



TOWN OF PORTOLA VALLEY

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

REGULAR MEETING AGENDA

7:00 PM - CALL TO ORDER AND ROLL CALL

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

ORAL COMMUNICATIONS

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

CONSENT AGENDA

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

1. **Approval of Minutes** – November 14, 2018 (3)
2. **Approval of Warrant List** – November 28, 2018 (9)
3. **Recommendation by Finance Director** – Adoption of a Resolution Approving and Authorizing Disposition of (20)
 Surplus Town-Owned Property
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing the Disposition of Surplus Town-Owned Property (Resolution No. ____)

REGULAR AGENDA

STAFF REPORTS AND RECOMMENDATIONS

4. **Recommendation by Finance Director** – Town Operating Banking Options (24)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley to Authorize Finance Director to Transfer Funds (Resolution No. ____)
 - (b) Adoption of a Resolution of the Town Council of the Town of Portola Valley to Close Checking Account at Bank of America (Resolution No. ____)
 - (c) Adoption of a Resolution of the Town Council of the Town of Portola Valley to Open a Checking Account at Technology Credit Union (Resolution No. ____)
 - (d) Adoption of a Resolution of the Town Council of the Town of Portola Valley to Open a Checking Account at U.S. Bank (Resolution No. ____)
5. **Report by Town Manager** – Housing Update (41)
6. **Discussion** – FAA Discussion, Response to Federal Aviation Administration “PIRAT STAR” Aircraft Route (42)
7. **Recommendation by Town Attorney** – Update the Town’s Investment Policy to Clarify Role of Finance (43)
 Committee and Review and Update of Designated Positions and Disclosure Obligations in the Town’s Conflict of Interest Code
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting Amendments to the Town’s Investment Policy (Resolution No. ____)
8. **COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS** (71)
 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.*

9. **TOWN MANAGER REPORT** (72)

WRITTEN COMMUNICATIONS

10. **Town Council Digest** – November 15, 2018 (73)

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 957, NOVEMBER 14, 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 Jeff Aalfs and Craig Hughes; Vice Mayor Ann Wengert; Mayor John Richards

Absent: Councilmember Mary Anne Moise Derwin

Others: Jeremy Dennis, Town Manager
Brandi de Garneau, Assistant to the Town Manager
Cara Silver, Town Attorney
Howard Young, Public Works Director
Laura Russell, Planning & Building Director
Sharon Hanlon, Town Clerk

ORAL COMMUNICATIONS

None

CONSENT AGENDA

- (1) Approval of Minutes – Town Council Regular Meeting of October 24, 2018.
- (2) Approval of Warrant List – November 14, 2018, in the amount of \$94,921.86.
- (4) Appointment by Mayor – Ray Williams to the Board of Trustees for the San Mateo County Mosquito and Vector Control District.

Councilmember Aalfs moved to approve the Consent Agenda. Seconded by Councilmember Hughes, the motion carried 4-0, by roll call vote.

REGULAR AGENDA

STAFF REPORTS AND RECOMMENDATIONS

- (5) STUDY SESSION – Update on the Federal Communications Commission's (FCC) New Small Wireless Facility Regulations and the Town's Response to FCC Order

Town Attorney Silver presented the background, discussion items, and fiscal impact as an introduction to the study session regarding the new small wireless facility regulations, including the FCC's recent ruling (effective January 14, 2019) designed to further promote the expeditious deployment of small cell sites in the public right of way, as detailed in the staff report.

In response to Councilmember Aalfs' question, Town Attorney Silver said she did not think the Town charged carriers franchise fees. Councilmember Aalfs said Comcast and PG&E pay franchise fees. Town Manager Dennis said there is not clarity in the law regarding franchise fees. Town Attorney Silver said in the current regulatory environment, franchise fees would not be likely.

In response to Councilmember Hughes' question, Town Attorney Silver said 28 cubic feet in volume is essentially the size of a small refrigerator. She agreed that it could be considerably bigger than that if in a

different shape and mounted on a pole 50 feet in the air. She said the Town would have limited ability to regulate that.

Town Attorney Silver explained there are several different categories of wireless facilities with different rules that apply to the different categories.

In response to Vice Mayor Wengert's question, Town Attorney Silver confirmed that there are no Town-owned poles, only PG&E poles, and said that no wireless carriers have ever installed their own poles. Councilmember Hughes pointed out the Town owns the short poles that hold the LPRs at the entrances to town.

Town Attorney Silver confirmed that these regulations provide no limitation to the number of poles to be installed. Vice Mayor Wengert said, given that there is some cell break-up in certain parts of town, there will likely be applicants trying to fill those voids, which could result in a significant number of installations either on existing poles or additional poles. She asked if there was any opportunity to limit this in any way. Councilmember Hughes asked if the aesthetics of the density of poles could be controlled. Town Attorney Silver said some Towns have established minimum spacing requirements, but the order found that could be in violation of the new standard of not inhibiting provision of services.

Vice Mayor Wengert pointed out that Portola is a rural environment with many fewer poles than urban areas. Mayor Richards said the most likely area of influence would be negotiated situations regarding placement.

Town Attorney Silver said it is unusual to have coverage gaps in urban environments but there are coverage gaps in Portola Valley. She said once those gaps are filled, there is no longer a need to do gap coverage studies. She said the small cell sites are designed to make sure people have access, for example, in their basements. She said the small cell sites are not trying to deal with major capacity gaps and are a different type of technology.

Vice Mayor Wengert said the Town might suggest a fake tree or other solution if there was time to assess a location-specific request. She said that would not be possible if carriers brought in a significant batch of requests, given the shot clocks time limits. Town Attorney Silver said that is why it is desirable to have an ordinance in place before that occurs. She said many carriers want to locate on city-owned poles and the license agreements must be negotiated, giving the cities some leverage. She said Portola Valley does not have that situation so carriers could come in under Federal law and, without an ordinance in place, very little can be done to control it.

Mayor Richards asked if the proposed fee schedule with "reasonable approximations" would cover the Town's expenses. Town Attorney Silver said it would not. She said she was less concerned about that because the Town's fees are cost recovery based and justification can be provided for the higher costs that would typically be recovered.

Vice Mayor Wengert said it appeared the Town's aesthetic regulations would be the most effective means to achieve some bit of control. She said the Town has a robust history of regulating on rights of way and the aesthetics of anything that occurs in the scenic corridors. She said the definition of "reasonable" for Portola Valley will be obviously different than for other places.

Town Manager Dennis said staff focused on aesthetics as the primary tool. He said there is a lot of opportunity to maximize the aesthetics issues.

Councilmember Hughes recalled a few years ago a carrier coming in with a preliminary discussion about 15 or 20 sites. He asked if it would be expected that a typical carrier would come in with a batch of 20 applications on January 15. Town Manager Dennis said that is possible and said that Public Works Director Young has already received some inquiries. Councilmember Hughes asked how staffing would be handled if all the carriers submit batches of applications in January. He asked if the costs of hiring

consultants to meet the 60-day window would be passed on to the applicants. Town Attorney Silver said she and Public Works Director Young have just started having those conversations. She said it is likely consultants will need to be hired if the applications come in large batches.

Town Attorney Silver staff it is likely the Council will need to adopt an urgency ordinance in January with a companion regular ordinance that will move forward in case the urgency findings are attacked.

Vice Mayor Wengert described a scenario where the three major telecom companies come in with batched requests in January and they request poles 5 feet apart. She asked if the Town had any ability to consolidate them and how it would be determined which company to favor. Councilmember Hughes said he would assume first-come-first-served. Vice Mayor Wengert asked if there was any way from an aesthetic standpoint to choose among them.

Councilmember Aalfs said this issue came up in 2009 with Peak Lane. He said the applicant was a third-party company who wanted to secure the site and lease the poles and the Town required them to put two or three facilities on the same pole.

Vice Mayor Wengert asked Town Attorney Silver if she had seen regulations that had been developed to avoid this issue. Town Attorney Silver said it's a tiered preference – first, try to locate on an existing pole; second, have a partnership with another carrier and co-locate. Town Manager Dennis said the argument around aesthetics and the number of poles is compelling based on the traditions of the Town. He said the Town could approach it more aggressively and start from a stronger place where there were already minimum distance requirements and let the carriers come in to tell the Town there are problems with the regulations. Town Attorney Silver said poles should not obstruct vision and, because of the winding roads, there may be some flexibility in terms of distance requirements. Vice Mayor Wengert said that would go to the issues of reasonable, i.e., a safety issue.

In response to Councilmember Aalfs' question, Town Attorney Silver said all the major carriers had CPCN licenses.

Town Manager Dennis asked the Council if there were other aesthetic options to explore.

Councilmember Hughes said he would like to see as little as possible on the poles and as much as possible underground. He had some questions around the 3 cubic feet versus 28. He said, depending on how it's defined, the antenna is a very thin wire inside antenna housing held by a bracket to a pole. He said he didn't understand what 3 cubic feet of antenna would include. He said if things needed to be above ground it should be screened by bushes. He says for these facilities, he would prefer a utility pole versus a fake tree, as long as they were not too dense. He said the fake trees would be quite obvious on the side of a road.

Vice Mayor Wengert agreed with keeping the equipment as low as possible. She said she would encourage undergrounding but said it would likely be a difficult battle. She said she is concerned with duplication. She supported Town Manager Dennis' suggestion of starting out with a more stringent minimum spacing requirement given the rural nature of the town.

Mayor Richards agreed with keeping the equipment low, trying to minimize the number of poles in close proximity to each other, and the use of dark paint. He would not support fake trees.

Councilmember Hughes said the preference for brown or green paint depended on the background view but it should have low light reflectivity. He suggested providing a pre-approved pallet of colors.

Vice Mayor Wengert suggested creating an incentive for the carriers to co-locate or provide a streamlining option. Councilmember Hughes said the downside to that would be three or four 28-cubic-foot boxes on the same site. Vice Mayor Wengert said it would be a decision of more poles or more boxes on less poles, which would be situation-specific on a case-by-case basis.

The Council discussed the possibility of having ASCC members rotate to be on-call to weigh in with the decision-making. Planning & Building Director Russell said most of the review work is based on location whereas that element is not a part of this. She said she and Town Attorney Silver will need to get creative regarding some of the details of bringing some of those elements back into it. She said details such as paint color can be managed but strong preferences must be expressed in advance. She said they will not be able to review things such as above-ground or below-ground on a case-by-case basis and those types of things should be clear from the beginning so staff can hold to lines believed to be defensible with the best chance of being successful. She said it would be challenging to set an expectation with ASCC member of public members that there is much discretion over this. She said if people are going to be involved in that process, it needs to be clear on what can and cannot be reviewed.

The Council suggested the ASCC could be involved in some of the decisions in the development of the standards. Planning & Building Director Russell said there is a provision in the ruling that provides some time to develop the standards but then it goes into effect so it is not clear how applications will be processed in the meantime. She said she attended a joint venture of Silicon Valley session and she believed that because the carriers are busy preparing their 5G technology to roll out later in 2019, she does not think there will be a rush of applications in January. She said, however, Portola Valley has more gaps in coverage than a lot of the communities so carriers will likely come in with 4G technology, knowing it will be upgraded to 5G in the coming year.

Vice Mayor Wengert asked Planning & Building Director Russell if they knew where the gaps in coverage were located and where the requests would likely come from. Councilmember Hughes said it doesn't really matter where the gaps in coverage are located. He said the carriers will be looking at how much area the new site will cover with the 5G technology. Councilmember Aalfs said carriers have provided coverage maps in the past so that research has already been done. Councilmember Hughes said the new sites will not just be on the arterials. Town Manager Dennis said staff is starting to receive emails that are site-specific. Planning & Building Director Russell said Public Works Director Young has received inquiries regarding the existing utility configurations so the carriers can plan for fiber and trenching. She said that in Portola Valley that could mean quite significant trenching.

Councilmember Hughes asked how it would be handled if the Town requires that most of the equipment be put on the ground at a lot of possible sites where there are existing utility poles in the right of way but there's not a lot of room on the ground. He asked if they would then be required to underground it. Vice Mayor Wengert said they could request that any equipment with substantial volume be located at or as close to the ground as possible.

Vice Mayor Wengert encouraged some kind of spacing requirements for the poles, perhaps the same density as required for PG&E poles.

Town Attorney Silver will draft an urgency ordinance and provide it to Council at the January 9, 2019, meeting.

(6) STUDY SESSION – SB 946 Sidewalk Vendor Decriminalization

Town Manager Dennis presented the background, discussion items, and fiscal impact as an introduction to the study session regarding sidewalk vendors, as detailed in the staff report. Staff requested feedback from the Town Council on potential follow-up ordinances regarding SB 946 and the expansion of opportunities for vendors to sell their products on public sidewalks.

Councilmember Hughes asked if it was currently illegal to be a sidewalk vendor in Portola Valley. Town Manager Dennis said there is nothing that says it is not allowed and currently vendors can set up anywhere in Town.

The Council agreed that requiring a business license would be a huge stumbling block for street vendors.

Mayor Richards said the discussion is whether or not the Town should allow vendors. Town Manager Dennis said the new law changes nothing in Portola Valley.

Vice Mayor Wengert suggested that Recommendations #1 and #5 were primary.

Councilmember Hughes pointed out there are existing use conditions for use of facilities whether or not there are events. He said he would be in favor of whatever modifications were needed to maintain those conditions. He would not be in favor of creating new rules to forbid things that have always been permitted, such as informal lemonade stands, Girl Scout cookies, etc. Town Manager Dennis said he does not think that most cities conduct a lot of reactive code enforcement on things such as lemonade stands and that would also not be the Town's intention.

The Town Council approved the following staff recommendations:

#1) Maximize protection of the town's Farmers' Market by expanding the Market's license area on the site plan and included in the Farmer's Market Agreement.

#5) Consider the creation of a temporary special permit for Town-sponsored events.

The Town Council approved applying the following staff recommendations to Town-Owned Properties:

#2) Require any sidewalk vendor who wishes to vend in Portola Valley to obtain a Business License.

#3) Require proof of County Environmental Health permit for food sales.

(7) Discussion and Council Action – Formation of Council Subcommittee for Town Attorney Annual Performance Review

Town Attorney Silver recommended that the Town Council form a subcommittee to manage this year's annual performance evaluation process for the Town Attorney, as detailed in the staff report.

Mayor Richards and Vice Mayor Wengert were appointed to the Subcommittee.

(8) **COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS**

Councilmember Hughes – Attended the San Mateo County Connect 18 Technology Conference at Facebook where they discussed technology and government.

Councilmember Aalfs – Attended a Peninsula Clean Energy meeting where they discussed the California fires and the potential liability for PG&E.

Vice Mayor Wengert – Attended the November Bicycle, Pedestrian & Traffic where they introduced the new Sheriff's Deputy who reported on the traffic report in October. They discussed Windy Hill parking and the enforceability of no parking because the Sheriff Department is saying tickets cannot be issued for the Town's brown signs. Town Manager Dennis said he is having a meeting with Capt. Corpus to discuss this issue in early-December to get everybody on the same page. Vice Mayor Wengert said they also discussed that Woodside Patrol will be picking up crossing guard duties. Town Manager Dennis said that will start on the first week of December. Vice Mayor Wengert said they also discussed PG&E's upcoming sewer project that will be starting on Alpine and Portola Roads. Vice Mayor Wengert also attended the Bicycle and Pedestrian Advisory Committee (BPAC) meeting where they discussed a bikeway classification system to help prioritize projects. She attended the first subcommittee meeting with Stanford on housing where they discussed creating a timetable and figuring out possible projects, probably bringing in legal counsel on both sides to advise about the zoning, regulations, and housing element

issues. She also attended a San Francisco Roundtable meeting where they discussed PIRAT, the newly renamed Woodside VOR. She said the Roundtable has a new process where one month prior they can provide questions to the FAA representative who will be attending.

Mayor Richards – Attended the Emergency Preparedness Committee meeting where they discussed the continued search for medical volunteers. He and Town Manager Dennis met with Vic Schachter and M. J. Lee who started up community service divisions that are similar to CERPP. They discussed PG&E sending warnings about shutting the power off in emergency situations. If the power is shut off, it cannot be turned back on for days until PG&E has examined all the lines. He said the Committee is starting to send out emergency preparedness messages via PV Forum and holding more events displaying water containers and Go Bags. He also attended the November 7 Planning Commission meeting where they discussed ADUs.

(9) Town Manager Report – Town Manager Dennis reported that PV Connect launched on Tuesday, November 13. He said they have received nice feedback. He said no one has requested service yet so it hasn't been tested. He said staff will advertise the recently approved Communications position on November 15 or 16. He attended the Farmers' Market on November 8 where he spoke with residents about various issues. He said Assistant to the Town Manager de Garreaux will be there next month. He said Senate Bill 821 allows Counties to access resident contact information via a public utility to enroll them in a public emergency warning system (SMC Alert). He said SMC Alert is moving to an opt-out model.

WRITTEN COMMUNICATIONS

(10) Town Council Digest – October 25, 2018

None.

(11) Town Council Digest – November 1, 2018

#5 – Letter from Cities Association of Santa Clara County re Formation of the Santa Clara/Santa Cruz Community Roundtable. Mayor Richards noted that not all cities participated.

#6 – Email from Mayor Doug Kim, City of Belmont re Bay Area Air Quality Management District - Grant Opportunity for Clean Air Projects. Mayor Richards asked if the Town can take advantage of the grant opportunity.

(12) Town Council Digest – November 8, 2018

None.

ADJOURNMENT [8:48 p.m.]

Mayor Richards adjourned the meeting.

Mayor

Town Clerk

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

11/28/18

Date: 11/19/2018

Time: 2:35 pm

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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

AT&T	October Statements	20383	11/28/2018	
			11/28/2018	
P.O. BOX 9011	441		11/28/2018	0.00
CAROL STREAM	BOA	53250	11/28/2018	0.00
IL 60197-9011				270.08

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	270.08	0.00

Check No.	53250	Total:	270.08
Total for	AT&T		270.08

BANK OF AMERICA	October Statement	20415	11/28/2018	
Bank Card Center			11/28/2018	
P.O. BOX 53155	0022		11/28/2018	0.00
PHOENIX	BOA	53251	11/28/2018	0.00
AZ 85072-3155				2,438.92

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4147	Volunteer Appreciation	775.11	0.00
05-58-4240	Parks & Fields Maintenance	396.86	0.00
05-64-4308	Office Supplies	28.16	0.00
05-64-4311	Software & Licensng	216.98	0.00
05-64-4312	Office Equipment	118.59	0.00
05-64-4320	Advertising	117.27	0.00
05-64-4322	Dues	156.67	0.00
05-64-4326	Education & Training	50.00	0.00
05-64-4335	Sustainability	13.05	0.00
05-64-4336	Miscellaneous	470.63	0.00
25-66-4346	Mechanical Sys Maint & Repair	95.60	0.00

Check No.	53251	Total:	2,438.92
Total for	BANK OF AMERICA		2,438.92

PETER CALLANDER	Refund Deposit, 3330 Alpine Rd	20386	11/28/2018	
			11/28/2018	
3327 WAIKOMO RD.	1611		11/28/2018	0.00
PORTOLA ROAD	BOA	53252	11/28/2018	0.00
HI 96756				752.29

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	752.29	0.00

Check No.	53252	Total:	752.29
Total for	PETER CALLANDER		752.29

CALPERS	November Unfunded Liability	20418	11/28/2018	
FISCAL SERVICES DIVISION			11/28/2018	
ATTN: RETIREMENT PROG ACCTG	0107		11/28/2018	0.00
SACRAMENTO	BOA	53253	11/28/2018	0.00
CA 94229-2703				2,310.49

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4080	Retirement - PERS	2,310.49	0.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

11/28/18

Date: 11/19/2018

Time: 2:35 pm

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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

Check No. 53253 Total: 2,310.49

CALPERS	October Retirement-Classic	20420	11/28/2018	
FISCAL SERVICES DIVISION			11/28/2018	
ATTN: RETIREMENT PROG ACCTG	0107		11/28/2018	0.00
SACRAMENTO	BOA	53254	11/28/2018	0.00
CA 94229-2703				13,520.92

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2556	Arrears Svc Cr	107.38	0.00
05-50-4080	Retirement - PERS	13,413.54	0.00

Check No. 53254 Total: 13,520.92

CALPERS	October Retirement-PEPRA	20421	11/28/2018	
FISCAL SERVICES DIVISION			11/28/2018	
ATTN: RETIREMENT PROG ACCTG	0107		11/28/2018	0.00
SACRAMENTO	BOA	53255	11/28/2018	0.00
CA 94229-2703				5,746.02

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2522	PERS Payroll	2,743.10	0.00
05-50-4080	Retirement - PERS	3,002.92	0.00

Check No. 53255 Total: 5,746.02

Total for CALPERS 21,577.43

BANDEL CARANO	Refund Deposit, 30 Meadow Ct.	20387	11/28/2018	
			11/28/2018	
525 UNIVERSITY AVENUE,	0686		11/28/2018	0.00
PALO ALTO	BOA	53256	11/28/2018	0.00
CA 94301				268.06

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	268.06	0.00

BANDEL CARANO	Refund Deposit, 20 Meadow Ct.	20388	11/28/2018	
			11/28/2018	
525 UNIVERSITY AVENUE,	0686		11/28/2018	0.00
PALO ALTO	BOA	53256	11/28/2018	0.00
CA 94301				252.09

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	252.09	0.00

Check No. 53256 Total: 520.15

Total for BANDEL CARANO 520.15

LAURA CHASE	Refund Deposit, 145 Stonegate	20407	11/28/2018	
			11/28/2018	
145 STONEGATE RD.	0852		11/28/2018	0.00
PORTOLA VALLEY	BOA	53257	11/28/2018	0.00
CA 94028				1,000.00

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

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

11/28/18

Date: 11/19/2018

Time: 2:35 pm

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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

Check No.	53257	Total:	1,000.00
Total for	LAURA CHASE		1,000.00

CSG CONSULTANTS INC	Bldg Insp Svcs, 9/1/18-9/28/18	20390	11/28/2018	
			11/28/2018	
550 PILGRIM DRIVE	622		11/28/2018	0.00
FOSTER CITY	BOA	53258	11/28/2018	0.00
CA 94404	21377			8,820.00

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4062	Temp Bldg Inspection	8,820.00	0.00

Check No.	53258	Total:	8,820.00
Total for	CSG CONSULTANTS INC		8,820.00

D & M QUALITY ROOFING	Refund Deposit, 40 Hillbrook	20384	11/28/2018	
			11/28/2018	
1067 SO 11TH STREET	0532		11/28/2018	0.00
SAN JOSE	BOA	53259	11/28/2018	0.00
CA 95112				1,000.00

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

Check No.	53259	Total:	1,000.00
Total for	D & M QUALITY ROOFING		1,000.00

DENISE DE SOMER	Annual Volunteer Party,	20385	11/28/2018	
	Event Catering		11/28/2018	
17 DOLPHIN COURT	1367		11/28/2018	0.00
HALF MOON BAY	BOA	53260	11/28/2018	0.00
CA 94019	TOPVVAP120718			9,469.50

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4147	Volunteer Appreciation	9,469.50	0.00

Check No.	53260	Total:	9,469.50
Total for	DENISE DE SOMER		9,469.50

ECS IMAGING	Scanning Svcs, Planning	20391	11/28/2018	
			11/28/2018	
5905 BROCKTON AVE	1466		11/28/2018	0.00
RIVERSIDE	BOA	53261	11/28/2018	0.00
CA 92506	13612			2,372.06

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4309	Scanning - Planning	2,372.06	0.00

Check No.	53261	Total:	2,372.06
Total for	ECS IMAGING		2,372.06

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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

GENTRY CONSTRUCTION	Refund Deposit, 1390 Westridge	20392	11/28/2018	
			11/28/2018	
846 PORTOLA ROAD	0387		11/28/2018	0.00
PORTOLA VALLEY	BOA	53262	11/28/2018	0.00
CA 94028				84.19

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	84.19	0.00

Check No.	53262	Total:	84.19
Total for	GENTRY CONSTRUCTION		84.19

LISA GIBLIN	Refund Deposit, 380 Escobar	20393	11/28/2018	
			11/28/2018	
380 ESCOBAR RD.	0848		11/28/2018	0.00
PORTOLA VALLEY	BOA	53263	11/28/2018	0.00
CA 94028				500.00

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

Check No.	53263	Total:	500.00
Total for	LISA GIBLIN		500.00

HILLYARD, INC	Janitorial Supplies	20394	11/28/2018	
			11/28/2018	
P.O. BOX 843025	531		11/28/2018	0.00
KANSAS CITY	BOA	53264	11/28/2018	0.00
MO 64184-3025	603221459			109.58

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4340	Building Maint Equip & Supp	36.52	0.00
05-66-4341	Community Hall	36.53	0.00
25-66-4340	Building Maint Equip & Supp	36.53	0.00

HILLYARD, INC	Janitorial Supplies	20395	11/28/2018	
			11/28/2018	
P.O. BOX 843025	531		11/28/2018	0.00
KANSAS CITY	BOA	53264	11/28/2018	0.00
MO 64184-3025	603218024			370.93

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4340	Building Maint Equip & Supp	123.64	0.00
05-66-4341	Community Hall	123.64	0.00
25-66-4340	Building Maint Equip & Supp	123.65	0.00

HILLYARD, INC	Janitorial Supplies	20396	11/28/2018	
			11/28/2018	
P.O. BOX 843025	531		11/28/2018	0.00
KANSAS CITY	BOA	53264	11/28/2018	0.00
MO 64184-3025	603218023			496.52

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4340	Building Maint Equip & Supp	165.50	0.00
05-66-4341	Community Hall	165.51	0.00
25-66-4340	Building Maint Equip & Supp	165.51	0.00

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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

HILLYARD, INC	Janitorial Supplies	20397	11/28/2018	
			11/28/2018	
P.O. BOX 843025	531		11/28/2018	0.00
KANSAS CITY	BOA	53264	11/28/2018	0.00
MO 64184-3025	603218021			477.83

GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4340	Building Maint Equip & Supp	159.27	0.00	
05-66-4341	Community Hall	159.28	0.00	
25-66-4340	Building Maint Equip & Supp	159.28	0.00	

Check No.	53264	Total:	1,454.86
Total for	HILLYARD, INC		1,454.86

REED HUNDT	Refund Deposit, 185 Cherokee	20398	11/28/2018	
			11/28/2018	
185 CHEROKEE WAY	0849		11/28/2018	0.00
PORTOLA VALLEY	BOA	53265	11/28/2018	0.00
CA 94028				1,607.76

GL Number	Description	Invoice Amount	Amount Relieved	
96-54-4207	Deposit Refunds, Other Charges	1,607.76	0.00	

Check No.	53265	Total:	1,607.76
Total for	REED HUNDT		1,607.76

ICMA	Def Comp, November	20422	11/28/2018	
VANTAGE POINT TFER AGTS-304617			11/28/2018	
C/O M&T BANK	0084		11/28/2018	0.00
BALTIMORE	BOA	53266	11/28/2018	0.00
MD 21264-4553				4,928.70

GL Number	Description	Invoice Amount	Amount Relieved	
05-00-2557	Defer Comp	4,928.70	0.00	

Check No.	53266	Total:	4,928.70
Total for	ICMA		4,928.70

JORGENSON SIEGEL MCCLURE & FLEGEL	October Statement	20399	11/28/2018	
			11/28/2018	
1100 ALMA STREET	0089		11/28/2018	0.00
MENLO PARK	BOA	53267	11/28/2018	0.00
CA 94025				17,612.50

GL Number	Description	Invoice Amount	Amount Relieved	
05-54-4182	Town Attorney	17,612.50	0.00	

Check No.	53267	Total:	17,612.50
Total for	JORGENSON SIEGEL MCCLURE &		17,612.50

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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

KOA DESIGN & CONSTRUCTION	Refund Dep, 145 Deer Meadow	20400	11/28/2018	
			11/28/2018	
1356 CORTEZ AVENUE	0850		11/28/2018	0.00
BURLINGAME	BOA	53268	11/28/2018	0.00
CA 94010				212.50

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	212.50	0.00

Check No.	53268	Total:	212.50
Total for	KOA DESIGN & CONSTRUCTION		212.50

MEGAN KOCH	Deposit Refund, 10/27/18 Event	20401	11/28/2018	
			11/28/2018	
35 VALENCIA CT.	0851		11/28/2018	0.00
PORTOLA VALLEY	BOA	53269	11/28/2018	0.00
CA 94028				1,100.00

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2561	Community Hall Deposits	1,000.00	0.00
05-00-2562	Field Deposits	100.00	0.00

Check No.	53269	Total:	1,100.00
Total for	MEGAN KOCH		1,100.00

JOACHIM KUNKEL	Refund Deposit, 180 Golden Oak	20402	11/28/2018	
			11/28/2018	
	1459		11/28/2018	0.00
	BOA	53270	11/28/2018	0.00
				983.71

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	983.71	0.00

Check No.	53270	Total:	983.71
Total for	JOACHIM KUNKEL		983.71

CHIA AO LU	Refund Deposit, 100 Canyon	20403	11/28/2018	
			11/28/2018	
40 HARCOURT	2160		11/28/2018	0.00
NEWPORT COAST	BOA	53271	11/28/2018	0.00
CA 92657				4,250.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	4,250.00	0.00

Check No.	53271	Total:	4,250.00
Total for	CHIA AO LU		4,250.00

NCE	Pavement Mgmt Update Project	20404	11/28/2018	
Nichols Consulting Engineers			11/28/2018	
1885 S. ARLINGTON AVE	0183		11/28/2018	0.00
RENO	BOA	53272	11/28/2018	0.00
NV 89509	424225502			6,600.00

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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>GL Number</u>	<u>Description</u>	<u>Invoice Amount</u>	<u>Amount Relieved</u>	
05-68-4553	Pavement Management Update	6,600.00	0.00	

Check No.	53272	Total:	6,600.00
<u>Total for</u>	NCE		6,600.00

PERS HEALTH	November Health	20416	11/28/2018	
			11/28/2018	
VIA EFT	0108		11/28/2018	0.00
	BOA	53273	11/28/2018	0.00
				11,836.35

<u>GL Number</u>	<u>Description</u>	<u>Invoice Amount</u>	<u>Amount Relieved</u>	
05-50-4086	Health Insurance Medical	11,836.35	0.00	

Check No.	53273	Total:	11,836.35
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PERS HEALTH	December Health	20417	11/28/2018	
			11/28/2018	
VIA EFT	0108		11/28/2018	0.00
	BOA	53274	11/28/2018	0.00
				12,605.66

<u>GL Number</u>	<u>Description</u>	<u>Invoice Amount</u>	<u>Amount Relieved</u>	
05-50-4086	Health Insurance Medical	12,605.66	0.00	

Check No.	53274	Total:	12,605.66
<u>Total for</u>	PERS HEALTH		24,442.01

PG&E	October Statements	20405	11/28/2018	
			11/28/2018	
BOX 997300	0109		11/28/2018	0.00
SACRAMENTO	BOA	53275	11/28/2018	0.00
CA 95899-7300				1,475.20

<u>GL Number</u>	<u>Description</u>	<u>Invoice Amount</u>	<u>Amount Relieved</u>	
05-64-4330	Utilities	1,475.20	0.00	

Check No.	53275	Total:	1,475.20
<u>Total for</u>	PG&E		1,475.20

PICTURE THIS FOR FUN	Annual Volunteer Party, Photo Booth 12/7/18	20406	11/28/2018	
			11/28/2018	
851 CHERRY AVENUE 27-304	1416		11/28/2018	0.00
SAN BRUNO	BOA	53276	11/28/2018	0.00
CA 94066	2018-94			450.00

<u>GL Number</u>	<u>Description</u>	<u>Invoice Amount</u>	<u>Amount Relieved</u>	
05-52-4147	Volunteer Appreciation	450.00	0.00	

Check No.	53276	Total:	450.00
<u>Total for</u>	PICTURE THIS FOR FUN		450.00

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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	Library Carpet Cleaning	20408	11/28/2018	
			11/28/2018	
1530 OAKLAND RD., #150	402		11/28/2018	0.00
SAN JOSE	BOA	53277	11/28/2018	0.00
CA 95112	33639			608.00

GL Number	Description	Invoice Amount	Amount Relieved	
25-66-4344	Janitorial Services	608.00	0.00	

Check No.	53277	Total:	608.00
Total for	PLATINUM FACILITY SERVICES		608.00

PRIORITY 1 PUBLIC SAFETY EQUIP	Radar Trailer, Installation of	20409	11/28/2018	
	Solar Panel		11/28/2018	
425 HARBOR BLVD. #6	0853		11/28/2018	0.00
BELMONT	BOA	53278	11/28/2018	0.00
CA 94002	7065			350.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-60-4267	Tools & Equipment	350.00	0.00	

Check No.	53278	Total:	350.00
Total for	PRIORITY 1 PUBLIC SAFETY EQUI		350.00

DOUGLAS RADTKE	Refund Deposit, 11/17/18 Event	20419	11/28/2018	
			11/28/2018	
	0815		11/28/2018	0.00
	BOA	53279	11/28/2018	0.00
				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-00-2561	Community Hall Deposits	1,000.00	0.00	

Check No.	53279	Total:	1,000.00
Total for	DOUGLAS RADTKE		1,000.00

SAN MATEO SHERIFF	FY 18-19, 1st Qtr Law	20410	11/28/2018	
OFFICE OF EMERGENCY SERVICES	Enforcement Services		11/28/2018	
400 COUNTY CENTER	0119		11/28/2018	0.00
REDWOOD CITY	BOA	53280	11/28/2018	0.00
CA 94063-0978	11217			264,569.50

GL Number	Description	Invoice Amount	Amount Relieved	
05-62-4282	San Mateo County Sheriff's Ofc	119,569.50	0.00	
30-62-4284	COPS Addl Traffic Patrols	145,000.00	0.00	

Check No.	53280	Total:	264,569.50
Total for	SAN MATEO SHERIFF		264,569.50

SF BAY JAZZ	Annual Holiday Party, Band/	20411	11/28/2018	
	Entertainment		11/28/2018	
206 FOREST PARK DR.	0370		11/28/2018	0.00
PACIFICA	BOA	53281	11/28/2018	0.00
CA 94044				400.00

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

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4147	Volunteer Appreciation	400.00	0.00

Check No.	53281	Total:	400.00
Total for	SF BAY JAZZ		400.00

SMALL BUSINESS BENEFIT PLAN TR	Dental/Vision December	20413	11/28/2018	
			11/28/2018	
	0132		11/28/2018	0.00
BELMONT	BOA	53282	11/28/2018	0.00
CA 94002-0156				2,391.20

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4090	Health Ins Dental & Vision	2,391.20	0.00

Check No.	53282	Total:	2,391.20
Total for	SMALL BUSINESS BENEFIT PLAN		2,391.20

SPRING RIDGE LLC	Refund Deposit, 555 Portola	20412	11/28/2018	
			11/28/2018	
555 PORTOLA ROAD	0152		11/28/2018	0.00
PORTOLA VALLEY	BOA	53283	11/28/2018	0.00
CA 94028				73.57

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	73.57	0.00

Check No.	53283	Total:	73.57
Total for	SPRING RIDGE LLC		73.57

SUNSTATE EQUIPMENT CO.	Excavator Equip Rental, Trail	20423	11/28/2018	
	Work	00006589	11/28/2018	
P.O. BOX 52581	0673		11/28/2018	0.00
PHOENIX	BOA	53284	11/28/2018	0.00
AZ 85072	7633857.001			3,231.25

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4270	Trail Surface Rehabilitation	3,231.25	3,231.25

Check No.	53284	Total:	3,231.25
Total for	SUNSTATE EQUIPMENT CO.		3,231.25

JACKIE TANNER	Deposit Refund, Event 11/8/18	20414	11/28/2018	
			11/28/2018	
121 ESCOBAR ROAD	0854		11/28/2018	0.00
PORTOLA VALLEY	BOA	53285	11/28/2018	0.00
CA 94028				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2561	Community Hall Deposits	1,000.00	0.00

Check No.	53285	Total:	1,000.00
Total for	JACKIE TANNER		1,000.00

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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

THE CONRADO COMPANY	Refund Deposit, 2 Fremontia	20389	11/28/2018	
			11/28/2018	
14363 SARATOGA AVENUE #206	0771		11/28/2018	0.00
SARATOGA	BOA	53286	11/28/2018	0.00
CA 95070				629.81

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	629.81	0.00

Check No.	53286	Total:	629.81
Total for	THE CONRADO COMPANY		629.81

Total Invoices:	41	Grand Total:	388,175.19
		Less Credit Memos:	0.00
		Net Total:	388,175.19
		Less Hand Check Total:	0.00
		Outstanding Invoice Total:	388,175.19

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
November 28, 2018

Claims totaling \$388,175.19 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: Brandi de Garneau, Assistant to the Town Manager

DATE: November 28, 2018

RE: Adoption of Resolution Approving and Authorizing Disposition of Surplus Town-Owned Property

RECOMMENDATION

Staff recommends that the Town Council adopt the attached resolution (Attachment 1) approving and authorizing the disposition of surplus property as described in Exhibit A (Attachment 2).

BACKGROUND/DISCUSSION

Periodically, Town staff reviews Town-owned property to assess whether any items have reached the end of useful life, are no longer in service, and/or are not operable. Per the Town's Purchasing & Inventory Control Policy, when a capitalized inventory item (value of more than \$500) is no longer in use, is obsolete, and/or is damaged beyond repair, and the Town wishes to donate and/or dispose of the item, it must be declared surplus property by the Town Council prior to donation or disposal. The items listed in Exhibit A have been evaluated by staff and deemed surplus property. These items will be donated, sold, recycled or disposed of as deemed appropriate per the discretion of the Town Manager. Staff has provided additional information below on each item to be surplus.

Desktop Computers

Desktop computers are replaced per an "Equipment Replacement" schedule (or as needed) and are allocated for in the annual budget.

Postage Meter/Machine

The postage meter was no longer supported and was replaced in the 2017-18 fiscal year.

Fire Proof File Cabinets

The fire proof file cabinets are currently located in the Town's Emergency Operations Center (EOC). Earlier this the year, staff evaluated the contents of the cabinets as part of a broader space evaluation and cleanup effort. Staff determined that the bound Town Council Agenda Packets they held could be stored elsewhere, thereby freeing valuable

space in the EOC during activation and exercises. The Agenda Packets are a redundant hard copy to the electronic copies archived on Laserfiche and are regularly backed up.

Refrigerators

The two small refrigerators staff is recommending be surplused are currently located in the Community Hall Activity Rooms. The Refrigerators are now over ten years old and one recently stopped working. Staff took the opportunity to query the main users of the Activity Rooms and determined that the refrigerators were used infrequently, and the large refrigerator in the Community Hall kitchen could easily be used instead (thereby saving the resulting energy use). Staff is recommending surplusing the broken refrigerator and exploring the reuse of the other refrigerator in the Sheriff Substation, to replace the very old existing fridge.

Flat Screen Television

The flat screen television staff is recommending be surplused was replaced by a much larger, modern smart flat screen to provide dual-purpose use for both EOC functions and general meeting use. Staff has not identified a need to locate the original flat screen television in another location.

Barracuda Spam Blocker

The Barracuda Spam Blocker became obsolete when the Town converted its email to a cloud-based platform.

FISCAL IMPACT

There is no fiscal impact at this time.

ATTACHMENT

1. Resolution
2. Exhibit A – List of Surplus Inventory

Approved by: Jeremy Dennis, Town Manager



Attachment 1

RESOLUTION NO. _____-2018

**RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PORTOLA VALLEY APPROVING AND AUTHORIZING
THE DISPOSITION OF SURPLUS TOWN-OWNED PROPERTY**

WHEREAS, the Town Council of the Town of Portola Valley is the owner of certain property (Exhibit A) and has determined that such property is surplus.

NOW, THEREFORE, the Town Council of the Town does RESOLVE that such property be disposed of by Town staff as deemed appropriate to the Town's best interest.

PASSED AND ADOPTED this 28th day of November, 2018.

By: _____

John Richards, Mayor

ATTEST:

Sharon Hanlon, Town Clerk

Attachment 2

EXHIBIT A
SURPLUS INVENTORY

<u>ITEM</u>	<u>INVENTORY TAG #</u>	<u>REASON FOR SURPLUS</u>
Desktop Computer – Dell Optiplex 780	708	Beyond Repair
Desktop Computer - Dell Optiplex 755	716	Beyond Repair
Desktop Computer - Dell Optiplex 7010	745	Obsolete
Postage Meter/Machine	461	Obsolete
Fire Proof File Cabinet	228	No Longer in Use
Fire Proof File Cabinet	229	No Longer in Use
Refrigerator Small	671	Beyond Repair
Refrigerator Small	672	No Longer in Use
Television Flat Screen	703	No Longer in Use
Barracuda Spam Blocker	724	Obsolete



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Finance Committee

FROM: Doug Radtke CPA, Finance Director
Portola Valley Finance Committee

DATE: November 28, 2018

RE: Town Operating Banking Options

RECOMMENDATION

Staff recommends that the Town Council adopt the attached resolutions and authorize the Town Manager and Finance Director to pursue the proposed banking relationship changes.

BACKGROUND/DISCUSSION

Bank of America

Since May 13, 1968 the Town has utilized Bank of America as the primary depository and operating checking account. An inquiry of the account analysis statement and fees charged by Bank of American presented an opportunity for staff to evaluate our banking relationship and treasury functions. Currently, Bank of America provides a minimal 0.20% credit rate on the average monthly balance and incurs average fees of \$1,000 monthly for various services provided. With the direction of the Finance Committee, the Finance Director developed criteria to solicit information from different financial institutions with comparable services.

Criteria for Solicitation of Information

The Finance Director considered the following criteria in soliciting information from financial institutions:

- Institution must be a Federal or State of California chartered banking institution with a branch within a reasonable geographical proximity to the Town of Portola Valley
- The bank or credit union must be a qualified depository for public funds pursuant to applicable State of California government code. All balances must be fully collateralized through the pool collateral system (FDIC or NCUA)

- The bank of credit union must be able to accept deposits of cash and fulfill orders for cash and currency as needed
- Be in compliance with all relevant California Government Code and have the capability of servicing a municipal government client

The Finance Director made inquiries of several banks: BBVA Compass, US Bank, Technology Credit Union (“TechCU”), and various other credit unions in the local area such as Stanford Federal Credit Union, Alliant Credit Union and Provident. TechCU was the only credit union among those inquired that had the capability and compliance to accept a local government agency as a customer. BBVA Compass did not reply to an inquiry for new account.

Results of Solicitation Inquiry

Each of the qualifying respondent organizations were provided the July 31, 2018 account analysis statement and were solicited for comparative information. The results of the solicitation were provided to Finance Committee for consideration. The summary of the solicitation utilizing an estimated average daily balance of \$1.5 million is below:

	Bank of America	US Bank	TechCU
Interest/Credit	\$ 254.79	\$ 1,232.88	\$ 2,420.56
Account Charges	990.54	189.19*	468.83
Net Interest/(Charge)	(735.75)	1,043.69	1,951.73

**US Bank did not include several requested features such as remote deposit check in their estimate and therefore the estimate may be artificially low as a pure operating account.*

Bank of America does not offer an interest yield on balances held and the quotation offered by US Bank did not also. Bank of America offers a 0.20% service credit and US Bank offers a 1% service credit.

Potential Impact on Local Agency Investment Fund (“LAIF”)

A requirement of LAIF is to maintain a bank account from a list of approved banking institutions. The list published by LAIF includes 14 domestic bank that the Town would be eligible to open accounts with. Both Bank of America and US Bank are eligible institutions. Credit unions are not eligible for participation in LAIF at this time.

Funds Transfer Resolution

Staff is proposing a resolution (Attachment 1) to formalize and document the ability of the Finance Director to request and initiate interbank transfers as needed to move funds out of LAIF reserves to the primary operating checking account. The Finance Director is currently a non-signatory on all Town bank accounts and this will remain so in the near future. The proposed resolution is only to grant the Finance Director interbank transfer privileges in order to appropriately direct the Town’s operating cash and reserves as needed.

Recommendation from the Finance Committee

At their October 22nd, meeting, the Finance Committee recommended a change of banking relationship to the Town Council to utilize TechCU as the Town's primary operating account, and to open a US Bank account to maintain access to LAIF. A minimal checking account with US Bank requires no minimum balance and will charge no fees aside from minimal ACH charges to move funds to/from LAIF (Attachments 2-4).

Staff concurs with the Finance Committee's recommendation and requests that the Town Council approve the propose resolutions which enable the Town Manager and the Finance Director to initiate new banking relationships

During the interim period, the Finance Director negotiated a reduction of fees from Bank of America through disabling several redundant account features. This has resulted in a cost savings of a minimum of several hundred dollars monthly in August, September, and October as compared to July (See Attachment #5) however Staff still recommends that the Town Council proceed with authorizing a banking relationship change at this time for a fiscal cost savings and additional interest yield.

FISCAL IMPACT

A change to TechCU as the primary operating checking account would save the city an average of \$9,000-12,000 annually on banking fees compared to maintain the Bank of America account.

Maintaining an account with US Bank would not incur any account maintenance fees however ACH transfers between LAIF and TechCU through US Bank would incur minimal ACH fees which range from \$0.15 to \$0.95 in cost typically.

A TechCU money market account utilizing the current daily average balance maintained in Bank of America could yield a 1.687% dividend rate which provides an additional \$16,000-\$17,000 annually. The true total yield will be dependent on how much cash is held at TechCU.

ATTACHMENTS

1. Proposed Resolution Authorizing Fund Transfers by Finance Director
2. Proposed Resolution Authorizing Bank of America Closure
3. Proposed Resolution Authorizing TechCU Account Opening
4. Proposed Resolution Authorizing US Bank Account Opening
5. Bank of America Account Analysis Statements July-October 2018

Approved by: Jeremy Dennis, Town Manager



RESOLUTION NO. _____-2018

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF PORTOLA VALLEY
TO AUTHORIZE FINANCE DIRECTOR TO TRANSFER FUNDS**

WHEREAS, the Town Council of the Town of Portola Valley (“Town”) maintains financial accounts with various institutions and authorizes certain individuals to act as agents on behalf of the town in making withdrawals, deposits, and other customary transactions; and

WHEREAS, the Finance Director will need Town authorization to transfer funds between operating, investing, and reserve accounts held at various financial institutions; and

NOW, THEREFORE, the Town of Portola Valley does RESOLVE that the current Finance Director, Doug Radtke is authorized to transfer funds within and between the Town’s various accounts in the course of his work as the Finance Director as needed.

By: _____
Mayor

ATTEST:

Town Clerk

RESOLUTION NO. _____-2018

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF PORTOLA VALLEY
TO CLOSE CHECKING ACCOUNT AT BANK OF AMERICA**

WHEREAS, the Town of Portola Valley ("Town") has maintained a primary depository and operating checking account with Bank of America since May 13, 1968; and

WHEREAS, the Town Council has determined it to be in the best interest of the City at this time to close any accounts associated with Bank of America and transition the Town's banking relationships to other financial institutions;

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

1. The Town Manager and Town Finance Director are hereby authorized by the Town Council to do all such acts, deeds, and actions necessary to terminate the Town's banking relationship with Bank of America and close the checking account.
2. The Town Manager and Town Finance Director are authorized to make necessary outgoing transfers from Bank of America to the successor operating account as necessary prior to formal closure of the account.

PASSED AND ADOPTED this 28thth day of November, 2018.

By: _____
Mayor

ATTEST:

Town Clerk

RESOLUTION NO. _____-2018

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF PORTOLA VALLEY
TO OPEN A CHECKING ACCOUNT AT TECHNOLOGY CREDIT UNION**

WHEREAS, the Town Council of the Town of Portola Valley (“Town”) finds it is in the interest of the Town of Portola Valley to establish a banking relationship with Technology Credit Union (“TechCU”); and

WHEREAS, banks with whom the Town does business normally require a Town resolution designating which Town officials are authorized to open bank accounts and to execute checks and other orders for the payment of Town Funds; and

WHEREAS, The Town desire to designate certain Town officials to open bank accounts and execute checks and other orders for payment of Town funds;

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

1. The Town Manager and Town Finance Director are hereby authorized to open or cause to be opened one or more bank accounts with TechCU on such terms, conditions, and agreements as the Bank may now or hereafter require and to make any other agreements deemed advisable to regard in any of the foregoing.
2. The Town Manager and Town Finance Director are hereby authorized and empowered to singly and/or jointly represent the Town of Portola Valley on all matters pertaining to the maintenance and operation of the Town account.
3. That there shall be required two signatures on any Town of Portola Valley account unless otherwise specific within this resolution.
4. The authorized signers on any Town of Portola Valley account are the Mayor, Vice-Mayor, Town Manager, and Town Clerk and their successors.
5. Signature authority for checks is authorized as follows:
 - a. Either the Town Manager or Town Clerk is authorized to sign checks in the amount of \$2,000.00 or less. Only one signature is required.
 - b. Any two of the following persons are authorized to sign checks in the amount of \$2,000.01 to \$5,000.00: Town Manager, Town Clerk, Mayor, and/or Vice-Mayor. Two signatures are required.
 - c. Any check in the amount of \$5,000.01 or more requires the signature of either the Town Manager or Town Clerk and either the Mayor or Vice-Mayor.

PASSED AND ADOPTED this 28thth day of November, 2018.

By: _____
Mayor

ATTEST:

Town Clerk

RESOLUTION NO. _____-2018

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF PORTOLA VALLEY
TO OPEN A CHECKING ACCOUNT AT U.S. BANK**

WHEREAS, the Town Council of the Town of Portola Valley (“Town”) finds it is in the interest of the Town of Portola Valley to establish a banking relationship with U.S. Bank; and

WHEREAS, banks with whom the Town does business normally require a resolution designating which Town officials are authorized to open bank accounts and to execute checks and other orders for the payment of Town Funds; and

WHEREAS, The Town desires to designate certain officials to open bank accounts and execute checks and other orders for payment of Town funds;

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

1. The Town Manager and Town Finance Director are hereby authorized to open or cause to be opened one or more bank accounts with U.S. Bank on such terms, conditions, and agreements as the Bank may now or hereafter require and to make any other agreements deemed advisable to regard in any of the foregoing.
2. The Town Manager and Town Finance Director are hereby authorized and empowered to singly and/or jointly represent the Town of Portola Valley on all matters pertaining to the maintenance and operation of the Town account.
3. That there shall be required two signatures on any Town of Portola Valley account unless otherwise specific within this resolution.
4. The authorized signers on any Town of Portola Valley account are the Mayor, Vice-Mayor, Town Manager, and Town Clerk and their successors.
5. Signature authority for checks is authorized as follows:
 - a. Either the Town Manager or Town Clerk is authorized to sign checks in the amount of \$2,000.00 or less. Only one signature is required.
 - b. Any two of the following persons are authorized to sign checks in the amount of \$2,000.01 to \$5,000.00: Town Manager, Town Clerk, Mayor, and/or Vice-Mayor. Two signatures are required.
 - c. Any check in the amount of \$5,000.01 or more requires the signature of either the Town Manager or Town Clerk and either the Mayor or Vice-Mayor.

PASSED AND ADOPTED this 28thth day of November, 2018.

By: _____
Mayor

ATTEST:

Town Clerk

BANK OF AMERICA, N.A.
P.O. BOX 15284
WILMINGTON DE 19850

ANALYSIS STATEMENT

Member FDIC

FULL ANALYSIS BUSINESS CKG 01 0005 2088 0200
BANK AND COST CENTER NUMBER 318 1000218

DATE PREPARED 08-03-18

MONTH ENDING 07-31-18
MONTHLY SETTLEMENT 07-31-18
SETTLEMENT & ACCOUNT TYPE DEBIT 107
OFFICER NUMBER 6HJ48
PAGE 1 OF 2

CUSTOMER SERVICE: 1.888.852.5000

TOWN PORTOLA VALLEY
765 PORTOLA RD
PORTOLA VALLEY CA 94028-7205

BALANCE SUMMARY

AVG POSITIVE LEDGER BALANCE	\$	1,296,981.90
<hr/>		
AVG LEDGER BALANCE		1,296,981.90
LESS AVG FLOAT		31,358.64
<hr/>		
AVG COLLECTED BALANCE		1,265,623.26
AVG NEGATIVE COLL BALANCE		.00
<hr/>		
AVG POSITIVE COLL BALANCE		1,265,623.26
LESS RESERVES 00%		.00
<hr/>		
AVAIL BAL FOR EARNINGS CREDIT		1,265,623.26
AVAILABLE BALANCE REQUIRED		5,831,404.83
<hr/>		
NET AVAILABLE BALANCE		4,565,781.57-
REQ RESERVES ON NET AVAIL BAL		.00
<hr/>		
DEFICIT COLLECTED BALANCE		4,565,781.57

EARNINGS CREDIT SUMMARY

AVAIL BAL FOR EARNINGS CREDIT	\$	1,265,623.26
EARNINGS ON AVAILABLE BALANCE		214.98
LESS TOTAL SERVICE CHARGES		990.54
<hr/>		
DEFICIT		775.56
<hr/>		
PERIOD TO DATE DEFICIT		775.56
<hr/>		
CURRENT PERIOD SERVICE CHARGE	\$	775.56
<hr/>		
ACCT# 318 0005 2088 0200 TO BE DEBITED FOR SERVICE CHARGES.		

CURRENT MONTH'S EARNINGS CREDIT RATE = 0.20%

CURRENT MONTH'S MULTIPLE = \$5,887.09

SERVICE	NUMBER OF UNITS	UNIT PRICE	SERVICE CHARGE	BALANCE REQUIRED
BALANCE RELATED SERVICES				
DEPOSIT BANK ASSESSMENT	1,296,981		189.48	1,115,487.09
DEPOSITORY SERVICES				
ACCOUNT MAINTENANCE	1	30.0000	30.00	176,612.90
BANKING CENTER DEPOSIT	5	3.5000	17.50	103,024.19
CKS DEP UN-ENCODED ITEMS	1	.2000	.20	1,177.42
DEBITS POSTED-ELECTRONIC	21	.3000	6.30	37,088.71
CREDITS POSTED-ELECTRONIC	20	.3000	6.00	35,322.58
DEPOSIT ACCOUNT STATEMENTS	1	.0000	.00	0.00
GEN DISB CKS PD IMAGE	106	.2000	21.20	124,806.45
CHECK DEPOSIT-ICL OR RDSO	9	1.2500	11.25	66,229.84
IMAGE DEPOSITED ITEMS-RDSO	376	.0600	22.56	132,812.90

ANALYSIS STATEMENT

BANK OF AMERICA, N.A.
 P.O. BOX 15284
 WILMINGTON DE 19850

Member FDIC

FULL ANALYSIS BUSINESS CKG 01 0005 2088 0200
 BANK AND COST CENTER NUMBER 318 1000218
 DATE PREPARED 08-03-18
 MONTH ENDING 07-31-18
 MONTHLY SETTLEMENT 07-31-18
 SETTLEMENT & ACCOUNT TYPE DEBIT 107
 OFFICER NUMBER 6HJ48
 PAGE 2 OF 2

TOWN PORTOLA VALLEY
 765 PORTOLA RD
 PORTOLA VALLEY CA 94028-7205

SERVICE	NUMBER OF UNITS	UNIT PRICE	SERVICE CHARGE	BALANCE REQUIRED
COMMERCIAL DEPS-CASH VAULT CURR/COIN DEP/\$100-BKG CTR	10	.3500	3.50	20,604.84
GENERAL ACH SERVICES				
ACH CREDIT RECEIVED ITEM	20	.1500	3.00	17,661.29
ACH DEBIT RECEIVED ITEM	21	.1500	3.15	18,544.35
ACCOUNT RECONCILIATION				
ARP PPAY MAINT-NO RECON	1	60.0000	60.00	353,225.81
ARP PPAY NO RECON INPUT ITEM	97	.0300	2.91	17,131.45
INFORMATION SERVICES				
CPO ARP POSITIVE PAY NOTIF	42	.0000	.00	0.00
CPO ARP ISSUE RECD NOTIF	2	.0000	.00	0.00
CASHPRO EXPRESS PACKAGE	1	75.0000	75.00	441,532.26
CPO IR MAINTENANCE	1	100.0000	100.00	588,709.68
CPO PDR ACCOUNT	1	30.0000	30.00	176,612.90
CPO PDR ITEM STORED	366	.1600	58.56	344,748.39
CPO CDR ACCOUNT	1	50.0000	50.00	294,354.84
CPO CDR ITEM STORED	352	.3800	133.76	787,458.06
CPO RESEARCH ITEM	7	.0000	.00	0.00
SECURITY ACCESS	1	30.0000	30.00	176,612.91
REMOTE DEPOSIT SERVICES				
REMOTE DEP-ACCOUNT MAINTENANCE	1	25.0000	25.00	147,177.42
REMOTE DEP CK IMAGE PROCESSING	376	.1500	56.40	332,032.26
RDSOL-ITEM STORAGE	9,191	.0000	.00	0.00
MED VOLUME SCANNER MAINT	1	15.0000	15.00	88,306.45
IMAGE				
CD ROM MAINTENANCE	1	25.0000	25.00	147,177.42
CD ROM PER IMAGE	106	.0450	4.77	28,081.45
CD ROM DISK	1	10.0000	10.00	58,870.97
TOTAL SERVICE CHARGES			990.54	5,831,404.83

NEXT MONTH'S MAXIMUM EARNINGS CREDIT RATE: 0.20% NEXT MONTH'S MAXIMUM MULTIPLE: \$5,887.09

BANK OF AMERICA, N.A.
P.O. BOX 15284
WILMINGTON DE 19850

ANALYSIS STATEMENT

Member FDIC

FULL ANALYSIS BUSINESS CKG 01 0005 2088 0200
BANK AND COST CENTER NUMBER 318 1000218

DATE PREPARED 09-06-18

MONTH ENDING 08-31-18
MONTHLY SETTLEMENT 08-31-18
SETTLEMENT & ACCOUNT TYPE DEBIT 107
OFFICER NUMBER 6HJ48
PAGE 1 OF 2

CUSTOMER SERVICE: 1.888.852.5000

TOWN PORTOLA VALLEY
765 PORTOLA RD
PORTOLA VALLEY CA 94028-7205

BALANCE SUMMARY

AVG POSITIVE LEDGER BALANCE	\$ 1,540,316.20
<hr/>	
AVG LEDGER BALANCE	1,540,316.20
LESS AVG FLOAT	14,845.58
<hr/>	
AVG COLLECTED BALANCE	1,525,470.62
AVG NEGATIVE COLL BALANCE	.00
<hr/>	
AVG POSITIVE COLL BALANCE	1,525,470.62
LESS RESERVES 00%	.00
<hr/>	
AVAIL BAL FOR EARNINGS CREDIT	1,525,470.62
AVAILABLE BALANCE REQUIRED	3,063,645.16
<hr/>	
NET AVAILABLE BALANCE	1,538,174.54-
REQ RESERVES ON NET AVAIL BAL	.00
<hr/>	
DEFICIT COLLECTED BALANCE	1,538,174.54

EARNINGS CREDIT SUMMARY

AVAIL BAL FOR EARNINGS CREDIT	\$ 1,525,470.62
EARNINGS ON AVAILABLE BALANCE	259.12
LESS TOTAL SERVICE CHARGES	520.40
<hr/>	
DEFICIT	261.28
<hr/>	
PERIOD TO DATE DEFICIT	261.28
<hr/>	
CURRENT PERIOD SERVICE CHARGE	\$ 261.28
<hr/>	
ACCT# 318 0005 2088 0200 TO BE DEBITED FOR SERVICE CHARGES.	

CURRENT MONTH'S EARNINGS CREDIT RATE = 0.20%

CURRENT MONTH'S MULTIPLE = \$5,887.09

SERVICE	NUMBER OF UNITS	UNIT PRICE	SERVICE CHARGE	BALANCE REQUIRED
BALANCE RELATED SERVICES				
DEPOSIT BANK ASSESSMENT	1,540,316		225.04	1,324,832.26
DEPOSITORY SERVICES				
ACCOUNT MAINTENANCE	1	30.0000	30.00	176,612.91
BANKING CENTER DEPOSIT	3	3.5000	10.50	61,814.51
DEBITS POSTED-ELECTRONIC	13	.3000	3.90	22,959.67
CREDITS POSTED-ELECTRONIC	32	.3000	9.60	56,516.13
DEPOSIT ACCOUNT STATEMENTS	1	.0000	.00	0.00
GEN DISB CKS PD IMAGE	103	.2000	20.60	121,274.19
CHECK DEPOSIT-ICL OR RDSO	5	1.2500	6.25	36,794.36
IMAGE DEPOSITED ITEMS-RDSO	132	.0600	7.92	46,625.81

ANALYSIS STATEMENT

BANK OF AMERICA, N.A.
 P.O. BOX 15284
 WILMINGTON DE 19850

Member FDIC

FULL ANALYSIS BUSINESS CKG 01 0005 2088 0200
 BANK AND COST CENTER NUMBER 318 1000218
 DATE PREPARED 09-06-18
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TOWN PORTOLA VALLEY
 765 PORTOLA RD
 PORTOLA VALLEY CA 94028-7205

SERVICE	NUMBER OF UNITS	UNIT PRICE	SERVICE CHARGE	BALANCE REQUIRED
COMMERCIAL DEPS-CASH VAULT CURR/COIN DEP/\$100-BKG CTR	6	.3500	2.10	12,362.90
GENERAL ACH SERVICES				
ACH CREDIT RECEIVED ITEM	32	.1500	4.80	28,258.07
ACH DEBIT RECEIVED ITEM	13	.1500	1.95	11,479.84
ACCOUNT RECONCILIATION				
ARP PPAY MAINT-NO RECON	1	60.0000	60.00	353,225.81
ARP PPAY NO RECON INPUT ITEM	98	.0300	2.94	17,308.07
INFORMATION SERVICES				
CPO ARP POSITIVE PAY NOTIF	46	.0000	.00	0.00
CPO ARP ISSUE RECD NOTIF	2	.0000	.00	0.00
CASHPRO EXPRESS PACKAGE	1	75.0000	75.00	441,532.25
CPO EXP PDR ACCOUNT	1	.0000	.00	0.00
CPO EXPRESS PDR ITM STORED	430	.0000	.00	0.00
CPO EXP CDR ACCOUNT	1	.0000	.00	0.00
CPO EXP CDR ITEM	378	.0000	.00	0.00
REMOTE DEPOSIT SERVICES				
REMOTE DEP-ACCOUNT MAINTENANCE	1	25.0000	25.00	147,177.42
REMOTE DEP CK IMAGE PROCESSING	132	.1500	19.80	116,564.51
RDSOL-ITEM STORAGE	15,224	.0000	.00	0.00
MED VOLUME SCANNER MAINT	1	15.0000	15.00	88,306.45
TOTAL SERVICE CHARGES			520.40	3,063,645.16

NEXT MONTH'S MAXIMUM EARNINGS CREDIT RATE: 0.20% NEXT MONTH'S MAXIMUM MULTIPLE: \$6,083.35

BANK OF AMERICA, N.A.
P.O. BOX 15284
WILMINGTON DE 19850

ANALYSIS STATEMENT

Member FDIC

FULL ANALYSIS BUSINESS CKG 01 0005 2088 0200
BANK AND COST CENTER NUMBER 318 1000218

DATE PREPARED 10-03-18

MONTH ENDING 09-30-18
MONTHLY SETTLEMENT 09-30-18
SETTLEMENT & ACCOUNT TYPE DEBIT 107
OFFICER NUMBER 6HJ48
PAGE 1 OF 2

CUSTOMER SERVICE: 1.888.852.5000

TOWN PORTOLA VALLEY
765 PORTOLA RD
PORTOLA VALLEY CA 94028-7205

BALANCE SUMMARY

AVG POSITIVE LEDGER BALANCE	\$ 1,428,396.24
<hr/>	
AVG LEDGER BALANCE	1,428,396.24
LESS AVG FLOAT	15,319.54
<hr/>	
AVG COLLECTED BALANCE	1,413,076.70
AVG NEGATIVE COLL BALANCE	.00
<hr/>	
AVG POSITIVE COLL BALANCE	1,413,076.70
LESS RESERVES 00%	.00
<hr/>	
AVAIL BAL FOR EARNINGS CREDIT	1,413,076.70
AVAILABLE BALANCE REQUIRED	2,983,266.66
<hr/>	
NET AVAILABLE BALANCE	1,570,189.96-
REQ RESERVES ON NET AVAIL BAL	.00
<hr/>	
DEFICIT COLLECTED BALANCE	1,570,189.96

EARNINGS CREDIT SUMMARY

AVAIL BAL FOR EARNINGS CREDIT	\$ 1,413,076.70
EARNINGS ON AVAILABLE BALANCE	232.28
LESS TOTAL SERVICE CHARGES	490.40
<hr/>	
DEFICIT	258.12
<hr/>	
PERIOD TO DATE DEFICIT	258.12
<hr/>	
CURRENT PERIOD SERVICE CHARGE	\$ 258.12
<hr/>	
ACCT# 318 0005 2088 0200 TO BE DEBITED FOR SERVICE CHARGES.	

CURRENT MONTH'S EARNINGS CREDIT RATE = 0.20%

CURRENT MONTH'S MULTIPLE = \$6,083.35

SERVICE	NUMBER OF UNITS	UNIT PRICE	SERVICE CHARGE	BALANCE REQUIRED
BALANCE RELATED SERVICES				
DEPOSIT BANK ASSESSMENT	1,428,396		208.68	1,269,470.00
DEPOSITORY SERVICES				
ACCOUNT MAINTENANCE	1	30.0000	30.00	182,500.00
BANKING CENTER DEPOSIT	3	3.5000	10.50	63,875.00
DEBITS POSTED-ELECTRONIC	22	.3000	6.60	40,150.00
CREDITS POSTED-ELECTRONIC	22	.3000	6.60	40,150.00
DEPOSIT ACCOUNT STATEMENTS	1	.0000	.00	0.00
GEN DISB CKS PD IMAGE	67	.2000	13.40	81,516.66
CHECK DEPOSIT-ICL OR RDSO	6	1.2500	7.50	45,625.00
IMAGE DEPOSITED ITEMS-RDSO	90	.0600	5.40	32,850.00

ANALYSIS STATEMENT

BANK OF AMERICA, N.A.
 P.O. BOX 15284
 WILMINGTON DE 19850

Member FDIC

FULL ANALYSIS BUSINESS CKG 01 0005 2088 0200
 BANK AND COST CENTER NUMBER 318 1000218
 DATE PREPARED 10-03-18
 MONTH ENDING 09-30-18
 MONTHLY SETTLEMENT 09-30-18
 SETTLEMENT & ACCOUNT TYPE DEBIT 107
 OFFICER NUMBER 6HJ48
 PAGE 2 OF 2

TOWN PORTOLA VALLEY
 765 PORTOLA RD
 PORTOLA VALLEY CA 94028-7205

SERVICE	NUMBER OF UNITS	UNIT PRICE	SERVICE CHARGE	BALANCE REQUIRED
COMMERCIAL DEPS-CASH VAULT CURR/COIN DEP/\$100-BKG CTR	10	.3500	3.50	21,291.67
GENERAL ACH SERVICES				
ACH CREDIT RECEIVED ITEM	22	.1500	3.30	20,075.00
ACH DEBIT RECEIVED ITEM	22	.1500	3.30	20,075.00
ACCOUNT RECONCILIATION				
ARP PPAY MAINT-NO RECON	1	60.0000	60.00	365,000.00
ARP PPAY NO RECON INPUT ITEM	104	.0300	3.12	18,980.00
INFORMATION SERVICES				
CPO ARP POSITIVE PAY NOTIF	38	.0000	.00	0.00
CPO ARP ISSUE RECD NOTIF	2	.0000	.00	0.00
CASHPRO EXPRESS PACKAGE	1	75.0000	75.00	456,250.00
CPO EXP PDR ACCOUNT	1	.0000	.00	0.00
CPO EXPRESS PDR ITM STORED	399	.0000	.00	0.00
CPO EXP CDR ACCOUNT	1	.0000	.00	0.00
CPO EXP CDR ITEM	366	.0000	.00	0.00
CPO PER IMAGE ACCESS	1	.0000	.00	0.00
REMOTE DEPOSIT SERVICES				
REMOTE DEP-ACCOUNT MAINTENANCE	1	25.0000	25.00	152,083.33
REMOTE DEP CK IMAGE PROCESSING	90	.1500	13.50	82,125.00
RDSOL-ITEM STORAGE	10,685	.0000	.00	0.00
MED VOLUME SCANNER MAINT	1	15.0000	15.00	91,250.00
TOTAL SERVICE CHARGES			490.40	2,983,266.66

NEXT MONTH'S MAXIMUM EARNINGS CREDIT RATE: 0.20%

NEXT MONTH'S MAXIMUM MULTIPLE: \$5,887.09

BANK OF AMERICA, N.A.
P.O. BOX 15284
WILMINGTON DE 19850

ANALYSIS STATEMENT

Member FDIC

FULL ANALYSIS BUSINESS CKG 01 0005 2088 0200
BANK AND COST CENTER NUMBER 318 1000218
DATE PREPARED 11-05-18
MONTH ENDING 10-31-18
MONTHLY SETTLEMENT 10-31-18
SETTLEMENT & ACCOUNT TYPE DEBIT 107
OFFICER NUMBER 6HJ48
PAGE 1 OF 2
CUSTOMER SERVICE: 1.888.852.5000

TOWN PORTOLA VALLEY
765 PORTOLA RD
PORTOLA VALLEY CA 94028-7205

BALANCE SUMMARY

AVG POSITIVE LEDGER BALANCE	\$	1,316,664.81
<hr/>		
AVG LEDGER BALANCE		1,316,664.81
LESS AVG FLOAT		11,070.10
<hr/>		
AVG COLLECTED BALANCE		1,305,594.71
AVG NEGATIVE COLL BALANCE		.00
<hr/>		
AVG POSITIVE COLL BALANCE		1,305,594.71
LESS RESERVES 00%		.00
<hr/>		
AVAIL BAL FOR EARNINGS CREDIT		1,305,594.71
AVAILABLE BALANCE REQUIRED		2,902,809.67
<hr/>		
NET AVAILABLE BALANCE		1,597,214.96-
REQ RESERVES ON NET AVAIL BAL		.00
<hr/>		
DEFICIT COLLECTED BALANCE		1,597,214.96

EARNINGS CREDIT SUMMARY

AVAIL BAL FOR EARNINGS CREDIT	\$	1,305,594.71
EARNINGS ON AVAILABLE BALANCE		221.77
LESS TOTAL SERVICE CHARGES		493.08
<hr/>		
DEFICIT		271.31
<hr/>		
PERIOD TO DATE DEFICIT		271.31
<hr/>		
CURRENT PERIOD SERVICE CHARGE	\$	271.31
<hr/>		
ACCT# 318 0005 2088 0200 TO BE DEBITED FOR SERVICE CHARGES.		

CURRENT MONTH'S EARNINGS CREDIT RATE = 0.20%

CURRENT MONTH'S MULTIPLE = \$5,887.09

SERVICE	NUMBER OF UNITS	UNIT PRICE	SERVICE CHARGE	BALANCE REQUIRED
BALANCE RELATED SERVICES				
DEPOSIT BANK ASSESSMENT	1,316,664		192.36	1,132,441.93
DEPOSITORY SERVICES				
ACCOUNT MAINTENANCE	1	30.0000	30.00	176,612.91
BANKING CENTER DEPOSIT	1	3.5000	3.50	20,604.84
RETURNS-CHARGEBACK	1	7.0000	7.00	41,209.67
DEBITS POSTED-ELECTRONIC	26	.3000	7.80	45,919.35
CREDITS POSTED-ELECTRONIC	25	.3000	7.50	44,153.23
DEPOSIT ACCOUNT STATEMENTS	1	.0000	.00	0.00
GEN DISB CKS PD IMAGE	101	.2000	20.20	118,919.35
CHECK DEPOSIT-ICL OR RDSO	6	1.2500	7.50	44,153.23
IMAGE DEPOSITED ITEMS-RDSO	150	.0600	9.00	52,983.87

ANALYSIS STATEMENT

BANK OF AMERICA, N.A.
 P.O. BOX 15284
 WILMINGTON DE 19850

Member FDIC

FULL ANALYSIS BUSINESS CKG 01 0005 2088 0200
 BANK AND COST CENTER NUMBER 318 1000218
 DATE PREPARED 11-05-18
 MONTH ENDING 10-31-18
 MONTHLY SETTLEMENT 10-31-18
 SETTLEMENT & ACCOUNT TYPE DEBIT 107
 OFFICER NUMBER 6HJ48
 PAGE 2 OF 2

TOWN PORTOLA VALLEY
 765 PORTOLA RD
 PORTOLA VALLEY CA 94028-7205

SERVICE	NUMBER OF UNITS	UNIT PRICE	SERVICE CHARGE	BALANCE REQUIRED
COMMERCIAL DEPS-CASH VAULT CURR/COIN DEP/\$100-BKG CTR	2	.3500	.70	4,120.97
GENERAL ACH SERVICES				
ACH CREDIT RECEIVED ITEM	25	.1500	3.75	22,076.61
ACH DEBIT RECEIVED ITEM	26	.1500	3.90	22,959.68
ACCOUNT RECONCILIATION				
ARP PPAY MAINT-NO RECON	1	60.0000	60.00	353,225.80
ARP PPAY NO RECON INPUT ITEM	79	.0300	2.37	13,952.42
INFORMATION SERVICES				
CPO ARP POSITIVE PAY NOTIF	44	.0000	.00	0.00
CPO ARP ISSUE RECD NOTIF	2	.0000	.00	0.00
CASHPRO EXPRESS PACKAGE	1	75.0000	75.00	441,532.26
CPO EXP PDR ACCOUNT	1	.0000	.00	0.00
CPO EXPRESS PDR ITM STORED	414	.0000	.00	0.00
CPO EXP CDR ACCOUNT	1	.0000	.00	0.00
CPO EXP CDR ITEM	326	.0000	.00	0.00
CPO PER IMAGE ACCESS	3	.0000	.00	0.00
REMOTE DEPOSIT SERVICES				
REMOTE DEP-ACCOUNT MAINTENANCE	1	25.0000	25.00	147,177.42
REMOTE DEP CK IMAGE PROCESSING	150	.1500	22.50	132,459.68
RDSOL-ITEM STORAGE	5,375	.0000	.00	0.00
MED VOLUME SCANNER MAINT	1	15.0000	15.00	88,306.45
TOTAL SERVICE CHARGES			493.08	2,902,809.67

NEXT MONTH'S MAXIMUM EARNINGS CREDIT RATE: 0.20%

NEXT MONTH'S MAXIMUM MULTIPLE: \$6,083.35

#5

There are no written materials for Housing Update

#6

There are no written materials for FAA Discussion



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Cara E. Silver, Town Attorney

DATE: November 28, 2018

RE: Update the Town's Investment Policy to Clarify Role of Finance Committee and Review and Update of Designated Positions and Disclosure Obligations in the Town's Conflict of Interest Code

RECOMMENDATION

Staff recommends that the Town Council:

1. Update the Town's Investment Policy to clarify the limited role of the Finance Committee;
2. Determine whether the Finance Committee should be included in the Town's Conflict of Interest Code ;
3. Review the Town's Conflict of Interest Code to determine whether amendments should be made to the designated positions or disclosure categories.

BACKGROUND

The State Political Reform Act ("Act") was adopted by voter initiative in 1974. The Act has two primary components. First, it prohibits public officials from participating in governmental decisions in which they have a financial conflict of interest as defined in the Act. Second, it requires public officials that make or participate in making governmental decisions to file statements of economic interests. The Act relies on individual citizens to monitor the decision-making of their elected and appointed representatives to identify whether they have a conflict of interest on a specific decision. Requiring officials to publicly disclose their financial interests allows the general public to monitor an official's conduct. This serves as an important enforcement mechanism for the Act's disqualification requirements. Much of the enforcement of the Act's conflict of interest provisions is based on citizen complaints.

Disclosure Categories

The Act establishes two different disclosure categories. The first disclosure category is mandated by the Act itself and covers: "mayors, city managers, city attorneys, city treasurers, chief administrative officers and members of city councils of cities, and other public officials who manage public investments, and to candidates for any of these

offices at any election.”¹ This category of filers are typically referred to as “Government Code 87200 filers” or “mandatory filers.” Mandatory filers must file a conflict of interest form (referred to as a Form 700) within 30 days of assuming office. They must also file an annual form every year they are in office and must file an ending statement within 30 days of leaving office.² Mandatory filers must complete all section of the Form 700.

In addition to the mandatory filers, the Act requires every town to adopt a local conflict of interest code specifying additional employees who make or participate in the making of decisions which may foreseeably have a material effect on economic interests. These employees must also file Form 700’s but the town may designate which particular type of financial interest must be disclosed depending on the types of government decisions made by the employee. Towns must review this Code every two years to determine if it is accurate or needs to be amended.³

In the past, the designated position titles and disclosure obligations were included in the Town’s Municipal Code and every two years an ordinance was adopted to update the Municipal Code. On June 24, 2015, the Town Council adopted Ordinance 2015-406, updating Title 2 which now permits the designated position titles and disclosure obligations to be updated by resolution.

The Town’s list of designated position titles and disclosure obligations was last updated in January 2018 to reflect several updated job titles and descriptions.

What financial interests must be disclosed

Under the Act, mandatory filers must complete all sections of the Form 700. However, locally designated filers must only disclose those categories of financial interests designated by the Town Council in the local Conflict of Interest Resolution.

Under the Act, there are five types⁴ of financial interests that may result in disqualification:

1. Business Investment, Employment or Management. An official has a financial interest in a business entity in which the official, or the official’s spouse, registered domestic partner, or dependent children or an agent has invested \$2,000 or more. An official also has a financial interest in a business entity for which the official is a director, officer, partner, trustee, employee, or holds any position of management.
2. Real Property. An official has a financial interest in real property in which the official, or the official’s spouse, registered domestic partner, or dependent children, or an agent has invested \$2,000 or more, and also in certain

¹ Government Code Section 87200.

² Government Code 87202-87204.

³ Government Code 87300. See also FPPC Regulation 18730.

⁴ Note there is some overlap between some of these categories. For instance, income from a spouse’s job can be viewed both as income and personal finances.

- leasehold interests of terms of more than a month (excluding a month-to-month lease and leases for terms of less than a month).
3. Sources of Income. An official has a financial interest in anyone, whether an individual or an organization, from whom the official has received (or from whom the official has been promised) \$500 or more in income within 12 months prior to the decision. A “source of income” includes a community property interest in the spouse’s or registered domestic partner’s income. Therefore, a person from whom the official’s spouse or registered domestic partner receives income of \$1,000 or more, such that the official’s community property share is \$500 or more, may also be a source of a conflict of interest. In addition, if the spouse, registered domestic partner or dependent children own 10 percent or more of a business, the official is considered to be receiving “pass-through income” from the business’s clients. In other words, under such circumstances, the business’s clients may be considered sources of income to the official as well.
 4. Gifts. An official has a financial interest in anyone, whether an individual or an organization, who has given gifts to the official that total \$460 or more within 12 months prior to the decision.
 5. Personal Finances. An official has a financial interest in decisions that affect the official’s personal expenses, income, assets, or liabilities, as well as those of the official’s immediate family. This is known as the “personal financial effects” rule.

The financial interests disclosed on the Form 700 include many of the interests that form the basis for a financial conflict and require disqualification under the Act.⁵ By completing the Form 700, the official is on notice of the type of financial interests he or she holds that may cause a conflict of interest. If the official has no interests that governmental decisions can financially affect, the official will not have a conflict of interest. (See Attachment 3.)

DISCUSSION

Applicability to Finance Committee

Recently, the Town Council expanded its Investment Policy to permit it to invest in certain categories of investments outside of the Local Agency Investment Fund (LAIF), a special fund of the State Treasury. The Investment Policy, as currently written, anticipates that the Finance Committee will participate in advising the Town Treasurer⁶ relative to investment decisions. As the Act applies to “other public officials who manage public investments”, the Town Attorney recently conducted a Study Session with the Finance Committee to introduce them to the requirements for filing Form 700’s under the Act. At that meeting, the Finance Committee expressed a concern about the

⁵ Not all of the financial interests that may cause a conflict of interest are disclosed on a Form 700. A good example is an official’s home. It is common for financial effects on an official’s home to trigger a conflict of interest. Officials are not, however, required to disclose their home on the Form 700.

⁶ The Town Manager serves as the Town Treasurer.

burdensome nature of the filing requirements as well as the small likelihood of a potential conflict of interest given individual Finance Committee members' personal investment holdings. The majority of the Finance Committee also expressed a desire not to participate in investment decisions if such participation would trigger disclosure requirements under the Act. Accordingly, the Finance Committee requested the Town Attorney to bring this matter to the Council for further discussion.

The Council has at least three options for addressing this issue:

1. The Council could modify the Investment Policy to clarify that the Finance Committee has no jurisdiction over managing the Town's investments.
2. The Council could modify its local conflict of interest code to include Finance Committee members, but limit the disclosure categories more narrowly tailored to their investment advice to the Town (such as stock or ownership in financial institutions or banks doing business with the Town and stock or ownership in publicly traded companies that own or plan to issue commercial bonds).⁷
3. The Council could require the Finance Committee to file Form 700's.

Based on the discussion at the Finance Committee, staff is recommending the first option. By removing the Finance Committee altogether from participating in public investment management, the disclosure requirement is not triggered under the Act. To accomplish this option, staff has proposed modifications to the Investment Policy (Attachments 1 and 2.)

Review of conflict of interest disclosure categories

The Council may also want to review some of the other designated officials and disclosure categories contained in its local conflict of interest policy (Attachment 3). While council members, planning commissioners, town manager and town attorney are all mandated filers and are required under the Act to file complete Form 700's, the Town Council may want to limit the disclosure categories of the ASCC, especially if the Council finds this may be a deterrent to attracting candidates.⁸

ATTACHMENTS

1. Town of Portola Valley Investment Policy
2. Resolution Amending the Town's Investment Policy
3. Conflict of Interest Resolution 2750- 2018
4. FPPC Recognizing Conflicts of Interest: A Guide to the Conflict of Interest Rules of the Political Reform Act (2015)

⁷ Note that mutual funds and government issued bonds are exempt from disclosure under the Act.

⁸ Note that mandatory filers are not required to be listed in the Town's local conflict of interest policy because their disclosure requirement stems from State law. However, for transparency purposes it is common for towns to include mandatory filers in their policies. At a minimum the Council may want to distinguish between mandatory filers and local filers in their conflict of interest policy.

Approved by: Jeremy Dennis, Town Manager

A handwritten signature in black ink, appearing to read "JDennis", written in a cursive style.



Town of Portola Valley Investment Policy

Originally Adopted: December 10, 2003

Revised: November 8, 2017

1.0 MISSION STATEMENT

It is the policy of the Town of Portola Valley to invest public funds in a manner which will provide the maximum security with best investment returns, while meeting the daily cash flow demands of the entity. The Town's portfolio shall be designed and managed in a manner responsive to the public trust and consistent with state and local law.

2.0 SCOPE

This investment policy applies to all financial assets of the Town of Portola Valley. These funds are audited annually and accounted for in the Financial Statements. This policy is applicable, but not limited to all funds listed below:

- General Fund
- Special Revenue
- Restricted Funds
- Trust Funds

Any other Town Funds or funds held for the exclusive benefit of the Town of Portola Valley and under the direction of Town of Portola Valley officials.

2.1 Pooling of Funds Except for cash in certain restricted funds, the Town will consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

3.0 OBJECTIVES

In order of priority, the primary objectives of the investment activities shall be:

- 3.1 Safety** Safety of the principal is the foremost objective of the investment program. Investments of the Town shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
- 3.2 Liquidity** The investment portfolio will remain sufficiently liquid to enable the Town of Portola Valley to meet all operating requirements that might be reasonably anticipated.
- 3.3 Return or Yield** The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio. Return on investment is of

secondary importance compared to the safety and liquidity objectives described above.

4.0 **STANDARDS OF CARE**

- 4.1 Prudence** Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence and discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used shall be the “prudent investor” standard (California Government Code 53600.3) and shall be applied in the context of managing an overall portfolio.

Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security’s risk or market price changes, provided deviations from expectation are reported in a timely fashion and appropriate action is taken to control adverse developments.

- 4.2 Delegation of Authority** Authority to manage the investment program is derived from California Government Code (CGC) 53600/1, et seq. Management responsibility for the investment program is hereby delegated to the Treasurer. Daily management responsibility of the program may be delegated to the Finance Director, who shall establish procedures and operate the investment program consistent with this investment policy.

Procedures may include, but not be limited to, references to: safekeeping, wire transfer agreements, collateral/depository agreements and banking services contracts, as appropriate. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Treasurer.

- 4.3 Ethics and Conflict of Interest** Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any large personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Town.

- 4.4 **Internal Control** Separation of functions between the Treasurer, Finance Director, and Finance Committee is designed to provide an ongoing internal review to prevent the potential for converting assets or concealing transactions.

Investment decisions are made by the Treasurer and executed by the Finance Director. ~~As necessary, consultation will be sought from the Finance Committee regarding investment decisions.~~ All wire transfers initiated by the Finance Director must be reconfirmed by the appropriate financial institution to the Accounting Technician and approved by the Treasurer. Timely bank reconciliation is conducted to ensure proper handling of all transactions

The investment portfolio and all related transactions are reviewed and balanced to appropriate general ledger accounts by the Finance Director and Accounting Technician on a monthly basis. Internal controls will be documented by staff.

5.0 **AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

~~The Treasurer, with guidance from the Financial Committee, may select any financial institution/broker/dealer selected by credit worthiness that is authorized to provide investment services in the State of California.~~ For broker/dealers of government securities and other investments, the Treasurer shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission and the FINRA Financial Industry Regulatory Authority.

6.0 **AUTHORIZED INVESTMENTS**

- 6.1 **Investment Types** The Town of Portola Valley is empowered by CGC 53601 et seq. to invest in the following:
- Local Agency Investment Fund (LAIF), a special fund of the State Treasury in which local agencies are allowed to pool their funds for investment purposes up to a maximum -allowed by the State. LAIF will have its own investment policy that will differ from the Town.
 - United States Government Agency Bonds.
 - United States Treasury Bills, Notes and Bonds.
 - Mutual funds or exchange traded funds investing over 80% of assets in either:
 - 1) short to medium term corporate bonds holding an average credit rating of "A" or better not to exceed 30% of surplus funds, or
 - 2) short to medium term Federal Agency or U.S. Government sponsored enterprise obligations.
 - Pools and other investment structures incorporating investments permitted in CGC 53601 and 53635, such as Local Government Investment Pools sponsored by Counties and Joint Powers Authorities.

These entities may have their own investment policy that will differ from that of the Town.

- Negotiable Certificates of Deposit issued by federally or state chartered banks or associations. No more than 30% of surplus funds can be invested in certificates of deposit.

Investment in derivatives of the above instruments shall require authorization by the Town Council. Any concentrated equity or bond holding (including any private note held by the Town), however obtained, must be sold and converted into approved investments as quickly as practicable, considering market liquidity and trading restrictions on such securities.

- 6.2 Collateralization** All certificates of deposit must be collateralized by U.S. Treasury obligations held by a third party with whom the Town has a current written custodial agreement. The Treasurer may waive this requirement up to the amount already insured by federal or state deposit insurance (FDIC).

7.0 APPROVAL AND REVISION

The Investment Policy shall be adopted by resolution of the Town of Portola Valley. The Policy will be reviewed as part of the annual budget process with any amendments to be approved by the Council.

RESOLUTION NO. ____-2018

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY
ADOPTING AMENDMENTS TO THE TOWN'S INVESTMENT POLICY**

WHEREAS, on December 10, 2003, the Town Council of the Town of Portola Valley adopted the Town's Investment Policy;

WHEREAS, on November 8, 2017, the Town Council updated the Town's Investment Policy; and

WHEREAS, the Town Council desires to further amend the Town's Investment Policy.

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

1. Public interest and convenience require the Town of Portola Valley to amend the Town's Investment Policy as described above.
2. The Town of Portola Valley hereby approves the amended Investment Policy attached hereto.

PASSED AND ADOPTED this 28th of November 2018.

By: _____
John Richards, Mayor

ATTEST:

Sharon Hanlon, Town Clerk

RESOLUTION NO. 2750-2018**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF PORTOLA VALLEY DESIGNATING PUBLIC
OFFICIALS AND EMPLOYEES AND THEIR DISCLOSURE
CATEGORIES FOR THE TOWN'S CONFLICT OF
INTEREST CODE**

WHEREAS, the Political Reform Act of 1974, Government Code section 87100 et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes and review those codes biennially; and

WHEREAS, the Town of Portola Valley ("Town") last updated its conflict of interest codes in January 2014; and

WHEREAS, on June 24, 2015, the Town Council adopted Ordinance 2015-406, amending Section 2.36.010 [Incorporation by reference] of Chapter 2.36 [Conflict of Interest] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code; and

WHEREAS, with the adoption of Ordinance 2015-406, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are incorporated by reference and, along with the resolution approved by the Town Council in which public officials and employees are designated and their disclosure categories identified, constitute the Conflict of Interest Code of the Town; and

WHEREAS, the Town now desires to adopt the resolution identifying the current position titles for public officials and their disclosure requirements.

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

**DESIGNATED POSITIONS
AND DISCLOSURE OBLIGATIONS****DESIGNATED PUBLIC OFFICIALS**

Member of Town Council
Member of the Planning Commission
Member of the Architectural and Site Control Committee
Town Manager
Town Attorney

OTHER DESIGNATED EMPLOYEES, INCLUDING CONSULTANTS SERVING IN THESE POSITIONS

Assistant to Town Manager
 Finance Director
 Public Works Director
 Planning and Building Director
 Senior Planner
 Associate Planner
 Town Engineer
 Town Geologist
 Consultant (if so determined)

DISCLOSURE CATEGORIES

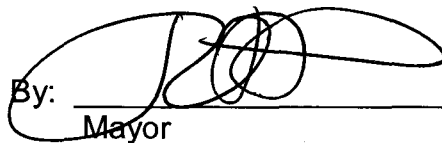
Disclosure Category 1: Full Disclosure - All investments, business positions, interests in real property and sources of income, including gifts, loans and travel payments.

Disclosure Category 2: Limited Disclosure - The Town Manager may determine in writing that a particular consultant is required to provide Limited Disclosure. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination of the Town Manager is public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

REQUIRED DISCLOSURES FOR DESIGNATED POSITIONS

Designated Position	Disclosure Category
Member of Town Council	1
Member of the Planning Commission	1
Town Manager	1
Town Attorney	1
Member of the Architectural and Site Control Committee	1
Assistant to Town Manager	1
Finance Director	1
Public Works Director	1
Planning and Building Director	1
Senior Planner	1
Associate Planner	1
Town Engineer	1
Town Geologist	1
Consultant	2

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Portola Valley held on the 24thth day of January, 2018.

By:  _____
Mayor

ATTEST:


Town Clerk

Recognizing Conflicts of Interest

A Guide to the Conflict of Interest Rules of the Political Reform Act

Fair Political Practices Commission
August 2015



This guide is provided by the Fair Political Practices Commission (FPPC) as a general overview of a public official's obligations under the conflict of interest rules provided for in the Political Reform Act (the Act).¹ It is intended to help the user spot situations and issues that may give rise to a conflict. The guide will provide answers to some of the more common questions:

- What is a conflict of interest under the Act?
- Who must be vigilant about conflicts of interest?
- What precautions can be taken to prevent conflicts?
- A conflict of interest exists, what now?
- Where to go for help?

A word of caution - officials should not rely solely on this guide to ensure compliance with the Act, but should also consult the statutes of the Act, the FPPC's regulations, and if necessary, seek legal advice.

What is a conflict of interest under the Act?

In 1974, the voters enacted the Political Reform Act.² In adopting the Act, the voters recognized that conflicts of interest in governmental decision-making by public officials posed a significant danger.

“The people find and declare ...

- a) State and local government should serve the needs and respond to the wishes of all citizens equally, without regard to their wealth;
- b) Public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them....”³

Under the Act, a public official will have a statutory conflict of interest with regard to a particular government decision if it is foreseeable that the outcome of the decision will have a financial impact on the official's personal finances or other financial interests.⁴ In such cases, there is a risk of biased decision-making that could sacrifice the public's interest in favor of the official's private financial interests. In fact, preventing conflicts of interest was of such vital importance to the voters that the Act not only prohibits actual bias in decision-making but also “seeks to forestall ... the appearance of possible improprieties.”⁵

Who must be vigilant about conflicts of interest?

Public Officials: The reach of the Act's conflict of interest rules is commonly misunderstood or understated. The Act applies to all "public officials," which is defined as "every member, officer, employee or consultant of a state or local government agency."⁶

It is universally recognized that certain elected public officials, such as city councilmembers, city managers and city attorneys, must refrain from decision-making where a conflict of interest exists. These persons hold high-level positions of trust in government. However, the Act's conflict of interest prohibition reaches much further than high-level state and local officials. The Act's conflict of interest disclosure and disqualification rules apply to thousands of local and state public employees and officials working throughout California.

The Public: The Act relies on individual citizens to monitor the decision-making of their elected and appointed representatives to identify whether they have a conflict of interest with respect to a specific decision. Much of the enforcement of the Act's conflict of interest provisions is based on citizen complaints.⁷

What precautions can be taken to prevent conflicts of interest?

In order to prevent a conflict of interest, a public official should: 1) identify and fully disclose the financial interests that may cause a conflict; 2) understand the different types of financial interests that may be the basis for a conflict; and 3) consider whether the decision's effect on the official's financial interest is reasonably foreseeable and material. Each step is discussed in greater detail below.

1. Identify and fully disclose the financial interests that may cause a conflict.

Public Officials: The most important thing an official can do to comply with this law is to recognize the types of interests from which a conflict of interest can arise. By learning to recognize these interests, an official will be able to spot potential problems and seek help from the agency's legal counsel or from the FPPC.

In fact, officials can take steps to protect themselves and the public from conflict of interest decisions well in advance of making a specific governmental decision. The Act requires that public officials annually disclose their financial interests on a Form 700 (Statement of Economic Interests). This is a requirement because the voters who enacted the law recognized that an important purpose of the Act was to ensure adequate disclosure:

“Assets and income of public officials which may be materially affected by their official actions should be disclosed and in appropriate circumstances the officials should be disqualified from acting in order that conflicts of interest may be avoided.”⁸

The financial interests disclosed include many of the interests that form the basis for a conflict and require disqualification under the Act. No one has a conflict of interest under the Act on general principles or because of personal bias regarding a person or subject – conflicts under the Act are based on financial interests. By thoroughly completing the Form 700, the official is on notice of the type of financial interests he or she holds that may cause a conflict of interest. If the official has no interests that governmental decisions can financially affect, the official will not have a conflict of interest.

The Public: Requiring officials to publicly disclose their financial interests allows the general public to monitor an official’s conduct. In other words, any individual citizen can obtain a copy of the Form 700 filed by their local or state official to determine whether the official has a conflict of interest with respect to a specific decision. This serves as an important enforcement mechanism for the Act’s disqualification requirements.

2. Understand the different types of financial interests that may be the basis for a conflict.

There are five types of interests⁹ that may result in disqualification:

- ***Business Investment, Employment or Management.*** An official has a financial interest in a business entity in which the official, or the official’s spouse, registered domestic partner, or dependent children or an agent has invested \$2,000 or more.¹⁰ An official also has a financial interest in a business entity for which the official is a director, officer, partner, trustee, employee, or holds any position of management.
- ***Real Property.*** An official has a financial interest in real property in which the official, or the official’s spouse, registered domestic partner, or dependent children, or an agent has invested \$2,000 or more, and also in certain leasehold interests of terms of more than a month (excluding a month-to-month lease and leases for terms of less than a month).¹¹
- ***Sources of Income.*** An official has a financial interest in anyone, whether an individual or an organization, from whom the official has received (or from whom the official has been promised) \$500 or more in income within 12 months prior to the decision. A “source of income” includes a community property interest in the spouse’s or registered domestic partner’s income. Therefore, a person from

whom the official's spouse or registered domestic partner receives income of \$1,000 or more, such that the official's community property share is \$500 or more, may also be a source of a conflict of interest.¹²

In addition, if the spouse, registered domestic partner or dependent children own 10 percent or more of a business, the official is considered to be receiving "pass-through income" from the business's clients. In other words, under such circumstances, the business's clients may be considered sources of income to the official as well.

- **Gifts.** An official has a financial interest in anyone, whether an individual or an organization, who has given gifts to the official that total \$460 or more¹³ within 12 months prior to the decision.
- **Personal Finances.** An official has a financial interest in decisions that affect the official's personal expenses, income, assets, or liabilities, as well as those of the official's immediate family. This is known as the "personal financial effects" rule.

Quick Tip:

Not all of the financial interests that may cause a conflict of interest are disclosed on a Form 700. A good example is an official's home. It is common for financial effects on an official's home to trigger a conflict of interest. Officials are not, however, required to disclose their home on the Form 700.¹

3. Consider whether the decision's effect on the official's financial interest is reasonably foreseeable and material.

The next steps all focus on the specific governmental decision in question. At the heart of deciding whether an official has a conflict of interest in a specific decision is determining whether an effect on the financial interest is reasonably foreseeable (might realistically happen or is too remote a possibility) and is material (financially important enough). Determining whether a decision's effects are foreseeable and material will depend on the nature of the specific decision and the relationship of the official's interest to the effects of the governmental decisions.

IS IT REASONABLY FORESEEABLE?¹⁴

Is it a realistic possibility that the decision will actually affect the official's financial interest or is it too remote or theoretical? Two alternative tests answer this question depending on whether an interest is explicitly involved in a decision.

<p><u>An Interest is Explicitly Involved in a Decision If:</u></p> <ol style="list-style-type: none"> 1) The interest is a named party in or the subject of a governmental decision, or 2) The decision involves the issuance, renewal, approval, denial or revocation of any license, permit, or other entitlement to, or contract with, the interest, or 3) The decision affects the real property of the official as described in Regulation 18702.2(a)(1)-(6). 	<p style="text-align: center;"><u>Then</u></p> <p>It is reasonably foreseeable that the decision will have a material financial effect on the interest.</p>
<p><u>If Not Explicitly Involved in the Decision</u></p> <p>All other decisions, other than those above, are considered not explicitly involved in the decision.</p>	<p style="text-align: center;"><u>Then</u></p> <p>If an interest is not explicitly involved in a decision, the financial effect on the interest is reasonably foreseeable only if the effect can be recognized as a realistic possibility and more than hypothetical or theoretical. A financial effect need not be likely to be considered reasonably foreseeable. However, if the financial result cannot be expected absent extraordinary circumstances not subject to the public official's control, it is not reasonably foreseeable.</p>

Quick Tip:

For purposes of being vigilant to avoid conflict of interest decisions, keep the general rule in mind – if the financial effect can be recognized as a realistic possibility and more than hypothetical or theoretical, it is reasonably foreseeable.

IS IT MATERIAL?

The FPPC has adopted various rules (general and specific) for deciding what kinds of financial effects are important enough to trigger a conflict of interest. Generally, for each of the five interests set forth above, a separate materiality standard exists. The following charts reflect the materiality standards that apply to each type of interest.

Interests in Business Entities¹⁵

(Including investments in, employment or positions with, or income from business entities)

If Business Explicitly Involved = Financial Effect Assumed to be Material

A material financial effect is assumed if the business:

- 1) Initiates the proceeding by filing an application, claim, appeal, or request for other government action;
- 2) Offers to make a sale of a service or a product to the official's agency;
- 3) Bids on or enters into a written contract with the official's agency;
- 4) Is the named manufacturer in a purchase order of any product purchased by the official's agency or the sales provider of any products to the official's agency that aggregates to \$1,000 or more in any 12-month period;
- 5) Applies for a permit, license, grant, tax credit, exception, variance, or other entitlement that the official's agency is authorized to issue;
- 6) Is the subject of any inspection, action, or proceeding subject to the regulatory authority of the official's agency; or
- 7) Is otherwise subject to an action the official's agency takes, the effect of which is directed solely at the business entity in which the official has an interest.

NOTE: In all other circumstances, the business is considered not explicitly involved in the decision and the financial effect is not assumed to be material.

⊘ Not Assumed Material if Business Not Explicitly Involved

In all other cases, a financial effect is material *if* a prudent person with sufficient information would find it is reasonably foreseeable that the decision's financial effect would contribute to a change in the price of the entity's publicly traded stock, or the value of a privately-held business entity.

Interests in Real Property¹⁶

NOTE: There are different materiality standards depending on whether it is an ownership or leasehold interest.

Ownership Interests in Real Property

<p>A material financial effect is assumed if...</p>	<p>The decision:</p> <ol style="list-style-type: none"> 1) Involves adopting or amending a general or specific plan, that includes the official's property; 2) Determines the property's zoning or rezoning, annexation or de-annexation, or inclusion in or exclusion from any city, county, district, or other local government subdivision, or other boundaries (other than a zoning decision applicable to all properties designated in that category); 3) Imposes, repeals, or modifies any taxes, fees, or assessments that apply to the property; 4) Authorizes the sale, purchase, or lease of the property; 5) Involves the issuance, denial or revocation of a license, permit or other land use entitlement authorizing a specific use of or improvement to the property or any variance that changes the permitted use of, or restrictions placed on it; <p>NOTE: For a financial effect resulting from a governmental decision regarding permits or licenses issued to the official's business entity when operating on the official's real property, the materiality standards under Regulation 18702.1 applicable to business entities would apply instead.</p> <ol style="list-style-type: none"> 6) Involves construction of, or improvements to, streets, water, sewer, storm drainage or similar facilities, and the property in which the official has an interest will receive new or improved services that are distinguishable from improvements and services that are provided to or received by other similarly situated properties in the official's jurisdiction or the official will otherwise receive a disproportionate benefit or detriment by the decision.
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<p>Unless it is nominal, inconsequential or insignificant, a material financial effect is also assumed if...</p>	<p>The decision:</p> <ol style="list-style-type: none"> 1) Changes the development potential of the real property; 2) Changes the income-producing potential of the real property; <p>NOTE: If the real property contains a business entity, including rental property, and the nature of the business entity remains unchanged, the materiality standards under Regulation 18702.1 applicable to business entities would apply instead.</p> <ol style="list-style-type: none"> 3) Changes the highest and best use of the parcel of real property in which the official has a financial interest; 4) Changes the character of the parcel of real property by substantially altering traffic levels or intensity of use, including parking, of property surrounding the official's real property parcel, the view, privacy, noise levels, or air quality, including odors, or any other factors that would affect the market value of the real property parcel in which the official has a financial interest; 5) Affects real property value located within 500 feet of the official's property line. However, if the real property is commercial property and contains a business entity, the materiality standards under Regulation 18702.1 applicable to business entities would apply instead;¹⁷ 6) Causes a reasonably prudent person, using due care and consideration under the circumstances, to believe that the governmental decision was of such a nature that its reasonably foreseeable effect would influence the market value of the official's property.
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Leasehold Interests in Real Property¹⁸

<p>A material financial effect is assumed if...</p>	<p>The decision:</p> <ol style="list-style-type: none"> 1) Changes the termination date of the lease; 2) Increases or decreases the potential rental value of the property; 3) Increases or decreases the rental value of the property, and official has right to sublease it; 4) Changes the official's actual or legally allowable use of the real property; or 5) Impacts the official's use and enjoyment of the real property.
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Sources of Income

NOTE: There are different standards depending if income is for goods and services or the sale of personal or real property.

Income Received for Goods and Services Provided in the Ordinary Course of Business, including a Salary¹⁹

<p>A material financial effect is assumed if...</p>	<p>The source of income is:</p> <ol style="list-style-type: none"> 1) A claimant, applicant, respondent, contracting party, or is otherwise named or identified as the subject of the proceeding; 2) An individual and the individual will be financially affected under the standards applied to an official in Regulation 18702.5, or the official knows or has reason to know that the individual has an interest in a business entity or real property that will be financially affected under the standards applied to those financial interests in Regulation 18702.1 or 18702.2, respectively; 3) A nonprofit that will receive a measurable financial benefit or loss, or the official knows or has reason to know that the nonprofit has an interest in real property that will be financially affected under the standards applied to a real property interest in Regulation 18702.2; or 4) A business entity and the business will be financially affected under the standards applied to a business interest in Regulation 18702.1.
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Income from the Sale of Personal or Real Property of the Official or the Official's Spouse if Community Property²⁰

<p>A material financial effect is assumed if...</p>	<p>The official knows or has reason to know that the source of income:</p> <ol style="list-style-type: none"> 1) Is a claimant, applicant, respondent, contracting party, or is otherwise named or identified as the subject of the proceeding; 2) Has an interest in a business entity that will be financially affected under the standards applied to a financial interest in Regulation 18702.1; or 3) Has an interest in real property that will be financially affected under the standards applied to a financial interest in Regulation 18702.2.
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Sources of Gifts²¹

(Including Gifts from Individuals, Nonprofits, and Business Entities)

<p>A material financial effect can be assumed if...</p>	<p>The source is:</p> <ol style="list-style-type: none"> 1) A claimant, applicant, respondent, contracting party, or is otherwise named or identified as the subject of the proceeding; 2) An individual who will be financially affected under the standards applied to an official in Regulation 18702.5, or the official knows or has reason to know that the individual has an interest in a business entity or real property that will be financially affected under the standards applied to those interests in Regulation 18702.1 or 18702.2, respectively; 3) A nonprofit that will receive a measurable financial benefit or loss, or the official knows or has reason to know that the nonprofit has an interest in real property that will be financially affected under the standards applied to a financial interest in Regulation 18702.5; or 4) A business entity will be financially affected under the standards in Regulation 18702.1.
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Interests in Personal Finances²²

(Including the Personal Finances of Immediate Family Members)

<p>The financial effect is material if...</p>	<p>The official or the official's immediate family member will receive a measurable financial benefit or loss from the decision unless it is nominal, inconsequential, or insignificant.</p>
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Quick Tip:

There are many rules and many exceptions (so numerous we can't discuss them all here). At a big picture level, remember:

- In most cases, if the financial interest is directly or explicitly involved in the decision, the materiality standard is met. This is because an interest that is directly or explicitly involved in a governmental decision presents a more obvious conflict.
- On the other hand, if the financial interest is not directly or explicitly involved, the materiality standard is generally based on a reasonable person standard.

4. Consider whether an exception applies.

Once an official has determined that he or she has a conflict of interest in a particular decision, the official can examine if an exception permits the official's participation despite the conflict. Not all conflicts of interest prevent the official from lawfully taking part in the government decision.

- *The Public Generally Exception:*²³ Even if an official otherwise has a conflict of interest, the official is not disqualified from the participating in the decision if the “public generally” exception applies. This public generally exception applies when the financial effect on a public official or the official's interests is indistinguishable from its effect on the public generally.

NOTE: The “public generally” exception must be considered with care. An official may not just assume that it applies. There are rules for identifying the specific segments of the general population with which the official must compare the official's financial interest, and specific rules for deciding whether the financial impact will uniquely affect the public official as compared to the public generally. Again, officials should contact their agency counsel or the FPPC concerning these specific rules.

- *Legally Required to Participate:*²⁴ Even if an official has a disqualifying conflict of interest, is the participation legally required? In certain rare circumstances, an official may be called upon to take part in a decision despite the fact that the official has a disqualifying conflict of interest. This “legally required participation” rule applies only in certain very specific circumstances in which the government agency would be paralyzed or unable to act. The FPPC or the agency's counsel must generally make this determination and will instruct the official on how to proceed.

A conflict of interest exists, what now?

Once an official determines that they have a conflict of interest and that an exception does not apply, the official must disqualify from all of the following:²⁵

- *Making the governmental decision.* A public official makes a governmental decision if the official authorizes or directs any action, votes, appoints a person, obligates or commits his or her agency to any course of action, or enters into any contractual agreement on behalf of his or her agency.

- *Participating in making the governmental decision.* A public official participates in a governmental decision if the official provides information, an opinion, or a recommendation for the purpose of affecting the decision without significant intervening substantive review.
- *Influencing the governmental decision.* A public official uses his or her official position to influence a governmental decision if he or she: contacts or appears before (1) any official in his or her agency or in an agency subject to the authority or budgetary control of his or her agency for the purpose of affecting a decision; or (2) any official in any other government agency for the purpose of affecting a decision, and the public official acts or purports to act within his or her authority or on behalf of his or her agency in making the contact.

Certain officials (including city council members, planning commissioners, and members of the boards of supervisors) have a mandated manner in which they must disqualify from a decision.²⁶ They must publicly identify in detail the interest that creates the conflict, step down from the dais, and must then leave the room. The official must identify the interest following the announcement of the agenda item to be discussed or voted upon, but before either the discussion or vote commences.

If the decision is to take place during a closed session, the identification of the financial interest must be made during the public meeting prior to the closed session but is limited to a declaration that the official has a conflict of interest. The financial interest that is the basis for the conflict need not be disclosed. The official may not be present during consideration of the closed session item and may not obtain or review any nonpublic information regarding the decision.

There are limited exceptions that allow a public official to participate even when a conflict is present, such as participating as a member of the general public, speaking to the press, or discussing one's own governmental employment. The exceptions are limited and fact-specific, and may require advice from the agency's counsel or the FPPC.

Final thoughts

Generally speaking, here are the keys for public officials to meet their obligations under the Act's conflict of interest laws:

- Know the purpose of the law, which is to prevent biases, actual and apparent, that result from the financial interests of the decision-makers.
- Learn to spot potential trouble early. Understand which financial interests could give rise to a conflict of interest.

- Understand the “big picture” of the rules. For example, know why the rules distinguish between explicitly involved interests, and why the public generally exception exists.
- Realize the importance of the facts. Deciding whether an official has a disqualifying conflict of interest depends just as much - if not more - on the facts of the particular situation as it does on the law.
- Don’t try to memorize all of the specific conflict of interest rules. The rules are detailed, and the penalties for violating them are significant. Rather, look the rules up or ask about the particular rules applicable to a given case.
- Ask for advice. It is available from the agency’s legal counsel and from the FPPC.

Where to go for help?

Email Advice (informal)	advice@fppc.ca.gov
Written Advice (formal and informal)	Fair Political Practices Commission 428 J Street, Suite 620 Sacramento, CA 95814

¹ The Political Reform Act is contained in Government Code §§ 81000 - 91014, and all statutory references are to this code. The FPPC regulations are contained in §§ 18110 - 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Enacted through Proposition 9 at the June 4, 1974 Primary Election.

³ § 81001.

⁴ § 87100.

⁵ *Witt v. Morrow* (1977) 70 Cal. App. 3d 817 at 822–823: “Morrow asserts it is unconstitutional to automatically disqualify a public official from participating in decisions which may affect the investments of an entity which pays him However, the whole purpose of the Political Reform Act of 1974 is to preclude a government official from participating in decisions where it appears he may not be totally objective because the outcome will likely benefit a corporation or individual by whom he is also employed.”

⁶ § 82048.

⁷ § 83115.

⁸ § 81002(c).

⁹ § 87103.

¹⁰ Under § 87103, an official has an "indirect interest" in real property owned by a business entity or trust in which the official, the official's immediate family, or their agents own directly, indirectly, or beneficially a 10-percent interest or greater.

¹¹ § 82033.

¹² § 82030.

¹³ The Commission adjusts the gift threshold on January 1 of each odd-numbered year to reflect changes in the Consumer Price Index.

¹⁴ Regulation 18701.

¹⁵ Regulation 18702.1

¹⁶ Regulation 18702.2(a).

¹⁷ Particular facts can rebut this presumption depending on advice given by the FPPC.

¹⁸ Regulation 18702.2(b).

¹⁹ Regulation 18702.3(a).

²⁰ Regulation 18702.3(b).

²¹ Regulation 18702.4.

²² Regulation 18702.5.

²³ Regulation 18703.

²⁴ § 87101 and Regulation 18705.

²⁵ Regulation 18704.

²⁶ § 87105 and Regulation 18707 applicable to persons holding positions specified in § 87200.

#8

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

There are no written materials for Town Manager Report

TOWN COUNCIL WEEKLY DIGEST

Thursday – November 15, 2018

1. Agenda (Action) – Town Council – Wednesday, November 14, 2018
2. Agenda (Cancellation) – Trails & Paths Committee – Tuesday, November 20, 2018
3. Agenda (Cancellation) – Planning Commission – Wednesday, November 21, 2018
4. Agenda (Cancellation) – Architectural and Site Control Commission – Monday, November 26, 2018
5. Agenda – Conservation Committee – Tuesday, November 27, 2018
6. Notice - City Council Reorganization for City of San Mateo – Monday, December 3, 2018

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

1. Silicon Valley Community Foundation Magazine – Fall 2018



TOWN OF PORTOLA VALLEY

7:00 PM – Regular Meeting of the Town Council
 Wednesday, November 14, 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

Councilmember Derwin - Absent

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.

None

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** – October 24, 2018
2. **Approval of Warrant List** – November 14, 2018
3. **Appointment by Mayor** – Member to the Bicycle, Pedestrian & Traffic Safety Committee
4. **Appointment by Mayor** – Ray Williams to the Board of Trustees for the San Mateo County Mosquito and Vector Control District

Items 1 – 4 Approved 4-0

REGULAR AGENDA

STAFF REPORTS AND RECOMMENDATIONS

5. **STUDY SESSION** – Update on the Federal Communications Commission's (FCC) New Small Wireless Facility Regulations and the Town's Response to FCC Order

Town Attorney will draft an urgency ordinance and provide to Council at its January 9, 2019 meeting

6. **STUDY SESSION** – SB 946 Sidewalk Vendor Decriminalization

Council approved staff recommendations #1 & #5 and apply #2 & #3 to town owned property

- #1- Maximize protection of the town's Farmers' Market by expanding the Market's License Area on the Site Plan included in the Farmers' Market Agreement***
- #2 - Require any sidewalk vendor who wishes to vend in Portola Valley to obtain a Business License***
- #3 - Require proof of County Environmental Health permit for food sales***
- #5 - Consider the creation of a temporary special permit for Town-sponsored events***

7. **Discussion and Council Action** – Formation of Council Subcommittee for Town Attorney Annual Performance Review

Mayor Richards and Vice Mayor Wengert were appointed to the Subcommittee

8. 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 San Mateo County Connect 18 Technology Conference.***

Councilmember Aalfs -

Attended a Peninsula Clean Energy meeting, looking at California fires and the potential liability for PG&E.

Vice Mayor Wengert -

Attended the November Bicycle, Pedestrian & Traffic Safety Committee. A new Sheriff's Deputy was introduced, held further discussed on Windy Hill parking, and PG&E's upcoming sewer project on Alpine and Portola Roads. The Woodside Patrol will soon undertake crossing guard duties.

Attended a Bicycle and Pedestrian Advisory Committee (BPAC), held the first meeting as part of the subcommittee to meet with Stanford on housing. Attended a San Francisco Roundtable meeting.

Mayor Richards -

Emergency Preparedness Committee continues to look for medical volunteers. Mayor Richards and Town Manager Dennis met with Vic Schachter and MJ Lee about who have started up community service divisions, similar to CERPP. The committee is starting to send out additional emergency messages on PV Forum and holding more events displaying water containers and Go Bags.

Attended the November 7 Planning Commission meeting to discuss ADUs.

9. TOWN MANAGER REPORT

Town Manager Dennis reported that PV Connect launched on Tuesday, November 13. Staff will advertise the recently approved communications position on November 15 or 16. Town Manager Dennis was staff representative at the November 8 Farmers' Market. Senate Bill 821 allows counties to access resident contact information via a public utility to enroll them in a public emergency warning system (SMC Alert). Residents will now have the option to opt out of the system once enrolled.

WRITTEN COMMUNICATIONS

10. **Town Council Digest** – October 25, 2018 - **None**

11. **Town Council Digest** – November 1, 2018 –

#5 - Mayor Richard noted not all cities participated

#6 – Mayor Richards asked if the Town can take advantage of the grant opportunity

12. **Town Council Digest** – November 8, 2018 - **None**

ADJOURNMENT: 8:48 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).



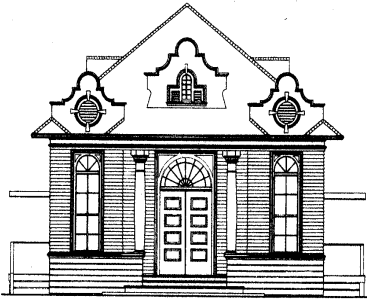
Town of Portola Valley
Trails and Paths Committee Meeting
Notice of Cancellation
Tuesday, November 20, 2018

TRAILS & PATHS COMMITTEE

MEETING CANCELLATION

NOTICE

The regular meeting of the Trails and Paths Committee,
scheduled for Tuesday, November 20, 2018,
has been canceled.



TOWN OF PORTOLA VALLEY
7:00 PM – Regular Meeting of the Planning Commission
Wednesday, November 21, 2018
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

NOTICE OF MEETING CANCELLATION

PORTOLA VALLEY PLANNING COMMISSION
MEETING REGULARLY SCHEDULED FOR
Wednesday, November 21, 2018

Notice is hereby given that the Portola Valley Planning Commission meeting regularly scheduled for Wednesday, November 21, 2018 has been cancelled.

The next regular meeting of the Portola Valley Planning Commission is scheduled for Wednesday, December 5, 2018 at 7:00 PM, in the Historic Schoolhouse, located at 765 Portola Road, Portola Valley, CA.



TOWN OF PORTOLA VALLEY
7:00 PM – Regular Meeting of the Architectural and Site Control
Commission (ASCC)
Monday, November 26, 2018
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

NOTICE OF MEETING CANCELLATION

ARCHITECTURAL AND SITE CONTROL COMMISSION
MEETING REGULARLY SCHEDULED FOR
Monday, November 26, 2018

Notice is hereby given that the Portola Valley Architectural and Site Control Commission meeting regularly scheduled for November 26, 2018 has been cancelled.

The next regular meeting of the Portola Valley Architectural and Site Control Commission is scheduled for Monday, December 10, 2018 at 7:00 PM, in the Historic Schoolhouse, located at 765 Portola Road, Portola Valley, CA.



**TOWN OF PORTOLA VALLEY
Conservation Committee Meeting
Tuesday, November 27, 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 Minutes – October 23, 2018
4. Current Site Visits
5. Tree Permits
6. Old Business
 - A. Oversight of Significant Town Owned Open Space properties – updates.
 1. Springdown Preserve
 - i. Comprehensive care calendar
 - a. Photo documentation – Plunder
 - ii. Management Plan
 - a. Funds approved
 - b. Details of supervision
 - iii. Monarch butterfly habitat
 - iv. Pond
 2. Frog Pond – last report June ‘18
 - i. Ad-Hoc Committee on Guiding Principles
 - ii. Survey for species of interest?
 3. Ford Field – revised
 - i. Open Space comments pending
 4. Town Center – last report April ‘18
 - i. Funds approved
 - ii. Details of implementing plan
 5. Rossotti’s Field and ROW revised
 - i. Open Space comments pending
 6. Triangle Park
 - B. Intermediate Properties Analysis and Recommendations
 - i. #26 Blue Oaks/Los Trancos Neighborhood pond – Murphy/Walz
 - ii. #32 Dengler – Heiple/Magill
 - iii. #33 Shady Trail parklet - Bourne/Plunder
 - iv. Roadside strips – Chiariello/Eckstrom
 - C. Tip of the Month – Magill
 - D. What’s blooming now – Magill
 - E. Kudos of the Month – Plunder
 - F. BYH – De Staebler
 - G. Committee/Town Cooperation
 1. Public Works – Murphy
 2. Sustainability and Environmental Resources Committee – Murphy
 3. Trails – Bourne
 4. Open Space – Chiariello
7. New Business
 - A. Fire Prevention in open spaces

8. Adjournment
9. Next meeting 1/22/2019, 7:30 pm, Old Schoolhouse

Appendix A

GOALS FOR 2019:

TASKS:

Mandated:

Advisory function
ASCC – landscape review site visits and ASCC meeting attendance
Tree Removals
Public Works consultations
Annual Report to Town Council
Budget

Requested:

Open Space Comprehensive Plan – Murphy, DeStaebler, Magill

Committee Initiated:

Liaison to other committees:

Trails – Bourne
Sustainability – Murphy
Parks and Rec

Broom Pull – all
Earth Day/Town Picnic Day – all
BYH – DeStaebler
Tip of the Month – Magill
What's Blooming now – Magill
Kudos of the Month – Plunder
Native Plant Garden by Schoolhouse – Murphy
Monarch Butterfly support – Murphy/Heiple
Weed seedling Information Sheet – Heiple/Plunder
Guide to Town Center plantings brochure – Chiariello
Poison Bait advisory – Chiariello/DeStaebler/Heiple
Website upgrade – Plunder/Chiariello
Wells – Bourne
Native and low water use Garden tour – Murphy/DeStaebler
Native Seed Collection and Distribution – Plunder
Open Space oversight – all

Most Important

Spring Down – Plunder/Chiariello/Bourne/Murphy
Town Center – Murphy/Chiariello/Magill
Frong Pond – Heiple/Eckstrom/Murphy
Rossotti's Field – DeStaebler
Ford Field – DeStaebler/Magill
Triangle Park – Murphy/Heiple/Eckstrom

Intermediate

Blue Oaks/Los Trancos Pond – Murphy/Walz
Dengler – Heiple/Magill
Shady Trail parklet – Plunder/Bourne with Open Space
Roadside strips – Chiariello/Eckstrom



Mayor Rick Bonilla
Deputy Mayor Diane Papan
Council Members Maureen Freschet, Joe Goethals
and Eric Rodriguez

Come Celebrate with San Mateo!

**City Council Reorganization
Election of Mayor and Deputy Mayor**

Monday, December 3, 2018

7pm meeting

Followed by reception

**Council Chambers City Hall
330 W. 20th Avenue, San Mateo, CA**