

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 983, FEBRUARY 26, 2020

CALL TO ORDER AND ROLL CALL

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

Present: Councilmember John Richards; Vice Mayor Maryann Derwin; Mayor Jeff Aalfs.

Absent: Councilmember Wengert, Councilmember Hughes.

Others: Jeremy Dennis, Town Manager
Brandi de Garmeaux, Assistant to the Town Manager
Cara Silver, Town Attorney
Howard Young, Public Works Director
Cindy Rodas, Interim Finance Director
Laura Russell, Planning & Building Director
Sharon Hanlon, Town Clerk

ORAL COMMUNICATIONS

- (1) **Presentation** – Proclamation Honoring the League of Women Voters on its 100th Anniversary

Mayor Aalfs read the proclamation (attached to the staff report). Tracy Clark, President of the League of Women Voters of South San Mateo County accepted the award. She described some of the history of the League's contributions to Portola Valley. Several members of the League stood and identified themselves.

CONSENT AGENDA

- (2) **Approval of Minutes** – Town Council Regular Meeting of February 12, 2020. *[Removed from Consent Agenda.]*
- (3) **Approval of Warrant List** – February 26, 2020, in the amount of \$225,740.09.
- (4) **Recommendation by Town Manager** – Annual Automated License Plate Readers System Audit. *[Removed from Consent Agenda.]*
- (5) **Recommendation by Building Official** – Adoption of a Resolution to Ratify Ordinance No. 12 of the Woodside Fire Protection District. *[Removed from Consent Agenda.]*
- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley to Ratify Ordinance No. 12 of the Woodside Fire Protection District (Resolution No. _____)
- (6) **Recommendation by Town Manager** – PV Palooza Sponsorship
- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing a One-Time Exception to the Town's Event Sponsorship Policy for the PV Palooza Music Festival (Resolution No. 2817-2020)
- (7) **Recommendation by Planning and Building Director** – Environmental Review Consultant, Neely Winery, Spring Ridge, LLC Conditional Use Permit Amendment

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving a Contract with MIG for the Environmental Review of the Spring Ridge, LLC, Neely Winery Conditional Use Permit Amendment Project (Resolution No. 2818-2020)

Councilmember Richards moved to approve Items 3, 6, and 7 of the Consent Agenda. Seconded by Vice-Mayor Derwin, the motion carried 3-0, by roll call vote.

(2) Approval of Minutes – Town Council Regular Meeting of February 12, 2020. Vice-Mayor Derwin moved to approve Item 2 as amended. Seconded by Councilmember Richards, the motion carried 3-0.

- (4) **Recommendation by Town Manager** – Annual Automated License Plate Readers System Audit.

Vice-Mayor Derwin said a lot of people are interested in the ALPRs. Town Manager Dennis said Capt. Corpus sent her regrets because she was attending a class and unable to attend tonight's Council meeting. Town Manager Dennis said the Captain wanted him to share that the Sheriff's Office appreciates the opportunity to have the tool should it be necessary. He said they have accessed data on a variety of situations, both Portola Valley centric and other jurisdictions. He said there was a recent success story in which the cameras were instrumental in determining who caused an incident on Willowbrook a month ago and arrests were made. He said the Sheriff's Office also used this tool last year regarding an identity theft case. In response to Vice-Mayor Derwin's question, Town Manager Dennis confirmed the data was not being shared with ICE.

Councilmember Richards moved to approve Item 4 and accept the audit as presented. Seconded by Vice-Mayor Derwin, the motion carried 3-0.

- (5) **Recommendation by Building Official** – Adoption of a Resolution to Ratify Ordinance No. 12 of the Woodside Fire Protection District. *[Removed from Consent Agenda.]*

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley to Ratify Ordinance No. 12 of the Woodside Fire Protection District (Resolution No. _____)

Mayor Aalfs said that Councilmember Hughes had some questions and comments on this item but could not attend tonight's meeting. Mayor Aalfs said this item will be brought back to formally approve it on a future agenda. Town Manager Dennis said the Fire Chief and Fire Marshal are present tonight but will not be in Town for the March 25 meeting but they will be available by phone. Mayor Aalfs invited comments or questions from the public. There were none.

REGULAR AGENDA

- (8) **STUDY SESSION** – Council Priorities Study Session for Fiscal Year 2020-'21

Town Manager Dennis led the PowerPoint presentation, describing the background; the Council's six priorities and the associated projects; staff's progress to date regarding those goals; Councilmember Wengert's comments regarding Resident Resiliency, Health of Town Resources, and Strategic Planning Efforts; Committee requests and recommendations; and next steps, as detailed in the staff report. Staff recommended the Council accept the status update on the current Council Priorities and provide initial feedback on their priorities for Fiscal Year 2020-21.

Mayor Aalfs invited questions from the Council. Hearing none, Mayor Aalfs brought the item back to the Council for discussion.

Councilmember Richards said refining the list and making it less project heavy makes a lot of sense. With regard to putting it on the atmospheric level and making it a real broad global look at goals, he suggested

a general preamble statement explaining that these high-level priorities are in the spirit of following the General Plan, maintaining the rural atmosphere of town, etc. Town Manager Dennis said this is the guiding document to help develop the budget. He said there are budget requirements for day-to-day work, particularly around the CIP. He said in every department, this process and these priorities can affect their budgets, so it is an integral part of the budget development process. He said when staff hears the Council desires focus on certain issues, there are related projects or expenditures that will be a priority.

Mayor Aalfs said some of the Committee recommendations feed into the six high-level priorities and some do not. He said the Council can decide if any of these should go to the budget even if they are not within the six stated priorities.

In response to Mayor Aalfs' question, Town Manager Dennis said Parks and Recreation and Bicycle, Pedestrian & Traffic Safety Committee (BPTS) are not included due to core omissions or cancellations of their meetings but he anticipates getting something from them later on, which staff will bring back to the Council on April 8.

Vice-Mayor Derwin confirmed that the Council will continue to grant the funding requests from the Committees even if they are not on the priorities list. Town Manager Dennis said staff will still request the Committees provide recommend budgets to support events and discreet projects. He explained that this is separate. He said it does appear the some of the EPC recommendations may appear a little more goal related than priority related. He said the Cultural Arts Committee asked for additional monies to support PV Palooza.

In response to Vice-Mayor Derwin's question, Town Manager Dennis said staff is looking for feedback from the Council regarding the order of priorities, if things are missing. He said the Committees are matching up fairly well with General Plan related issues and where the Council has been focusing. He said there will be some costing out needed for some of the items. He said the Wildfire Preparation Committee and the recommendations from the Council and the other Committees will be very expensive.

Vice-Mayor Derwin said her top three priorities are Wildfire Preparation, Housing, and Climate Change/Sustainability, and then, of course, the financial issues.

In response to Vice-Mayor Derwin's question, Town Manager Dennis said staff will bring forward some initial General Plan update components but he does not expect it to be particularly substantial at this point and tends to be a multi-year endeavor. Vice-Mayor Derwin said after the RHNA numbers are received this summer, the Town may need to think about rezoning, which is part of the General Plan. Town Manager Dennis said the update staff is discussing is somewhat separate from the eight-year Housing Element cycle. He said the General Plan is not on a cycle like that but at 20 years the General Plan is pretty old and should be brought up to date. He pointed out, for example, that the Town's Safety Element does not reflect wildfire danger in a way that a modern one would.

Mayor Aalfs asked if there were any items in the Committee recommendations that did not appear to be reflected strongly enough in the priorities list.

Vice-Mayor Derwin suggested Sustainability should perhaps include something about Open Space. Town Manager Dennis said it would be appropriate for the Council to direct the Open Space Acquisition Advisory Committee to do some further work. He said the acquisition of Open Space is tricky because of the cost right now but the Committee has not acquired any open space in recent years, with the only recent acquisitions having been through Council action.

Councilmember Richards said there is always a tug of war between the priorities list and all the projects that go into it. He said all of the Committee recommendations could nestle into the priorities list; however, it may start to get a bit unwieldy.

Mayor Aalfs asked if Open Space should be reflected more in the priorities and, if so, where.

Vice-Mayor Derwin said maintenance of Town-owned properties needs to be addressed. Public Works Director Young said they are doing the work that was approved by the Council and the Conservation Committee. Town Manager Dennis said the Open Space Committee is preparing vision statements that will be instructive to the Conservation Committee. He anticipates further recommendations on additional expenditures for next year to get these properties up to a level where there can be an annual maintenance program.

Vice-Mayor Derwin said the Friends of the Library would like to expand the Library. She said it may not be a priority but she would like to start talking about it this year. Town Manager Dennis said there are three funding sources for the Library – the Town, the Library system itself, and the Friends. He said it is a continuing positive set of conversations deciding who does what. He said the Library has really taken off from a program standpoint and the pressure on the building from a maintenance standpoint is significant. He said that building will be outgrown and maybe already is. He said it is very expensive and the space is constrained.

Mayor Aalfs said the Open Space and Library questions fit under Health of Town Resources. Councilmember Richards agreed and said he would like to see another attempt to fold some of these Committee items into the Priorities list with a little cleaner look. Town Manager Dennis agreed and said staff anticipates at least two more Committees to submit something.

Mayor Aalfs said it is a bit confusing to see the Trails Committee listing recommendations for Sustainability, Open Space, Wildfire, and Emergency Preparedness.

Mayor Aalfs invited public comment.

Judith Murphy, Conservation Committee. Ms. Murphy said they submitted the goal they thought was most important to be included in the mix of the Town's overarching goals. She said because they are a bunch of biologists and tree huggers, they use the word "sustainability" thinking about the natural world. She realizes now that, for the Council, sustainability is more related to energy and climate change, things the Sustainability Committee works on. She said the Conservation Committee would like to rename their recommendation to "stewardship." She said the Conservation Committee requests that one of the Priorities for the next fiscal year specifically be stewardship, either as a priority by itself (the Committee's preference) or tucked neatly and high on the list of one of the other Priorities. She said preservation of the environment is one of the bedrocks on which the Town was founded and is the ground on which we all stand. She said to some extent preservation of the natural surroundings informs all the decisions the Council already makes. She said she could not imagine that the Council would make any decision that would willfully harm the environment, which is why sustainability and fire prevention are priorities. She said over the years the Town's properties have been given minimal attention and they have not been fine. She said the properties have not been intentionally neglected, but has been inattention and a lack of realizing what was going while more immediate and pressing matters were being dealt with. She said now the cost of that inattention and cost of remedying it has been realized. The Committee urged the Council to make their commitment to the beauty that surrounds us explicit and make stewardship one of the Priorities for the next fiscal years, especially if it is informing the Town's budget decisions. In response to Vice-Mayor Derwin's question, Ms. Murphy clarified that the Committee is talking about the Town's stewardship of Town-owned properties.

Betsy Morgenthaler, 500 Portola Road. Ms. Morgenthaler said she has heard the Councilmembers speak to the shared common value and ethos for the Town's open spaces and their conservation. She said she would like stewardship to be designated as the one most important priority because the order does matter.

Todd Scheuer, Alpine Little League Commissioner and President. Mr. Scheuer said he grew up in Ladera, playing Alpine Little League himself. He has three children and has lived on Shawnee Pass for about 10 years. He said the Little League has recognized a need at Ford Field to have permanent restrooms. Mr. Scheuer said Ford Field is very special and anyone who has had the privilege of playing there would recognize it is one of most beautiful Little League fields in the state, if not the country. He said the number one request that comes up in their polls of families is for permanent restrooms. He said permanent restrooms would get a lot of utilization from the Little Leaguers, bicyclists, runners, and potentially lots of other folks. He said his league has a lot of different fundraising efforts and they would be delighted to participate in the costs for this. He said they've done some research and it is a significant expense (\$200,000 to \$600,000). He said they don't want anything extravagant and would be satisfied with something similar to what is located next to the kids' playground at the Town Center. He said they would be delighted to participate in this endeavor with the Town and would make it their number one fundraising item, even if it took multiple years – whatever would be needed to come together collectively to get it done.

Vice-Mayor Derwin said she would research if C/CAG could be a possibility for some funding.

Town Manager Dennis thanked Mr. Scheuer for his patience and his offer to fundraise. Town Manager Dennis said the cost estimate for the restrooms averaged around \$400,000. He said the discussions and questions have been around how much could the community raise and how much the Town would be comfortable contributing. Town Manager Dennis suggested bringing an authorization to Council for a fundraising effort without necessarily setting a date to it to see how it goes. He agreed the facility deserves to have restrooms; however, his concern is whether this is the right year to do it because of costs.

Mayor Aalfs thanked Mr. Scheuer for his presentation and for taking on this task.

With no additional public comment, Mayor Aalfs brought the item back to the Council for discussion.

Town Manager Dennis reviewed Councilmember Wengert's comments: "2.) Resident Resiliency. B. Town Committee Revitalization – During 2019 our focus was on revitalization. I would recommend retitling this priority to read Town Committee Support. I would also move item 2f. under this Town Committee Support 2b. category. 4.) Health of Town Resources. My top priority in this category for the 2020-2021 fiscal year is the successful implementation of the new Open Gov Financial systems. As part of those efforts I would recommend quarterly TC updates on that process. A second and equally important priority in the financial arena is the status of a long-term staffing plan for the Finance Team. 5.) Strategic Planning Efforts. I recommend that initial General Plan update efforts be initiated in this coming fiscal year and be focused on updating outdated and conflicting sections of our code along with adding newly required legislative provisions. The Town Council has previously budgeted for an outside consultant who could be retained to lead these initial efforts."

The Council agreed with Councilmember Wengert's comments and Town Manager Dennis said he would incorporate them into the Priorities list.

Town Manager Dennis summarized the Council's directions that the focus priorities will be on Wildfire/Emergency Preparedness, Housing Strategic Plan Implementation, Open Space Stewardship, and Sustainability. The Committee recommendations will be incorporated and a preamble will be prepared that ties priorities to the Town's General Plan principles. Staff will bring the draft back to the Council for review on April 8.

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

Councilmember Richards – Attended Conservation Committee meeting on February 24 where they discussed a project on Goya and the Bay Laurel Trail renovation. Town Manager Dennis said a

suggestion came in from the Ranch residents regarding engaging volunteers from the Trail Center, a nonprofit that focuses on sustainable trail maintenance issues. Councilmember Richards said they also discussed the timing of mowing on the trails to preserve the wildflowers but reduce the tick population, protection of native shrubs, and the postponement of the broom pull. He said there was a big discussion regarding completing the new open space maintenance projects without overloading the Public Works Department. Town Manager Dennis expressed appreciation to Judith Murphy for providing different ways of thinking about how things are done.

Vice Mayor Derwin – Attended C/CAG board meeting and C/CAG Leg Committee meeting on February 13. She said the Governor’s State of the State address was about homelessness, tying it to a lack of affordable housing. She said they discussed the Faster Bay Area Initiative, the one-cent sales tax across all nine Bay Area cities, which may not be on the 2020 ballot and will more likely be on the 2022 ballot. She said although SB-50 failed, there will be housing production bills and there are a couple that are aimed at communities like Portola Valley, such as AB-75, which requires 25 percent of the above-moderate housing be two units or more, which would exclude ADUs. They had a presentation on Safe Routes to School. A new public member was voted into the Congestion Management Environmental Quality Committee. She said they reviewed and accepted Measure M, discussed the Carpool 2020 Incentives Program, discussed MTC projects, and saw an Express Lane presentation. She attended a Climate Protection meeting. There was a presentation from Bioforcetech who turns sludge from waste into biochar in Redwood City. She said West Bay Sanitary talked about their water recycling for Sharon Heights Golf Course, which is where all Portola Valley’s wastewater goes to after being cleaned. She said Fluence makes portable wastewater management systems so she asked about Portola Valley using a Fluence wastewater treatment module to treat their own wastewater but the West Bay representative said Portola Valley can’t do it because West Bay owns the wastewater and Portola Valley would have to go through LAFCO. Vice-Mayor Derwin said she is interested in pursuing this. She attended the Express Lanes board meeting. She attended the San Mateo County Flood and Sea Level Rise Resiliency Agency (FSLR) meeting where they formally hired a new CEO, Len Materman, who will start in May. They have migrated the Flood District into FSLR. She said all towns and cities agreed to contribute to FSLR. She said Portola Valley, being a smaller town, paid \$30,000. Woodside, however, chose to only contribute \$15,000. She said the Agency will decide at the next meeting if that was acceptable. She attended the ASCC meeting on February 24. She attended a C/CAG Finance meeting.

Mayor Aalfs– Attended Nature and Science meeting last week with the new Committee members. Danna Breen was elected the new Chair with Yvonne Trice as the Vice Chair. Ms. Trice brought out plans for an event called, “Our Watery World.”

(10) **TOWN MANAGER REPORT** – Town Manager Dennis reported the ad-hoc Wildfire Preparation Committee will meet next Wednesday. He said a draft agenda includes insurance non-renewal issues and a bill that would authorize increased rates for fire insurance than are currently allowed, with the idea being to attract insurers to provide that insurance. He said the hardware for the AM radio to be installed at Peak Lane is moving forward. Town Manager Dennis and Vice-Mayor Derwin will attend a Wildfire Workshop put on by Stanford University in a couple of weeks. He said the County has put in place a website about the Coronavirus and have started a process of planning. He said Portola Valley staff has scheduled an internal meeting to start talking about it next week. Town Manager Dennis said the registration for spring classes will open in a week and a half. He said staff received a few complaints last week regarding lighting at Corte Madera School in the main parking lot and along the building across from the Frog Pond. He said he and Public Works Director Young met with the School District today. He said the Town has no jurisdiction of what the PVSD does but was appreciative that the PVSD staff wants to do the right thing. They will install some shielding, change the light level, and maybe reposition them to reduce impacts, and they will keep the lights off Frog Pond.

WRITTEN COMMUNICATIONS

(11) **Town Council Digest** – February 13, 2020

#4 – Invitation to Council of Cities Dinner Meeting in Belmont. Vice-Mayor Derwin said she and Councilmember Wengert would attend. The program includes the San Mateo County Standardized Evacuation Project. Town Manager Dennis said he, the Fire Chief, and the Woodside Town Manager met on Monday and got a preview of the software system which has a number of identified evacuation zones. He said they have asked for more information about the parameters and methodology.

(12) **Town Council Digest** – February 20, 2020

#6 – Letter to the Town Council from Resident Signatory re High-Density Housing Development Proposal for 3530 Alpine Road/Stanford Wedge Housing Project. Mayor Aalfs recused himself because of a conflict of interest regarding the Stanford Housing Project.

Vice-Mayor Derwin asked if it was protocol to publish comment letters in the pre-application process. Town Manager Dennis said that is not standard procedure. He said that, based on the feedback, staff will begin putting up more information, but it was not an oversight, it was just not something that has been done. He added that the copy of the former Fire Marshal's comments was the letter that was received at the Town and people came in and got copies of it.

With regard to the Fire Marshal's statements regarding 100 feet of defensible space, Vice-Mayor Derwin asked if that was a Town Code. Town Manager Dennis said that, in his conversations with the Fire Marshal, he has received indications that this is not code; however, staff has not yet independently reviewed the Fire Code.

Vice-Mayor Derwin asked for clarification regarding the request for two District-approved, independent fire modeling studies. Town Manager Dennis said there are a number of fire models that will be developed. He said there is at least one through the EIR consultant the Town has hired and there will be two that Stanford's fire consultant will do. Town Manager Dennis said his understanding is that the Fire Marshal is comfortable with that. He said there is no concern from the Fire Marshal's office about the timing of it.

Vice-Mayor Derwin asked about the source of the allegation that "the construction of housing in such a combustible and dangerous setting as the southern mouth of the Alpine Canyon is a root cause of the catastrophic wildland fires now plaguing California." She asked if those sorts of accusations will be investigated in the EIR. Town Manager Dennis said the EIR, per the direction of staff, will include a very broad fire component. He said the Fire Marshall is very comfortable with the very well-respected EIR Consultant, Carol Rice, who has worked in this community and works at the Ranch. He said there will be a significant portion of the EIR dedicated to fire-related issues and any mitigations.

Vice-Mayor Derwin asked about the allegations in the letter directed at the Planning Commission and asked for clarification regarding their role in this matter. Town Manager Dennis said this appears to be a misunderstanding at the January 30 Planning Commission meeting, which was to support the scoping of the EIR. He said the Planning Commission has not reviewed documents for the land use component (the application) for the project. He said it is a mischaracterization of the Planning Commission's role at that time. They would not have reviewed those documents and were not asked to do so but they will be reviewed later as the process comes forward.

In response to Vice-Mayor Derwin's question, Town Manager Dennis said the comment letters are for the applicant and not for the Town. He said the applicant has received them and has met directly with the Fire Marshal, as appropriate. He said there is a process by which this gets determined by the Planning Commission and perhaps the Council.

Vice-Mayor Derwin asked what General Plan and Zoning concessions the Town was proposing to allow Stanford. Town Manager Dennis said no concessions were being proposed.

Vice-Mayor Derwin asked, with regard to the suggestion that Woodside Fire Protection District should be the lead governmental agency, if standard practice is that the Town Council is the lead agency. Town Manager Dennis agreed. He said he has had multiple meetings with the Fire Marshal and the Fire Chief and they understand staff's desire for them to be an integral part of the review of anything fire related in this process.

Vice-Mayor Derwin asked if it was true that the EIR cannot be done prior to the vegetation management plan. Town Manager Dennis said his understanding is that Fire Marshal's office does not believe that is necessary.

Councilmember Richards said there are obvious issues of fire safety that have to be addressed for the project, but this letter reflects a misunderstanding of the process. He said the fact is the conversation needs to happen between the Fire Department and Stanford, the applicant. Whatever comes out of that will then come to the Town, which won't happen until the finalization of their application.

Town Manager Dennis said no staff work can be directed regarding this item based on lack of a quorum.

Vice-Mayor Derwin said there is no way the Council would approve a project that did not meet stringent fire safety requirements. She said neither the Town nor Stanford would take on that responsibility.

ADJOURNMENT [8:35 p.m.]

Vice-Mayor Derwin adjourned the meeting.

Mayor

Town Clerk