

**PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 973, JULY 10, 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 Maryann Derwin, Craig Hughes, John Richards; Vice Mayor Jeff Aalfs; Mayor Ann Wengert

Absent: None

Others: Jeremy Dennis, Town Manager  
Cara Silver, Town Attorney  
Laura Russell, Planning & Building Director  
Sharon Hanlon, Town Clerk

**ORAL COMMUNICATIONS**

Ellie Ferrari, Willowbrook. Ms. Ferrari said she was at Alpine Rock Ranch recently and noticed a lot of roads cut all over the property and indications that it had been surveyed. She asked if this was being developed or if the topic was still under discussion. Town Manager Dennis said Stanford is preparing to make some sort of proposal for development on the Wedge and have been discussing this with the Town Council for a couple of years. Ms. Ferrari said she thought that property was still under discussion and not yet approved by the community. Mayor Wengert said, although this is not an item for discussion, she allowed John Donahoe, a representative from Stanford, to address the question. Mr. Donahoe said what is going on at the site now is wildfire fuel modification. He said a masticator came out and mowed as much as possible and they currently have goats on the site. He said for environmental reasons, because it is bird nesting season, they had to identify nesting trees so the mower would not get too close. They also needed to maintain a buffer around the wood rats.

John Silver, 355 Portola Road. He suggested the Town look into purchase of the land next to Roberts Market, which is currently for sale. He said there may be a possibility to raise money to help the Town build affordable housing if done in a place where it belongs. He said most of the land already owned by the Town is impossible to develop or needs to be preserved. He said the Town should look further afield, something to bring more people together on, and he hopes the opportunity with the land next to Roberts won't be lost.

**CONSENT AGENDA**

- (1) Approval of Minutes – Town Council Regular Meeting of June 26, 2019. *[Removed from Consent Agenda.]*
- (2) Approval of Warrant List – July 10, 2019, in the amount of \$288,693.47.

Councilmember Richards moved to approve Item 2. Seconded by Vice Mayor Aalfs, the motion carried 5-0, by roll call vote.

- (1) Approval of Minutes – Town Council Regular Meeting of June 26, 2019. Vice Mayor Aalfs moved to approve Item 1 as amended. Seconded by Councilmember Derwin, the motion carried 5-0.

**REGULAR AGENDA**

**STAFF REPORTS AND RECOMMENDATIONS**

(3) Study Session – Future General Plan Update

Mayor Wengert said there has been some misconception about the General Plan Update that it's tied to other initiatives on the housing front. She said the reevaluation of the General Plan is an entirely separate exercise that is required by law. She said this is not a subversive effort to change anything that is the heart of this community. She said things have been excerpted from minutes and put together out of context. She asked that those with questions read the minutes in their entirety to understand the true context.

Planning & Building Director Russell described the Town Council's study session held May 8, 2019, to consider whether the Town should undertake a comprehensive update to the General Plan. The minutes from that study session and the PowerPoint presentation were included in the staff report. She described the background information, the discussion items, and the fiscal impact as detailed in the staff report.

Planning & Building Director Russell noted that undertaking a comprehensive update to the General Plan does not mean a change in major values and policies and in fact may be an affirmation of those values and policies. She said it would include looking at the General Plan, revising language, removing things that are no longer relevant or have already been implemented, and then bringing forward some best practices to make sure the best tools are in place to reinforce those values. She said it should be consistent, clear, up-to-date, and easy to understand.

Town Manager Dennis said a General Plan is typically intended to serve a community for approximately 15 to 20 years. During that period of time regular check-ins and updates should be done, with a more comprehensive update being done at 15 or 20 years. He said the last major update to the General Plan was in 1998. At that time it was described that it was intended to be a plan carried out over the span of approximately 15 to 20 years.

Mayor Wengert explained that the subcommittee has not yet met and this is the second meeting the Council is having before beginning that work.

Mayor Wengert invited questions from the Town Council.

Councilmember Derwin asked for clarification regarding the fiscal impact of \$50,000. Town Manager Dennis explained that the \$50,000 will cover the first phase of the RFP. He said it will be brought back in September after the Council has directed the subcommittee to bring in a consultant to look at issues where the staff does not have expertise. They will then bring back a report so the Council can decide what the scope of any General Plan update will look like.

Councilmember Derwin asked what regulatory body monitors General Plan changes or comprehensive reviews and if there are penalties for not doing it. Town Manager Dennis said cities have been sued for not updating elements of their General Plan, particularly the Housing Element. He said there is not a specific penalty if you go to year 21 when it was supposed to be done in year 15 or 20. He said he does not recall all the State agencies that play a role, but HCD would be one.

Mayor Wengert invited public comment by those who filled out speaker cards.

Helen Quinn, 10 Bear Paw. Ms. Quinn agreed the General Plan needs to be updated. She requested that there be citizen participation from the beginning of the process so it is completely transparent. She suggested it would be valuable to have a few volunteers be included in the process as observers and also to bring historical memory of the town into the process. She said considering the insecurity many of the townspeople have about the way the housing process happened before they noticed it, the General Plan process should be very transparent from the very beginning. Ms. Quinn said the town was the first in the country to bring earthquake and landslide safety into the zoning regulations and it is still a high priority. She said before a consultant is hired, she would like to hear the Council affirm that there are certain principles of the town they want the consultant to take into account – the value of open space, slope

density, setbacks, etc. – the necessary pieces that make this town what it is and have been part of the history. She said those items should not be on the table for a consultant to consider but should be affirmed by the Council as the principles the consultant should work to.

John Silver, 355 Portola Road. Mr. Silver agreed with Ms. Quinn. He said he has not seen the out-of-context excerpts Mayor Wengert referred to and does not share those concerns. He said he believes that the Council would only hire a consultant who valued the things Ms. Quinn mentioned, and they should make sure that any consultant they do hire understands those values. He said because they didn't think to take notes at that time, a lot of the history about why decisions were made may have been lost. He said there was a 1994-'95 petition with 1,200 signatures for a citizens committee to be appointed to do a comprehensive review of the General Plan, which had support from Spangle & Associates. He agreed it was time to do a comprehensive review and that members of the public should be included as early as possible in the process. He said it is important that notes are kept documenting the process.

Dave Strohm, 267 Mapache. Mr. Strohm has lived here since 1991. He said he previously lived next door to Helen Quinn at the PV Ranch where they had the world's best views of the Frog Pond and surrounding natural environment. He said he is co-chair of the Westridge Committee. He said he is speaking for himself but also a lot of his constituents who elect him every other year. He said he is encouraged by Mayor Wengert's comments about there being no predisposition or agenda driving the General Plan review. He said there have certainly been concerns about that and it doesn't help that this is coming in the midst of some very controversial initiatives by members of the Council with regard to housing projects that will impact the community. Mr. Strohm asked that there is complete disclosure of any policy agenda by each member of the Council involved in the process. He said this is extremely important because when the execution of the process gets turned over to paid consultants, who are hired by Town staff, who are directed by the Town Council, the consultants will do what they believe to be the objectives of the people who have hired them. He said if there is a policy initiative that is not disclosed and gets transmitted to Town staff and then a consultant, it will be reflected in how that consultant solicits, reflects, and possibly deflects public opinion. He said there are members of the community who are now extremely unhappy about the processes that have been run with regard to these housing issues because of the way the public meetings have been held and pasteurized by consultants so that there is no opportunity for dialogue between those elected by the people and the people who might wish to have their voices heard. He said he comes from an environment with a committee of five people, zero staff, with no insulation from their constituents by consultants or paid staff. He said they hear from the constituents directly on everything they think is being done right or wrong in their community and, more broadly, in town. He said this is representative of what town democracy is all about, where people who are elected ought to be directly accountable to the people that have put them in those positions. He said he is quite concerned about launching another consultant-driven process where there is a highly stylized mechanism for inviting people to sit at moderated tables with a paid consultant who decides what gets reflected or deflected or forgotten in the feedback process. He said there is an unparalleled amount of division in the town right now around certain policy issues and the General Plan is going to be front and center in the interpretation of those policy issues going forward. He said he anticipates a lot of interest in the electorate in understanding how the direction of the General Plan review is being provided. He asked that there be an agreement here that there will be complete disclosure, all State laws will be abided by, including the Brown Act, that the meetings of the subcommittee will be open to the public, that the mandate to the consultant will be completely visible to the public, how the consultant is directed as to how to interact with the populous and how to receive their feedback is also completely visible to everyone in town. He said this must not become a filter where nobody understands how it operates and therefore distrusts the outcome. Mr. Strohm said that he joined the Committee shortly after Bill Lane resigned. When Mr. Lane resigned, he funded a litigation reserve for the Westridge Committee. Westridge is the organization that in fact founded the town, and the incorporators of Westridge were instrumental in the foundation of Portola Valley and the construction of its government. Mr. Strohm said Mr. Lane was extremely sensitive to the child is the father of man. He said that last night the Westridge Committee decided to retain counsel for the first time in their history because they are unhappy about the way the ADU ordinance was processed here and the lack of transparency. He said the ADU ordinance has put Westridge in a position where the ability to continue to sustain and implement their CC&Rs is threatened

and they need to have counsel in place to do that. He said every one of their residents bought their property on the premise that those CC&Rs would be fundamentally their future. He said to the extent that this process, and some of the housing initiatives currently before the town, threaten to change the character of the community, they will have counsel involved. He said in the spirit of congeniality and a good tenor in this town, he hopes that everything that is done around this process has that degree of transparency and openness. He said in the past, going back to 1998, friends and neighbors were involved in an open citizen feedback process that was not managed by consultants.

Betsy Morgenthaler, 500 Portola Road. Ms. Morgenthaler was supportive of Mr. Strohm's comments. She said strong beginnings will set the tone of everything that is to come. She urged that this be a more inclusive process from the start which she thinks would be highly protective of the Council. She said she respects the time and expertise the Council brings to this process and notes how painful it can be to be deep into a process when for the first time hear an outsider's point of view you didn't see coming. She quoted Planning & Building Director Russell who said that "After the initial research phase would be the time to talk about involving the right people in a future phase." Betsy sees it more important to "Include the right people" in the initial research phase itself. She said Mayor Wengert said "The research will take a while"; the scope is very important and will direct where we are headed. She quoted Town Manager Dennis who "Sees it as an opportunity to see what kinds of improvements should be looked at." She said that directing where we are headed is the important time to include those "very right people." She said you talk about a comprehensive plan, and it can only be comprehensive if it includes all of us. Betsy suggested making it inclusive from the get-go, we'd all be well served.

Randy True, 4860 Alpine Road. Mr. True said the General Plan may be the key to possibly the only defense of town municipalities to protect themselves from upzoning from SB-592. He asked that that consideration begin immediately because it could pass on September 1. He said it is unfortunate that the Town must consider removing the flexibility to grant variances but that is what the State is forcing communities to do. He said if SB-592 passes, communities all across the state will be reorganizing into HOAs or immediately trying to update their General Plans and he would like to see Portola Valley get ahead of that. Mr. True said that coming from San Francisco, he anticipated a boring, small-town council meeting and the ADU issue was more controversial than he expected. He said he was extremely impressed by the presentation and reassured by the process. He was, however, extremely disappointed and felt disrespected at the June 1 meeting because of the inability to engage, which is key, and there are so many questions about the issue. He acknowledged that he is still coming up to speed and learning about the previous efforts to develop affordable housing. He said coming from San Francisco he is very familiar with dysfunctional, highly polarized community meetings. He said he attended many homeless coordinating board meetings in San Francisco. He said he was quite disappointed at the June 1 meeting to see the barriers, prevention of disengagement, and not addressing or providing a way to address key questions a lot of people had.

John Silver, 355 Portola Road. Mr. Silver said a lot of the public may be unaware that the June 1 meeting was in no way a substitute for the law, ordinance, or General Plan amending process of this Town. He said, given there was an undercurrent of controversy, he did hear people frustrated by the fact there wasn't a way to bring everyone together and discuss as a big group. He said that meeting was an overlay, an extra, and not a substitute for the basic process of interactive democracy, which California law and the ethics of the Town would always require. He said he feels bad to hear the fear from some of the speakers but understands it if people do not have experience in the process. He said whatever happened on June 1 has nothing to do with the basic process of taking a comprehensive look at the General Plan. He said whatever consultant is hired will not be George Mader, Tom Vlasic, or Bill Spangle, but will be someone new and younger, and the Town needs to be careful of that. He said the Town must be very inclusive from the start, especially with the ruffled features some in the public feel.

With no additional public comment, Mayor Wengert brought the issue back to the Council for discussion. She noted that the conversation tonight has taken a different turn from the actual agenda item. She said certainly the most difficult comment heard was that this is not an open process, particularly related to the ADU Ordinance. Mayor Wengert said that was a long and massively complicated process that spanned

12 Planning Commission meetings, multiple Town Council meetings, and endless communication with the community both through the extra convenings as well as the discussions held at the Council. She said it is very difficult for her to accept any commentary that would suggest that their process is not always open because it is simply not true. She said every meeting is noticed and every meeting is open to public participation. She said there are no meetings being held amongst her colleagues in which they are moving ahead with anything without the public's ability to participate. With regard to Mr. True's comment, Mayor Wengert said they are trying very hard to avoid what is coming from the State. She said if there are litigation dollars being set aside, she suggested they be directed at fighting the State. She said the Town representatives have been attending meetings and talking to Assembly and Congressional representatives to advise that no one is happy with what is coming out of Sacramento. She said it is not possible for the Town to address the things that would need to be changed in the General Plan between now and September, when SB-592 is likely to be voted on. She said at that time those litigation dollars will be much better used to fight the State because the rules that will be coming that will trump the Town's existing ordinances could be very significant. She said this is the context under which the Council has been operating and they have all been working very hard to make sure they are doing the best they can to try and move things forward before the State comes in on all of us and makes decision for us. She said SB-592 was a cosmetology bill until about three weeks ago.

Mayor Wengert brought the discussion regarding agenda item back to the Council for discussion.

Councilmember Hughes said the subcommittee has not met yet and he does not yet know what goes into the RFP. He asked if the scope was purely selecting a consultant to review the General Plan within six months or if it is much more constraining with more specific detail. He said his general understanding was it is something akin to finding what consultants might be interested in working on in the Town's General Plan, a general review and laying out some broad guidelines on what type of work to do. He said his understanding is that after that there will be a whole process of selecting a consultant from the responses. He said there is a lot more process before thinking about what sections of the General Plan might be changed.

Planning & Building Director Russell said Councilmember Hughes is correct. She said it is important that in the first step, drafting the RFP, some reasonable expectations are set about the type of work that would be undertaken in the first investigation and research phase so interested consultants can bid appropriately. She said when an RFP is issued, the city or town should give broad guidelines, and the responses from the qualified consultants will provide a lot of information. She said that would then be shaped and a contract would be entered into, which would be more specific.

Town Manager Dennis said this two-prong approach is unusual and not how other communities usually handle this. He said other communities typically hire a consultant because the amount of work required is too massive to be done in-house. Town Manager Dennis said he and Planning & Building Director Russell wanted to use this two-pronged approach to provide an opportunity for someone independently to come in to examine whether the content is up to date, not whether the ethos is up to date. He said they want to make sure to dot all the I's and cross all the T's related to 20 years of State law, if there are new best practices in General Plan construction that makes sense, etc. He said this first three-month phase has nothing to do with what makes Portola Valley Portola Valley and nothing to do with making modifications or recommendations for changes. He said it is to provide a report on what a scope could potentially look like, what may be required to bring the General Plan up to a level of comprehensive update that the Council is comfortable with. He said the hope is in the first round a consultant is found that the Town can continue with, but if it doesn't work out, a new consultant can be found for the next phase. He said the goal is to find someone who has worked in communities like Portola Valley – smaller, engaged, and with particular issues related to rural character. He said they do exist. He said there are firms that the Town would never want to engage with because they do not understand a community such as Portola Valley. Town Manager Dennis said once a report is provided to the Council, the Council can at that point make a decision that we don't need to do anything, we should do something, or we should do something comprehensive. He said that is where the full-blown engagement process will occur. He said he ran the General Plan in Palo Alto. He said before important conversations occur, the Council will have

study sessions with the Planning Commission to hear from the community, then a community input group such as a citizens advisory committee will meet and add input into every single element of the General Plan. He said adding the extra step was to provide some level of comfort about what may be necessary to do from a compliance and best practice standpoint before having the appropriate broad engagement process. He said it is impossible for a General Plan update to be done without an independent citizen advisory committee advising and providing feedback to the Council and the Planning Commission.

Councilmember Derwin said the initial small group that will work on the RFP and the consultant is Councilmember Richards, Councilmember Hughes, Planning & Building Director Russell, and Town Manager Dennis. Town Manager Dennis said the intention tonight is to receive further Council input into what the subcommittee should be doing. He said there will be an interim process because when they find a consultant, they will then come back to the Council to sign agreements.

Helen Quinn asked if the initial process is to look for contradictions and inconsistencies between the State rules and the Town rules, determining the areas where work is needed. Town Manager Dennis said that would be one piece of it. He said it would not be for the consultant to dictate the quality of the work, which will come at a much later time.

Mayor Wengert said the initial request for the subcommittee is almost an administrative task. She came up with four categories – correct, consolidate, update, delete. She said they will find General Plan provisions that no longer apply, things that are arcane, and will require an administrative overview by someone up-to-date on all municipal code, newest laws, green building, fire safety, seismic, etc., to determine where work is needed. She agreed that there is no way they would ever tackle the bigger issues such as values, etc., and how that translates into some of the other more relevant sections of the General Plan without massive citizen input and that has never been the intention. She said they also used consultants for this back in 1998 because it is necessary to have someone who knows all the rules and regulations and works with the code all the time.

Councilmember Richards said the Council needs to find a consultant they can work with and who understands the town and will take them forward in a pleasant manner.

Councilmember Hughes said he appreciates the public's desire to be involved in every step of the process. At the same time, he said he is mindful that there are certain technical steps to the process, such as hiring a consultant to get the process started, where he is hesitant to have the process take an incredibly long time due to having a lot of meetings where people want to already advance forward to the meetings that will occur next year once the framework is established. He said he's trying to figure out how they can provide some level of public visibility into the process without necessarily slowing down the early steps too much. He said there won't be anything controversial there and the work just needs to get done so the real process can be started and then the more involved discussions can begin. He said he could be supportive of the subcommittee meeting being held in the Town Hall meeting room where people could sit and observe. He said he doesn't want to set up a process so complex it will stop the issuance of an RFP in the next month.

Councilmember Richards said the Town is known for things taking a very long time because they always involve everyone and that will not change. He agreed with Councilmember Hughes about this part of the process, though, and agreed that perhaps a way could be worked out so that people could sit in and listen in. Councilmember Hughes said he does not even know how common it is to have a Council subcommittee be involved in issuing RFPs for consultants. He said this is already a step toward over-seeing what staff is doing in terms of hiring a consultant.

Vice Mayor Aalfs suggested the subcommittee be allowed to work with staff on it and bring the RFP back for a public hearing for people to comment on it as a draft product. Councilmember Hughes said that was the initial intention. Councilmember Derwin said that is how they do it at C/CAG. Mayor Wengert said it is done that way everywhere else. She said everyone will fill out the RFP based on their firm's or their individual qualifications, but it will be the fit – the understanding of this kind of environment and this kind

of process. She said that's the judgment Councilmembers Richards and Hughes would bring to that part of the process. She said no one is making decisions at that point, so it is not the time for public input.

Councilmember Derwin said there are two parts – the mechanics and the poetry. She said she trusts Councilmembers Richards and Hughes, and the staff to make the right decision with regard to the mechanics. She said the poetry is where the public gets brought in.

Councilmember Hughes said with regard to public contact and communication through any processes that happen in town, this is not San Francisco. He said anyone can call, email, or have coffee with any member of the Council. He said the population just isn't that big and the demand on their time from the citizens is not that large. He said no Councilmember has ever turned down an invitation to coffee or not answered emails or phone calls from constituents. He said organized public meetings are not the public's only opportunity to talk to them. He said the Council is comprised of fellow residents and citizens. He said they are perfectly happy to talk to anyone at any time about issues going on in town. He said there are limitations under the Brown Act on how much they can act and form decisions outside of public meetings, but that does not mean they can't talk to citizens about issues they care about. He welcomed anyone to talk to him at any time about anything they want.

Councilmember Hughes said there was a question about the policy positions of the people going into this. Councilmember Hughes said his policy is he would like Portola Valley to be the best place in the world to live and for it to stay that way. He said he has no further policy beyond that.

Councilmember Hughes said in terms of the consultants directing the process, he has never seen that in Portola Valley. He said consultants have helped to manage the format of certain meetings. He said, again, it's a communication issue. If there are 100 people in a room and there is no process for managing that, the meeting will be ineffective. He said at Council meetings or any public meetings anyone is free to come up to the microphone and speak for three minutes. He said outside of those meetings anybody is free to send emails, call them on the phone, go out to coffee, etc. He said consultants do not direct the processes of the town and the town is run by the citizens.

Councilmember Derwin said she thinks she's been very clear about her views. She said when she completely lost control at a meeting, broke down in tears, and ran out, that was quite transparent. She said she has been called a lot of things, but she does not hide where she is at. She said she completely believes that adding more housing to help the housing crisis is possible while still retaining everything Portola Valley has. She said the town has plenty of room and is very creative.

Vice Mayor Aalfs said he views this process as far more of an administrative exercise than a change of any policies. He said he's lived here 13 years and plans to live the rest of his life here. He said he wants this place to stay more or less the way it is. He said his email address is on the website. He said they answer emails and phone calls. He said he has sat with dozens of citizens over the years to talk about things and will continue to do so.

Town Manager Dennis asked for feedback from the Council to the subcommittee on anything specific they'd like them to consider when looking at a consultant, knowing that this is administrative.

Mayor Wengert said they should look at time and cost and if they will have the ability to accelerate if there is a need to do that. She said, in thinking about some of the things that might be coming from the State, if there is a need or desire on the part of the community to do anything in response to things before they happen, she would be interested if they've had any of those requests from other municipalities.

Councilmember Hughes said he does not know how to reconcile that with extensive community involvement and comprehensiveness of the review. Mayor Wengert said she understands that concern. Councilmember Hughes said there might be a situation where they may want to split something off that's a noncomprehensive update in order to get something done on an urgency basis. Mayor Wengert said she does not think Portola Valley will be the only municipality asking this question.

Town Manager Dennis said he suspects that any law that comes out of the State of California will trump the General Plan and will also likely trump HOAs at some point.

Mayor Wengert said mostly it is timing, process, availability, and cost. She said it will be expensive. She said there will be extensive public outreach once they get to the issue-specific part of the General Plan, not the administrative side.

An unidentified resident from the audience said he sees a lot of nervousness among the Council and a lot of people worried about the latest thing that happened in Sacramento last Tuesday. He said the homeless crisis has been in the Bay Area through many decades. He said if the State comes through with something really quick and we have to redo it anyway, let's do our thing correctly now and deal with the State when it actually comes down, because things have changed repeatedly and might change again.

(4) Recommendation by Town Attorney – Consideration of CalWater's request to support State Legislation Immunizing Water Agencies from Inverse Condemnation Liability in Wildfire Cases

Town Attorney Silver explained the background of CalWater's request and the discussion items, as detailed in the staff report. Staff recommended that the Town Council consider CalWater's request to support state legislation immunizing water agencies from inverse condemnation liability in wildfire cases.

Mayor Wengert invited questions from the Council.

Councilmember Derwin said when she was at the Silicon Valley Energy Summit, one of the panels addressed the liability of the utilities for disasters. She said one of the panelists was Michael Wara, who is a Commissioner on the California Commission on Catastrophic Wildfire Cost and Recovery. She said Mr. Wara said their role was how to socialize cost from disasters such as wildfires and their first recommendation was to reform the inverse condemnation doctrine, but that is very unlikely to happen. In response to Councilmember Derwin's question, Town Attorney Silver said she does not know if anyone has been identified to carry the legislation. She said it is not clear to her if there could actually be legislation since it is a Constitutional principle, typically requiring a Constitutional amendment.

Councilmember Hughes asked if CalWater is a public agency or a private company. Town Attorney Silver said she believes they are subject to inverse condemnation just like PG&E. Councilmember Hughes asked in what way PG&E is a government agency that would be covered. Vice Mayor Aalfs said they are both utilities regulated by the State. Councilmember Hughes asked if there was some level of regulation at which an entity becomes liable for inverse condemnation. He said PG&E and CalWater are for profit companies at some level. He said if the expected behavior is that they should be able to put out a fire, but they fail to do so, then they did not perform the work they were supposed to perform. He asked if a fire engine caught fire and wasn't able to put out a fire, if the fire department would then be liable for not putting out the fire. He asked if the police did not prevent someone from burglarizing his house, if they would be liable for the burglary. Town Attorney Silver said under inverse condemnation theory, yes; however, there are immunities. She said case law has held that water agencies, even though they have a quasi-public status, are subject to inverse condemnation. She said they do not, however, have all of the immunities that public agencies have. She said if a fire department or Sheriff's department were to be faced with a similar lawsuit, it is likely they would assert these immunities.

Vice Mayor Aalfs said at the Silicon Valley Energy Summit there was a separate panel that specifically talked about PG&E and this question. He said Ralph Cavanaugh of the NRDC pointed out that California is the only state that does inverse condemnation to this extent. He said most states have a liability but there is also a negligence standard. He said California is the one State that does not have the negligence standard. He said Mr. Cavanaugh said it is really not so much based on the Constitution as it is on a handful of cases at State and Appellate courts where inverse condemnation was upheld. Town Attorney Silver said that is correct in that a takings claim is founded on the Constitution. She said inverse condemnation is founded on the Constitution, but the Constitutional language does not expressly



authorize inverse condemnation, so the courts have interpreted it. She said the California courts have interpreted it more liberally than other States.

Mayor Wengert said one of the standards mentions damage that occurs in substantial part because the public improvement failed to function. She asked if that was intended to be so broad as to suggest that if a piece of equipment is destroyed by an earthquake, run over by a truck, burned by a fire, etc., it is still their responsibility to have an operating piece of equipment. She asked if the interpretation was broad enough that people could suggest the entity should have been able to function even if their facilities were burned. Town Attorney Silver said that is correct.

Mayor Wengert invited Dawn Smithson and Shannon McGovern from CalWater to comment.

Dawn Smithson, District Manager, Bear Gulch Water District, introduced herself. She invited anyone to contact her for any questions to do with CalWater.

Shannon McGovern, Regional Community Affairs Specialist, introduced herself. She explained that CalWater is not a public agency. She said they are a private company, an investor-owned utility that is regulated by the CPUC. She said they also receive oversight from the Department of Drinking Water and the State Water Resources Control Board. She said the CPUC decides ultimately what they can build, when they can build it, what they can charge, and what they can earn. She said there are multiple layers of oversight to ensure that projects that ratepayers are charged for are done in a timely manner, are cost effective, and are working properly.

Ms. McGovern said CalWater is part of a broad coalition of water providers, including other private companies, municipal water providers, special districts, labor unions, and other community and statewide organizations. The coalition was formed because the consequences of not correcting this inverse condemnation issue could be potentially catastrophic. She said a specific example is the wildfire damage to the Yorba Linda Water District, a municipal water provider. Some of their infrastructure that was in perfect working order was damaged in a wildfire, making them unable to provide water to one section of a neighborhood, resulting in the loss of 12 homes. That water district, under the current inverse condemnation standard, was held liable for that and a judgment was delivered against them for nearly \$70 million.

Ms. McGovern explained that that kind of potential liability puts infrastructure investment in other efforts around clean water goals, climate change action plans, very difficult. She said CalWater is seeking a very narrowly-focused carveout from the Constitutional language that makes changes to the strict liability standard. She said CalWater is proposing and supporting a fault-based liability standard. If a water provider is negligent in upkeep of their facilities and they are in any way at fault, then by all means they should be held accountable.

Ms. McGovern said their proposal is strictly for water providers and they are not proposing or advocating for immunity from any electric company. She said they have had numerous conversations with the administration and legislature who do understand the seriousness of this issue. She said even though the language is not inserted in the current bill that is going to be voted on tomorrow in the Assembly, which has already passed the Senate, it does not mean that this subject will not be included in the fire preparation response and recovery plans. She said they do not have language crafted yet and they are not asking the Town to blindly approve language that doesn't yet exist. She said they are asking that the Town agrees with the findings of the Wildfire Commission that changes need to take place to ensure that water providers are able to protect the communities they serve. She said the Commission states: "The current interpretation of inverse condemnation holding utilities strictly liable for any wildfire caused by utility equipment regardless of standard of care or negligence, imperils the viability of the state's utilities, customers' access to affordable energy and clean water, and the state's climate and clean energy goals; it also, does not equitably socialize the costs of utility-caused wildfires." Ms. McGovern asked that the Town support the Wildfire Commission's recommendations and that a legislative fix is worked on at the State level.

Mayor Wengert invited questions for CalWater.

Councilmember Hughes asked why inverse condemnation covers CalWater as a private company. Ms. McGovern said because they are a regulated utility and a provider of critical infrastructure as deemed by the Department of Homeland Security.

Councilmember Hughes said the lawsuit involving Yorba Linda Water District was a municipal water agency, which is a government entity, so he clearly understands why it would apply there. He said he also understands the intended shift in liability from a municipal agency to the homeowners whose houses burned down. He said he does not fully understand it in the context of a private company.

Mayor Wengert said the distinction is not public versus private but that all water utilities are under CPUC control. Vice Mayor Aalfs said the other distinction is that they are infrastructure. Ms. Smithson said public agencies are not subject to review or regulation by the CPUC. She said the commonality between the public and private is they are all water providers, regardless of public or private. She said the governing structure that a municipality has is the 218 process, in charge of rates and upgrading infrastructure. She said the governance process that CalWater has regarding setting their rates and what they can bill customers for comes from the CPUC.

Councilmember Derwin asked if PG&E or any other energy companies are also seeking this remedy. Ms. Smithson said she had no idea. She said their request is strictly for water providers. She said they are not in discussions and none of the efforts are being done on the behalf of or coordinated with any electric provider.

Town Attorney Silver said the Governor's Commission on Wildfires did recommend that this inverse condemnation standard be changed for both electric utilities as well as water utilities. Ms. McGovern said that is correct but the letter they are asking the Town to support does not include electric companies.

Councilmember Derwin asked if other municipalities had signed on to the letter. Ms. McGovern said CalWater had this conversation with the City of San Mateo's Legislative Affairs Committee (City Manager, City Attorney, Mayor, and Vice Mayor) and their questions were answered to their satisfaction. She said it is being agendized on their Consent Calendar to approve on Monday. She said it is also under consideration by the City of Menlo Park.

Vice Mayor Aalfs asked if CalWater was asking the Town to support specifically Findings 3 and 4 that deal with inverse condemnation. He said the letter included in the Council packet seems quite vague. He asked if there was a separate letter. Ms. McGovern said the intent of this effort is to protect and ensure the continued investment in water systems which are essentially a Town's fire suppression mechanism, not to indemnify or provide immunity for anything they are at fault for. They are asking the legislation and administration to adopt a fault-based standard and not hold water providers at fault for a fire they didn't start.

In response to Mayor Wengert's question, Town Attorney Silver said the item was agendized so the Council could take action of support if desired or take the position that they don't want to take any action at this time. She said they could also ask for staff to research further and bring it back to the Council at a later time.

Town Manager Dennis said he also had difficulty understanding the legal aspects of this. He said the primary issue for him was understanding the state of the Town's facilities and how they would handle a fire situation, power shut-offs, etc., which led to a good conversation with Ms. McGovern. He said he suspects there will be much longer-term conversations with all utilities to understand how to harden their facilities.

Councilmember Hughes expressed concern that the removal of this liability might reduce the incentive of the utilities to harden their facilities. Ms. McGovern said they have a very strict governance standard by

the CPUC. She said when they go through the process with them every three years to make requests for infrastructure upgrades in Portola Valley, they have to do a very extensive breakdown of what they propose to do and what they propose to charge for those upgrades or improvements or replacements. She said they thoroughly examine everything that has a dollar sign attached. She said the follow-up is also very extensive. She said if their equipment and infrastructure is not maintained to the highest standard, they run the risk of not getting future projects approved. She said they are held to a very strict standard and they take great pride in the quality, upgrades, and maintenance of their infrastructure. She said they are in the process of making sure that all of their infrastructure is prepared for a catastrophic natural event or otherwise. She said having this indemnity would in no way hinder their ability or desire to ensure that they provide water for effective fire suppression.

Ms. Smithson said even when the utility is not at fault, it is a very long, arduous, and painful journey to show that they were not negligent. She said CalWater wants to ensure there is never a hint, a sniff, or a glimmer of negligence found. She said if they are even marginally at fault, they will pay the consequence, which is why they go the extra mile to ensure the quality of their infrastructure.

Mayor Wengert invited questions from the public.

Ivy Margolis, 112 Groveland. Ms. Margolis said she does not understand the legal theory for inverse condemnation. She asked if it required any kind of taking of property on the part of CalWater. Town Attorney Silver said it requires taking or damaging the property. Vice Mayor Aalfs said because the utility failed to perform as intended and damage resulted, that property damage and the cost of it is considered a taking. The taking is a result of infrastructure not functioning the way it was supposed to function. Ms. Margolis asked if the water company was asking to eliminate liability for a pump station burning up, for example. Town Attorney Silver said that was correct. She said the utility's position is that the PUC that regulates utilities does not require that the particular pump station or infrastructure that was involved in that fire be undergrounded or secured in a way to avoid fire and only required that it pump and deliver water. Ms. Margolis said that is what the regulatory body requires the utility company to do, which is a different issue. She said the law of inverse condemnation provides a different base for the property owner to sue the utility company, which in this case contributed to the burning down from the fire. Mayor Wengert said this discussion was becoming too technical. Ms. Margolis said the technicality is important because if that is the question, and it's been proven that the utility company has contributed to the fire because of a legal threshold that they failed to satisfy, by lowering the threshold or increasing the plaintiff's burden of proof, property owners have no recourse should the utility company drag out an expensive lawsuit. She asked the Town Council to reconsider signing because there are very complicated legal issues that people in the policy realm have not even been able to come to grips with. She questioned how the Town could sign up to support on the one side of the utility company based on a single meeting.

Hearing no additional comments from the public, Mayor Wengert brought the item back to the Council for discussion.

Councilmember Richards said at first glance this seemed so simple but is clearly not. He said he would hate to see the water system disrupted. He said if our legal system puts the utilities susceptible to seemingly unreasonable lawsuits, whether public or private, then it should be addressed, because the Town relies on them for a critical resource. He said he understands the concerns.

Councilmember Hughes said he agreed with Ms. Margolis's assessment that there is clearly a legal theory. He said hundreds of hours of attorney, judge, and jury times have gone into looking at this question and legal precedents don't arise out of nowhere. He said one element or angle is being presented regarding this clearly very complex issue, clearly more complex than discussed fully here tonight. He said there are two appeals court decisions in two different districts in California that have confirmed that private utilities can be held liable for inverse condemnation under certain circumstances. He said he just can't support one side or the other without fully understanding all of the issues on both

sides. He said the law would only be the way that it is if there were good reason after much discussion, argument, judicial opinion, appeals, investigation, etc.

Councilmember Derwin said CalWater's request is reasonable and is backed by the California Commission on Catastrophic Wildfire Cost and Recovery. She asked who would bear the cost of the wildfire damage if this legislation is passed, because this could mean one less entity that the homeowners can go to get their money for their burned down house. She said there should be some sort of plan for socializing the cost so that homeowners will still be able to rebuild their homes. She said this is part of a solution but the other side must be looked at as well.

Vice Mayor Aalfs said the devil in the details of this is that an inverse condemnation basically says a utility is liable under certain circumstance with virtually no burden of proof. He said California is the only state that makes that extreme interpretation. He said if that liability is taken away, it must be replaced with some kind of negligence standard, which is difficult. He said this bill talks about removing the inverse condemnation without a replacement. He said he would be more inclined to support something after having seen the legislative language.

Mayor Wengert agreed with Vice Mayor Aalfs. She said she has the highest respect for CalWater and all they do for the town, and the top priority is fire protection and prevention, but there is something missing in the Council's ability to assess this fully with a replacement standard. She said as a policy issue, it sounds like inverse condemnation is a Catch 22, particularly for a water agency, and it clearly bears reform. She said she would support a reform initiative.

Councilmember Hughes said inverse condemnation applies to private entities because they are granted a monopoly to be the sole provider for a given area. He said if this burden is transferred from these monopoly-granted, private, for profit companies to individual homeowners, the property owner still has no ability to control what water company operates in their neighborhood and have no ability to control the function of the water supply, its resiliency to fire, etc. Someone from the audience said it would be between the utility and the fire insurance company. Councilmember Hughes said those insurance rates are paid by the property owner. He said that may be why inverse condemnation makes some amount of sense.

Mayor Wengert said what is missing in the inverse condemnation is a reasonableness standard. She asked if it was reasonable in today's environment to expect any utility to have fireproof equipment when it has not been set out by anyone as a primary goal. She said the goal tonight is not to debate inverse condemnation in general. She said the Council may not have provided CalWater with what they were hoping for, but hopefully they see the Council would likely be open to hearing a more fully developed legislation with a replacement standard.

Ms. McGovern said that is exactly what the letter is asking – to advocate for legislative language to provide clarity and replace the strict liability standard with a fault-based standard so that municipalities and credit companies are not held responsible for a fire they didn't start. The letter is urging the government and legislature to provide a legislative fix, not to give immunity and not to give a blank pass to water companies. She said it is important to note that three water providers that have been sued – the Yorba Linda case, which has been settled, and two others that are ongoing – are all public municipal water companies.

Mayor Wengert asked for the Council's opinions after the clarification that the letter was not opining on inverse condemnation but was suggesting legislative change.

Councilmember Hughes said he does not support the letter because he does not know whether or not legislative change is needed.

Councilmember Richards said he supported the letter.

Councilmember Derwin said she remains concerned about what happens to the homeowner whose house burned down if all the utilities can carve out the no-fault standard. She said she wants to see something as discussed at the seminar, socializing the costs, creating risk pooling mechanism for the entire state wildfire system, a giant pool to cover losses. She said she wanted to see a broader initiative that would cover this issue as well. She said she agrees it's not fair to fault the water company if their equipment burns down in a fire they didn't cause and they can't fight the fire, but she's worried about the homeowner at the end of the road.

Councilmember Hughes said a monopoly is not a free thing to give. He said as a community we've granted a monopoly to certain utilities, which comes with responsibilities on their part. He said he has a problem with changing that agreement between the public and the company to which they've granted the monopoly. He said the courts have decided the utility needs to make sure they can put out fires and he has a problem with them not being held responsible, even if they fail to live up to that, while retaining their monopoly power to keep all those customers with no competition.

Ms. McGovern said the CalWater was in no way trying to indemnify themselves from liability or responsibility for something they are found to be at fault for. She said they are asking the legislature to provide a fix so they can ensure socialization of these costs so there is fairness to homeowners and fire victims so that one victim of a fire (a homeowner) doesn't have the ability to sue another victim of the fire (the water company) because there is no fault. She said the only thing that this letter states is that the language is flawed and needs a legislative fix to be more fair and equitable to the companies that provide water for firefighting and homeowners that need protection from these wildfires. She said the fact that they are the sole water provider in a community really doesn't make them any different from if the City were the water provider. People still don't have a choice where they get their water. She said the fact they are the sole water provider doesn't come into play here. She said because there is a very large wildfire fund being established for the electric utilities has nothing to do with the water providers. She said they are asking for the legislature and administration to act to correct a flaw in the liability standard language, not to give them a pass. She said they are asking the Council to agree and support the findings of the Wildfire Commission and the coalition made up of water providers throughout the state – public, private, special district, and the employees that work for them – which a legislative fix needs to occur.

Councilmember Richards said the letter's request is narrow and does not go far enough to make specific changes other than a request to not be held liable for a fire they didn't start. Vice Mayor Aalfs said he could envision a situation where the water utility didn't start the fire but did not maintain their station properly. Councilmember Hughes said they also could have maintained it satisfactorily, but did not design it to be fire resistant.

Mayor Wengert said the point that resonates is that the homeowners may not be protected under all scenarios. She said there cannot be a full understanding because the legislation has not yet been written. She said the letter is one of support, agreeing that the standard appears to be flawed, and calling out for reform. She said she could support the letter but would want a follow-up.

Vice Mayor Aalfs said he supports the sentiment and could support the letter understanding that it will lead to a process.

Councilmember Derwin asked if it meant the Council was committing to the legislation if they supported the letter. Mayor Wengert and CalWater said it did not. Mayor Wengert said it is supporting the first step, to look at the legislation. Town Manager Dennis suggested that clarification be expressly stated in the letter.

Councilmember Hughes also noted the paragraph that reads "... to make clear that public drinking water suppliers are not responsible for the damage from fires they and their facilities do not start." He said that would exclude fault from negligence, as well. He said the letter is very broadly supportive of the utility having no liability whatsoever and that should be defined more in the letter Councilmember Hughes said

he is not sure he is supportive of the letter anyway, but if there is a motion to write a letter of some kind, it should clearly express what the Town is advocating and not be so broad.

Mayor Wengert suggested adding a parenthetical “assuming no negligence on the part of the water provider,” clarifying it to suggest they are not trying to shift the whole blame. Ms. McGovern said they would be happy to consider modifications.

In response to Councilmember Derwin, Town Manager Dennis said it should be explicitly stated that support of the letter does not commit the Town to the legislation.

Vice Mayor Aalfs moved to authorize the Mayor to execute an amended letter of support to the legislature to include the clarifications as discussed. Seconded by Councilmember Richards; the motion carried 4-1 with Councilmember Hughes opposing.

(5) Report from Town Manager – Housing Update – State, Regional and Local

Town Manager Dennis presented the staff report regarding the housing update. Staff recommended the Town Council accept the update.

Town Manager Dennis said there is a lot happening related to housing at state, regional, and local levels. He said the housing issues are affecting huge swaths of California and every jurisdiction is dealing with it differently. He said at the State level there is a desire by legislators to write legislation to create more housing opportunities in all communities in California, particularly in communities they feel have not created enough housing. Town Manager Dennis said he will do everything he can to bring up-to-date information to the Council. He said SB 592 went through the Committee on Local Government today and there was a further analysis. He said this bill applies a suite of requirements on the process. He said it includes information about attorney fees and lawsuits, which would be a concern if the community went in a different direction. He said it appears to be moving toward an objective standards model, which would be challenging. Town Manager Dennis said he is reluctant to discuss this further because the analysis in the last couple of days is so radically different from the first week. He shared opposition letters from Cupertino and Sunnyvale.

Town Manager Dennis said he would not be opposed to consider a letter of opposition to SB 592 considering it is an erosion of local control. He said he could also support making no recommendation at this time, waiting to see where the bill goes and making that decision later on. He said at the next Council meeting on August 14, there will be a better idea of where the bill is.

Town Manager Dennis asked his colleagues in other cities to provide information regarding housing production and jobs in the County. He said in the last five years, the County has in total permitted approximately 23,000 housing units. He said in the last seven years, the County has added 83,000 jobs, so that continues to be a driver of this issue.

Mayor Wengert invited questions from the Council.

Councilmember Hughes asked if SB 592 would apply in situation where no extra housing units are being produced. He said, for example, if a wealthy person bought a property in town with one housing unit and they replaced it with another, could all of the zoning requirements be bypassed where that replacement housing unit could be a huge mansion completely filling their lot with no regard to floor area or height or light spill. Town Manager Dennis said he has seen an interpretation that suggests that will happen and he’s seen an interpretation where something less than that will happen. He does not know at this time. Councilmember Derwin said the C/CAG lobbyist does not think that would happen and does not think that SB 592 is as bad as it is being portrayed. Town Manager Dennis said, from a broader perspective, focusing on any one piece of legislation is not seeing the forest for the trees. He said in the last three years the State has produced myriad set of bills that are removing local control because of their interest in

producing housing in communities across the state. Councilmember Derwin said this is happening because the cities are not building enough housing.

The Council further discussed the implications and inconsistencies of SB 592.

Randy True said this legislative proposal is the most major seismic proposal in years. He said Portola Valley is one of the targets being a wealthy community. He requested that the issue be elevated in the Town Council and also integrated with the controversy around the Frog Pond. Mayor Wengert said the Frog Pond issue is tabled and there is nothing going on for the Frog Pond.

Ms. Murphy asked if the parks, hills, and open space were protected from exposure to SB 592. Town Manager Dennis said he didn't see anything targeting already-designated open space or recreational facilities. Ms. Murphy said she didn't see that they were protected. She encouraged the Council to do everything in their power to oppose something as Draconian as this proposed bill.

Councilmember Hughes said his biggest concern is that this bill will have only negative impacts and provide no extra housing. He said it allows people to bypass of the zoning regulations to build bigger, uglier houses. He said he does believe there is room to build more housing in Portola Valley, but he does not think this bill addresses it. He would support a letter arguing against SB 592.

Councilmember Richards was supportive of a letter of opposition to SB 592, but thought it might be more effective to wait until the proposal is clear so that issues can be addressed on a point-by-point basis.

Town Manager Dennis said there are certain elements of SB 592 that are clearly understood and opposition can be safely expressed. He said the Council has previously expressed a desire to retain local control and if the Town is to produce housing, it wants to do it in the way that suits the community. Town Manager Dennis said that point has been expressed in previous letters to Sacramento and also when meeting with State legislators. He said it is important to continue to repeat that theme.

Councilmember Richards agreed that if there were elements of the bill that were clearly defined and are carrying through multiple hearings, then it makes sense to go after them. Town Manager Dennis said the bill is not likely to produce a lot of new housing in Portola Valley, but will in other communities. Town Manager Dennis said there will be many more housing bills.

Councilmember Derwin said this issue is being discussed tomorrow night at the C/CAG Leg Committee meeting. She said they will also be receiving a report on the next RHNA cycle and what to expect. Councilmember Derwin said there was a hearing today but she has not heard the outcome. Councilmember Derwin suggested the Council wait to see what happened in that hearing, what C/CAG is saying, and what the lobbyist says, before writing the letter. Town Manager Dennis said the bill got through the Assembly Local Government 8-0.

Mayor Wengert said she did not necessarily agree that this bill would not have an impact on Portola Valley. She said she could see situations where people looking to make money on an income property would not be limited in their ability to do that. Councilmember Hughes said more money can be made by building a palace than an apartment building in Portola Valley and this allows people to build palaces. Mayor Wengert says it also allows people to build very funky properties without enough bathrooms to accommodate the multiple bedrooms.

Mayor Wengert suggested an initial broad-concept letter pointing out the implications of this bill for a Town such as Portola Valley. Mr. True said Portola Valley would merely be considered collateral damage. He said this is a major push by an unprecedented coalition of people.

The Council directed the Mayor to sign a letter of opposition to SB 592.

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

Councilmember Derwin – None.

Councilmember Richards – Attended Emergency Services Council meeting where they brought in PG&E to discuss the emergency shutoff program. Councilmember Richards asked PG&E if they had looked at past weather patterns to give people a general idea of what has happened in the past and how often it would have shut off power based on old weather patterns and they said they had not and could not. He said they discussed a lot of state legislation having to do with emergency response and fire. It was stated that AB 1124, which addresses air quality for outdoor workers, was prompted by their discussion at the Council meeting a few months ago. Elected officials have been invited to come watch an active shooter exercise to be held on July 29 through August 2 at a high school in Millbrae.

Councilmember Hughes – Attended Ad Hoc Wildfire Preparedness Committee meeting. He attended an ASCC meeting. Councilmember Hughes missed the Bicycle Pedestrian Traffic Safety (BPTS) Committee meeting. Town Manager Dennis said he talked to the Chair and there is a desire on some of the BPTS members to opine on the impacts related to traffic issues arising from future development, including single family ADUs. Town Manager Dennis said the Trails Committee also wanted to add the housing issue to their agenda and he asked them to remove it. Councilmember Richards said if an item comes up in the Planning Commission that involves either of those things, they might want to consult with Trails or other groups, otherwise it does not make sense. Town Manager Dennis said he relayed that if there are projects, of course the committees would be consulted regarding mitigations. He said there is no mechanism to do traffic mitigation on a single-family residence or ADU. He said those conversations will continue.

Vice Mayor Aalfs – Attended Ad Hoc Wildfire Preparedness Committee last week. Michael Tomars was voted Chair and Dale Pfau was voted Vice Chair. They formed three subcommittees – evacuation, outreach and resident communications; defensible space and vegetation management; and home hardening infrastructure backup and insurance. Councilmember Hughes noted that Chief Enea pointed out that when PG&E did the tree clearing near power lines, in a lot of cases they cut off the half of the tree on the power line side but the other half of the tree still overhangs the road. Chief Enea said she is concerned that in a storm all of those trees will fall into the road. Vice Mayor Aalfs said several of those trees would be better off removed than cut back further. Town Manager Dennis said the Town has reached out to PG&E to ask for arborist reports to confirm those trees are stable. Vice Mayor Aalfs met with Town Manager Dennis, Mayor Wengert, and department heads to discuss committee reorganization, trying to increase participation with more focus on events.

Mayor Wengert – Mayor Wengert attended the Council of Cities, which was all about housing.

(7) Town Manager Report – Town Manager Dennis reported that Public Works Director Young attended a meeting of an Emergency Preparedness Group in Golden Hill, whose big issue right now is Shady Trail. He said there was a new Grand Jury report that came out today regarding wildfire risk and response in San Mateo County. He said Planner Cynthia Richardson is leaving for a new position in Saratoga. He said the Town is now advertising for two Planner positions. Town Manager Dennis said he met with the Superintendent today and discussed emergency preparedness issues and had a broad housing conversation.

#### **WRITTEN COMMUNICATIONS**

(8) Town Council Digest – June 27, 2019

None.

(9) Town Council Digest – July 3, 2019

None.



**ADJOURNMENT** [10:04 p.m.]

Mayor Wengert adjourned the meeting.

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Mayor

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Town Clerk