

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 968, APRIL 24, 2019

CALL TO ORDER AND ROLL CALL

Mayor Wengert 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 Craig Hughes and John Richards; Vice Mayor Jeff Aalfs; Mayor Ann Wengert

Absent: Councilmember Maryann Derwin

Others: Jeremy Dennis, Town Manager
Cara Silver, Town Attorney
Howard Young, Public Works Director
Sharon Hanlon, Town Clerk

ORAL COMMUNICATIONS

- (1) Presentation – Retirement of Woodside Fire Protection District Chief, Dan Ghorso

Mayor Wengert announced that the Town was honoring Retiring Woodside Fire Protection Chief Dan Ghorso, who has been an integral part of the community for nearly 30 years. Mayor Wengert shared some of Chief Ghorso's impressive career accomplishments, as well as his personal accomplishments.

Each of the Councilmembers and some audience members shared personal stories and expressed gratitude and appreciation for Chief Ghorso's services to the Town.

Chief Ghorso thanked the Council. He said for his entire career he had enjoyed the wonderful relationship between the Fire District and the Town and he thanked the Town staff for that. He said Town Manager Dennis has been a breath of fresh air, they've accomplished a lot together, and he anticipates Town Manager Dennis will continue on that positive path.

Mayor Wengert read the Town's proclamation to Chief Ghorso.

CONSENT AGENDA

- (2) Approval of Minutes – Town Council Regular Meeting of April 10, 2019.
- (3) Approval of Warrant List – April 24, 2019, in the amount of \$377,224.46.
- (4) Recommendation by Public Works Director – Adoption of a Resolution for the 2018/2019 Street Resurfacing Project – Surface Seals Project No. 2019-PW01
- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the 2018/2019 Street Resurfacing Project Surface Seals No. 2019-PW01 (Resolution No. 2795-2019)
- (5) Recommendation by Public Works Director – Adoption of a Resolution Relative to Senate Bill 1 (SB 1) Road Maintenance and Rehabilitation Account Funding and Submittal of a Proposed Project List

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting a Project List for Fiscal Year 2019-20 Funded by SB 1: The Road Repair and Accountability Act of 2017 (Resolution No. 2796-2019)

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

REGULAR AGENDA

COMMITTEE REPORTS & REQUESTS

- (6) Report by Conservation Committee – Annual Report to the Town Council

Judith Murphy presented the 2019 Conservation Committee Annual Report. She shared the mandate, the accomplishments in 2018-19, and the proposed activities for 2019-2020, as detailed in the staff report. The Committee requested guidance regarding altering criteria for heritage tree removal to consider solar and fire. They also requested specific and substantial financial support in the Public Works budget be earmarked in order to continue the maintenance and restoration of important Town-owned properties, also as detailed in the staff report.

Mayor Wengert invited questions from the Council and audience. Hearing none, she invited comments from the Council and audience.

Councilmember Richards said the Conservation Committee is very successful. He agrees the Town needs to step up as much as possible, given the financial constraints, to keep things going the way they have been going.

Councilmember Hughes said he appreciates the efforts the Conservation Committee has made to let the Town know the work that needs to be done. He said the Town now has the five-year Capital Improvement Program and it can be figured out how to pay for it effectively over time. He appreciated the very useful prioritization the Committee provided.

Mayor Wengert said she also appreciated the priorities list. She said fire prevention has moved into a higher priority slot over the last year and a half. She thanked Ms. Murphy for the presentation and expressed the Town's appreciation for their tremendous work.

STAFF REPORTS AND RECOMMENDATIONS

- (7) Study Session – Pedestrian Safety Study Update and Initial Discussion on General Process

Public Works Director Young said Town Manager Dennis had sent out the link for the online study report and provided extra copies. He explained that tonight his presentation would include points of discussion regarding processes. He said the technical discussion will come back when the traffic consultant shares their presentation.

Public Works Director Young provided background of how this safety study came about. He said there were site meet-ups with parents to gather feedback, which resulted in a scope being approved by the Bicycle, Pedestrian & Traffic Safety Committee (BPTS) and a budget being approved by the Council to enter into a study. Krupka Consulting, a traffic engineering and planning consultant, was retained to conduct the study. Public Works Director Young said there was a lot of public outreach with very well noticed meetings. The report was posted on the Town's website, input was consistently solicited, and exhibits were posted at the Library.

He said that on April 22, 2019, the BPTS accepted the report and recommended it be forwarded to the Town Council for consideration. Staff requested input from the Council regarding next steps. Public Works Director Young asked the Council to consider if they envisioned additional public process during the study phase. He asked which Committee or Commission should be part of the process, what their roles would be, what level of involvement they should have, and how much inter-committee back-and-forth feedback there should be. If approved, he asked if subcommittees or chairs should be assigned as liaisons in order to provide timely responses throughout the process.

Public Works Director Young said installation of signs can be controversial and they want to develop a full process that everyone around town is comfortable with. He said once the work is complete, a final report will go to the Town Council. If approved, the final program may consist of a plan within priority orders, funding in Capital Improvement Program, etc.

Public Works Director Young defined some of the unfamiliar nomenclature found in the report and shared photos of the different types of signs and markings. He explained the guidance and legal protection provided by the Caltrans Standards and the Manual of Uniform Traffic Control Devices approved by the Federal Highway Administration.

Public Works Director Young said they've received a lot of positive input on the Crossing Guard Pilot Program. Town Manager Dennis asked about the usage counts. Public Works Director Young said there were about 10 to 15 children and parents at the Priory, which was low compared to Alpine and Corte Madera, which was approximately 30 children. Town Manager Dennis said they anticipate that more people may choose to walk if they know there is a crossing guard. Councilmember Hughes said the car traffic has been better behaved since the crossing guard has been there.

Public Works Director Young said when they bring back the formal presentation, they will ask Council for guidance regarding short and long-term improvements and potential funding options for improvements.

Town Manager Dennis said tonight's goal is not to get into specifics of the study but to understand the Council's general approach on how to tackle the issues. He said Councilmember Hughes, who was Mayor at the time, and BPTS Chair Ed Holland, attended all of the pop-ups around Town. Town Manager Dennis emphasized the signs are required to match the Uniform Traffic Control Devices Standards.

Mayor Wengert invited questions from the Council.

Councilmember Hughes thanked the Council for agreeing to fund this proposal. He said the approach was to look comprehensively at a lot of different areas in Town. He said there is a lot of potentially low-hanging fruit that can be gotten to at less expense.

Councilmember Richards agreed that this is a great first step. He said if there are options to the signage, it makes sense to take it to ASCC, but if there are not any options, that would not be necessary. He said, as pointed out in the report, people need to pay more attention to their driving behaviors.

Mayor Wengert agreed there are a number of short-term fixes that are relatively easy to accommodate. She said there is quite a Capital Improvement budget that will need to be worked through this year, with an ever-growing list of funding requests. She said things like meeting Caltrans standards cannot be deferred and will likely be prioritized. She said it is a very comprehensive report and will be a prioritization exercise, which will be matched with funding.

Councilmember Richards said there is nothing extremely major in the report other than moving one crosswalk, which will include the signage and lights and likely an additional study about where to move it.

Councilmember Hughes said there is some flexibility in the Uniform Traffic Control Devices Standards with some options such as size, which flashing beacon. He said there are some choices the Town will

want to standardize. He said it might be appropriate to have the ASCC approve a standard school crosswalk assembly, for instance. Mayor Wengert agreed and said in a situation where something is referred to ASCC, it will be with clear direction that there are limitations as to what they can prohibit. She said the Town has been reluctant to adapt to Caltrans standards because they are generally perceived as too urban and too visible for Portola Valley. Vice Mayor Aalfs said wherever appropriate, the discussions can consist of a Chair or a subcommittee as opposed to a full ASCC hearing process.

Town Manager Dennis said a while ago, then-Mayor Hughes indicated some interest in having an overall look at reducing the signage in Town. Town Manager Dennis said this may also be a good time to fold some of that work in.

Town Manager Dennis asked Council if the crossing guard needs to be reexamined as part of the budget discussion coming up in a month. He also asked Council for feedback related to the flashing beacons. He said that may feed into the immediate Capital Improvement Program for year one. He said he is interested in pursuing grants, but there may also be interest in doing something sooner than grants can be made available.

Mayor Wengert asked if there was ever any assistance coming from the school district for the cost of the crossing guard. Public Works Director Young said they've met with the school representatives and have decided on some cost-sharing methodology. Mayor Wengert asked if there was a willingness to continue that cost-sharing. Councilmember Hughes said historically the school district paid 100% of the crossing guard. He asked if the Woodside Patrol crossing guard costs are more or less than what they used to pay the crossing guard. Public Works Director Young said the Woodside Patrol costs more. Town Manager Dennis said the school district did make a very sincere attempt to find someone to do this and weren't able to do so. He said the risk going into the pilot program was that the Town may have to make an ongoing contribution. He said he is not aware if the other partners are willing to go into a longer-term agreement than this pilot program. Councilmember Hughes said the school district likely has some budget for a crossing guard.

Caroline Vertongen said the crossing light at Brookside should be a priority. Public Works Director Young explained that the repair required for that crossing light is very expensive and the Town was waiting for the study results so they do not go to that expense to repair it and then end up moving it. He said the study has advised moving the crosswalk or using rapid flashing beacons. He said at this point the crossing guard addresses the issue. Town Manager Dennis said the initial conversations that led to the Pedestrian Safety Study came from the community of people on Brookside and Corte Madera and their concern about that intersection and it has always been the focal point of this discussion. Councilmember Hughes added that the report has provided detailed suggestions for appropriate short- and long-term solutions.

Mayor Wengert asked if flashing beacons were required for any of the town locations. Town Manager Dennis said they were not required, but the consultant found that they were useful and a best practice. Councilmember Hughes said the report discusses that the goal is not just to be uniform with other towns and cities nationwide, so that people are familiar with the devices, but is also for uniformity throughout town. For example, if there is a school crosswalk in front of the Priory with one situation and completely different thing in Corte Madera, it may cause confusion. The strong recommendation is for uniformity. Councilmember Richards said most people hate the flashing lights, but they are very effective. He said if there are options such as varying brightness, height, speed of flashes, then those options should be reviewed before a choice is made. Public Works Director Young said that is understood and added that decisions are made looking through the lens of the rural character of the town. Councilmember Hughes pointed out that some installations may be relatively inexpensive and some may be more expensive and also involve waits for PG&E to run wire. Mayor Wengert said the driver will be the agreed upon uniform standard. Councilmember Hughes said the Town's General Plan talks about rural character but also says it should be balanced with safety.

The Council recommended that staff bring the study back to the Town Council so they can review the priorities and provide guidance.

Town Manager Dennis suggested July or August for staff to come to Council for feedback regarding uniform signage before taking it to the ASCC. Mayor Wengert suggested not focusing on the overall town at this point but limit the focus to what has been covered in this study.

Town Manager Dennis asked if flashing beacons should be brought back for part of the upcoming budget cycle. Councilmember Hughes said it would be worth assessing if, for example, at the Priory crosswalk it would be relatively simple to install them because the power is already there. He said, given the timeline, bringing something to the ASCC over the summer, there may be some simple things that could be put in place before the start of the next school year. Vice Mayor Aalfs agreed and said it is worth getting the flashing beacon item on an agenda so people have a chance to weigh in.

Town Manager Dennis asked Public Works Director Young for a rough cost estimate for flashing beacons. Public Works Director Young said it could range anywhere from \$25,000 to \$50,000 per installation.

Public Works Director Young said the study itself is a planning document. He said once staff gets into it, there will be analysis and design required. It will also have to be bid out, equipment acquired, etc. In response to Town Manager Dennis's question, Public Works Director Young said the installation of a flashing beacon assembly should take a couple of weeks. In response to Mayor Wengert's question, Public Works Director Young said the solar powered beacons are totally self-contained but the issue would be locations where the sun would work. He said the public outreach is what will take time, notifying neighbors, then design, potential relocation of the crosswalk, pole installation, electricity, grinding out old crosswalks and legends, reinstalling thermoplastic markings, etc.

Mayor Wengert asked if there should be outreach to invite the public to the next Council discussion regarding this process. Town Manager Dennis said he can discuss this with Public Works Director Young and how that will work from a timing perspective if they want to install something prior to the school year. Councilmember Hughes said he could see that coming in stages with perhaps the signs first and the flashing beacons installed but not yet wired.

Town Manager Dennis said the renegotiated contract with the Sheriff's Office includes a broad set of responsibilities, including enforcement. He said the Town has a very good relationship with Capt. Corpus and she has been very responsive when they've requested increased enforcement, which is best done in waves. He said Capt. Corpus certainly has this on a high priority and deploys it effectively. Councilmember Hughes said a Sheriff's Deputy always comes to the BPTS meetings and makes adjustments based on that feedback.

(8) Report by Town Manager – Budget Book Format

Town Manager Dennis led a PowerPoint presentation and shared the budget book for Carmel by the Sea, showing selected portions of their presentation. He discussed the challenges of the Town's current budget book, some of the proposed changes, and next steps.

Town Manager Dennis explained the chart of accounts within the budget. He went through the annual road project and planning and building department as examples.

He said staff's goal is have a true department-level presentation with useful revenue and expense summaries. He said the Town's current chart of accounts needs to be entirely recreated. He said the Carmel by the Sea budget has become a favorite of the department heads. He described highlights from their budget that are particularly impressive.

Town Manager Dennis said staff is in the process of finalizing budgets with departments loading their budgets into the OpenGov system, which should be completed next week. They've started their Capital Improvement Program discussions. He said the big decision is whether the revised budget book format is possible this year or not.

Councilmember Richards asked how this will fit in with the Town's current software situation. Town Manager Dennis said it doesn't fit in as much as he'd like. He said the OpenGov system does allow adding a layer to convert the data from the current presentation to a new presentation. He said when they think more about software upgrades, they want to build on Accela and OpenGov.

Councilmember Hughes asked how far back staff plans to go in comparing historical data. He asked if this will make the comparisons more difficult to do. Town Manager Dennis said it is hard to do now because of how the data is preserved and presented. He said it will not be a system issue. He said the current budget book presents data for the previous three years plus the actual and proposed.

Councilmember Hughes said it is currently difficult to see at a glance which expenditures cost the Town versus being passed through, such as in Planning. Town Manager Dennis said that can be fixed. He said one of the misconceptions is that monies brought in for Planning and Building Department fees pay for the Planning and Building Department. He said that is not how it is structured here, where the fees go into the General Fund. He said the advantage is flexibility but the disadvantage is it makes it more difficult to tell a story about revenue. He said he is comfortable recommending that the monies collected by Planning and Building pay for Planning and Building, as is done in other places. He said that will also show a sizable General Fund support for the Department, which is not inappropriate and is typical for a Planning Department. Councilmember Hughes said that will help determine if the fees charged are appropriate. Vice Mayor Aalfs asked if that would be a supporting document for the fee schedule study. Town Manager Dennis said there is a relationship but it's separate.

Mayor Wengert said she would be concerned about adopting a new system and putting more time pressure on staff considering when we need to be moving forward on the budget. She said she feels confident that the Council understands enough about the current budget. She said the big potentially challenging issue this year will be the capital budget.

Town Manager Dennis said it is frustrating because he really wants to deliver this new budget book sooner rather than later because it will be useful for the Council and the residents, but he did appreciate the Council protecting staff's time constraints. He said he has allocated some time tomorrow to research how much time this budget book could take.

Vice Mayor Aalfs said he also likes Carmel's presentation. He said he supports making the changes if Town Manager Dennis thinks it can be done and is also okay if it needs to wait until next year.

- (9) Recommendation by Town Attorney – Introduction of an Ordinance Requiring the Safe Storage of Firearms in Residence
 - (a) First Reading, Waive Further Reading and Introduce an Ordinance of the Town Council of the Town of Portola Valley Adding Chapter 9.09 [Storage of Firearms] to Title 9 [Public Peace, Morals and Welfare] of the Portola Valley Municipal Code to require the Safe Storage of Firearms in a Residence (Ordinance No. __)

Town Manager Dennis said that last month the Mayor was contacted by Dave Pine and David Canepa of the Board of Supervisors, alerting the Town to them having adopted an ordinance requiring that all firearms in the home be safely stored using a safety device approved by the California Department of Justice. The Supervisors requested that municipalities in San Mateo County consider adopting a similar ordinance. In response to Mayor Wengert's question, Town Manager Dennis said this ordinance is on other municipalities' dockets.

Town Attorney Silver presented the background and discussion items regarding the proposed ordinance, as detailed in the staff report. Staff recommended the Town Council introduce and waive reading of an ordinance requiring the safe storage of firearms in a residence.

In response to Councilmember Hughes's question, Town Attorney Silver said the County fines are per violation and not per day whereas the Town phrased it as \$100 per day. She said to bring it more in line with the County that might be changed to \$100 per violation.

Councilmember Hughes said this ordinance is very much limited to the main house, and not garages, cars parked outside a home, accessory structures, etc. He said this leaves a lot of locations not covered by the ordinance and a lot of accessibility to children or unintended uses of the firearms. He asked if there was any correlation with precedence or any reason the County limited it to just residences. Town Attorney Silver said there is a patchwork of state laws dealing with this and keeping firearms away from children in a house or on property. She said she thinks the County wants to do something that has already been ruled constitutional. Mayor Wengert said the primary intention of this was to address the issue of young children finding guns in the home and teen suicides, which was backed by substantial research. She said the County also did not want to be too far-reaching and viewed this as a first step.

Councilmember Hughes said the Town was giving people considerably longer than 30 days to come into compliance with the leaf blower ordinance. Town Attorney Silver said that would be a policy call. She said gun safes range from a couple hundred dollars to thousands, and trigger locks are cheaper.

Mayor Wengert said the unintended consequence could be for gun collectors. Town Manager Dennis said there was no specific outreach to the community regarding this particular item. Mayor Wengert said while

this is clearly well-intentioned, she is concerned about having something like this immediately imposed without understanding entirely what that would mean for some of the residents.

Councilmember Richards said he was supportive of approving the ordinance tonight.

Vice Mayor Aalfs was also supportive of approving the ordinance.

Councilmember Hughes said he was supportive of the ordinance but suggested allowing more than a month to come into compliance. Councilmember Richards said he did not think that would be an issue given the unlikelihood of any enforcement. Councilmember Hughes agreed to 30 days.

Town Manager Dennis asked if the Council wanted staff to make a specific statement about it, more than what is typically done. He noted that tomorrow, for the first time, he will be producing a Council summary for distribution through social media, PV Forum, and the like. Councilmember Hughes suggested it would be helpful to let people know and provide links to the state website that lists the safety devices.

Councilmember Richards moved to Introduce the Proposed Ordinance Requiring the Safe Storage of Firearms in Residence, with the changes to take affect after 30 days. Seconded by Vice Mayor Aalfs, the motion carried 4-0.

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

Councilmember Richards – Attended the Conservation Committee meeting. He attended the Cultural Arts Committee meeting where they approved a new member, focusing on the upcoming summer concert series. He attended the garbage company meeting. He attended the Planning Commission meeting where they discussed the Neely Wine proposal for a tasting room. He attended the County Emergency Services Council meeting where they discussed the approved budget. He said Kevin Rose is the new Director of OES.

Councilmember Hughes – Attended Bicycle, Pedestrian & Traffic Safety Committee meeting where they discussed tonight's report. He attended the Trails Committee meeting with the representatives from the Ranch talking about the Coal Mine Ridge Trails and signage. Met with the Mayor and staff for the subcommittee meeting on a purchasing policy.

Vice Mayor Aalfs – Met with Historic Resources on April 11 where they went over the budget and discussed a possible historic bus tour. He met with Town Manager Dennis, Planning & Building Director Russell and Jeff Klugman of the School Board and Maya Perkins of Facebook where they discussed teacher housing.

Mayor Wengert – None.

(11) Town Manager Report – Town Manager Dennis reported that staff continues to receive applications for the ad-hoc committee formed by the Council. He said many people have indicated interest but did not think they could provide the time. He said no small cell site applications have been received, which appears to be the case across many jurisdictions. He said the Town is working with the Priory on issues around notifying residents about their upcoming project which has led to a larger conversation about whether the current notification standards are adequate for projects that may have a wider footprint. He said Planning & Building Director Russell is developing a director-level policy that gives her discretion to implement a larger notification area up to 1,000 feet. He said he is working with Senator Hill's office to get a working list of ongoing CASA Compact legislation. The Cities Association of

Santa Clara County published a position paper on housing, which was adopted by the Palo Alto City Council.

WRITTEN COMMUNICATIONS

(12) Town Council Digest – April 11, 2019

None.

(13) Town Council Digest – April 18, 2019

None.

ADJOURNMENT [9:50 p.m.]

Mayor Wengert adjourned the meeting.

Mayor

Town Clerk