

**PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 962, FEBRUARY 13, 2019**

**CALL TO ORDER AND ROLL CALL**

Vice Mayor Aalfs 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 Maryann Derwin, Craig Hughes, John Richards; Vice Mayor Jeff Aalfs

Absent: Mayor Ann Wengert

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

**ORAL COMMUNICATIONS**

Diana Fisher, 10 Valley Oak, Portola Valley Ranch. Ms. Fisher said after her homeowner's insurance was cancelled last month, she wrote a letter to the Council asking them to implement the same kind of defensible space matching funds program that Woodside has had for many years. She said this is not enough. She said not only do homeowners need to clean up around their homes, the Town must do the same with the public rights of way. She said she is concerned about the fuel loads along Alpine and Portola Roads. She said in the event of a wildfire, Portola Valley residents must be able to evacuate safely and, most importantly, there must be ample access for firefighters to defend the properties. She urged the town to clean up and remove overhanging branches and brush along Alpine and Portola Roads.

Vice Mayor Aalfs said other neighbors came to a previous meeting and expressed similar concerns. He said staff is in the process of following up and organizing a response.

- (1) Presentation – Report on Station 8 by Woodside Fire Protection District Chief Dan Ghiorso and Deputy Fire Chief Rob Lindner.

Fire Chief Ghiorso led the presentation. He described the plans for Station 7 in Woodside and Station 8 in Portola Valley. Chief Ghiorso described the needed replacement of Station 7 in Woodside and capacity upgrade to Station 8 in Portola Valley.

Chief Ghiorso described the history of the two stations and the evolution of the increased call volume. He described the goals of improving emergency preparedness and central modernization, and to improve firefighter health and safety. He pointed out that fire service personnel in general, including Woodside Fire personnel, have an inordinate number of incidents of cancer. He described the design of healthier fire stations and the incorporation of healthier protocols.

Chief Ghiorso said there will be a 75-year firehouse built to replace Station 7. He said there is already adequate apparatus there, but they will be adding personnel. He further explained the design aspects of the station that will be built.

Chief Ghiorso described the plans for the Station 8 upgrade, which will include a Sheriff's substation.

Vice Mayor Aalfs suggested the Fire Department leave open the possibility of a microgrid in the future. Chief Ghiorso said they hope to bring a redesign proposal to Portola Valley in the spring.

Councilmember Derwin asked about the capital campaign goal. Chief Ghiorso said the goal between the two (Woodside and Portola Valley) is \$23.7M. He said they are hoping to redo Station 8 first which will be helpful because Station 7 will need to be taken down to the ground.

In response to Councilmember Richards's question, Chief Ghiorso said Station 7 will be rebuilt on the existing property.

Vice Mayor Aalfs invited public comment.

Diana Fisher said she would hope that if the Fire Department gets \$23.7 million they will use some of that to work on removing the fuel sources along Alpine and Portola Roads.

Vice Mayor Aalfs thanked Chief Ghiorso for the presentation and his years of service.

### **CONSENT AGENDA**

- (2) Approval of Minutes – Town Council Regular Meeting of January 23, 2019. *[Removed from Consent Agenda.]*
- (3) Approval of Warrant List – February 13, 2019, in the amount of \$370,247.27.
- (4) Recommendation by Finance Director – Audit and Financial Statements for FYE 06/30/18.

Councilmember Hughes moved to approve Items 3 and 4 of the Consent Agenda. Seconded by Councilmember Richards, the motion carried 4-0, by roll call vote.

(2) Approval of Minutes – Town Council Regular Meeting of January 23, 2019. Councilmember Richards moved to approve Item 2 as amended. Seconded by Councilmember Hughes, the motion carried 4-0.

### **REGULAR AGENDA**

#### **STAFF REPORTS AND RECOMMENDATIONS**

- (5) Report by Town Manager – Annual ALPR Audit

Town Manager Dennis presented the Annual ALPR Audit, a joint report from Town Staff and the Sheriff's Department. He described the background, the discussion items (access, other searches, and retention), and the fiscal impact, as detailed the staff report. Staff recommended the Town Council accept the audit of the Town's ALPR system.

Capt. Corpus and her team were also present to answer any questions. Capt. Corpus introduced the Crime Analyst, Ana Bueno-Moran and the Administrative Patrol Sergeant, Sgt. Andy Hui.

Councilmember Richards asked if the ALPR has yielded any useful information for Portola Valley yet. Chief Corpus said the ALPR played a role in an active ongoing investigation which led them to the East Bay and they are very close to an arrest.

Councilmember Hughes asked what type of "suspicious circumstance" would lead to an ALPR search. Sgt. Hui said a Portola Valley resident reported seeing, from their balcony, three or four individuals coming out of a car. The residents called out to the people in the car, who reentered their car and left. The Sheriff's Department used the ALPR technology to see if any suspicious cars were flagged. Nothing yielded from the search. Capt. Corpus said that particular case occurred during the time there were some residential burglaries in the area.

Councilmember Hughes asked if the number of hits on the hot list was going to be part of the report. Town Manager Dennis said Capt. Corpus has had some conversations with NCRIC around whether or not there has been access through that end and also the hit issue. He said he will have more of a report in the coming days.

Capt. Corpus said they can rely on the Ladera cameras as an entry point in and out of Town and that information can be provided. She said the hot list entry includes stolen vehicles, stolen plates, silver alerts, missing persons, people listed at risk, and people wanted for some type of crime. She said coming in and out of the detections through Ladera, there were 14,681,664 plates read since they were installed (approximately six months ago). She said the total hits for stolen or lost plates was 368, 126 stolen vehicles, and 2 vehicles where the registered owner was wanted for some type of crime. Town Manager Dennis said NCRIC does not consider the Town of Portola Valley to be a law enforcement agency, which means that the Town's two cameras are not part of the hit list capture. They are trying to resolve that situation.

Councilmember Hughes asked if there is a response to hits or if they are just logged. Capt. Corpus said in some cases, dispatch will alert the Sheriff's Department about stolen vehicles. She said the Patrol Unit would look for the vehicle and put out a "be on the lookout" to the CHP and neighboring law enforcement agencies.

Councilmember Hughes asked if any data had been flagged to be retained longer than the one-year limit. Sgt. Hui said the ALPR learned system defaults to purge at 365 days. Capt. Corpus said nothing has been flagged for retention to date.

Councilmember Derwin asked if any residents have contacted the Sheriff's Department asking to run a search. Capt. Corpus said no one had contacted them. Town Manager Dennis said that, early in ALPR deployment, a couple of residents contacted him asking if they could see the data and they were denied access. He said staff has not received any formal public records requests.

Vice Mayor Aalfs asked if the pending ACLU cases in Southern California had moved forward. Town Attorney Silver said there was a Court of Appeals decision that authorized the disclosure of anonymized ALPR data. Sgt. Hui said he did a PRA request for their agency. He said they provided very generic metadata – how many detections and how many hits, and a couple of other generic questions.

Vice Mayor Aalfs invited public comment.

Chris Atwood, Granada Court. Mr. Atwood said he was burglarized in 2016. He said within a week of setting up new cameras at his residence, which do ALPR with open source software, his system picked up two vehicles with no front or rear plates. He asked if the Town cameras flag vehicles with no plates. Sgt. Hui said in the last year California law requires that all vehicles leaving a car lot have a temporary plate and the registered owner information is available within 24 hours of the car leaving a car lot. Town Manager Dennis said he is not aware of the cameras flagging the absence of plates. Councilmember Hughes said the only time the ALPR saves a picture is if there is a plate. Chris Atwood asked if it was a feature or a flaw. Councilmember Hughes said it is a flaw. Chris Atwood said it is interesting that open source software can exceed that capability. Crime Analyst Bueno said a surveillance camera will capture anything that comes into view, but the ALPRs are plate readers. Chris Atwood said his does both. He has a surveillance camera with very good optics and very good sensors for low light and high light control, that headlights or rain cannot blind. He said they also do optical character reorganization to de-warp the plates and read them. Crime Analyst Bueno asked Mr. Atwood about vehicles with no plate. Chris Atwood said his cameras can be set for a motion sense within a region, then scan for any characters in that region. He said it can detect if the vehicle is coming toward it and then pull the plate. If there is no plate, it alerts. Crime Analyst Bueno invited Mr. Atwood to send them the pictures he captured and they can check their database.

In response to Councilmember Hughes' question, Capt. Corpus said 15 residents in Portola Valley have subscribed and registered their security cameras. Capt. Corpus said they plan to more heavily promote registering cameras on social media. She said they are also developing lawn signs warning that the residents share their camera systems with the San Mateo County Sheriff's Office. Town Manager Dennis said this topic was discussed at last night's Neighborhood Watch captains meeting at Laurie Duvall's house.

- (6) Report by Town Manager – SB 946 Vendor Compliance - First Reading of Ordinances Amending Chapters 5.08., 5.16., and 5.24 of Title 5 [Business Taxes, Licenses and Regulations] and Amending Chapters 12.10, and 12.12 of Title 12 [Streets, Trails and Public Places] of the Portola Valley Municipal Code
- (a) First Reading, Waive Further Reading and Introduce an Ordinance Amending Chapters 5.08 [Definitions], 5.16 [Licenses], 5.24 [Exempt Businesses and Organizations] of Title 5 [Business Taxes, Licenses and Regulations] of the Portola Valley Municipal Code (Ordinance No. \_\_)
- (b) First Reading, Waive Further Reading and Introduce an Ordinance Amending Chapters 12.10 [Commercial Use of Town Outdoor Recreational Facilities] and 12.12 [Use of Public Rights-of-Way] of Title 12 [Streets, Trails and Public Places] of the Portola Valley Municipal Code (Ordinance No. \_\_)

Town Manager Dennis presented the background regarding SB 946, the discussion items, and the fiscal impact, as detailed in the staff report. Staff recommended: 1. Amendment of the Farmer's Market Agreement to modify the Site Plan that outlines the License Area of the market's operational space; 2. Amendment of Chapter 5 Business Taxes, Licenses and Regulations code to include SB 946 language and exclusion of youth enterprise from these rules; 3. Amendment of Chapter 12 Use of Public Rights of Way code to include SB 946 language; 4. Staff create a temporary special permit for Town event vendors and concessionaries; and 5. Staff negotiate and execute a formal agreement with Alpine Little League to ensure their exclusive right as a concessionaire at Ford Field.

Vice Mayor Aalfs invited questions from the Council.

Councilmember Derwin asked Town Manager Dennis if he anticipated vendors. Town Manager Dennis said they are not necessarily expected but they may come for particular events.

In response to Councilmember Hughes' question, Town Manager Dennis said it is not the intention for the Farmer's Market to fill up the entire licensed area. He said staff discussed with the new Farmer's Market organizer possibly utilizing the space in a slightly different way for certain products or activities.

Vice Mayor Aalfs invited public comment. Hearing none, Vice Mayor Aalfs brought the item back to the Council for discussion.

Councilmember Hughes moved to authorize the Town Manager to negotiate and execute a modification to the Farmer's Market Agreement and a formal agreement with Alpine Little League. Seconded by Councilmember Richards; the motion carried 4-0.

Councilmember Hughes moved to approve the First Reading of the Ordinance Amending Chapters 5.08., 5.16., and 5.24 of Title 5 of the Portola Valley Municipal Code. Seconded by Councilmember Derwin; the motion carried 4-0.

Councilmember Hughes moved to approve the First Reading of the Ordinance Amending Chapters 12.10, and 12.12 of Title 12 of the Portola Valley Municipal Code. Seconded by Councilmember Richards; the motion carried 4-0.

Councilmember Hughes moved to recommend staff create a temporary special permit for town event vendors and concessionaires. Seconded by Councilmember Derwin; the motion carried 4-0.

(7) Report by Town Manager – Housing Update

Town Manager Dennis reported that Carter Warr presented conceptual drawings at the February 7, 2019, Ad-Hoc Housing on Town-Owned Property Committee meeting, which depicted 11 housing units on the residual road remnant adjacent to Corte Madera School. He said the Committee recommended new outreach to immediate neighbors and the community at large at a later date. Town Manager Dennis noted that Mr. Warr's exercise was not intended to promote a particular project, design, or number of units, but was merely to illustrate possibilities.

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

Councilmember Richards -- Attended a County Climate Change Readiness meeting with Assistant to the Town Manager de Garmeaux, where approximately 200 people attended. He attended the Emergency Preparedness Committee meeting on February 7. They moved the meetings to the first Thursday of the month. They discussed CERP training and the new Fire Department software. The Committee is looking for additional ham operators and are still in need of a medical subcommittee. Councilmember Richards also attended the February 6, Planning Commission meeting on ADUs.

Councilmember Hughes – Attended an Open Space Committee meeting that discussed the possibility of looking at Town-owned land that the Town may want to dispose of, such as land that is not buildable anyway and would remain open space if sold to somebody else, potentially getting some revenue for the Town that could then be placed in the Open Space fund for future open space acquisitions. The first step will be to see if there is any interest in something like that by the adjacent property owners. Councilmember Hughes and Mayor Wengert, on the Housing subcommittee, is looking at the potential pooling of open space and housing fund monies to buy a property that is partially open space and partially housing where neither party could afford to do the project by themselves. Councilmember Hughes attended the Planning Commission where they elected Jon Goulden as Chair and Judith Hasko as Vice Chair. It was also the Planning Commission's last meeting on the ADU ordinance, for a total of approximately 24 hours of meetings on this topic. They discussed the issues with owner-occupancy requirements and size, which will be coming before the Council.

Councilmember Derwin – Attended the January and February ASCC meetings. She attended the Sustainability Committee meeting where they announced there will be no Earth Fair this year; they discussed a new way of detecting sudden oak death by directly testing oaks; and they agreed on the 2019 priorities, including a lecture series, wildfire fire management, and an audit of the green building ordinance and WELO. Councilmember Derwin also attended a Library JPA meeting and a Foundation for Libraries meeting, where Anne-Marie Despain asked if Portola Valley would like Jackie Spier to attend the Portola Valley Library where Councilmember Derwin can interview her about her new book. Councilmember Derwin attended a San Mateo Countywide Water Coordination Committee meeting where Atherton discussed their concerns, including the proposed governance, that the smaller cities like Atherton would not be adequately represented, that the new agency should not have land use authority, and continued development along the Bay front without sea-level rise mitigation. Councilmember Derwin also attended two Managed Lane Ad-Hoc meetings where they recommended an option whereby San Mateo owns and BAIFA operates. They chose to do a JPA versus a JPC. She attended a Council of Cities dinner meeting where they held City Selection elections for MTC and ABAG. Gina Papan was appointed as Cities Representative. Councilmember Derwin gave a speech at Genentech representing C/CAG at the launch of the Carpool 2.0 app. She attended the Ad-Hoc Housing on Town-Owned Property Committee meeting. A subcommittee was created to do outreach one-on-one with the neighbors. She also participated in the homeless count.

Vice Mayor Aalfs – Attended a Silicon Valley Leadership Group Housing Forum at LinkedIn where they discussed transit-oriented development and Silicon Valley companies giving money for housing. He said six different transit services were represented discussing opportunities to add housing around their stations. They also discussed the CASA Compact. Vice Mayor Aalfs provided an update on the effect of PG&E's bankruptcy on PCE.

(9) Town Manager Report – Town Manager Dennis reported that the Finance Director Doug Radke's last workday is Friday, February 15, 2019. Bob Adler, former Controller, will be acting as the interim Finance Director. He said staff signed an agreement with Woodside Patrol to set out cones and help with minor emergency traffic measures. Beginning in March, Woodside Patrol will provide crossing guard services on a trial basis at the Priory and Alpine. Town Manager Dennis thanked Public Works Director Young for all his work on that project. Town Manager Dennis said he is extremely proud of the Town Planning staff, Planning & Building Director Russell and Associate Planner Cassidy, who did an exceptional job on the ADU work. He reported the draft report for Traffic Safety Study will soon come before the Council. He said a new audio assist system has been installed in the Schoolhouse. He shared the flyer that will be sent out in the next few days regarding the ADU Council session on February 27 and the wildfire preparation study session on March 27. Town Manager Dennis said he is waiting for reviews of a leaf blower made by EGO that will be coming out in the spring, which has between 5.5 to 7 hours of battery life. Staff is beginning discussion of Council Priorities for 2018-19. He attended a Neighborhood Watch Captains meeting last night.

#### **WRITTEN COMMUNICATIONS**

(10) Town Council Digest – January 24, 2019

None.

(11) Town Council Digest – February 1, 2019

None.

(12) Town Council Digest – February 7, 2019

Vice Mayor Aalfs said he, Mayor Wengert, and Assistant to the Town Manager de Garneau discussed the future of Committees. He said the Nature & Science Committee has lost a lot of participants. He said they discussed if some of these committees should be dissolved or morphed into specific event committees, such as having Nature & Science deal with Flight Night and Star Parties as they happen.

#### **ADJOURNMENT [8:40 p.m.]**

Vice Mayor Aalfs adjourned the meeting.

---

Vice Mayor

---

Town Clerk