

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 959, DECEMBER 12, 2018

CALL TO ORDER AND ROLL CALL

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

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

Absent: None

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

ORAL COMMUNICATIONS

Laura Fanucci, from HIP Housing, presented the 2019 HIP Housing Calendar to the Council. She said Portola Valley winner Julia Lewandowski's drawing is featured for October. Julia lives in Redwood City and is a 5th grader at Woodland School. Ms. Fanucci described HIP Housing's outreach activities, home sharing, properties owned and managed throughout San Mateo County, acquisitions of new properties, self sufficiency program, trauma-informed training, and the home sharing conference.

Mayor Richards introduced the swearing in of the three Councilmembers that will start new terms in 2019. Craig Hughes, Mary Ann Moise Derwin, and John Richards, took the Oath of Office.

- (1) Presentation – Certificate of Recognition presented to Cameron Jones for Outstanding Accomplishments in Science and Engineering

Mayor Richards congratulated Mr. Jones on his achievements and presented him with a certificate of recognition. Mr. Jones described his project – the identification of organic molecules in space.

Dr. Forrest Williams, Santa Clara Valley Science & Engineering Fair Association, described their mission to excite and provide opportunity for children in science. He thanked Portola Valley for recognizing this student.

- (2) Presentation – Backyard Habitat Award by the Conservation Committee.

Conservation Committee member Marge DeStaebler presented an award to Delle Maxwell for the re-landscaping of her property that is now completely native, with rock piles for nesting, brush piles, many inhabited bird houses, harvesting rainwater, gray water system, no pesticides, conserving resources while creating a pleasant spot for critters and people, and encouraging habitat to host more wildlife.

Nona Chiariello presented an award to Erika and Loren Walden who live in Portola Valley Ranch. Ms. Chiariello pointed out that the Ranch as a whole received a Backyard Habitat Award and it needed to be determined if this application could be considered. The Conservation Committee decided that gardens of excellence should be eligible for the award no matter where they are located. She said that even by the high standards of the Ranch, this property stood out. She said it is alive with wildlife that benefits from a beautiful habitat with nest boxes, shrubs providing cover for ground nesting birds, a small pond with tiers of rocks, a bat roost, and bee condos. They use no biocides, fertilizers, or irrigation, and hand-water with gray water from their shower. She said the Waldens enthusiastically share their successes and failures

with the neighbors and have become ambassadors for the Backyard Habitat program and the values of Portola Valley.

Paul Heiple presented an award to Marge DeStaebler. He described Ms. DeStaebler's efforts in her yard overcoming problems such as sudden oak death and invasives. He said the property is 90 to 95 percent native cover with great diversity.

- (3) Reorganization of the Town Council
 - (a) Election of Mayor
 - (b) Election of Vice Mayor

Mayor Richards said it felt like the dial had been moved on a number of things in town, especially in the ability to connect with town residents, having a good handle on finances, raised importance of public safety, and setting the stage for great progress on housing. He stressed the need to keep the volunteer force intact. He thanked the Town for a great year.

Councilmember Aalfs nominated Ann Wengert for Mayor. Seconded by Councilmember Derwin. The Council elected Ann Wengert as the Mayor of Portola Valley.

Councilmember Hughes nominated Jeff Aalfs for Vice Mayor. Councilmember Richards seconded. The Council elected Jeff Aalfs as the Vice Mayor of Portola Valley.

Mayor Wengert thanked Councilmember Richards for his dedicated leadership this last year, showing great intelligence and reasonableness in approaching all the issues, and setting an example of civility and respect for all points of views and all participants in the civic process. She highlighted the new challenges regarding public safety, emergency preparedness, housing, and sustainability.

CONSENT AGENDA [7:27 p.m.]

- (4) Approval of Minutes – Town Council Regular Meeting of November 28, 2018. *[Removed from Consent Agenda.]*
- (5) Approval of Warrant List – December 12, 2018, in the amount of \$174,193.36.

Councilmember Derwin moved to Approve the Warrant List for December 12, 2018. Seconded by Councilmember Hughes, the motion carried 5-0, by roll call vote.

- (4) Approval of Minutes – Town Council Regular Meeting of November 28, 2018. Councilmember Richards moved to Approve the Minutes of November 28, 2018, as amended. Seconded by Councilmember Hughes, the motion carried 5-0.

REGULAR AGENDA

STAFF REPORTS AND RECOMMENDATIONS

- (6) Recommendation by Town Attorney – 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 Designating Public Officials and Employees and their Disclosure Categories for the Town's Conflict of Interest Code (Resolution No. 2792-2018)

Town Attorney Cara Silver presented a staff report explaining the State Law requirements regarding conflict of interests and financial disclosure. She described the background of the State Political Reform

Act and the Analysis of the Town's current local conflict of interest policy. Staff recommended that the Town Council adopt a resolution amending the Town's Conflict of Interest Code to update the designated positions and disclosure categories, as detailed in the staff report.

Mayor Wengert invited questions from the Council.

Councilmember Hughes asked if the intention is that all people in Category 2 should file a Form 700 checking the box "no reportable interests on any schedule" or if they would not even file a Form 700 at all unless there is something to disclose. Town Attorney Silver said the Form 700 would still be filed. She said, from an administrative standpoint, if the form is not filed, it would not be clear if the Form 700 was not filed because there was no reportable interest or the applicant just forgot to file it. She said filing the form is also a statement verifying that the applicant has no reportable interests, which is important. Councilmember Hughes suggested clarifying those instructions.

Councilmember Hughes asked if the employment contracts for the Town Employees need to be amended to include the new disclosure requirement. Town Attorney Silver said all of the Town positions are currently required to file the entire Form 700 and this resolution would reduce the requirement. She said most of the staff do not have employment contracts. Councilmember Hughes suggested the requirement be included in employment contracts with the Town.

With no further questions, Mayor Wengert invited public comment. Hearing none, she brought the item back to the Council for discussion.

Councilmember Hughes requested that Disclosure Category 2 be modified to say Schedules A through C as applicable.

Councilmember Hughes said for the Limited Disclosure filers, most of the instructions on the Form 700 is written for mandatory filers. He suggested staff prepare a short document that goes in the Committee packet to indicate what does and does not need to be filed.

Vice Mayor Aalfs moved to approve the Adoption of a 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 as amended. Seconded by Councilmember Derwin, the motion carried 5-0.

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

Councilmember Richards – Attended part of the December 5 Planning Commission meeting with Councilmember Derwin.

Councilmember Hughes – Attended the December 6 Bicycle, Pedestrian & Traffic Safety Committee Community meeting on Pedestrian & Traffic Safety, where they heard a report from the traffic study consultant. Town Manager Dennis said they have discussed outreach methods for getting more public input. In response to Mayor Wengert's question, Councilmember Hughes said the goal is to have a report to bring to Bicycle, Pedestrian & Traffic Safety Committee by the end of January or beginning of February, probably coming back to the Council in February. Councilmember Hughes said they also discussed parking at Windy Hill.

Councilmember Derwin – Attended a C/CAG San Mateo Countywide Water Coordination Committee meeting. She said the consultants provided an update on the progress of the Staff Advisory Team. She said they discussed funding, proposing that for the first three years of funding, County will pay for half and

the cities will pay for half (\$750,000 per year), with each city's share being tiered based on population. Portola Valley would pay \$25,000 per year for three years. Town Manager Dennis said he will be attending the SAT meeting tomorrow. He said the criticism is that for the first three years the benefit is limited for cities that don't have a current flood control project, but will afford the opportunity to build it up, do some additional work, figuring out a permanent funding stream, etc. Councilmember Derwin said they also discussed the governance structure proposal. She attended the December 5 Planning Commission meeting with Councilmember Richards. She attended a HEART board meeting. They discussed the ADU progress report and workshops that were held. She will attend a C/CAG Board meeting on December 13 where they will discuss the owner-operator managed lanes question, the executive director's review and compensation, goals, etc. Councilmember Derwin thanked Town Manager Dennis for his many good ideas.

Vice Mayor Aalfs – Attended a Peninsula Clean Energy meeting. Vice Mayor Aalfs said he has met with several State-level elected officials and NRDC for strategizing on the upcoming legislative session. He said the local legislators are supportive of CCAs.

Mayor Wengert – Attended an SFO Airport Community Roundtable meeting. She said the FAA did not attend due to George HW Bush's funeral. She said the FAA should be at the January 11 Technical Working Group meeting to answer the specific questions regarding PIRAT. She attended an Ad-Hoc Housing on Town-Owned Property Committee meeting on December 6. She said the six most feasible sites were reviewed and a priority list was created. The top two sites are at the Town Center near the substation maintenance facility and the Alpine Road remnant next to the Frog Pond. Town Manager Dennis said staff will work with the subcommittee of the Ad Hoc to discuss possible design elements. Mayor Wengert also attended the December 10, ASCC meeting.

(8) Town Manager Report – Town Manager Dennis attended the Bicycle, Pedestrian & Traffic Safety Committee meeting and the Ad-Hoc Housing on Town-Owned Property Committee meeting. He said today's scheduled Town Center Master Plan Update Committee meeting was canceled due to lack of a quorum. He said they will bring it to Council for discussion on January 23. Town Manager Dennis said he will meet with Lt. Christina Corpus and a Sergeant regarding parking issues.

WRITTEN COMMUNICATIONS

(9) Town Council Digest – November 29, 2018

#8 – Invitation – Council of Cities Dinner Meeting, Town of Colma, Friday, December 14, 2018. Mayor Wengert said three Councilmembers will attend – Mayor Wengert, Councilmember Derwin, and Councilmember Richards.

(10) Town Council Digest – December 6, 2018

None.

ADJOURN TO CLOSED SESSION [8:35 p.m.]

REPORT OUT OF CLOSED SESSION

No reportable action.

ADJOURNMENT [9:00 p.m.]

Mayor Wengert adjourned the meeting.

Mayor

Town Clerk