

PORTOLA VALLEY TOWN COUNCIL SPECIAL MEETING NO. 978, NOVEMBER 13, 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
Brandi de Garmeaux, Assistant to the Town Manager
Cara Silver, Town Attorney
Sharon Hanlon, Town Clerk

ORAL COMMUNICATIONS

Kjell Karlson noted that he had a clarification to his oral communications as reflected in the minutes of the October 23 meeting, which he already pointed out to Town Manager Dennis.

Tom Buchholtz recommended taking seriously the requirement for 100 feet of passable clearance around each structure when considering development of the Stanford development on Alpine Road as well as other considerations such as evacuation routes, etc., in a fire or other emergency. Mayor Wengert noted that, as is standard operating procedure for all applications, all reports from the fire team have been provided to the applicant.

Bev Lipman, 188 Favonia Road. Ms. Lipman said she has been a resident for 29 years. She said she hopes there is a way to preserve the trail if the Stanford housing development is approved.

CONSENT AGENDA

- (1) **Approval of Minutes** – Town Council Regular Meeting of October 23, 2019.
- (2) **Approval of Warrant List** – November 13, 2019, in the amount of \$187,426.08.
- (3) **Appointment by Mayor** – Member to the Public Works Committee

Councilmember Hughes moved to approve the Consent Agenda. Seconded by Councilmember Richards, the motion carried 5-0, by roll call vote.

REGULAR AGENDA

- (4) **Presentation by Sequoia Healthcare District – Sequoia Strong Program**

Mayor Wengert introduced Cathleen Bottini and Jerry Shefren from the Sequoia Strong Program.

Ms. Bottini described the Sequoia Healthcare District, a public agency with a health mandate, funded by property tax dollars which goes back into the community for health and wellness programs. She explained that Sequoia Strong is a rebranding of 70 Strong with a new website. Ms. Bottini described the features of their new website.

Mayor Wengert thanked Ms. Bottini for her presentation. She said it looked like an incredibly well done and exciting program.

PUBLIC HEARING

(5) **Public Hearing - Conduct Proposition 218 Hearing to Consider Protests to New Proposed Solid Waste Rates; Adoption of Solid Waste Rates and Approve Solid Waste Franchise Agreement with GreenWaste Recovery, Inc.**

- (a) Resolution of the Town Council of the Town of Portola Valley approving a ten-year franchise agreement between the Town of Portola Valley and GreenWaste Recovery, Inc. for collection of mixed compostable materials, recyclable materials and yard trimmings and a modified service and rate structure, to be effective January 1, 2020, authorizing the Town Manager to execute the agreement on behalf of the Town and approving new solid waste rate schedule. (Resolution No. 2813-2019)

Mayor Wengert thanked Assistant to the Town Manager de Garneau for the Herculean work she has put into this project. Assistant to the Town Manager de Garneau has been leading all of the heavy lifting related to the Council's work on this contract and also led the way for both Portola Valley and Woodside. Town Manager Dennis also thanked Assistant to the Town Manager de Garneau for all of her hard work.

Mayor Wengert introduced the Town's municipal solid waste consultants on this project – Joe Sloan and Enrique Vazquez from Sloan Vazquez McAfee (SVM).

Mr. Sloan thanked the Town's staff for their tireless efforts on this matter. Mr. Sloan said it has been their pleasure serving Portola Valley and Woodside in this negotiation process. He introduced his partner, Enrique Vazquez. He said that Charissa McAfee, from their Nashville office, has also been a heavy lifter in this process.

Mr. Sloan led off SVM's presentation to the Council, including the process overview and introduction of Sloan Vazquez McAfee. Mr. Vazquez described the initial review, the negotiation process, GreenWaste Proforma, and proposed services. He described the key factors impacting rates and explained the proposed base and premium service rates, rate comparisons and impacts, impact of proposed rates, rate comparison approach and results, and timing of the new contract, as detailed in their PowerPoint presentation.

Emily Hanson, GreenWaste Director of Business Development and Communications, introduced Kate Lewis, Director of Sustainability and Strategy; Frank Weigel and Tracy Adams, Co-CEOs; Omar Lopez, Operations Manager; Zoraya Atayde, Relationship Manager; and Scott Scholz, General Manager, GreenWaste of Palo Alto.

Ms. Hanson said that, when looking at the rate comparisons to other areas, it should be pointed out that unique to Portola Valley, Woodside, and Los Altos Hills is that 100 percent of the material collected curbside is processed.

Ms. Lewis led the GreenWaste presentation. She explained the current collection process and how that will change because of SB-1383. She explained the proposed base services, the draft rollout schedule, and the continued use and removal of carts, as detailed in their PowerPoint presentation, linked.

Ms. Hanson commended Ms. Lewis and her team for their work customizing 4,000 letters for the towns.

Ms. Hanson described how GreenWaste developed the proposal to the Town that would bifurcate the base service costs from the special service costs, why rates have increased, and the development of the cost of service model.

Mayor Wengert noted that she and Councilmember Richards represented Portola Valley on the subcommittee, working with SVM throughout the process. Mayor Wengert invited questions from the Council.

Councilmember Hughes asked if the reduction in walk-on rates applies to drive-on rates as well, if a drive-on customer is not using more than three carts. Ms. Hanson said it only applies to walk-on because the truck does not need to make additional trips to pick up extra carts.

Councilmember Hughes asked if people can change service anytime they want, even if they do not notify by December 13. Ms. Hanson they are sending out the personalized letters describing the current service provided and the new service if no changes are made. If the customer does not respond by December 13, they can contact GreenWaste directly with the changes needed and GreenWaste will prorate the bills appropriately.

Councilmember Hughes asked what happens if Woodside does not approve their half of the contract. He asked if Portola Valley could approve their half independently. Ms. Hanson said they are two independent agreements although there is some cross-jurisdictional routing between the two, so GreenWaste would need to make some adjustments. She said if one of the towns were to go out to bid, all the give-backs and economy of scale would be lost. In response to Councilmember Hughes's question, the contract with Portola Valley would remain the same if Woodside did not approve it and would operate independently.

Councilmember Hughes asked about the impact of not source-separating for walk-on/drive-on properties. Ms. Hanson said they don't pick out the organics at the Material Recovery Facility (MRF). She said they pick out landfill garbage and recyclables and everything else goes to Z-Best to get composted. She said the only inefficiency is bags of compostable waste that go undetected.

Councilmember Derwin confirmed that the base service on a fully accessibility street with cans set at curbside includes one gray for garbage, one or two blue recyclable cans, and from one to three green yard waste cans, as desired.

Councilmember Derwin asked who measures the distance a garbage can is from the curb. Ms. Hanson said GreenWaste will measure all customers with walk-on and drive-on service with a wheel.

Vice Mayor Aalfs asked what the typical added time is for a driver going down a 400-foot driveway. Mr. Vazquez said the example in the staff report was used to illustrate the impact of drive-on and walk-on if comparing a typical arrangement. Ms. Hanson said the actual times vary based on various factors such as steepness, a winding drive, if it has to be backed in or out, if there's a turnaround, etc. The rate is not calculated for each individual driveway but for an average of typical driveways. She emphasized there are customers that are currently paying for on-premise service that may not have to pay that in the future because they have redefined how they are classifying roads. She said perhaps three customers living on a shared private driveway were paying an on-premise charge but the company has tried to keep the services the same and forget about the public/private designation. She said if there are three or more customers on what they call a shared access road that shared access road becomes a street and is billed as curbside.

Vice Mayor Aalfs asked SVM who were the other service providers in the area. Mr. Sloan said there are far fewer competitors now than a decade ago but there are still are some that would be interested in serving these communities. Mr. Sloan said one of the number of reasons for favoring the direct negotiation versus the RFP process was the fact that GreenWaste have probably the most advanced

processing capacity in the State of California, and probably the nation, in both technology and capacity. He said Recology's facility could process some of the material but not all of it. He said there are others that are further away and at a higher cost.

Mayor Wengert asked if the small final adjustments requested by Assistant to the Town Manager de Garmeaux had been successfully worked through or if there were any outstanding. Town Manager Dennis said one item related to the definition of a bag is not complete but there is an opportunity to do that post-resolution. He said there was some discussion related to the timing of the brochures and guides to go out to residents and, based on tonight's presentation, there has a bit of an extension. He said there were no other significant items.

Mayor Wengert said one of her greatest concerns is about those people who may be out of town and will not get the notice in time to mail in their cart selection. She asked if the selection could be done online. Ms. Hanson said the services are so unique there is not a direct crossover which is why Ms. Lewis and her team had to customize all 4,000 of the letters. She said at any given time a customer can make a service request online, go through their chat, send an email, or make a telephone call.

Mayor Wengert said the cart selection guide includes the current service. She asked if it includes the number of carts currently on-site. Ms. Lewis said the cart selection mailer is a template to fill out and mail back. The custom letter specifies the exact services in the system. She said if a customer uses their own personal 32-gallon can, they are charged a 32-gallon rate. She said there are a handful of customers who have personal 45-gallon cans, which are no longer an option. She said these customers might prefer to be upsized to 64 gallons than downsized to 32 gallons, but the upsize would be at a cost. The Town requested those customers be downsized to 32 gallons and if they want something larger, they can request it.

Mayor Wengert asked if customers would receive all the base service carts even if that's more than they wanted. Ms. Hanson said they would not receive additional carts. She said the challenge will be in picking up hidden carts.

With no other questions from Council, Mayor Wengert opened the public hearing.

Dick Ball, 240 Echo Lane. Mr. Ball said his residence is limited access with a smaller truck. He asked if that truck has the arms to reach out and pickup the cans. Ms. Hanson said those are called semi-automated where the driver has to dismount and introduce the can. Mr. Ball asked if he could select three big gray cans and one small recycle can instead of two recycles and two grays. Ms. Hanson said they could not. She said the mixed compostable items cost twice as much per ton to process.

Derek Orme, 208 Canyon Drive. Mr. Orme asked if food waste and yard waste both go in the mixed compostable can. Ms. Hanson said it did. Mr. Orme said he has a very steep driveway and doesn't want to have to push a large heavy can down the driveway. Ms. Hanson said before SB 1383 the gray container would go straight to landfill and food waste could go into the green container. Now the green container must be clean with no food waste and the food waste can go into the gray container.

Ken Cheung, 339 Wayside. Mr. Cheung said they have a very small area to fit cans at his residence because of the steep lot. He asked if they could buy their own cans that are automatic truck compatible. Ms. Hanson said a challenge for personal cans is that they be compatible with the strength of the grippers on the trucks. Ms. Hanson said they would look at his property and follow up with him specifically.

Don Creevy, 1175 Westridge Drive. Mr. Creevy said his driveway is so steep it is not possible to move a full can down the driveway. He asked if there were regulations against leaving the cans at the edge of their property at the edge of the street. Town Manager Dennis said the Town has regulations regarding

how long something can be in the Town right-of-way. He offered to discuss the issue with Mr. Creevy offline.

Marianne Plunder, 35 Kiowa Court. Ms. Plunder said they currently have drive-on service and want to keep their three green cans. Ms. Hanson said the regulations prohibit green carts for drive-in service so they must use gray mixed compostable carts.

Derry Kabcenell said he does not dispute the need for a rate increase and said GreenWaste has provided excellent service. He said he has a very long driveway and is concerned about the drive-on service cost. He said, assuming a typical 5 mph speed, the cost to drive-on his driveway is closer to \$800 an hour than the stated \$660 per hour. He said he has not seen numbers presented to cost justify that. He said he attended a workshop where the consultant was very convincing that the total costs were all carefully analyzed, but he was not talking about the allocation across the different services. Mr. Kabcenell would like to know what the actual cost is to operate the truck. In response to Mayor Wengert's question, Mr. Kabcenell said he arrived late and was not present for the presentation of the cost analysis. Ms. Hanson briefly recapped the components of the drive-on service and noted there will be no charge for anything beyond 500 feet. Mr. Vazquez pointed out that analyzing isolated components individually would not be accurate. He explained that averaging is conducted at different levels throughout the process.

Bob Schultz, 145 Portola Road. Mr. Schultz said he has a driveway in the middle of the 100' to 150' tier, which probably takes a driver an additional 30 seconds to drive in and 30 seconds back. He said the charge for that does not seem fair. He said he has heard the comments that everyone should not have to share the costs of those who need special services. He said, however, his household does not use three recycling and three yard waste cans, yet they are subsidizing those who do, which he thinks is a double-standard. He said other companies should have been given a chance to bid through an RFP process.

Dieter Walz, 128 Westridge. Mr. Walz asked if curbside included the public right-of-way, which will make a big difference. He said the traffic on Westridge Drive is heavy now and it will be very dangerous to leave the cans out there. He said his driveway is very wide and two trucks can easily get by each other. He said if he could have his cans inside 20 or 30 feet, it would make a big difference in safety. Ms. Nelson said Mr. Lopez will discuss Mr. Walz's situation with him. She pointed out there are some instances where if cans are tucked just inside the driveway, and if it's convenient, easy, and safe for the driver to back in to service those carts, it may be safer than leaving them in the public right-of-way.

Ms. Nelson said the large truck has a significantly larger capacity with the ability to service 300 to 400 homes, where the smaller trucks can only service 80 to 100 homes before driving back to San Jose and return to their routes. The cost of that windshield time has to be incorporated into the services. She said it is important to Portola Valley to reduce the carbon footprint, thus they use the smaller split-body trucks, which means more trucks having to make more trips back and forth.

With no other comments, Mayor Wengert closed the public hearing. She invited Town Attorney Cara Silver to report on the protests received.

Town Attorney Silver explained that, because this is a Prop 218 hearing, the Town collects written protests in response to the notice that went out approximately 45 days ago. The Town consists of 1,764 parcels. In order to substantiate a protest, the Town must receive 882 (50%) written protests. Before the meeting packet went out, the Town received 18 written protests. After the meeting packet went out, additional protests were received. The total received at this point is 29. She said that because 882 protests were not received, the Council may move forward with a resolution to set the rates.

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

Councilmember Richards said this issue has proven to be extremely complex and he was very grateful for the consultants and Assistant to the Town Manager de Garmeaux for going through all of the details. He said it has been a successful process and working with Woodside was helpful. He said the hours spent in the subcommittee with the consultants were well-spent and brought up a considerable number of questions and challenges to the original proposals. He congratulated GreenWaste and SVM for their very helpful presentations. He said he is confident that this proposal is the best the Town can get and recommended moving forward.

Councilmember Hughes said he has been quite impressed with the amount of work that has clearly gone into this process, both in terms of putting together the contract and figuring out the rates, and also taking a very complex contract and working very hard to make it understandable. He said he hopes GreenWaste continues to show the kind of customer service displayed tonight in terms of answering people's questions, understanding individual driveways, and accommodating the wide variety of peculiar situations in town with garbage collection. Councilmember Hughes said obviously the rates are going up a lot and the reasons for it were explained satisfactorily tonight. He said from everything he's read, heard, and the research he's done, he is confident that this is the best contract they can get and is confident that it doesn't need to go out to bid.

Councilmember Derwin said the concerns about residents who want smaller carts and what is happening with the old carts has been addressed. She said the consultants and GreenWaste have done an excellent job explaining why there is a 32% cost increase for base services. She said she is concerned about the very high cost increases for drive-on customers. She said she would like to problem solve with those customers who are being affected, especially the older residents who have disabilities and will have trouble pushing the carts to the curb. She said based on her many years of personal experience with people on other Councils where they've discussed the whole garbage issue, she agrees with the consultant's opinion about not needed to go through the RFP process. She said it is so much more difficult to pick up garbage in Portola Valley than in San Carlos. She said she knows of the other companies out there and does not think a better price would be found through the RFP process. She said the Town would definitely not find a company that has the diversion rate that GreenWaste has or the 100 percent processing. Councilmember Derwin was supportive of adopting the contract.

Vice Mayor Aalfs thanked Mayor Wengert and Councilmember Richards for all the time and hard work spent on this subcommittee. He also thanked Assistant to the Town Manager de Garmeaux and staff who supported the subcommittee. He thanked SVM and GreenWaste for their work. He said he is comfortable with the fact the Town would not have found a better deal going through the RFP process. He said GreenWaste's profit is 11% and for a monopoly that might seem like a lot, but the Town is asking them to take on the strong risk of residents downsizing. He said the profit is in line with what other companies are making in this industry. He said, for a point of reference, PG&E gets a guaranteed rate of return of 16% and a guaranteed return equity of between 9% and 11% and they don't have the same downsizing risk. Vice Mayor Aalfs said in his day job he works with Zanker and encourages a lot of his builders to send their waste there because it is the best center in the area and one of the least expensive. He agrees it is very difficult to figure out the drive-on situations in this town and would like to see more solutions for people with unique driveway situations and people with disabilities.

Mayor Wengert said the Council appears to be unanimous in wanting to move forward tonight. She said this is the first time since she's been on the Council where she's voted for something that would clearly have a direct impact on her pocketbook since she has a relatively long drive-on. She said because of the amount of work and effort put into this analysis, it is a fair proposal. She said no one is happy with the magnitude of the increases but she is confident it is the right decision from an economic standpoint and because most residents have been very satisfied with GreenWaste. She said GreenWaste has done a terrific job working with Portola Valley for many years, which counts for something in this era of high inflation, and incredible wage and cost increases that no one could anticipate. She thanked SVM and GreenWaste for their efforts.

Councilmember Richards moved to approve the Resolution of the Town Council of the Town of Portola Valley approving a ten-year franchise agreement between the Town of Portola Valley and GreenWaste Recovery, Inc. for collection of mixed compostable materials, recyclable materials and yard trimmings and a modified service and rate structure, to be effective January 1, 2020, authorizing the Town Manager to execute the agreement on behalf of the Town and approving new solid waste rate schedule. Seconded by Councilmember Hughes; the motion carried 5-0.

Mayor Wengert called for a five-minute break.

(6) **Report by the Ad-Hoc Wildfire Preparedness Committee with Recommendations**

Mayor Wengert introduced Michael Tomars, Chair, and Dale Pfau, Vice Chair, of the Ad-Hoc Wildfire Preparedness Committee.

Mr. Tomars and Mr. Pfau thanked all who worked on this issue – Marianne Plunder, Jeff Aalfs, Karen Vahtra, Danna Breen, Al Sill, and Lorrie Duval. They also thanked Town Manager Dennis and the Fire Department for all of their help. He thanked Communications & Community Engagement Analyst Kari Chinn and Woodside Fire Marshal Denise Enea, who attended almost all of the meetings. He thanked Woodside Deputy Fire Marshal Don Bullard, who wrote the evacuation plan.

Mr. Tomars and Mr. Pfau co-presented the Ad Hoc Wildfire Preparedness Committee report on their recommendations to bolster and strengthen the Town's resiliency to wildfires.

Mr. Pfau described the mandate, the general observations and lessons learned after the Public Safety Power Shutoffs (PSPS), with general recommendations as well as recommendations regarding evacuation, communications, and outreach, as detailed in the PowerPoint presentation.

Mayor Wengert asked if they had considered the high-low siren for where cell coverage is spotty. Mr. Pfau said the sirens would cost approximately \$400,000 for approximately eight sirens, which does not include siting, construction, towers, etc. He said trying to find eight sites in Portola Valley where people would not object to a siren would be difficult. He said they take approximately three years to get up and operational. He said they can be self-powered with solar and satellite phone enabled and would be a wonderful last resort.

Mr. Tomars presented the vegetation management and defensible space recommendations, including the scope of their review and the Committee-approved recommendations, as detailed in the PowerPoint presentation.

Mr. Tomars then presented the home hardening/insurance/infrastructure back-up recommendations, as detailed in the PowerPoint presentation.

Councilmember Hughes asked for clarification regarding shaded canopies. He asked if the recommendation was to cut down all trees within 100 feet on either side of all the roads. Fire Marshal Enea said a shaded fuel break focuses on underbrush, leaving the tree canopy as a shade protectant to help protect and avoid invasives from growing up. She said on Alpine Road and Jaspar Ridge, for example, they removed the brush and kept the trees. Councilmember Hughes asked if the recommendation would be to remove all of the vegetation (not trees) within 100 feet of Portola Road. Fire Marshal Enea said Sonoma already a fuel map of all the vegetation for the entire town. She said after the fires, they were able to overlay where there was the most intensity and rate of spread and found it to be where there was the most underbrush. She said, however, when that brush is removed, something else will grow there, likely invasives, and then there is a maintenance issue. She said they like to create mosaics so things are not contiguous and touching, allowing space between plants.

With no other questions from Council, Mayor Wengert invited questions or comments from the audience.

Jaya Virmani, Grove Drive. Ms. Virmani said she's paid a lot of attention to the fire issue because she has a son working on an internship in Geyserville and living in Healdsburg and they also have a vacation home along the Sonoma County coast. She said because of concerns regarding notifications reaching their son, he left Healdsburg the first night. She said that experience left her appreciating the concept of sirens or some other approaches that could reach the vast majority of residents all at once. She explained the various reasons text messages, cell phones, and landlines can fail in an emergency. She suggested considering the sirens.

In response to a question from the audience, Mayor Wengert said her third call to MROSD today finally connected; however, she does not have anything positive to report, although they are on it now and she hopes there will be a quick response.

Town Manager Dennis said staff is entirely supportive of the recommendations. He said some of the items will require staff time and Town resources, including any matching programs the Council wishes to pursue and any changes relating to the Planning and Building Department's workplan. He said as it relates to those items, he'd like to be able to provide some dollar figures and some idea of what might happen with that workplan. He thanked the Committee for all of their hard work with so many meetings in a short period of time.

Vice Mayor Aalfs thanked all of the Committee members. He said the Committee was a dynamo of activity and it was amazing how much work got done in a very short amount of time. He suggested reviewing the recommendations one-by-one.

Mayor Wengert said some of these recommendations have a much more material impact on staff than others. She would prefer to have some time to think about them before taking action, having only just seen the presentation tonight.

Vice Mayor Aalfs said the Committee understood that some things will take longer than others. He said for recommendations such as the matching funds, it was agreed that the priority should be on more public things such as vegetation in the right-of-way then matching for individual properties. He said the prioritization such as short-term, medium-term, and long-term were quickly-made decisions and might require adjustment.

Town Manager Dennis said some of these recommendations are already happening, such as vegetation work, with newly-renewed relationships with utilities since the PSPS. He said from a staff perspective, some items can be started fairly quickly.

Mayor Wengert said the home hardening has the most long-term code-related items with new regulations requiring modification of building codes, which will require a much different process. Vice Mayor Aalfs said some of those recommendations will take longer but if it is decided they are appropriate to pursue, they should start thinking about staffing plans.

Councilmember Derwin said some of the code issues should be addressed sooner rather than later – such as prohibiting shake roofs. She cited an example of her friend who recently spent \$90,000 for a new wood shake roof because she was unaware.

Vice Mayor Aalfs said there are some informative and compelling You Tube videos showing things that make your home burn faster. He said short of replacing code, awareness can be increased very rapidly.

Town Manager Dennis said Communications & Community Engagement Analyst Chinn's role is very important and fairly specific. She can work these things in immediately into how the Town communicates with residents.

Councilmember Hughes suggested investigation to see if there are grants or insurance companies with money that the Town may be able to access to provide some incentive programs for private properties.

Town Manager Dennis said today he, Fire Marshal Enea, and Deputy Fire Marshal Bullard were on a phone call with an organization where they applied for a joint grant to help with some longer-term planning efforts.

Councilmember Hughes said he was thinking specifically that insurance companies may have money pooled to clean up the vegetation at the small number of less compliant properties to make the whole pool safer. Town Manager Dennis said some insurers came to one of the home hardening meetings and had a very good conversation. He said that is a relationship that should continue to develop. Councilmember Richards said some subsidy programs may be considered for residents who have been here a long time and don't have the money to make those kinds of improvements to their property.

Vice Mayor Aalfs said they have had conversations about insurance and have learned that carriers vary dramatically in their levels of sophistication around this issue. He said some are getting very granular property-by-property and others basically deal with a ZIP Code. He said if coordination with insurers can be achieved, getting better information from them, it can be figured out how to get neighborhoods coverage.

Mayor Wengert said she has found subsidized programs to be difficult to make equitable. Councilmember Hughes agreed, particularly if it were General Fund money, but pool or grant money could be used to subsidize. Mayor Wengert agreed that grant money is what the Town should be pursuing.

Town Manager Dennis said acceptance of the recommendations primarily impacts the Planning Department in the short- to medium-term. He said Planning & Building Director Russell wants to consider more how it will affect her work program before providing a recommendation to the Council. He said it will also affect the Public Works Department.

The Council directed staff to prepare cost and work plan modifications to accommodate the recommendations. The Council will adopt recommendations at their December 11 meeting.

Mr. Tomars asked for further directions to the Ad-Hoc Committee. Town Manager Dennis said in the short-term it is not necessary for the Committee to meet. He would not recommend disbanding the Committee because their expertise will be useful as some of this is implemented.

(7) **Report by the Affiliated Housing Council Subcommittee** – Recommended New Affiliated Housing Partners

Town Manager Dennis described the creation of the subcommittee of Vice Mayor Aalfs and Councilmember Derwin and their assignment.

Vice Mayor Aalfs explained that he and Councilmember Derwin met multiple times to review affiliated housing program-related issues. The subcommittee recommended the Town Council consider two new members of the Affiliated Housing Program – Town of Portola Valley and Ladera Community Church, as detailed in the staff report.

Councilmember Hughes asked if the subcommittee had reached out to anyone else, such as the other churches, or if anyone else had expressed interest but were found inappropriate. Town Manager Dennis

said Woodside Fire has indicated some interest in producing housing but was not yet interested in formally becoming an Affiliated Housing Partner because they are still working out what Station 8 will look like. He said other churches were contacted but none had an immediate interest. He said there has been some communication with other potential partners, but no one has formally asked to be considered.

Councilmember Hughes asked if down the road someone else could be added to the list if appropriate. Town Manager Dennis said the Affiliated Housing Program and the Housing Element has a subsection that requires the Town on a regular basis to reach out to its current Affiliated Housing Partners. He said there's been an interpretation that since there's been broader interest, the Town will continue to have regular contact.

Councilmember Derwin asked Tim Clark to speak about why the Ladera Church wants to be a part of the program. Mr. Clark said they feel a responsibility to try to address the affordable housing crisis as they can. He said they have half an acre behind the church within Portola Valley's jurisdiction that they can't do much with under the current rules but would like the opportunity to develop multi-family housing there.

With no additional comments or questions, Mayor Wengert brought the issue back to the Council for discussion.

Town Manager Dennis said this proposal will require modification of the Housing Element. He said HCD interprets this to be a minor amendment to the Housing Element because it adds housing opportunities. He said it will require one meeting with the Planning Commission and one with the Council, in addition to some pre-work required to create the materials to go into the amended Housing Element. He said the church is easier because they know the site but it will be more difficult for the Town because there is no particular site identified.

Vice Mayor Aalfs asked if it makes sense to separate them and handle the Ladera Church first. Town Manager Dennis recommended doing them both at the same time.

Councilmember Hughes asked about advantages and disadvantages about the timing of adding new members. Town Manager Dennis said adding members of the Affiliated Housing program in this cycle would not induce additional units. The Town will receive another allocation from the State and have additional opportunities to meet those allocations. Town Manager Dennis said there is no disadvantage to adding them now.

Councilmember Hughes was concerned that the Town adding themselves as members given there is no actual proposal might be perceived by the public that there is some secret plan trying to be sneaked through. He questioned if the Town wanted to do that if they would not be actually acting on it in this cycle. Town Manager Dennis said the Town is currently pursuing the potential for opportunities on its property and this closes the loop on what was a missing element in the Affiliated Housing Program. He said he and Town Attorney Silver have discussed it and there is one interpretation that says the Town is probably a member anyway but this formalizes it. Town Attorney Silver said there are two aspects in the Housing Element – one being the policy element setting forth the Affiliated Housing Program and the second is putting specific sites on the housing inventory, which is not being done with respect to the Town at this point, but allows them to use those sites in the next Housing Element.

Vice Mayor Aalfs moved to add the Town of Portola Valley and Ladera Community Church as members of the Affiliated Housing Program of the Housing Element. Seconded by Councilmember Derwin; the motion carried 5-0.

(8) **Recommendation by Town Manager** – Leaf Blower Trade-In/Incentive Program

Town Manager Dennis presented the background, discussion items, and fiscal impact of the leaf blower trade-in incentive program, as detailed in the staff report and PowerPoint presentation. Staff recommended the Town Council create a gas-powered leaf blower trade-in/incentive program to encourage a transition to electric leaf blowers.

Mayor Wengert invited questions from the Council.

Vice Mayor Aalfs asked if residents will be asked to apply on behalf of their landscapers or if the residents will ask their landscapers to apply. Town Manager Dennis said residents will apply and they can utilize the equipment as they see fit.

Vice Mayor Aalfs asked if there had been any further discussion with Woodside Mayor Yost or PCE on this issue. Town Manager Dennis said there has not. Vice Mayor Aalfs said he will contact PCE to see if there is any interest.

Vice Mayor Aalfs moved to create a gas-powered leaf blower trade-in/incentive program to encourage a transition to electric leaf blowers. Seconded by Councilmember Hughes; the motion carried 5-0.

- (9) **Recommendation by Town Manager** – Add Town Attorney Performance Review to existing Town Manager Performance Review Subcommittee

Vice Mayor Aalfs said he and Mayor Wengert were preparing review materials for the Town Manager performance review and realized that a comparable process had not begun for Town Attorney Silver. They wanted to make sure the Council approved sending out the materials for the Town Attorney review at the same time as for the Town Manager review.

Councilmember Hughes said it would be useful to have the report regarding hours and projects. Town Attorney Silver said she would get that to the Vice Mayor Aalfs soon.

Councilmember Derwin moved to Add Town Attorney Performance Review to existing Town Manager Performance Review Subcommittee. Seconded by Councilmember Hughes; the motion carried 5-0.

- (10) **Recommendation by Town Manager** – Adoption of a Resolution Supporting SB 2 Grant Funds Application

- (a) Adoption of a Resolution of the Town Council of Portola Valley Authorizing Application for, and Receipt of, SB 2 Planning Grants Program Funds (Resolution No. 2814-2019)

Town Manager Dennis described SB 2, which established a \$75 recording fee on real estate documents to provide revenue for housing inducement endeavors, as detailed in the staff report. Staff recommended the Town Council adopt a resolution supporting an application for SB 2 grant funds and assign the Mayor and Vice Mayor to support staff in reviewing the final grant application.

Mayor Wengert invited questions from the Council.

Councilmember Hughes asked if this will be an annual request. Town Manager Dennis said it is a one-time thing.

Councilmember Hughes moved to adopt a Resolution Supporting SB 2 Grant Funds Application and assign the Mayor and Vice Mayor to support staff in reviewing the final grant application. Seconded by Councilmember Derwin; the motion carried 5-0.

- (11) **COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS**

Councilmember Richards – Attended an Emergency Preparedness Committee meeting where they discussed medical preparation. He attended the ASCC meeting where they discussed Blue Oaks security cameras which were approved but the new lighting around them was denied. Attended Planning Commission meeting where they heard a presentation regarding the Neely CUP. He said there was a fair amount of pushback but the Planning Commission was generally flexible and said the events may be the issue that needed to be modified slightly to make it work. He noted that Jon Goulden is doing a great job chairing the Commission meetings.

Councilmember Hughes – Attended San Mateo County Economic Development Association connect19. Councilmember Hughes did some work on the Airbnb tax research. He said Airbnb and VRBO do have the ability to automatically collect taxes if structured correctly. He has reached out to both to figure out the correct way to structure it. He attended the Bicycle, Pedestrian & Traffic Safety Committee meeting but there was no quorum so it was information only. A couple of school representatives attended and were unable to discuss the flags because of no quorum, but they did discuss setting up a special Bicycle, Pedestrian & Traffic Safety Committee meeting where the students involved in putting up the flags could come and engage their local government to have a better understanding of how that works.

Councilmember Derwin – Attended the Ad-Hoc Town-Owned Housing meeting where they reviewed the matrix that shows all of the properties and the pros and cons that will hopefully be sent on to the Council. She attended the Housing Leadership Day where she heard a very detailed explanation of how affordable housing is financed. They also discussed green gentrification. She said there will probably be on the ballot next year another nine-County measure for a 1/4-percent sales tax increase for transportation. She attended the Express Lanes JPA meeting where they discussed finances. She attended the C/CAG admin meeting where they planned the next agenda. She attended the Flood and Sea Level Rise Resiliency (FSLRR) meeting where they discussed the draft three-year work and financial plans, payroll and HR services contract, Website design and hosting, IT lease, recruitment of a senior accountant, revisions to JPA with San Francisquito Creek, transfer of flood control district and flood resiliency programs, and master agreement with County for engineering and finance. She said it is all very expensive.

Vice Mayor Aalfs – Attended the CALCCA annual meeting in Los Angeles last week. CALCCA is the trade organization for all the CCAs in California.

Mayor Wengert – Mayor Wengert shared the scoring sheets for the BPAC grant applications. The winners were the County of San Mateo who was linking to Half Moon Bay on the Safe Routes to School, Daly City, and South San Francisco. She said Redwood City got a partial award. She attended a Zoox (self-driving car) presentation. She said Assistant General Manager Brian Malone of MROSD called her to let her know he had only just received the letter. She explained the Town was not interested in a long public process but was more interested in getting immediate action on Windy Hill.

(12) **TOWN MANAGER REPORT** – Town Manager Dennis reported that the Town had applied for a grant of approximately \$250,000 to support PSPS-affected cities. The high-ticket items were Tesla-like power walls for the two critical buildings – the library and substation – not on the generator. He said he also applied for 10 SatPaqs, a small device that allows texting off a geosynchronous satellite. He said he and Planning & Building Director Russell attended a 21 Elements presentation on all of the new housing bills. He and Public Works Director Young met with Nancy Lund to discuss the AV improvements in the schoolhouse.

WRITTEN COMMUNICATIONS

(13) **Town Council Digest** – October 24, 2019

None.

(14) **Town Council Digest** – October 31, 2019

None.

(15) **Town Council Digest** – November 7, 2019

None.

ADJOURNMENT [11:24 p.m.]

Mayor Wengert adjourned the meeting.

Mayor

Town Clerk