D Ordinance.	10,150	10,530	15,200	10,000	17,000	15,000	05-14-3072
8 State Pass Through Fees State fee collected through Building Permits			7,140	0	10,144	8,500	05-14-3072
Sub-Total	585,581	645,687	673,572	583,500	675,144	626,500	

TOWN of PORTOLA VALLEY

2017-18 BUDGET WORKSHEET



Other Revenues



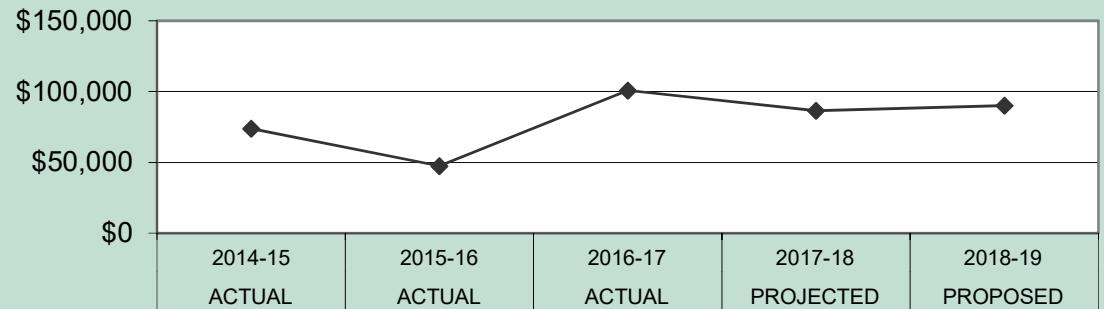
Account Description/Activity	ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 2018-19	ACCOUNT CODE
1 Fines and Forfeitures	16,998	17,400	12,080	10,500	8,000	8,500	05-16-3082
Town's portion of traffic and parking citations.							
2 Misc Contribs - received for designated projects	-	6,167	0	0	1,575	2,000	05-16-3086
3 Remaining Revenue Funds							
Crowder Trail Maintenance (C-1 Trail Deposit)	-	17,430	0	108,268	-	-	05-16-3086
Ford Field Donations	-	0	0		-	-	05-16-3086
4 Open Space	-	7,733	3,364	1,000	6,476	1,000	15-16-3090
Contributions towards the Town's Open Space funds.							
5 Inclusionary In-Lieu Fees - Subdivision Fees	-	-	573,524	-	0	-	45-00-3375
6 Town Council Health Insurance Option				56,814	-	-	05-16-3087
Sub-Total	16,998	48,730	588,968	176,582	16,051	11,500	

TOWN of PORTOLA VALLEY

2017-18 BUDGET WORKSHEET



Parks & Recreation



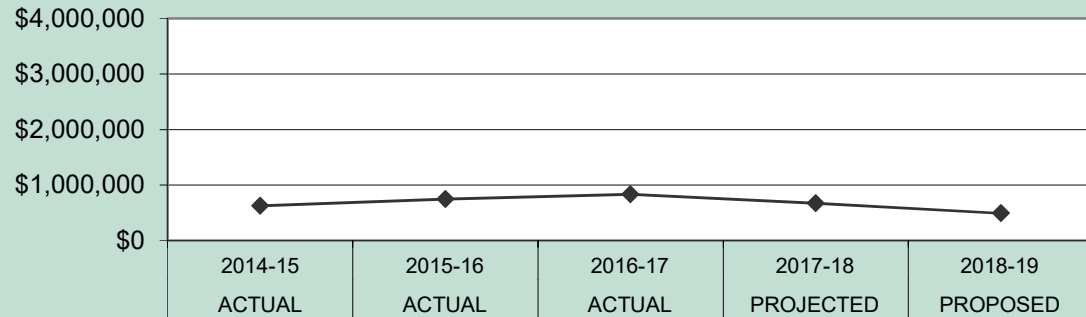
Account Description/Activity		ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 2018-19	ACCOUNT NUMBER
1	Lease Income - Parks	7,993	8,123	7,611	8,513	8,513	8,800	05-18-3100
	Lease of Town property for private uses (Alpine Inn Parking Lot and Ladera Oaks).							
2	Sports League Field Use	65,820	38,409	93,210	62,000	78,000	81,350	05-18-3102
	Use fees charged to organized sports leagues for the use of Town fields. Effective 2013-14, soccer league now included with this user group.							
3	Annual Community Events							
	Town Picnic/Zots to Tots	-	1,015	0	1,500	-		05-18-3104
	Sub-Total	73,813	47,547	100,821	72,013	86,513	90,150	

TOWN of PORTOLA VALLEY

2017-18 BUDGET WORKSHEET



Service Charges



Account Description/Activity	ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 2018-19	ACCOUNT CODE
1 Zoning and Planning Permits	-	-	315	0	-	-	05-20-3120
Fee for permits required for commercial use changes.							
2 Variances	2,455	2,455	14,730	2,455	4,910	4,910	05-20-3122
Filing fee required for consideration of variance requests.							
3 Subdivision Fees	1,680	1,680	3,360	1,680	4,410	3,360	05-20-3124
Filing fee required to process a subdivision.							
4 Residential Data Reports	7,125	8,030	7,040	6,050	6,050	6,050	05-20-3126
Filing fee required for a property status report.							
5 Pre-Application Meeting Fee	4,840	1,210	7,865	5,000	9,075	7,865	05-20-3127
6 Architectural Review Fees	18,210	28,180	19,315	10,225	22,065	19,950	05-20-3132
Filing fee for consideration of improvements to private property.							
7 Geology Fees	8,820	5,630	11,790	8,000	10,650	10,920	05-20-3136
Filing fee for review by Town Geologist for private property improvements, map modifications.							
7 Inspection Fees			823		5,545	5,500	05-20-3137
Fees for requested onsite inspections.							
8 Town Engineering Charges	4,800	2,250	4,950	5,000	3,900	3,000	05-20-3138
Charges to applicant for Engineering staff's review of plans for improvements to private property.							

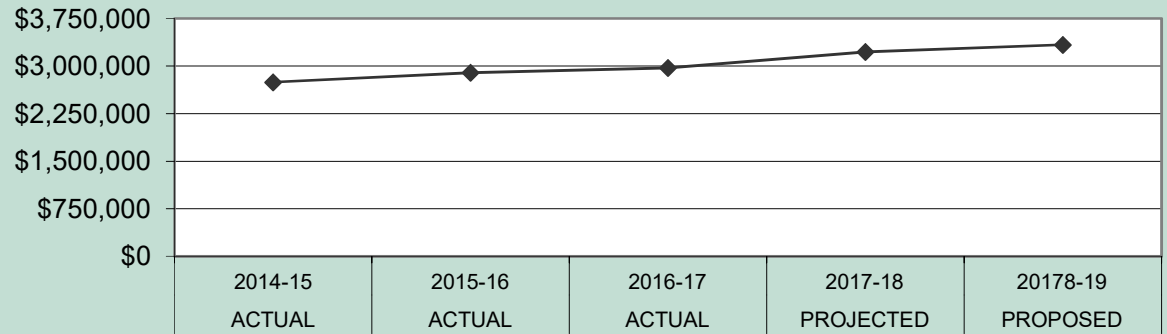
Account Description/Activity		ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 2018-19	ACCOUNT CODE
9	Town Planning Charges	51,286	79,586	56,797	45,000	40,000	40,000	05-20-3139
	Charges to applicants for <u>Planning staff's</u> review of applications.							
10	Inclusion in Lieu			7,437				45-20-3128
	Drainage fees related to development							
10	Park in Lieu Fees			26,469				40-20-3130
	Charges related to subdivision development.							
11	Town Library Maintenance	-	-	8,001		10,000	11,000	05-20-3141
	Charges to offset staff maintenance of the Library							
12	Planning Services - Charges to Applicants	-	-	-	110,000	195,000	120,000	96-20-3140
	Charges to applicants for Town Planning review of applications.							
13	Geological Services - Charges to Applicants	-	-	-	125,000	180,000	125,000	96-20-3140
	Charges to applicants for Geological Consultant's review of applications.							
14	Engineering Services - Charges to Applicants	-	-	-	73,000	115,000	95,000	96-20-3140
	Charges to applicants for Engineering Consultant's review of applications.							
	Attorney Services - Charges to Applicants	-	-	-	30,000	50,000	25,000	96-20-3140
15	Charges to applicants for legal review of private applications.							
	Sub-Total - Charges to Applicants	509,142	575,273	640,636	338,000	525,000	365,000	96-20-3140
16	Miscellaneous	18,005	45,446	24,819	15,000	40,000	15,000	05-20-3154/55
17	Appeals				-			05-20-3142
18	NPDES Business Storm Water Consultant				13,500			05-20-3140
	Sub-Total	626,363	749,741	834,347	449,910	671,605	492,555	

TOWN of PORTOLA VALLEY

2017-18 BUDGET WORKSHEET



Revenue From Taxes



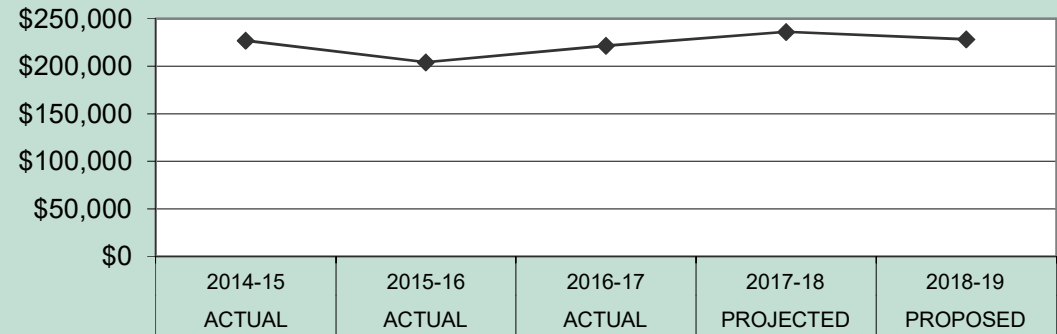
Account Description/Activity	ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 20178-19	ACCOUNT CODE
1 Property Taxes - Secured Town receives 7% of collected property tax revenues from the County, and a 4.75% growth rate is projected.	2,227,812	2,386,650	2,498,685	2,604,654	2,675,000	2,793,313	05-22-3160
2 Property Taxes - Unsecured Non-property fixed assets (boats, airplanes, capital equipment, etc).	89,960	94,714	96,335	98,562	106,000	110,000	05-22-3162
3 Sales & Use Tax	181,914	239,659	208,498	218,000	221,565	206,836	05-22-3164
4 Business License Tax	114,134	78,675	73,902	100,000	104,900	105,000	05-22-3166
5 Real Property Transfer Tax Transaction tax charged when private property transfers.	116,803	98,364	93,329	112,130	115,000	120,750	05-22-3168
6 Miscellaneous Other Taxes	15,797	-	-	-	-	-	05-22-3170
Sub-Total	2,746,421	2,898,062	2,970,749	3,133,346	3,222,465	3,335,899	

TOWN of PORTOLA VALLEY

2017-18 BUDGET WORKSHEET



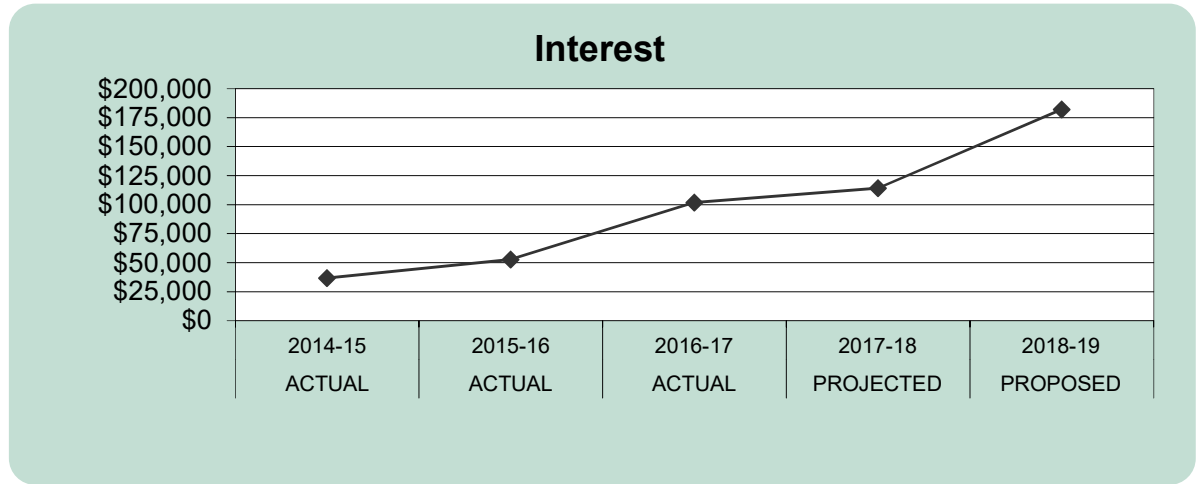
Town Center Facilities



Account Description/Activity	ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 2018-19	ACCOUNT CODE
1 Community Hall / Activity Room Rentals Facilities are available for private use by residents 24 times per calendar year.	20,757	4,733	6,532	7,000	17,175	17,000	05-24-3184
2 Parking Lot & Field Rentals Short term rentals of the Ford Field parking lot for private parties and events by residents.	1,879	1,783	2,000	1,400	1,500	1,500	05-24-3188
3 Class Fees Four activity rooms available. This revenue is offset by instructor fees, see Parks and Recreation Operations.	204,247	197,693	213,188	200,000	217,500	210,000	05-24-3190
Sub-Total	226,883	204,209	221,720	208,400	236,175	228,500	

TOWN of PORTOLA VALLEY

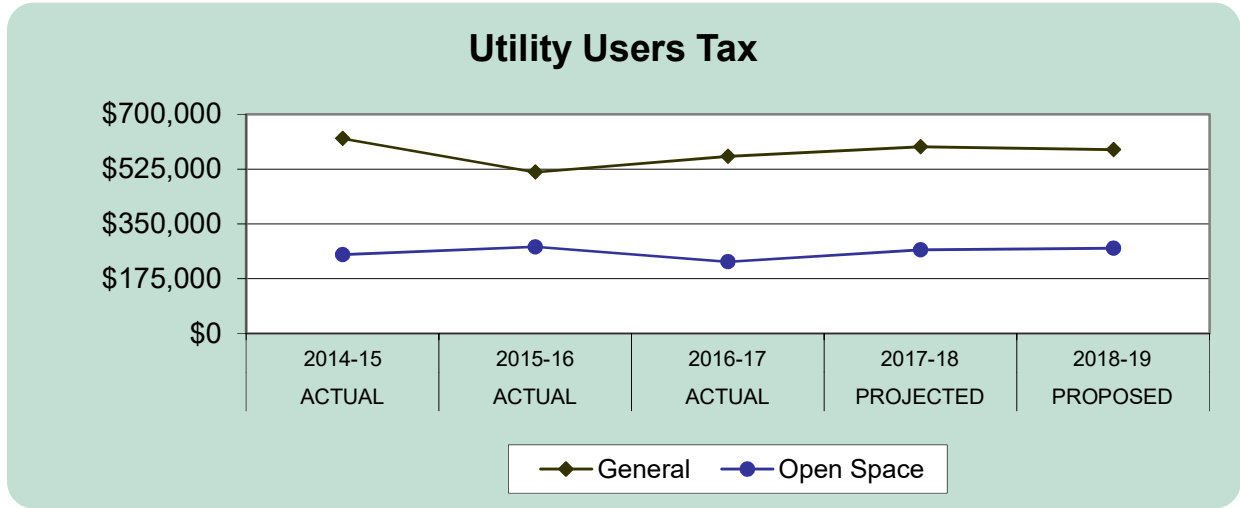
2017-18 BUDGET WORKSHEET



Account Description/Activity	ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 2018-19	ACCOUNT CODE
1 Interest The Town's reserves are invested in the State Local Agency Investment Fund, with an average effective yield for the month of April 2018 of 1.51%.	11,714	15,588	31,229	27,000	50,000	71,500	05-26-3200
2 Interest - Restricted Allocated quarterly based on average cash balances.	25,000	37,111	70,516	40,000	64,200	110,700	
Sub-Total	36,714	52,699	101,745	67,000	114,200	182,200	

TOWN of PORTOLA VALLEY

2017-18 BUDGET WORKSHEET



Account Description/Activity	ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 2018-19	ACCOUNT CODES
1 General Purpose Use							
Based on utility revenues generated in Town. UUT rate is 4.5%.							
Electricity and Gas	327,801	351,751	401,287	358,180	350,000	340,000	05-28-3220
Telephone	26,477	39,802	38,452	53,027	26,300	26,800	05-28-3222
Water	160,899	174,193	182,627	183,627	220,000	220,000	05-28-3224
Sub-Total General Purpose Use Tax	515,177	565,745	622,366	594,834	596,300	586,800	
2 Open Space Use							
2% applied to total utility revenues generated by Town residents and businesses. Use restricted for the preservation and purchase of open space. Originally approved by the voters in November 1997.							
Electricity and Gas	145,678	156,337	178,365	159,209	160,000	160,000	15-28-3220
Telephone	11,782	17,690	17,076	23,550	13,000	13,000	15-28-3222
Water	71,512	77,420	81,327	81,613	94,000	99,000	15-28-3224
Sub-Total Open Space Use Tax	228,971	251,447	276,768	264,372	267,000	272,000	
Sub-Total	744,149	817,193	899,134	859,206	863,300	858,800	

EXPENDITURES

Administration & Operations.....35

Permanent, Part-time and Temporary Staff and
Benefits

Committees & Commissions.....36

Bicycle, Pedestrian & Traffic Safety
Cable & Utilities Undergrounding
Conservation
Community/Volunteer Events
Cultural Arts
Emergency Preparedness
Historic Resources
Open Space Acquisition Advisory
Parks & Recreation
Science & Nature
Sustainability
Trails & Paths

Consultant Services.....37

Accounting & Auditing
Town Attorney
Transcription
Geologist
Engineer
Planner
Plan Check
Miscellaneous Consultants

Miscellaneous.....39

Contingency
Community Services

HEART JPA

Risk Management Programs

Parks & Recreation Operations.....40

Parks & Fields Maintenance
Portable Lavatories
Special Events Insurance
Instructors

Public Works Operations.....41

Public Road Surface & Drainage
Street Seeping and ROW Maintenance
ROW Tree Trimming & Mowing
Litter Cleanup
Tools and Equipment
Street Signs & Striping
Trails Surface Rehabilitation
C-1 Trail Maintenance
Storm Damage/Emergency Repairs

Service Agreements.....42

Animal Control
San Mateo County Sheriff's Office, COPS
Emergency Services Council JPA
NPDES – Stormwater Program

Services & Supplies.....43

Elections
Liability Insurance
Office Supplies
Town Publications
Web Site Hosting & Spam Filtering
Office Equipment – Maintenance & Repairs

EXPENDITURES

- Equipment Services Contracts
- Postage
- Telephones and Wi-Fi
- Advertising
- Dues
- Education & Training
- Mileage Reimbursement
- Utilities
- Fire Prevention/Wood Chipping
- Vehicle Maintenance
- Miscellaneous
- Bank Fees
- Sustainability Series

Town Center Facilities.....45

- Building Maintenance Equipment & Supplies
- Landscape Supplies & Services
- Janitorial Services
- Mechanical Systems Maintenance/Repair
- Repairs/Vandalism
- Property Insurance

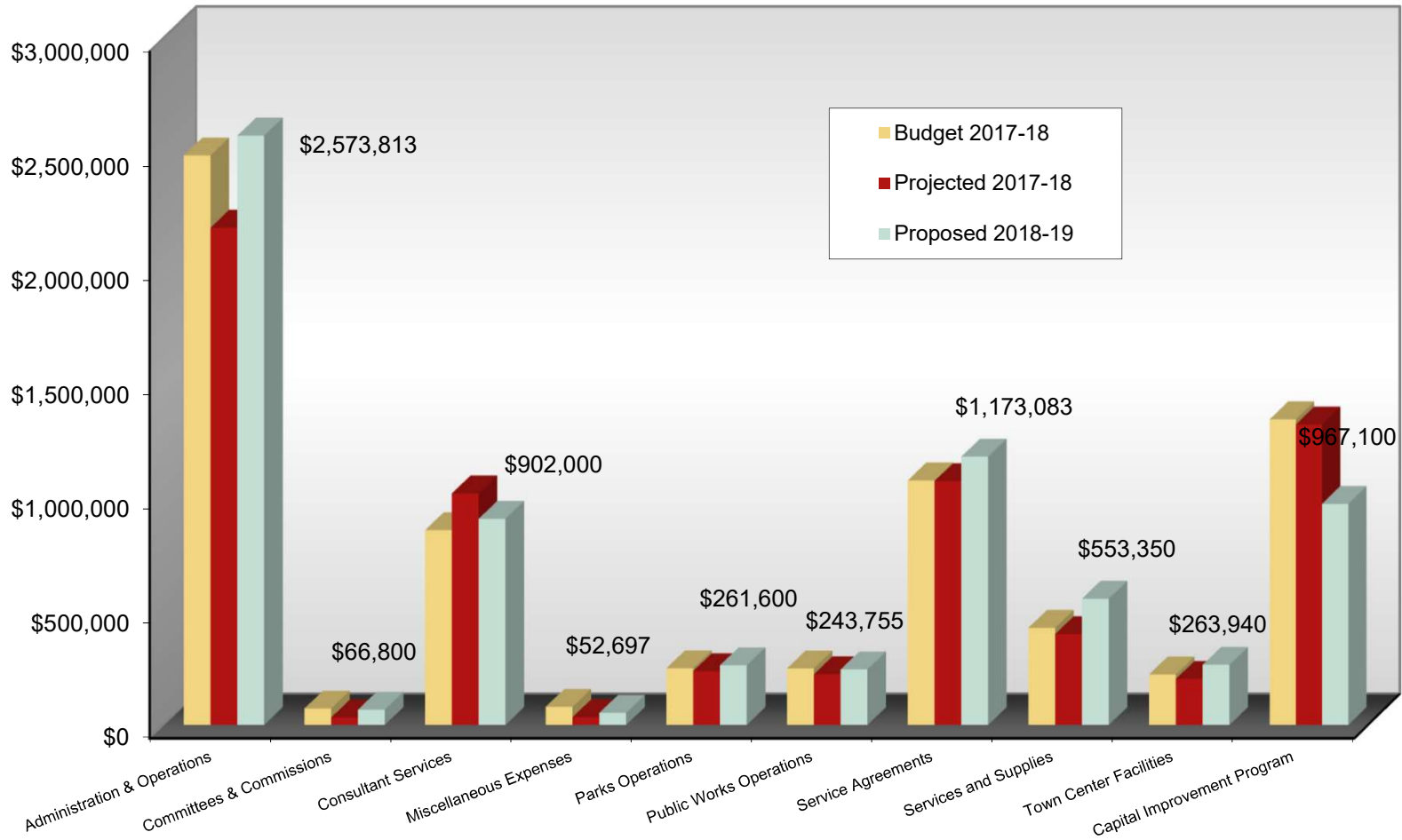
Capital Improvement Programs.....46

TOWN OF PORTOLA VALLEY
2018-19
Total Expenditures Budget Summary

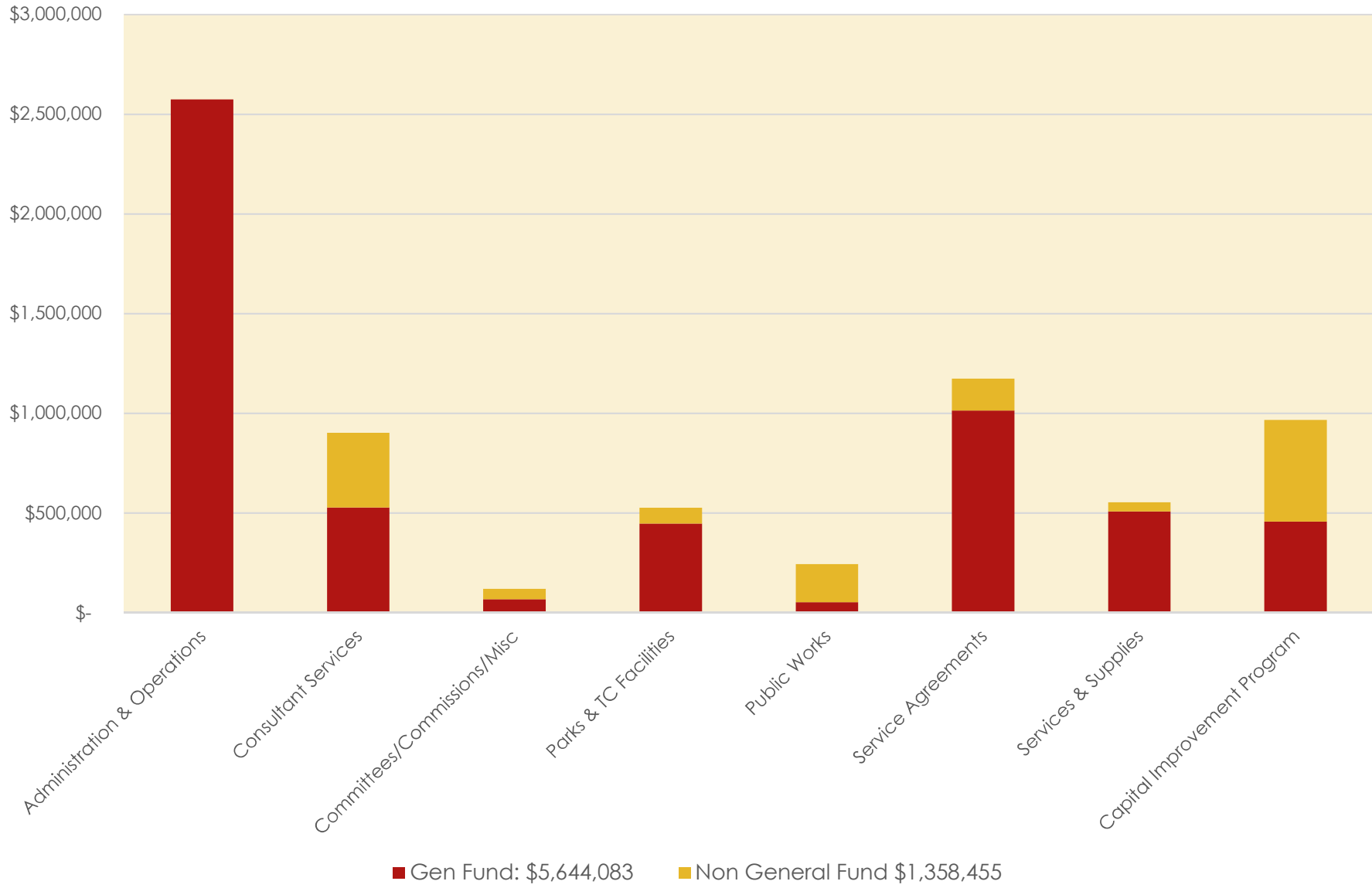
Expenditures	2017-18	2017-18	2018-19	\$ / Change	%/Change	%/Change
	Adopted Budget	Projected at Year End	Proposed Budget	per Projected Year End	per Adopted 17-18 Budget	per Projected Year End
Administration & Operations	2,487,063	2,171,802	2,573,813	402,011	3.49	18.51
Committees & Commissions	71,650	32,500	66,800	34,300	(6.77)	105.54
Consultant Services	852,200	1,012,569	902,000	-110,569	5.84	(10.92)
Miscellaneous Expenses	79,288	33,870	52,697	18,827	(33.54)	55.59
Parks Operations	248,400	236,000	261,600	25,600	5.31	10.85
Public Works Operations	248,250	222,181	243,755	21,574	(1.81)	9.71
Service Agreements	1,069,258	1,066,232	1,173,083	106,851	9.71	10.02
Services and Supplies	426,166	398,685	553,350	154,665	29.84	38.79
Town Center Facilities	221,460	201,672	263,940	62,268	19.18	30.88
Subtotal	5,703,735	5,375,511	6,091,038	715,527	6.79	13.31
Capital Improvement Program						
Programs	1,335,921	1,313,106	887,100	-426,006	(33.60)	(32.44)
Equipment	150,500	150,500	80,000	-70,500	(46.84)	(46.84)
Subtotal	1,486,421	1,463,606	967,100	-496,506	(34.94)	(33.92)
Grand Total	7,190,156	6,839,117	7,058,138	219,021	-2%	3%



2017-18 Budget/Projected Expenditures vs 2018-19 Proposed Expenditures



2018-19 Proposed Expenditures: \$7,002,538

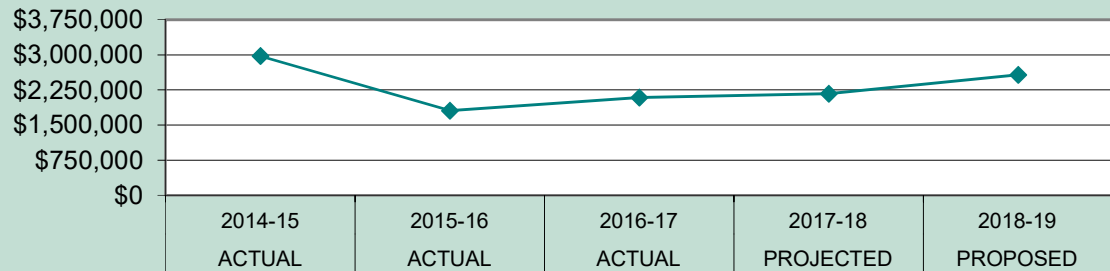


TOWN of PORTOLA VALLEY

2018-19 BUDGET WORKSHEET



Administration and Operations



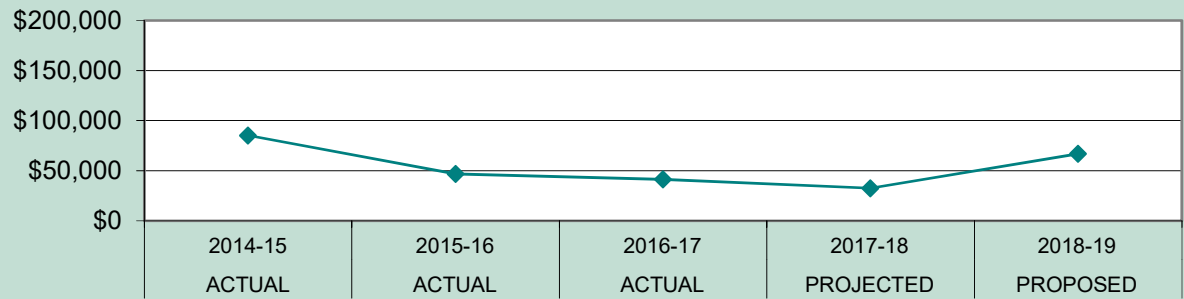
Account Description/Activity		ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 2018-19	ACCOUNT CODES
1	Permanent Full-Time Staff (16)							
	Administration/Finance (7)	542,078	540,654	589,553	736,664	726,695	804,001.16	
	Planning/Building/Public Wks (6)	596,785	533,416	691,579	720,525	575,453	732,823.45	
	Maintenance (3)	135,631	111,298	164,208	203,975	203,978	219,260.69	
2	Permanent Part-Time Staff							
	Administrative (2) (<i>Intern/Admin Staff</i>)	360	33,040	10,825	41,600	2,000.00	20,000	05-50-4058
3	Temporary Staff							
	Building Inspection (Contractor)	180,405	111,198	5,035	15,000	11,000	15,000	05-50-4062
	Temporary Plan/Admin Staff	36,524	14,589	7,248	16,500	15,000	15,000	05-50-4060/4042
4	Benefits							
	Retirement - PERS	1,119,396	156,003	196,702	231,476	219,970	276,544	05-50-4080
	Retirement - Social Security	73,600	62,496	83,578	88,736	93,380	98,611	05-50-4082
	Medicare	19,000	18,185	21,751	23,414	21,839	25,637	05-50-4084
	Health Insurance/Retiree Service Charges	177,202	142,494	201,793	205,905	152,340	210,254	05-50-4086
	Town Council Health Insurance Access				56,814	0		05-50-4088
	Health Insurance/Dental & Vision	22,178	19,070	22,808	33,936	34,000	33,936	05-50-4090
	Long-Term Disability Insurance	3,267	3,725	5,094	4,200	4,500	6,000	05-50-4091
	Unemployment/Workers' Compensation	14,397	2,250	47,758	44,000	49,000	55,000	05-50-4092
	Wellness Program						5,000	05-50-4095
	Cafeteria Plan Management (FSA)	1,000	1,000	1,000	1,000	1,000	1,000	05-50-4097
	Automobile Allowance	10,150	8,400	12,000	12,000	12,000	12,000	05-50-4096
	Overtime	7,830	6,854	4,774	5,000	500	5,000	05-50-4100
	Tuition Reimbursement	6,000	3,000	0	6,000	4,500	6,000	05-50-4104
	Town-Paid Deferred Compensation	8,358	17,216	17,630	18,318	17,647	17,745	05-50-4098
5	Vacation Sell Back	22,386	23,943	8,686	22,000	27,000	15,000	05-50-4102
	Sub-Total	2,976,547	1,808,830	2,092,022	2,487,063	2,171,802	2,573,813	

TOWN of PORTOLA VALLEY

2018-19 BUDGET WORKSHEET



Committees and Commissions



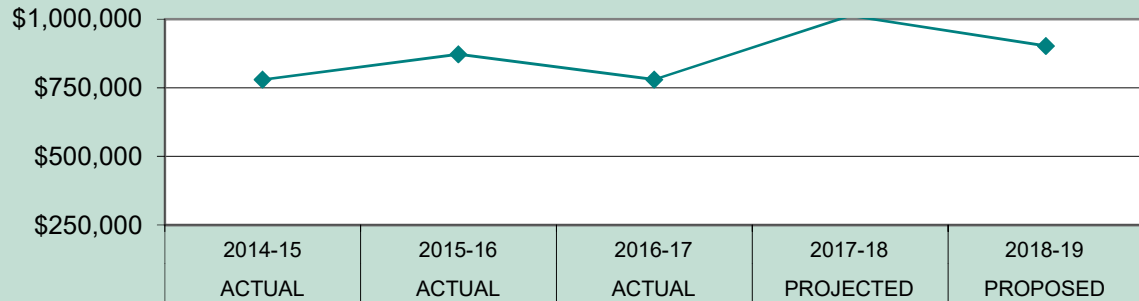
Account Description/Activity	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	PROPOSED	ACCOUNT CODES
	2014-15	2015-16	2016-17	2017-18	2017-18	2018-19	
1 Bicycle, Pedestrian and Traffic Safety	0	311	186	750	200	500	05-52-4143
2 Cable and Utilities Undergrounding	0	0	0	500	500	500	05-52-4142
3 Conservation	830	2,277	2,070	2,200	500	2,600	05-52-4144
4 Community Volunteer Events							
<i>Fiftieth Anniversary Party</i>	37,290	0	0	0	0		
<i>Volunteer Appreciation</i>	11,576	11,169	10,647	13,000	13,000	13,700	05-52-4147
5 Cultural Arts	4,751	5,741	7,700	6,850	6,850	8,900	05-52-4150
Holiday Fair, Summer Concerts, Lecture Series							
6 Emergency Preparedness	7,747	8,820	3,625	11,000	5,150	7,250	05-52-4152
Includes cost of microwave line to County, emergency supplies and radio-related costs.							
7 Historic Resources	2,114	1,150	3,282	5,750	3,500	5,250	05-52-4154
8 Open Space Acquisition Advisory	102	0	0	500	500	2,500	05-52-4156
9 Parks and Recreation							
Town Picnic (line item moved to P&R 2014-15)	7,878	10,350	8,786	11,000	500	10,000	05-52-4158
Zots to Tots Run	3,612	1,619	(339)	3,000	0	0	05-52-4158
10 Science and Nature	398	1,204	862	1,500	800	1,500	05-52-4163
11 Sustainability & Environmental Resources	5,136	91	0	11,600	1,000	10,100	05-52-4165
12 Trails & Paths	306	2,500	3,079	4,000	0	4,000	20-60-4270
13 Water Conservation	3,455	1,609	1,444	0	0	0	05-52-4168
Sub-Total	85,194	46,840	41,342	71,650	32,500	66,800	

TOWN of PORTOLA VALLEY

2018-19 BUDGET WORKSHEET



Consultant Services



Account Description/Activity	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	PROPOSED	ACCOUNT CODES
	2014-15	2015-16	2016-17	2017-18	2017-18	2018-19	
1 Accounting and Auditing Preparation of the Town's annual audit, GASB Reports, and SCO Street Report. The Community Hall audit is in the Town Center Facilities budget.	26,276	39,534	29,439	30,200	30,000	33,000	05-54-4180
2 Town Attorney Town Attorney is appointed by the Town Council to provide legal advice to the Town Council, committees, and staff.	131,304	117,133	148,664	140,000	140,000	140,000	05-54-4182
3 Town Attorney - Charges to Applicants Charges to applicants for legal reviews of applications. Paid through the applicant deposit system.	14,844	20,895	36,615	30,000	50,000	25,000	96-54-4186
4 Transcription Services Cost to transcribe the proceedings of the Town Council and Planning Commission meetings.	16,938	11,868	14,680	20,000	12,000	15,000	05-54-4188
5 Town Geologist The Town Geologist is retained to provide geology reviews and advice to the Town Council and staff.	14,981	1,856	6,840	14,000	1,000	4,000	05-54-4189

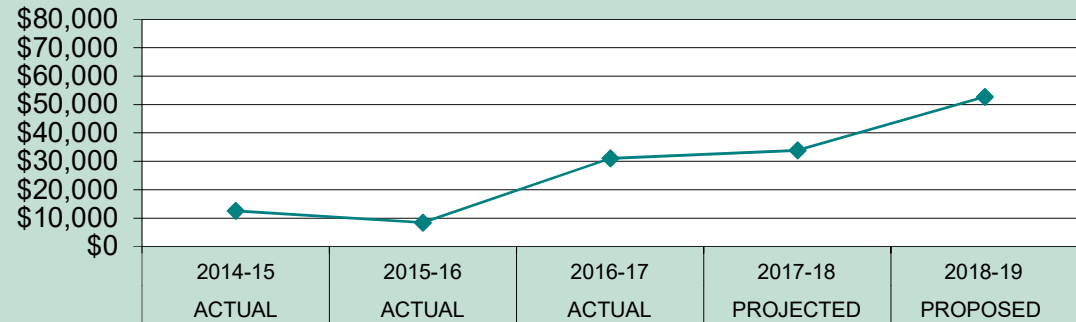
Account Description/Activity		ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	PROPOSED	ACCOUNT
		2014-15	2015-16	2016-17	2017-18	2017-18	2018-19	CODES
6	Town Geologist - Charges to Applicants	122,551	128,238	120,397	125,000	155,000	125,000	05-54-4189
	Charges to applicants for geological consultant reviews of applications. Paid through applicant deposit system.							
7	Engineer Services	3,373	45,173	2,201	25,000	9,500	12,500	5/20-54-4192
	This provides backup consulting to the Town Engineer (e.g., traffic analysis, surveying, NPDES).							
8	Engineer - Charge to Applicants	45,882	85,906	89,580	73,000	125,000	95,000	96-54-4194
	Charges to applicants for engineering consultant review of applications. Public Works/Engineering inspections paid through applicant deposit system.							
9	Planner	93,585	71,505	9,978	15,000	11,000	15,000	05-54-4196
	Contract planning services as needed.							
10	Planner - Charge to Applicants	62,874	91,301	156,122	110,000	195,000	120,000	96-54-4198
	Charges to applicants for planning consultant reviews of applications. Paid through applicant deposit system.				-			
11	Plan Check	91,559	119,296	105,349	100,000	160,000	140,000	05-54-4200
	Service to review building depart. plans submitted by applicants for consistency with conditions and codes.							
12	Miscellaneous Consultants							
	Town Center Master Plan Town Center and Library		1,926	27,589	45,000	15,000	0	05/25-54-4214
	Peelle - Scanning & Indexing Town Documents	-	33,204	5,528	3,500	3,500	0	05-54-4208
	Lynx Tech -Completion of General Plan Diagrams	8,351	-	-	-	-	1,000	05-54-4208
	Public Information Consultant (shared)	65,000	717	0	-	0	-	05-54-4215
	Website/IT Consulting & Training Services	25,826	30,059	27,206	27,000	29,000	35,000	05-54-4216
	Tyler Tech - Creating Planning Reports						5,000	
	Business Storm Water Consultant (NPDES)				13,500	2,000	13,500	
	General Plan Consultant						25,000	05-54-4214
	Garbage Franchise Negotiation for Agreement				17,000	17,000	61,000	05-54-4214
	Emergency Preparedness Training/Support				3,000	3,000	3,000	05-54-4214
	User Fee Study				35,000	15,000	20,000	05-54-4214
	SMC Dept of Housing 21 Elements consulting				1,000	1,500	1,500	05-54-4214
	Microgrid Proposal				15,000	15,000		
	Other Consultants	56,237	73,936		10,000	23,069	12,500	05-54-4214
	Sub-Total Miscellaneous Consultants							05-54-4214
	Sub-Total	779,580	872,547	780,188	852,200	1,012,569	902,000	

TOWN of PORTOLA VALLEY

2018-19 BUDGET WORKSHEET



Miscellaneous Expenses



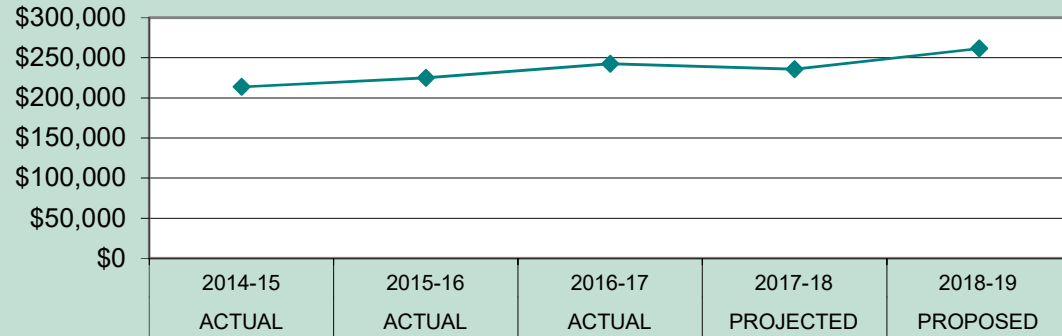
Account Description/Activity	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	PROPOSED	ACCOUNT CODE
	2014-15	2015-16	2016-17	2017-18	2017-18	2018-19	
1 Contingency	-	-	-	15,000	-	15,000	05-56-4220
Contingency funding provides for unexpected needs; requires Town Council authorization.							
2 Community Services							05-56-4222
Joint Venture Silicon Valley			1,000	1,250	1,000	1,000	
Pennisula Conflict Resolution			525	525	525	552	
Sustainable San Mateo County			2,500	2,500	2,500	2,500	
Sustainable Silicon Valley				1,000	1,000	1,000	
HIP Housing			3,000	3,000	3,000	3,000	
Housing Outreach Team			2,763	2,763	2,763	2,763	
Citizens Emergency Response Preparedness Prgm			5,000	5,000	5,000	5,000	
League of CA Cities & Housing Leadership Council				150	150	350	
Gun By Gun				15,000	10,000		
H.E.A.R.T. JPA	1,432	1,432	1,432	1,500	1,432	1,432	05-56-4223
Grass Roots Ecology						5,000	
Sub-Total Community Services	7,000	7,000	14,788	32,688	27,370	22,597	
4 FEES							05-56-4221
For State pass through fees on building permits.					4,500	8,500	05-56-4224
5 Risk Management Programs (grant funded)	4,086	0	0	1,600	1,500	1,600	08-56-4221
6 Beverage Container Recycling Programs - Cal Recycle	-	-	-	30,000	5,000	5,000	08-56-4222
Sub-Total	12,518	8,432	31,008	79,288	33,870	52,697	

TOWN of PORTOLA VALLEY

2018-19 BUDGET WORKSHEET



Parks & Recreation Operations



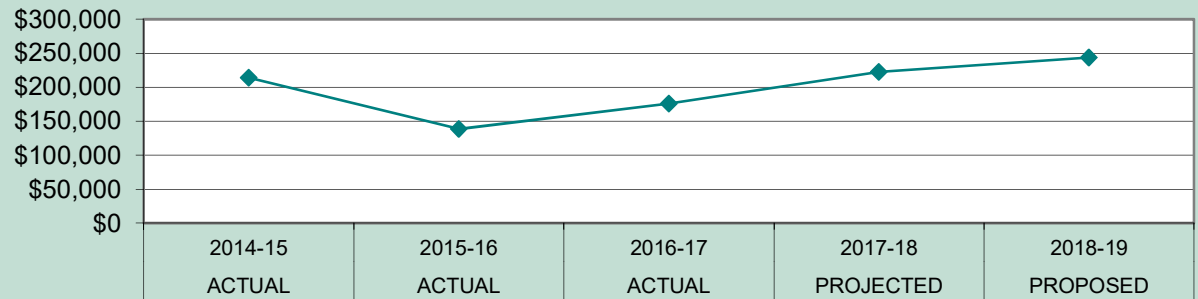
Account Description/Activity	ACTUAL 2014-15	ACTUAL 2015-16	ACTUAL 2016-17	BUDGET 2017-18	PROJECTED 2017-18	PROPOSED 2018-19	ACCOUNT CODES
1 Parks and Fields Maintenance Maintenance cost for all Town-owned playing fields and parks. Budget reflects a shift to mechanical trapping of rodents.	46,112	61,920	68,827	83,000	70,000	90,000	05-58-4240
2 Portable Lavatories Portables at both Rossotti and Ford playing fields.	3,147	3,152	3,151	3,200	3,000	3,600	05-58-4244
3 Instructors Percentage of fees (80%) remitted to instructors from classroom revenues.	162,283	157,930	169,101	160,000	160,000	165,000	05-58-4246
4 Special Event Insurance	2,200	1,987	1,441	2,200	3,000	3,000	05-58-4338
Sub-Total	213,742	224,989	242,520	248,400	236,000	261,600	

TOWN of PORTOLA VALLEY

2018-19 BUDGET WORKSHEET



Public Works Operations



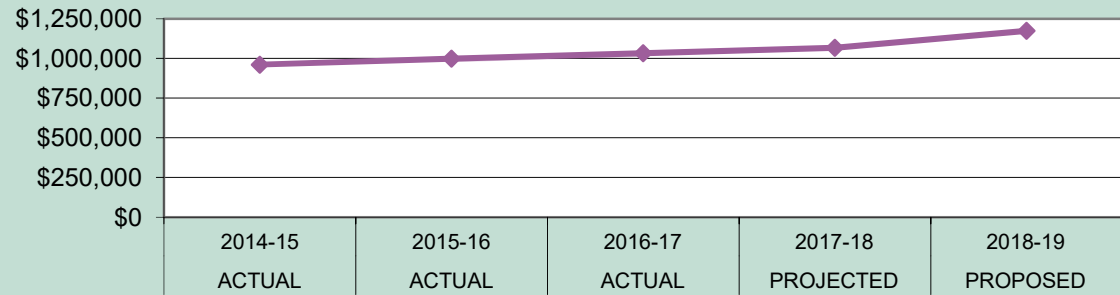
Account Description/Activity	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	PROPOSED	ACCOUNT CODES
	2014-15	2015-16	2016-17	2017-18	2017-18	2018-19	
1 Public Road Surface & Drainage Maintenance	21,100	9,756	15,724	35,000	11,000	25,000	20-60-4260
2 Street Sweeping	19,110	19,110	11,562	20,000	681	21,755	20-60-4262
3 Right of Way Tree Trimming & Mowing Program	53,282	60,217	39,179	71,450	65,000	70,000	20-60-4264
4 Public Right of Way Litter Clean-up Program (Gas Tax)			9,057	0	18,000	0	20-60-4266
5 Public Right of Way Litter Clean-up Program (Measure M)	6,370	10,441	8,979	11,000	11,000	11,000	22-60-4266
6 Tools and Equipment Includes safety garments, hand tools, small mowers and rental equipment.	2,642	4,811	5,906	10,800	7,500	6,000	05-60-4267
7 Street Signs & Striping Maintenance	9,911	10,050	10,428	15,000	12,000	15,000	20-60-4268
8 Trail Surface Rehabilitation Includes mechanical weed control vs pesticides	42,175	20,310	35,489	65,000	56,000	55,000	20-60-4270
9 Storm Damage/Emergency Repairs Non-disaster related storm damage.	59,579	3,738	39,466	20,000	41,000	40,000	20-60-4271
Sub-Total	214,169	138,433	175,790	248,250	222,181	243,755	

TOWN of PORTOLA VALLEY

2018-19 BUDGET WORKSHEET



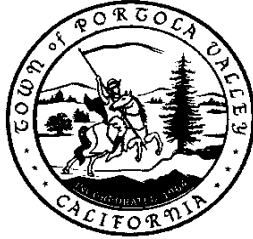
Service Agreements



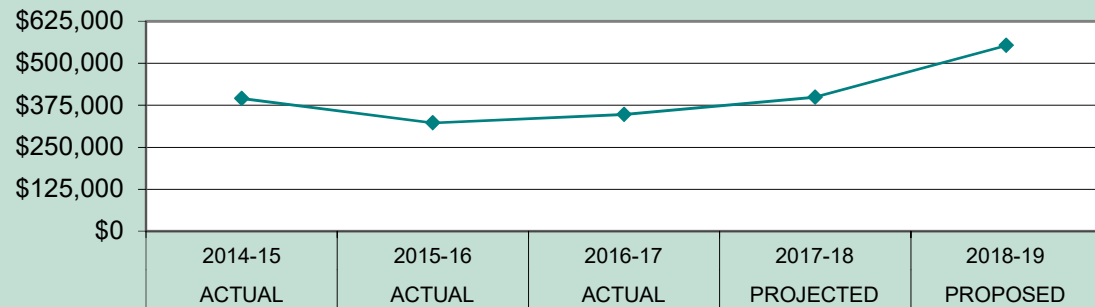
Account Description/Activity	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	PROPOSED	ACCOUNT CODES
	2014-15	2015-16	2016-17	2017-18	2017-18	2018-19	
1 Animal Control Animal Control services are provided by the Peninsula Humane Society through a contract with San Mateo County.	20,254	15,761	18,404	25,032	23,412	28,657	05-62-4280
2 San Mateo County Sheriff's Office Contract law enforcement through San Mateo County. This is the first year of a three-year agreement.	653,757	692,100	712,994	734,518	734,518	744,965	05-62-4282
2 San Mateo County Communications Contract Dispatch/Communications through San Mateo County. This cost is broken out for the first time.	0	0	0	0	0	63,380	05-62-4281
3 Additional Traffic Patrols							
Portion funded by Public Safety COPS Grant	100,000	100,000	100,000	100,000	100,000	145,000	30-62-4284
Portion of program to be funded by General Fund.	154,206	152,943	165,681	172,585	172,585	153,343	05-62-4284
Portion of program to be funded by Public Safety Fund.	13,000	18,000	13,390	14,858	14,500	15,000	10-62-4284
Sub-Total Additional Traffic Patrols	267,206	270,943	279,071	287,443	287,085	313,343	
4 Emergency Services Council JPA Hazmat Services	13,848	15,765	15,765	15,765	15,525	16,238	05-62-4286
5 NPDES Stormwater Program - Fees Cost of county-wide stormwater discharge permit as mandated by Federal and State legislation.	5,826	4,579	5,986	6,500	5,692	6,500	05-62-4288
Sub-Total	960,891	999,148	1,032,220	1,069,258	1,066,232	1,173,083	

TOWN of PORTOLA VALLEY

2018-19 BUDGET WORKSHEET



Services & Supplies



Account Description/Activity	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	PROPOSED	ACCOUNT CODES
	2014-15	2015-16	2016-17	2017-18	2017-18	2018-19	
1 Codification Annual codification of the Town's ordinances.	1,987	4,117	0	2,500	2,600	2,750	05-64-4300
2 Elections Bi-annual Town elections. Funds used to pay County to administer Town elections.	-	59	0	13,000	13,000	10,000	05-64-4302
3 Liability Insurance/Bonds Town's liability insurance, auto insurance and officials' bonding. The liability cap is \$15 million.	39,195	43,112	47,199	47,690	51,700	55,000	05-64-4304
4 Office Supplies Includes outside printing, purchase of building code books, and various training books. 100% recycled purchasing when possible.	15,447	18,807	19,766	18,500	15,000	19,050	05-64-4308
Scanning Including Scanning for both the Administrative and Planning Departments						21,400	05-64-4307 05-64-4309
5 Town Publications & Newsletter Production costs for postcards	1,689	1,039	2,048	6,000	1,000	9,000	05-64-4310
6 Software and Licensing Hosting of Municipal Code, security certificate for website, website hosting, spam filtering services, MS365 subscription, financial software, Adobe Creative Cloud, EnerGov, Parks software.	9,334	9,610	15,929	41,040	48,000	74,190	05-64-4311

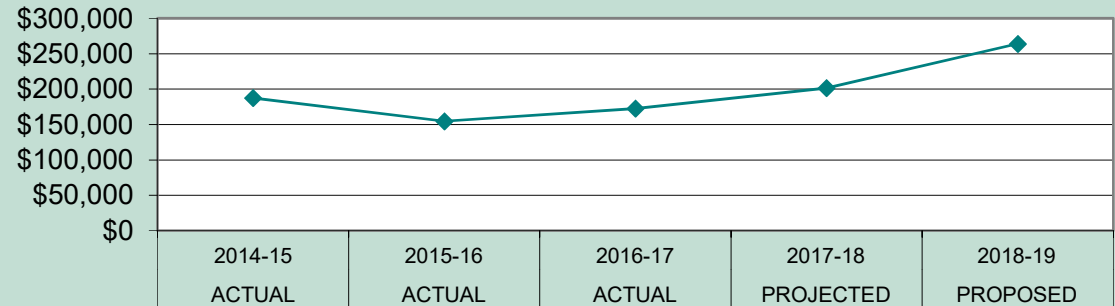
Account Description/Activity		ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	PROPOSED	ACCOUNT
		2014-15	2015-16	2016-17	2017-18	2017-18	2018-19	Page 188 CODES
7	Office Equipment, Maintenance & Repairs Includes domain server, scheduled computer replacement, ERGO maintenance.	37,325	13,226	12,381	16,000	16,000	22,000	05-64-4312
8	Equipment Service Contracts Maintenance agreements for postal meter, Sharp and other printers, other service agreements as needed.	12,019	13,676	11,049	3,500	10,000	5,010	05-64-4314
9	Postage	6,629	7,000	6,006	10,000	10,000	11,200	05-64-4316
10	Telephones and Wi-Fi Internet Includes land lines, cell phones, and wi-fi service.	7,022	16,613	7,682	7,000	7,500	9,500	05-64-4318
11	Advertising Legal notices and advertisements.	7,905	6,695	5,484	5,000	5,500	7,350	05-64-4320
12	Dues	22,643	24,346	25,565	30,000	30,000	32,000	05-64-4322
13	Education, Training and Staff Development	8,001	11,422	15,046	12,000	11,500	16,900	05-64-4326
14	Education & Training - Council, Commissions, & Committees	870	1,692	1,615	3,000	3,000	3,000	05-64-4327
15	Mileage Reimbursement (2017 rate is 0.535 /mile)	1,676	1,457	764	1,000	1,250	1,400	05-64-4328
16	Utilities PG&E and water expenses for Town Center buildings and fields.	77,854	75,005	90,843	94,630	77,635	105,600	25/05-64-4330
17	Fire Prevention/Wood Chipping/CERPP Includes wood chipping program, shared CERPP coord. and defensible space matching grant program.(see 8-56-4221 for \$1600 paid by grant)	59,426	37,580	27,976	37,181	39,000	41,000	05-64-4333
18	Vehicle Maintenance Includes yearly service of all vehicles and fuel costs.	10,657	6,634	14,981	15,000	10,000	14,000	05-64-4334
19	Sustainability Programs Earth Fair, PCE Support, Climate Action Plan 2030.	4,798	8,634	14,163	22,125	10,000	41,000	05-64-4335
20	Miscellaneous Town Owned Properties Records (Title reports)	59,943	10,655	12,573	28,000	20,000	17,000	05-64-4336
							13,000	05-64-4336
21	Bank Fees	11,052	11,285	16,958	13,000	16,000	22,000	05-64-4337
	Sub-Total	395,472	322,664	348,028	426,166	398,685	553,350	

TOWN of PORTOLA VALLEY

2018-19 BUDGET WORKSHEET



Town Center Facilities



Account Description/Activity	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	PROPOSED	ACCOUNT CODES
	2014-15	2015-16	2016-17	2017-18	2017-18	2018-19	
1 Building Maint Equipment/Supplies - Town Center	4,755	5,742	8,143	17,000	7,500	15,000	05-66-4340
2 Building Maint Equipment/Supplies - Library	2,456	5,976	9,233	11,500	5,000	11,500	25-66-4340
3 Community Hall Includes annual piano tuning, post-event janitorial, maintenance costs, deep cleaning and annual usage audit.	76,328	32,340	45,729	35,000	38,900	45,940	05-66-4341
4 Landscape Supplies and Services Includes care of native garden, plantings, trees and irrigation.	29,749	40,506	33,280	46,600	46,000	56,000	05-66-4342
5 Janitorial Services - Town Center	19,452	20,735	19,342	32,560	33,000	37,000	05-66-4344
6 Janitorial Services - Library	10,509	11,596	10,194	22,500	16,000	18,000	25-66-4344
7 Mechanical Systems Maint/Repairs - Town Center	24,331	13,713	10,878	27,300	19,000	22,500	05-66-4346
8 Mechanical Systems Maint/Repairs - Library Includes maintenance of electrical, photovoltaic, and dashboard.	4,203	9,676	11,776	10,000	19,000	10,000	25-66-4346
9 Library Maintenance - Staff Support	6,092	6,780	8,001	10,000	10,000	10,000	25-66-4351
10 Repairs/Vandalism	3,213	855	9,108	2,000	500	2,000	05-66-4348
11 Property Insurance	6,490	6,816	6,772	7,000	6,772	7,000	05-66-4350
12 Maintenance/Improvements - Library Includes carpet replacement and installation of water bottle filling station						29,000	25-66-4353
Sub-Total	187,578	154,734	172,456	221,460	201,672	263,940	



**Town of Portola Valley
Draft Initial
Five-Year
Capital Improvement Program
Updated June 21, 2018**

Jeremy Dennis
Town Manager

Howard Young
Public Works Director

Brandi de Garmeaux
Assistant to the Town Manager

Town of Portola Valley
Five-Year Capital Improvement Plan (CIP)
 Draft 6/21/2018

The Capital Improvement Program is a five-year plan that provides guidance to the Town Council, Town staff, and the community about the capital improvements and purchases that will/could be undertaken over the next five-year period. The Capital Improvement Program is a living document that will be revisited and revised at least annually as the Town plans its improvements. As a five-year plan, the projects are updated and phased over time taking into account the needs and resources available to complete the projects.

Program Summary		2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	
		FY1	FY2	FY3	FY4	FY5	Total
1	Road Rehabilitation Program & Other Transportation	\$ 684,600	\$ 1,021,800	\$ 738,000	\$ 738,000	\$ 753,000	\$ 3,935,400
2	Storm Drain Repair & Replacement	\$ 85,000	\$ 42,500	\$ 42,500	\$ 42,500	\$ 42,500	\$ 255,000
3	Trails, Paths & Water Crossings	\$ -	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 80,000
4	Bicycle & Pedestrian Improvements (Non-Road Rehab)	\$ 38,500	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 98,500
5	Public Buildings, Facilities, Town Center	\$ 79,000	\$ 265,000	\$ 668,500	\$ 5,000	\$ 35,000	\$ 1,052,500
6	Fields & Parks	\$ -	\$ 90,000	\$ 95,000	\$ 40,000	\$ 60,000	\$ 285,000
7	Open Space	\$ -	\$ 54,000	\$ 54,000	\$ 54,000	\$ 54,000	\$ 216,000
8	Equipment & Information Technology	\$ 80,000	\$ 107,000	\$ 145,000	\$ -	\$ 75,000	\$ 407,000
Total per Fiscal Year		\$ 967,100	\$ 1,615,300	\$ 1,778,000	\$ 914,500	\$ 1,054,500	\$ 6,329,400
<i>Note: estimates for FY2 through FY5 are based on today's dollars and do not include potential increases due to inflation.</i>							

**TOWN of
PORTOLA VALLEY**

2018-19 BUDGET WORKSHEET



Capital Improvements: Programs		ACCOUNT	ADOPTED	PROJECTED	PROPOSED
Account Description/Activity		CODE	2017-2018	2017-2018	2018-19
1	Annual Street Resurfacing Program - Construction				
	16-17 and 17-18	22-68-4544	74,275	74,275	67,000
	16-17 and 17-18	20-68-4544	28,000	28,000	78,000
	16-17 and 17-18	60-68-4544	283,823	283,823	275,000
	16-17 and 17-18	05-68-4544	353,402	353,402	78,000
2	Annual Street Resurfacing - Testing & Inspections	05-68-4585	50,000	30,000	55,000
3	Annual Street Resurfacing - Future Year Design	05-68-4503	50,000	35,000	55,000
4	Emergency Access Gate	05-68-4553			5,000
5	Pavement Management Update	05-68-4553			16,000
6	SMTA Measure A Grant Reimbursement Project - Road widening, retaining wall, planning, specs, estimate				
	Required local match	05-68-4537	55,000	53,759	-
	SMTA match	08-68-4537	98,200	98,117	-
7	Traffic Study - requested by the BPTS	05-68-4553			38,500
8	Springdown Open Space Improvement	15-68-4414	120,953	92,230	-
9	Storm Drain Study	05-68-4554			50,000
	Evaluate the overall Storm Drain capacity				
10	Storm Drain Inventory/Repairs - Measure M	22-68-4413	35,000	35,000	35,000
	Replacement and repairs				
11	Donor Funded Improvements - Remaining Reserve Funds - Funds used as improvements are necessary				
	Ford Field Improvements	05-68-4531	32,170	-	-
	Crowder Trail Improvements (C-1)	05-68-4532	76,098	-	-
12	Accela - Citizen Relationship Management software	05-68-4547	8,000	8,000	-
13	Open Gov Software - Cloud-based solution for financial reporting.	05-68-4548	20,000	20,000	-
14	Town Center - Repave overflow parking areas w/baserock	-	30,000	30,000	
15	Town Center - Facility Assessment & Maintenance Plan	05-68-4551		-	12,000
16	Town Center - Lighting Retrofit	05-68-4551		-	32,000
17	Town Hall HVAC - Upstairs work area		15,000	15,000	
18	FM Hot Water Spigot/Recycling Shed	05-68-4556		-	20,000
19	Window Install - Upstairs work area	05-68-4541	6,000	6,000	15,000
20	Facilities Equipment - ALPR (FY 17-18)	05-70-4486	150,500	150,500	-
21	Facilities Equipment - New PW Truck	05-70-4486	-	-	60,000
22	Facilities Equipment - Server Replacement (\$20,000)	05-70-4486			20,000
23	Paso del Arroyo - Easement Improvement	05-68-4558	55,600		55,600
	Sub-Total		1,542,021	1,313,106	967,100

	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023		
	FY1	FY2	FY3	FY4	FY5	Total	
ROAD REHABILITATION PROGRAM & OTHER TRANSPORTATION							
1	Annual resurfacing project per PMS w/design/Inspection	\$ 530,000	\$ 650,000	\$ 650,000	\$ 650,000	\$ 650,000	\$ 3,130,000
2	SB1 resurfacing project per PMS	\$ 78,000	\$ 78,000	\$ 78,000	\$ 78,000	\$ 78,000	\$ 390,000
3	OBAG2 resurfacing project per PMS		\$ 268,800				\$ 268,800
4	Pavement Management system update/Inspection	\$ 16,000				\$ 15,000	\$ 31,000
5	Speed survey for radar enforcement per CVC		\$ 15,000				\$ 15,000
6	Paso Del Arroyo Roadside	\$ 55,600					\$ 55,600
7	Safe routes to school	\$ -	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 40,000
8	Emergency fire access gate	\$ 5,000					\$ 5,000
	Total	\$ 684,600	\$ 1,021,800	\$ 738,000	\$ 738,000	\$ 753,000	\$ 3,935,400
DETAILS FOR 2018/2019							
1	Annual Resurfacing Project per PMS w/Design/Inspection: the Town's annual street resurfacing project based on the Town's pavement management system (PMS).						
	Funding Source(s)	Code	Amount				
	Measure A / CCAG	22-68-4544	\$ 67,000				
	Measure A	60-68-4544	\$ 275,000				
	General Fund Capital Transfer	05-68-4544	\$ 78,000				
	General Fund Capital Transfer	05-68-4585	\$ 55,000				
	General Fund Capital Transfer	05-68-4503	\$ 55,000				
	Total		\$ 530,000				
2	SB1 Resurfacing Project per PMS: estimated funds provided by the State from Senate Bill 1 for streets resurfacing on Council approved streets						
	Funding Source(s)	Code	Amount				
	Road Maintenance Rehabilitation Account (RMRA/SB1)	20-68-4544	\$ 78,000				
4	Pavement Management system update/Inspection: report required by the Metropolitan Transportation Commission to determine pavement condition.						
	Funding Source(s)	Code	Amount				
	General Fund Capital Transfer	05-68-4553	\$ 16,000				
6	Paso Del Arroyo Roadside: pathway removal and install landscaping						
	Funding Source(s)	Code	Amount				
	General Fund Capital Transfer	05-68-4558	\$ 55,600				
8	Emergency Access Gate: replace existing bollard with emergency access gate at the end of Sausal Drive per resident request.						
	Funding Source(s)	Code	Amount				
	General Fund Capital Transfer	05-68-4553	\$ 5,000				

		2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	
	STORM DRAIN REPAIR & REPLACEMENT	FY1	FY2	FY3	FY4	FY5	Total
1	Storm Drain study and assessment phase 1	\$ 50,000	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 80,000
2	Storm drain rehab at various locations	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 175,000
	Total	\$ 85,000	\$ 42,500	\$ 42,500	\$ 42,500	\$ 42,500	\$ 255,000
	DETAILS FOR 2018/2019						
1	Storm Drain study and assessment phase 1: Master planning to inspect the condition and capacity of the Town's storm drain system and inform the projects to be included in the 5-year CIP.						
	Funding Source(s)	Code	Amount				
	General Fund Capital Transfer	05-68-4554	\$ 50,000				
2	Storm drain rehab at various locations: rehabilitation and replacement of Town storm drain pipes as needed.						
	Funding Source(s)	Code	Amount				
	Measure A / CCAG	22-68-4413	\$ 35,000				

		2018/2019	2019/2020	2020/2021	2021/2022	2022/2023		
	TRAILS, PATHS & WATER CROSSINGS	FY1	FY2	FY3	FY4	FY5	Total	
1	Trails surface rehab TBD ¹		\$ 20,000				\$ 20,000	
2	Trails surface rehab TBD			\$ 20,000			\$ 20,000	
3	Trails surface rehab TBD				\$ 20,000		\$ 20,000	
4	Trails surface rehab TBD					\$ 20,000	\$ 20,000	
	Total	\$ -	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 80,000	
	DETAILS FOR 2018/2019							
	Trails surface rehab TBD: regrade Town trails as needed							
	Funding Source(s)	Amount	Code					
	none	\$ -	none					
	1. The Trails Committee normally identifies one trail each year for rehabilitation. No monies were allocated for trails surface rehab in FY1 in anticipation of the completion of a comprehensive review of all the Town's trails currently being conducted by the Trails Committee.							

		2018/2019	2019/2020	2020/2021	2021/2022	2022/2023		
	BICYCLE & PEDESTRIAN IMPROVEMENTS (Non-Road Rehab)	FY1	FY2	FY3	FY4	FY5	Total	
1	Replace Lighted Crosswalk or Install Flashing Beacon ¹						\$ -	
2	Traffic/Pedestrian Safety Study and Recommendations	\$ 38,500	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 98,500	
	Total	\$ 38,500	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 98,500	
	DETAILS FOR 2018/2019							
2	Traffic/Pedestrian Safety Study and Recommendations: study requested by the Towns Bicycle, Pedestrian & Traffic Safety Committee to study selected intersections.							
	Funding Source(s)	Code	Amount					
	General Fund Capital Transfer	05-68-4553	\$ 38,500					
	1. The results of the Traffic/Pedestrian Safety Study will inform the replacement/upgrade to the Lighted Crosswalk.							

		2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	
	PUBLIC BUILDINGS, FACILITIES, TOWN CENTER	FY1	FY2	FY3	FY4	FY5	Total
1	CH - add cabinets in Buckeye Room			\$ 7,500			\$ 7,500
2	CH - add shelving in storage room for instructors			\$ 30,000			\$ 30,000
3	CH - audio video improvements			\$ 60,000			\$ 60,000
4	CH - replace counter top in kitchen		\$ 10,000				\$ 10,000
5	CH - resurface wood floor in main room		\$ 30,000				\$ 30,000
6	Library - retrofit metal halide can lights to LED at end-of-life		\$ 50,000				\$ 50,000
7	Library & Town Hall - carpet replacement			\$ 50,000			\$ 50,000
8	School House - A/V improvements		\$ 10,000				\$ 10,000
9	School House - paint exterior			\$ 16,000			\$ 16,000
10	School House/Farmers' Market - install hot water spigot/sink	\$ 12,000					\$ 12,000
11	TC - additional EV Charging Stations (municipal)						\$ -
12	TC - additional EV Charging Stations (public)		\$ 15,000				\$ 15,000
13	TC - build Styrofoam recycling bin	\$ 8,000					\$ 8,000
14	TC - create greywater Demo Site at SH Restroom		\$ 5,000				\$ 5,000
15	TC - facility assessment and maintenance plan	\$ 12,000					\$ 12,000
16	TC - LED lighting retrofit	\$ 32,000					\$ 32,000
17	TC - maintain landscaped areas/parking for Farmers' market		\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 20,000
18	TC - maintenance on central path			\$ 35,000			\$ 35,000
19	TC - paint all rooms					\$ 30,000	\$ 30,000
20	TC - restrain concrete floors		\$ 20,000				\$ 20,000
21	TC - upgrade drinking fountains to water bottle fillers			\$ 36,000			\$ 36,000
22	TC - upgrade toilets			\$ 14,000			\$ 14,000
23	TC Parking Lot - add base rock to dirt parking area			\$ 25,000			\$ 25,000
24	TC Performance Lawn - lawn replacement/irrigation Pilot Program			\$ 75,000			\$ 75,000
25	TC Southern Driveway -base repairs and seal			\$ 140,000			\$ 140,000
26	TH - add cooling/ventilation to IT server room			\$ 5,000			\$ 5,000
27	TH - boiler retrofit (natural gas water heating to electric)		\$ 50,000				\$ 50,000
28	TH - build Meeting Room by Town Manager's Office		\$ 50,000				\$ 50,000
29	TH - convert old creek pipe to rainwater catchment tank			\$ 60,000			\$ 60,000
30	TH - convert upstairs file storage area to office space			\$ 75,000			\$ 75,000
31	TH - convert upstairs window to operable window	\$ 15,000					\$ 15,000
32	TH - modify/add storage shelving in Planning Department		\$ 10,000				\$ 10,000
33	TH - potential door for Planning/lobby area		\$ 10,000				\$ 10,000
34	TH - storage for archives (in advance of office conversion)			\$ 10,000			\$ 10,000
35	TH - update upstairs HVAC to supply new office space			\$ 25,000			\$ 25,000
	Total	\$ 79,000	\$ 265,000	\$ 668,500	\$ 5,000	\$ 35,000	\$ 1,052,500

DETAILS FOR 2018/2019						
10	School House / Farmers' Market hot water spigot/sink: County Health Department requires hot water for food vendors at the Farmers' market; in addition this provides water to the School House.					
	Funding Source(s)	Code	Amount			
	General Fund Capital Transfer	05-68-4556	\$ 12,000.00			
16	Town Center Facility Assessment and Maintenance Plan: utilize Consultant to inspect and provide an assessment/report to inform Town Center projects to include in the 5-year CIP.					
	Funding Source(s)	Code	Amount			
	General Fund Capital Transfer	05-68-4549	\$ 12,000.00			
20	Town Center Lighting Retrofit: includes materials and labor to replace all existing lightbulbs in Town Center interior buildings with LED bulbs (with the exception of the metal halide can lights), including a complete lighting retrofit of the School House; approval of project fulfills the requirement of the San Mateo County Energy Watch Muncipal Energy Efficiency Grant to get project funding approval.					
	Funding Source(s)	Code	Amount			
	General Fund Capital Transfer	05-68-4549	\$ 32,000.00			
26	Town Center Styrofoam recycling collection bin: build bin for public drop-off of Styrofoam for recycling per Town/Greewaste program.					
	Funding Source(s)	Code	Amount			
	General Fund Capital Transfer	05-68-4556	\$ 8,000.00			
35	Town Hall window: replace upstairs fixed window with an operable window that opens to provide air circulation and emergency egress.					
	Funding Source(s)	Code	Amount			
	General Fund Capital Transfer	05-68-4549	\$ 15,000.00			

		2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	
	FIELDS & PARKS	FY1	FY2	FY3	FY4	FY5	Total
1	Ford and Rossotti Field - recompact parking areas		\$ 30,000				\$ 30,000
2	Ford Field - replace existing batting cage		\$ 40,000				\$ 40,000
3	Ford Field - restroom building				\$ 40,000		\$ 40,000
4	Rossotti and Russ Miller Fields - renovate bleachers		\$ 10,000				\$ 10,000
5	Rossotti Field - potential water-recycling system			\$ 50,000			\$ 50,000
6	Rossotti Field - restroom building					\$ 40,000	\$ 40,000
7	Town Center - resurface Tennis Courts, new nets/screen			\$ 35,000			\$ 35,000
8	Town Center - upgrade irrigation control timers					\$ 20,000	\$ 20,000
9	Town Center Softball Field - renew DG path and backstop		\$ 10,000				\$ 10,000
10	Triange Park - install bench			\$ 10,000			\$ 10,000
11	Triangle Park - upgrade irrigation system		\$ 30,000				\$ 30,000
	Total	\$ -	\$ 90,000	\$ 95,000	\$ 40,000	\$ 60,000	\$ 285,000
	DETAILS FOR 2018/2019						
	Funding Source(s)	Code	Amount				
	none	none	\$ -				

		2018/2019	2019/2020	2020/2021	2021/2022	2022/2023		
	OPEN SPACE	FY1	FY2	FY3	FY4	FY5	Total	
1	Spring Down and Vernal Pond vegetation management program ¹		\$ 44,000	\$ 44,000	\$ 44,000	\$ 44,000	\$ 176,000	
2	Other Open Space vegetation management program		\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 40,000	
	Total	\$ -	\$ 54,000	\$ 54,000	\$ 54,000	\$ 54,000	\$ 216,000	
	DETAILS FOR 2018/2019							
	Funding Source(s)	Code	Amount					
	none	none	\$ -					
	1. Funding for the Spring Down program for FY1 to be determined after consultation between with Town staff, the Conservation Committee and Open Space Acquisition Committee.							

		2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	
	EQUIPMENT & INFORMATION TECHNOLOGY	FY1	FY2	FY3	FY4	FY5	Total
1	Equip - convert to emission-free landscape equipment/mowers			\$ 50,000			\$ 50,000
2	Equip - replace flat bed on truck		\$ 25,000				\$ 25,000
3	Equip - replacement truck for Public Works Crew	\$ 60,000		\$ 50,000		\$ 75,000	\$ 185,000
4	Equip - skid steer			\$ 40,000			\$ 40,000
5	Equip = mini excavator		\$ 30,000				\$ 30,000
6	IT - 220 power to Server Room Upstairs		\$ 2,000				\$ 2,000
7	IT - Accela software- add additional components		\$ 20,000				\$ 20,000
8	IT - New Server Rack, Server and Switch	\$ 20,000					\$ 20,000
9	IT - Plotter			\$ 5,000			\$ 5,000
10	IT- Phone upgrade to voice over internet		\$ 30,000				\$ 30,000
11	Microgrid						\$ -
	Total	\$ 80,000	\$ 107,000	\$ 145,000	\$ -	\$ 75,000	\$ 407,000
	DETAILS FOR 2018/2019						
3	Truck - replacement truck with lift bed for Public Works Crew: replaces 25-year old Ford F-150 long bed truck used for street maintenance						
	Funding Source(s)	Code	Amount				
	General Fund Capital Transfer	05-70-4486	\$ 60,000				
8	IT - New Server Rack, Server and Switch: reorganizes server room to include Server Rack, which will accommodate rack servers (instead of floor servers) at their end-of-life; replaces one end-of-life server and includes switch to accommodate new servers.						
	Funding Source(s)	Code	Amount				
	General Fund Capital Transfer	05-70-4486	\$ 20,000				

Town of Portola Valley 2017-18 Accomplishments

Council Priorities

1. Rural Character of the Town
 - a. Updated the Town's Lighting Ordinance that codified the Town's commitment to Dark Sky Community Compliance
 - b. Implemented policy to end rodenticide use on all town-owned properties
 - c. Completed Springdown Vernal Pond project
 - d. Completed analysis of every house permitted since 1995
 - e. Began conversations with residents about proper leaf blower use, including the use of electric models
2. Fiscal Health of the Town
 - a. Created the first five-year capital projects budget
 - b. Purchased new budget software to support transparency and new budget book layout
 - c. Implemented a new reserve investment policy
 - d. Reallocated general fund reserves in pension and other post-employment benefit (OPEB) assignment
 - e. Completed a successful audit
 - f. Began review of a planning user fee study
 - g. Created new Cannabis CUP Permit and Fee
3. Resident Resiliency
 - a. Finalized new contracts with public safety providers
 - b. Hired a Communications Management Analysis
 - c. Purchased Accella software app and began testing
 - d. Finalized an agreement with Jasper Ridge to provide new emergency egress opportunities
 - e. Continued support for the Neighborhood Watch Program
 - f. Held multiple on-site meetings with residents to discuss pedestrian/traffic safety
 - g. Updated the Ground Movement Map
 - h. Created a Town Youth Worker program
4. Long-Term Climate Resiliency and Adaptation

- a. Adopted a Green Building Ordinance
 - b. Implemented Green Halo sustainable construction/demolition tracking support software
 - c. Worked with CalWater to support future smart water meter installation
 - d. Supported Peninsula Clean Energy roll-out
 - e. Continued drought water restrictions
 - f. Provided support for fuel-switching programming and microgrid consideration
5. Other Accomplishments
- a. Held two highly successful housing outreach events and created a housing feedback page on the website
 - b. Held two exhibitions for the Dengler flower prints
 - c. Supported Cultural Arts Committee events and concerts
 - d. Adopted a Cannabis Ordinance (among the first in the County)
 - e. Secured parking access easement at Rossotti Field
 - f. Installed Automatic License Plate Readers
 - g. Moved Town Elections to even years and placed a Utility Users Tax measure on the ballot
 - h. Fully implemented permit tracking software
 - i. Widened Portola Road at Town Center, bringing 95% of all arterial roads to a minimum 4 foot shoulder
 - j. Hired a new Finance Director
 - k. Implemented new Planning Commission/ASCC staff report layout
 - l. Continued work with the Ad-Hoc Town Center Master Plan Update Committee

Town of Portola Valley 2018-19 Council Priorities

1. **Housing** – With the adoption of the Town’s Housing Strategic Plan, the Council identified three Portola Valley-centric housing issues:
 - a. Those who wish to age in the community they’ve lived in for many years and have few options to do so
 - b. Those who grew up in Portola Valley have extremely limited options to stay/return
 - c. Those who work in Portola Valley typically drive long distances and/or pay high rents and have very few options to be part of the community they serve

The Town Council has sponsored two community events to hear from community members on their own sense of the housing challenges in Portola Valley; these meetings have confirmed that residents desire an increase in housing options for seniors, those who grew up here, and the workforce.

Efforts that could be part of the FY 2018-19 priority work plan include:

- Continued Engagement with residents
 - Second unit workshops and ordinance changes
 - Re-engagement of the Housing on Town-Owned Property Committee to further research potential sites for Town-sponsored housing
 - Continued outreach through the Town’s housing webpage
 - Continued work with Affiliated Housing Partners to examine potential housing options
- Housing Strategic Plan- part 2
 - Prioritization of initial town efforts
 - Public discussion/feedback of efforts
 - Implementation of selected projects

2. Resident Resiliency – There are two basic truths that are part of living in Portola Valley: volunteer service is a hallmark of the town’s success, and Portola Valley’s relative isolation and rural character presents unique challenges related to safety and emergency preparedness.

Linking these two concepts under the moniker “resident resiliency” empowers the unique Portola Valley ethos of service and independence/interdependence. Town government’s role in this ethos is to provide residents with the maximum number of opportunities to participate while sharing tools and information to ensure that residents feels safe in their own community.

Efforts that could be part of the FY 2018-19 priority work plan include:

- Emergency preparation outreach work, with special attention to wildfire planning
 - Continued neighborhood watch program support
 - A traffic/pedestrian safety study plan with Bicycle, Pedestrian and Traffic Safety Committee
 - Review needs of youth
 - Youth Commission
 - Activities/programs at Town Center and Town spaces
 - Coordination of activities between Committees and Library
 - Continued focus on Town Committee support/recruitment and overall community building efforts
 - Create new opportunities for residents to volunteer and support the Town
3. Town Strategic Planning – Over the past two years, a number of seemingly unrelated activities have been recognized by the Town Council as a starting place to begin longer-range strategic planning efforts, including:
- a. Town Center Master Plan Committee
 - b. Housing-related conversations
 - c. Five-year capital planning efforts
 - d. Fiscal software purchases
 - e. Rodenticide discussions

The Town Council has requested that staff consider a suite of new programs to fully plan for the Town's future. Many of the efforts considered will span multiple years, and will involve significant community engagement and the tools to do so.

Efforts that could be part of the FY 2018-19 priority work plan include:

- General Plan – Preparation for a General Plan update
 - Open Space – Continuation of Conservation's planning efforts for all of the Town's Open Space properties
 - Open Space Acquisition – review of criteria for future purchases
 - Trails – request for similar effort as Conservation's Open Space planning
 - Develop plan to implement Town Center Master Plan recommendations
 - Refine five-year Capital Improvement Plan after first year of use
 - Discussions on community-wide interests, including parking, dogs and pedestrian/traffic issues
4. Health of Town Administration – Ensuring that Town government is “working well” is an important aspect of the Town Council's duties, especially as the Town has the smallest government workforce in San Mateo County. Important components of this work include:
- a. Making sure that the Town's processes work equally and fairly for everyone
 - b. Transparency to all aspects of government activity
 - c. Ensuring staff satisfaction
 - d. Deploying tools to maximize equitability, transparency and functionality

Efforts that could be part of the FY 2018-19 priority work plan include:

- Staff retention efforts, including trainings, special projects and flexible work schedules
- Staff recruitment efforts for open positions
- Implement Departmental budgets in the next budget book
- Wellness program for staff
- Trainings for Commissions and Committee, and Committee recruitment

- Consideration of a funded maintenance budgeting separate from the operating budget, as a complement to the five-year capital improvement program
- Survey of Town-used software
- Upgrade Town's servers and back-up systems
- Review and recommend updates to Town Center Use Policies, Applications and Insurance Requirements

5. Community Engagement – The Town Council recognizes that Portola Valley thrives when the maximum number of residents have timely information about what is happening, and are invited to participate in the decision-making. Sometimes the best way to involve residents is to simply ask them to be part of community events that celebrate the shared interests of the community.

Efforts that could be part of the FY 2018-19 priority work plan include:

- Ten-Year Anniversary of Town Center (September 8th 2018)
- Website review and refresh
- Newsletter/Quarterly Staff Meet & Greet/Coffees at Town Hall
- Introduction, adoption and education on use of Accela app
 - Exploration of two-way engagement opportunities embedded in Accela
- Social media round 2
 - Deployment of other apps/platforms, including Instragram
- Committee support for regular events and activities, particularly with the Cultural Arts, Parks and Rec, Nature and Science, Conservation, and Trails Committees, who offer incredible opportunities for residents to celebrate the best of Portola Valley

6. Sustainability – Efforts to preserve, enhance and protect our environment are a core principle in most of what the Town Council considers at a policy level on a regular basis. Portola Valley is a leader in the preservation of open space, encouragement of green-energy deployment, protection of local flora and fauna, and recycling and reuse. The Town will always consider new ways to lead and provide an example to other communities on how to fully embrace sustainable practices.

Efforts that could be part of the FY 2018-19 priority work plan include:

- Green Infrastructure in Setbacks Ordinance
- Town Center Microgrid – Study and Potential Implementation
- Climate Action Plan 2030 (how to integrate with update to General Plan and Sustainability Element)
- Leaf Blowers – education, incentives and potential regulations
- Potential future water conservation
- Explore electric efficiency opportunities afforded by PCE
- Smart water meter implementation through the next CPUC rate case



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Ali Taghavi, Communications & Sustainability Management Analyst

DATE: June 27, 2018

RE: Selecting a Name for the Vernal Pond at the Spring Down Open Space Preserve

RECOMMENDATION

Staff recommends that the Town Council select a name for vernal pond at the Spring Down Open Space Preserve.

BACKGROUND

The Spring Down Preserve has been transformed into an open space area, fulfilling the vision of the Town Council and the Open Space Acquisition, Conservation, and Ad-Hoc Spring Down Master Plan Committees to enhance the rural character of Portola Valley for residents to enjoy. The newly restored six-acre Spring Down Open Space Preserve will be formally unveiled in mid-summer once the native vegetation has matured. The Spring Down Open Space Preserve also includes a vernal pond that will be formally unveiled.

To increase Portola Valley residents' engagement and involvement, in April the Town kicked-off a month-long campaign inviting residents and children to suggest names for the vernal pond. On April 28, 2018, the Conservation Committee conducted guided tours of the Spring Down Open Space Preserve at the Portola Valley/Woodside Earth Fair and invited attendees to suggest names for the vernal pond as well.

The naming of the vernal pond campaign was very successful and the Town received over fifty unique names from Portola Valley residents, including suggested names from Corte Madera Elementary School students.

On May 22, 2018, the Conservation Committee reviewed the full list of suggested names and narrowed the list of suggested vernal pond names down to ten names. Afterwards, Town staff met and further narrowed down the list of potential names to the top six.

DISCUSSION

As part of the formal unveiling of the Spring Down Open Space Preserve, selecting a name for the vernal pond is a crucial step to help establish the identity of the pond with town residents and create an attraction for residents to visit. The top six choices are:

- Spring Down Pond
- Blue Heron Pond
- Willow Pond
- San Andreas Pond
- Valley Pond
- Serenity Pond

The top six names represent an opportunity to help further establish a connection with Portola Valley residents and the Spring Down Open Space Preserve. The vernal pond name will be used in all marketing and promotional materials to build the identity of the Spring Down Open Space Preserve.

NEXT STEPS

Following is the projected timeline and activities for the rollout of the vernal pond name at the Spring Down Open Space Preserve:

Activity	Target Date
Council selects vernal pond name	June 27, 2018
Rollout announcement of the vernal pond name on Town website, PV Forum, Next Door, booth at Farmers' Market, and Town's social media channels	July, 2018
Formal Unveiling of Spring Down Open Space Preserve	July 26, 2018
Ongoing promotion and outreach	August – October, 2018

FISCAL IMPACT

None.

ATTACHMENT

None.

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: June 27, 2018

RE: Public Safety Communications Contract

RECOMMENDATION

Staff recommends that the Town Council adopt the attached Resolution (Attachment 1) approving an Agreement for Public Safety Communications services between the County of San Mateo and the Town of Portola Valley

BACKGROUND

Previous to this cycle, services for public safety communications (911 calls) were included in the contracts with the Sheriff's Office for public safety services.

As these services are administered by a different County department (Public Safety Communications, or PSC), both the Sheriff's Office and the subcommittee responsible for discussions on both contracts agreed that moving forward these services would be included in a separate contract.

DISCUSSION

The proposed contract provides similar services as previous contracts included in the Sheriff's Office Basic Law Enforcement Services contract. Differences from previous contracts include:

- More refined cost allocation
- Provision of a standard of care section
- Changes to the indemnity section

Costs

PSC is using a methodology for calculating costs that starts with a determination of the percentage of the Town's use of 24 hour/7 days a week radio support. According to PSC, the Town made 12.4% (6,197) of the calls in the last fiscal year.

24 hours of a radio operator position's costs is \$944,971, which would support an annual full cost recovery of \$117,176. Recognizing that the Town has not had an opportunity to fully understand and review/audit the costs and in recognition of the parties' longstanding relationship, PSC is not seeking full cost recovery under this contract.

PSC and staff agreed to propose to Council a 9% between-contract increase, and a 9%/year increase over the life of the contract, in order to partially close the cost recovery gap. PSC will work with the Town to create a long-term cost model, and has agreed to averaging the number of calls over the life of the previous contract for future contract discussions.

FISCAL IMPACT

Year one costs for PSC services are included in the FY 2018-19 budget for \$55,660 which is an increase of \$4,596 over this year's amount.

ATTACHMENTS

1. Resolution – Public Safety Communications Agreement
2. Public Safety Communications Contract for FY 2018-19/2020-21

Approved by: Jeremy Dennis, Town Manager



RESOLUTION NO. ____-2018

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY
APPROVING AN AGREEMENT FOR PUBLIC SAFETY COMMUNICATIONS
SERVICES FOR FISCAL YEAR 2018-19 THROUGH FISCAL YEAR 2020-21
BETWEEN THE TOWN OF PORTOLA VALLEY AND THE COUNTY OF SAN MATEO**

WHEREAS, the Town Council of Portola Valley has read and considered the Agreement for Public Safety Communications Services for fiscal year 2018-19 through fiscal year 2020-21 between the Town and the County of San Mateo.

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

Section 1. Public interest and convenience require the Town of Portola Valley to enter into the Agreement as described above.

Section 2. The Town of Portola Valley hereby approves the Agreement and the Mayor is hereby authorized on behalf of the Town to execute the Agreement between the Town of Portola Valley and the County of San Mateo.

PASSED AND ADOPTED this 27th of June 2018.

By: _____
John Richards, Mayor

ATTEST:

Sharon Hanlon, Town Clerk

**AGREEMENT BETWEEN THE COUNTY OF SAN MATEO
AND THE TOWN OF PORTOLA VALLEY**

THIS AGREEMENT, entered into this 27th day of June, 2018, by and between the COUNTY OF SAN MATEO, hereafter called "COUNTY," and TOWN OF PORTOLA VALLEY, hereafter called "TOWN";

WITNESSETH:

WHEREAS, pursuant to Government Code §§ 51300 *et seq.*, COUNTY may contract with TOWN for the performance of TOWN functions by the appropriate officers and employees of COUNTY; and

WHEREAS, TOWN desires to have COUNTY provide public safety dispatch services through the COUNTY as hereafter set forth, for and on behalf of TOWN, within the territorial limits of said TOWN, and COUNTY, by and through the San Mateo County Office of Public Safety Communications, is willing to perform such services,

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. Exhibits.

Exhibit A, describing the Public Safety Communications services that the parties have agreed the COUNTY will provide for the TOWN, is attached hereto and incorporated by reference herein.

2. Services to be performed by COUNTY.

In consideration of the payments set forth herein, COUNTY shall perform a defined range of Public Safety Communications services for TOWN as set forth herein and in Exhibit A. In providing the services under this Agreement, the County shall perform all work in a manner consistent with that degree of care and skill ordinarily exercised by law enforcement communication personnel currently practicing in the County of San Mateo under similar circumstances.

3. Payments.

A. TOWN shall make payment to the COUNTY for the duration of the term in accordance with the following fee schedule:

	FY2018/19	FY2019/20	FY2020/21		
Base Fee	\$55,660	\$55,660	\$60,669		
Increase	\$0	\$5,009	\$5,460		
Total	\$55,660	\$60,669	\$66,129		

B. The annual total fee for FY 2018/19 is 9% over the FY 2017-18. FY 2019/20 and FY2020/21 each include a 9% annual increase.

C. The parties agree and acknowledge that stated fees are based on cost recovery for COUNTY for services rendered. Fees will reimburse COUNTY for a pro-rata share of staffing a 911 workstation in order to accommodate telephone and radio workload.

- D. Should TOWN require communications services for a pre-planned event above and beyond the basic console staffing, COUNTY will charge TOWN for said services at the actual cost, not to exceed the overtime rate of a Supervising Communications Dispatcher for all dispatchers assigned to the event (currently \$82.28 per hour).
- E. Under this Agreement, there is no direct reimbursement by TOWN for COUNTY's purchase of equipment that facilitates dispatch service. However, parties agree to meet and negotiate in good faith regarding participation in an Equipment Replacement Fund to be developed and established by COUNTY during the Agreement Term.
- F. Under the terms of this Agreement, COUNTY is solely responsible for salaries and benefits of its own employees and is not hiring personnel from TOWN's previous service provider. Except as set forth herein, COUNTY is solely responsible for the cost of services, supplies, and charges to COUNTY.

4. Term and Termination.

The term of this Agreement shall be from July 1, 2018 through June 30, 2021 (a three (3) year term).

This Agreement may be terminated by TOWN or COUNTY without a requirement of good cause, effective on or before June 30th of a given year during the term of the Agreement by providing six (6) months written notice to the other party.

In the event of termination, payment shall be prorated based on the rates set forth in Section 3.

5. Relationship of Parties.

Both parties agree and understand that the work/services performed under this Agreement are performed as independent contractors, and that neither party's employees acquire any of the rights, privileges, powers, or advantages of the other party's employees. No pension rights of TOWN or COUNTY employees will be affected by this Agreement.

6. Hold Harmless.

TOWN shall indemnify and save harmless COUNTY and its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description resulting from this Agreement due to the acts or omissions of the TOWN, brought for, or on account of, any of the following:

- (A) injuries to or death of any person, including TOWN or its employees/officers/agents;
- (B) damage to any property of any kind whatsoever and to whomsoever belonging;
- (C) any sanctions, penalties, or claims of damages resulting from TOWN's failure to comply, if applicable, with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended; or
- (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of COUNTY and/or its officers, agents, employees, or servants. However, TOWN'S duty to indemnify and save harmless under this Section shall not apply to injuries or damage caused by COUNTY's own negligence or willful misconduct.

The duty of TOWN to indemnify and save harmless as set forth by this Section shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

7. Assignability and Subcontracting.

Neither party may assign the benefits nor delegate the duties set forth in this Agreement.

8. Insurance.

Both parties shall maintain sufficient insurance, self-insurance, or a combination thereof to comply with the following requirements, and, if requested, each party shall furnish the other party with certificates of insurance evidencing the required coverage. Thirty (30) days' written notice must be given to the County Manager's Office of any pending change in the limits of liability or of any cancellation or modification of the policy.

a. **Worker's Compensation and Employer's Liability Insurance.** Both parties shall have in effect during the entire life of this Agreement Worker's Compensation and Employer's Liability Insurance, or an acceptable program of self-insurance providing full statutory coverage. In signing this Agreement, parties certify, as required by Section 1861 of the California Labor Code, that they are aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of the Code, and parties will comply with such provisions before commencing the performance of the work of this Agreement.

b. **Liability Insurance.** TOWN shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect it while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from TOWN's and COUNTY's operations under this Agreement, whether such operations be by itself or by any subcontractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than:

- 1. Comprehensive General Liability \$2,000,00
- 2. Motor Vehicle Liability Insurance \$2,000,00

COUNTY shall maintain self-insurance for Bodily Injury Liability and Property Damage Liability as shall protect it while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from TOWN's and COUNTY's operations under this Agreement, whether such operations be by itself or by any subcontractor or by anyone directly or indirectly employed by either of them. Such insurance shall provide coverage in accordance with the limits set forth above.

9. Non-Discrimination.

No person shall, on the grounds of race, color, religion, ancestry, gender, age (over 40), national origin, medical condition (cancer), physical or mental disability, sexual orientation, pregnancy, childbirth or related medical condition, marital status, or

political affiliation be denied any benefits or subject to discrimination under this Agreement.

TOWN and COUNTY shall ensure equal employment opportunity based on objective standards of recruitment, classification, selection, promotion, compensation, performance evaluation, and management relations for all employees under this Agreement. TOWN's and COUNTY's equal employment policies shall be made available to either party upon request.

10. Retention of Records.

Each party agrees to provide to the other party, to any federal or state department having monitoring or reviewing authority, to COUNTY's or TOWN's authorized representatives and/or their appropriate audit agencies upon reasonable notice, access to and the right to examine and audit records and documents necessary to determine compliance with relevant federal, state, and local statutes, rules, and regulations, and this Agreement, and to evaluate the quality, appropriateness, and timeliness of services performed.

TOWN and COUNTY shall maintain and preserve all financial records relating to this Agreement for a period of four (4) years from the termination date of this Agreement, or until audit findings are resolved, whichever is greater.

11. Merger Clause.

This Agreement, including Exhibit A hereto, constitutes the sole Agreement of the parties and correctly states the rights, duties, and obligations of each party as of this document's date.

Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the parties.

12. Controlling Law.

The validity of this Agreement and of its terms or provisions, as well as the rights and duties of the parties hereunder, the interpretation, and performance of this Agreement, shall be governed by the laws of the State of California.

13. Notices.

Any notice, request, demand, or other communication required or permitted hereunder shall be deemed to be properly given when deposited in the United State mail, postage prepaid, or when deposited with a public telegraph company for transmittal, charges prepaid, addressed to:

In the case of COUNTY, to:
County Manager
Hall of Justice and Records
400 County Center
Redwood City, CA 94063

In the case of TOWN, to:
TOWN Manager
TOWN of Portola Valley
765 Portola Road
Portola Valley, CA 94028

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO

By: _____
President of the Board of Supervisors

Date: _____

TOWN OF PORTOLA VALLEY

By: _____

Date: _____

EXHIBIT "A"
PUBLIC SAFETY COMMUNICATIONS SERVICES

In consideration of the payments set forth in the Agreement, Contractor shall provide the following services:

I. DESCRIPTION OF PUBLIC SAFETY COMMUNICATIONS (PSC) SERVICES

- A. COUNTY shall provide the TOWN Law Enforcement with:
1. Emergency telephone answering. However, County will not be responsible for answering any of TOWN's police non-emergency or administrative telephones.
 2. Personnel notification including TOWN manager or other staff necessary during emergency conditions.
 3. Law Enforcement Dispatching, including automated status keeping and associated activity reports and inquiries.
 4. Notification/call-alert by activating digital pager equipment.
 5. Access to Computer Aided Dispatch (CAD) equipment for Law enforcement upon receipt of a call for service, whereby the call information will be transmitted via CAD to the digital pager and/or mobile Data Terminal, which is in-turn assigned to the appropriate field unit(s).
- B. TOWN Law Enforcement shall have direct access to all relevant computerized Law enforcement databases twenty-four (24) hours a day, three hundred sixty Five (365) days per year. This access will provide information from:
- NLETS (National Law Enforcement Telecommunications Systems)
 - CLETS (California Law Enforcement Telecommunications Systems)
 - AWS (Automated Warrant System)
 - CJIS (Criminal Justice Information System)
 - Networks association to DMV (Department of Motor Vehicles)

II. RESPONSIBILITIES OF COUNTY

- A. Provide working space and be responsible for overhead costs at the County facility for the pers9obnne and equipment described in this Agreement.
- B. Provide and maintain telephone equipment to accommodate the TOWN's 911 and seven (7) digit emergency telephone volume.
- C. Provide and maintain radio console equipment within the Communications Center to affect radio transmissions from the Communications Center to access the County's trunked radio system on the frequencies designated as agreed upon by County and Sheriff's Portola Valley Bureau.

- D. Provide and maintain recording equipment to log and record incoming and outgoing transmission related to radio and telephone incidents. All radio frequencies or telephone lines used for TOWN Law Enforcement business in the Communications Center operation (not Administrative Office) shall be recorded.
- E. Serve as 911 PSAP (Public Safety Answering Point) and ensure that an alternative 911 site is established and lines are maintained in compliance with rules, policies, and regulation of the State of California 911 Program, should the Center's 911 system fail.
- F. Maintain the geographic file of TOWN's response areas need for CAD.
- G. Update CLETS and AWS entries during established business hours via the automated computer system in accordance with the state, local, and departmental policy.
- H. Host periodic liaison meetings that include line supervisors and/or management representatives of TOWN and COUNTY in order to decide issues of mutual interest.
- I. Ensure that the existing CAD System accurately reflects the operation of the Sheriff's PORTOLA VALLEY Bureau activities.
- J. Provide a general business telephone number that can be used for official business of PORTOLA VALLEY Law Enforcement personnel in order to communicate directly with the designated police dispatcher.
- K. Provide Communications Center personnel to represent the Public Safety Communications (PSC) Department at meetings, training, etc. at the PORTOLA VALLEY Bureau's request, provide ample notice is given such that staffing in the Communications Center is maintained.
- L. Ensure law enforcement dispatchers have attended a minimum of twenty-four (24) hours of law enforcement training every twenty-four (24) months in order to remain proficient and capable of providing services that meet or exceed the needs and standards of the County Office of Public Safety Communications.

III. RESPONSIBILITIES OF TOWN

In addition to making payments in accordance with Section 3 of the Agreement, TOWN will:

- A. Arrange to have incoming law enforcement business and other non-emergency call deferred to the Sheriff's Office.
- B. Ensure that its law enforcement contractor learn and comply with the established procedures with regard to communications operations at PSC.

#14

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

#15

There are no written materials for Town Manager Report

TOWN COUNCIL WEEKLY DIGEST

Thursday – June 14, 2018

1. Agenda (Action) – Town Council – Wednesday, June 13, 2018
2. Agenda – Sustainability & Environmental Resources Committee – Monday, June 18, 2018
3. Agenda – Trails & Paths Committee - Tuesday, June 19, 2018
4. Agenda – Planning Commission – Wednesday, June 20, 2018
5. Invitation – League of California Cities 2018 Annual Conference – September 12 – 14, 2018

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

1. None



TOWN OF PORTOLA VALLEY

7:00 PM – Regular Meeting of the Town Council
 Wednesday, June 13, 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

Vice Mayor Wengert and Councilmember Aalfs were absent

ORAL COMMUNICATIONS

Resident Jerrie Welch noted the Towns budget shows the Paso Del Arroyo project budgeted for 2019-'20 fiscal year and requested it be moved up to the 2018-'19 FY budget

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** – May 23, 2018
2. **Approval of Warrant List** – June 13, 2018

Approved 3-0

REGULAR AGENDA

STAFF REPORTS AND RECOMMENDATIONS

3. **Recommendation by Town Manager** – Fiscal Year 2018-19 Council Priorities

Councilmember Derwin requested ADU's be included under Housing topic. Town Manager Dennis said he will Add it under bulleted Continued Engagement with residents. Councilmember Derwin requested more "Meet and Greet" opportunities.

Mayor Richards requested "Traffic Pedestrian Issues" be added to Town Strategic Planning – Efforts that could be part of the FY 2018-19 priority work plan.

Approved as Amended 3-0.

Council Priorities will be brought back as part of the 2018-'19 Budget under 2017-'18 accomplishments.

4. **Presentation by Town Manager** – Review Proposed 2018/2019 Fiscal Year Budget and Set Public Hearing

With the Paso Del Arroyo project moved from the 2019-'20 to 2018-'19 Budget - the 2018-2019 Budget was approved 3-0 and Set for Public Hearing on June 27, 2018

5. **Recommendation by Town Clerk** – Calling of the 2018 Election and Giving Notice of an Election

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Calling and Giving Notice of the Holding of a General Municipal Election to be Held on November 6, 2018, for the Purpose of Electing Three Members to the Town Council (Resolution No. 2760-2018)

Approved 3-0

6. 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 an ABAG – General Assembly meeting, Finance Committee meeting, ASCC meeting on June 11, and the June 12 Bicycle, Pedestrian & Traffic Safety Committee special meeting.

Councilmember Derwin -

Attended a HEART fundraising event, a C/CAG meeting, Library JPA and Home for All meeting. She also attended the Ethics and Sexual Harassment training held in the Town of Atherton, with Mayor Richards.

Mayor Richards -

None to Report

7. Town Manager Report

Reported the current pavement project (slurry seal) is scheduled for Monday through Wednesday, of next week. On a portion of Portola Road with crack seal, slurry will be laid down and immediately rolled to see if that is a possible solution to previous shoulder issues.

WRITTEN COMMUNICATIONS

8. Town Council Digest – May 24, 2018 – Councilmember Derwin opposed to items 5 & 6

9. Town Council Digest – May 31, 2018

10. Town Council Digest – June 7, 2018

ADJOURNMENT: 8:33 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
Sustainability & Environmental Resources
Committee Meeting
Monday, June 18, 2018 10:30AM to 12:30 PM
Town Hall – Conference Room
765 Portola Road, Portola Valley, CA 94028

MEETING AGENDA

- 1. Call To Order**
- 2. Oral Communications**
- 3. Approval of Minutes – April 16, 2018**
- 4. Update from GreenWaste**
- 5. Old Business:**
 - a. Updates from Brandi**
 - b. Updates from Maryann**
 - c. Sub-committee Updates**
 - d. Charter Amendment – Bimonthly Meetings**
 - i Mission**
 - e. Budget for 2018-9 Fiscal Year**
- 6. New Business:**
 - a. Correspondence Regarding Plastic Straw Ban**
- 7. Set Date and Topics for Next Meeting**
 - a. Monday, August 20, 2018**
- 8. Announcements**
- 9. Adjournment**



TOWN OF PORTOLA VALLEY
Trails and Paths Committee
Tuesday, May 15, 2018 8:15 AM
Historic Schoolhouse at Town Center
765 Portola Road, Portola Valley, CA

MEETING AGENDA

- 1. Call to Order**
- 2. Oral Communications**
- 3. Approval of Minutes – May 15, 2018**
- 4. Old Business**
 - a. **Monthly Trail Conditions, Work, and Budget Update:** (Discussion)
 - b. **Trail Conditions Audit:** project update and next steps (Discussion)
 - c. **Committee Annual Report and Plan:** review of May 23 Council meeting (Discussion)
- 5. New Business**
 - a. **Event Schedule for Next Year:** Horse Fair (Sat) May 11, Community Hike (Sun) Nov 3
 - b. **Site Development Plans:** 99 Hillbrook (Discussion, if any applicable)
 - c. **Accolades:** (Discussion, if any applicable)
- 6. Other Business**
- 7. Adjournment**

Enclosures:

Minutes from May 15, 2018
Trail Work Map & Memo – June 2018
Financial Review – June 2018



TOWN OF PORTOLA VALLEY

7:00 PM – Regular Meeting of the Planning Commission
 Wednesday, June 20, 2018
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

REGULAR MEETING AGENDA

7:00 PM - CALL TO ORDER AND ROLL CALL

Commissioners Hasko, Kopf-Sill, 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. Preliminary Review of Proposed Lot Line Adjustment for Parcel A, owned by Ralph & Renee Lewis, identified as APN: 079-074-010 and Parcel B owned by Michael & Susan McLaughlin, identified as APN: 079-074-020. Project located at 88 and 96 Hillbrook Drive, File # LLA 1-2018 (Staff: C. Richardson)

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

2. Request for Ideas on ADU Promotion
3. News Digest: Planning Issues of the Day

APPROVAL OF MINUTES

4. Planning Commission Meeting of May 16, 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).



1400 K Street, Suite 400 • Sacramento,
California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Council Action Advised by July 31, 2018

May 17, 2018

TO: Mayors, City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 12 - 14, Long Beach**

The League's 2018 Annual Conference is scheduled for September 12 – 14 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for 12:30 p.m. on Friday, September 14, at the Long Beach Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 31, 2018. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please note the following procedures are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one voter must be present at the

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Sacramento Convention Center, will be open at the following times: Wednesday, September 12, 8:00 a.m. – 6:00 p.m.; Thursday, September 13, 7:00 a.m. – 4:00 p.m.; and Friday, September 14, 7:30 a.m.– 11:30 a.m.. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League's office by Friday, August 31. If you have questions, please call Kayla Curry at (916) 658-8254.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: _____

2018 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 31, 2018. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 31, 2018

League of California Cities
ATTN: Kayla Curry
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: kcurry@cacities.org
(916) 658-8254

TOWN COUNCIL WEEKLY DIGEST

Thursday – June 21, 2018

1. Agenda – Architectural & Site Control Commission – Monday, June 25, 2018
2. Agenda – Conservation Committee – Tuesday, June 26, 2018

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

1. Invitation to LifeMoves Annual Benefit Breakfast – Thursday, September 27, 2018



TOWN OF PORTOLA VALLEY

Meetings of the Architectural Site Control Commission (ASCC)
 Monday, June 25, 2018
 7:00 PM – Regular ASCC Meeting
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

SPECIAL ASCC FIELD MEETING

5:00 PM - CALL TO ORDER

5588 Alpine Road – Preliminary Architectural, Site Development and Variance Review for a New Residence, Detached Carport, Removal of Significant Trees and Landscaping

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. Preliminary Review of Proposed Lot Line Adjustment for Parcel A, owned by Ralph & Renee Lewis, identified as APN: 079-074-010 and Parcel B owned by Michael & Susan McLaughlin, identified as APN: 079-074-020. Project located at 88 and 96 Hillbrook Drive, File # LLA 1-2018 (Staff: C. Richardson)
2. Preliminary Architectural, Site Development and Variance Review for a New Residence, Detached Carport, Removal of Significant Trees and Landscaping, File # 43-2017, 5588 Alpine Road, Ross Residence (Staff: A. Cassidy)

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

3. Request for Ideas on ADU Promotion
4. News Digest: Planning Issues of the Day

APPROVAL OF MINUTES

5. ASCC Meeting of June 11, 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
 Conservation Committee Meeting
 Tuesday, June 26, 2018 –7:30 PM
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA**

REGULAR MEETING AGENDA

1. Call Meeting to Order
2. Oral Communications
3. Approval of May 22, 2018, minutes
4. Current Site Visits:
 - A. 385 Westridge – De Stabler
 - B. 99 Hillbrook - Magill
5. Tree Permits:
 - A. 156 Corte Madera – Murphy completed
 - B. 311 Wyndham – De Staebler completed
6. Old Business
 - A. Oversight of Significant Town Owned Open Space properties - update all for Council presentation
 1. Springdown Preserve
 1. Comprehensive care calendar
 - a. Photo documentation
 2. Management Plan/Request for Funds
 - a. To Council 4/11/18
 3. Monarch butterfly habitat
 4. Naming Pond -
 2. Frog Pond – last report April ‘18
 1. Presented to council 5/10/18
 2. Ad-Hoc Committee on Guiding Principles
 3. Ford Field – revised see Appendix 3
 4. Town Center – last report April ‘18
 1. Presented to council 5/10/18
 5. Rossotti’s Field and ROW revised – see Appendix 2
 - B. Tip of the Month - Magill
 - C. What’s blooming now – Plunder
 - D. Kudos of the Month - Murphy
 - E. BYH – De Staebler
 1. Walden
 - F. Committee/Town cooperation
 1. Public Works - Murphy
 2. Sustainability and Environmental Resources Committee - Murphy
 3. Trails - Bourne
 4. Open space - Chiariello
 - G. Weed seedling info sheet photos labeled – Plunder (will be ready for approval some meeting)
 - H. Rodenticide
 1. Turn in Day October (sooner?)
 2. Timetable for decreased Town use

7. New Business
 - A. Sequoias plant list – Bourne
 - B. Ban on plastic straws - Murphy
8. Adjournment
9. Next meeting 7/24/18, 7:30 pm, Old Schoolhouse