



TOWN OF PORTOLA VALLEY

7:00 PM – Special Meeting of the Town Council
Wednesday, April 8, 2020

**THIS SPECIAL MEETING IS BEING HELD
VIA TELECONFERENCE ONLY**

SPECIAL MEETING AGENDA

REVISED AGENDA TO INCLUDE URGENCY ORDINANCE ESTABLISHING A MORATORIUM ON EVICTIONS FOR SMALL BUSINESS COMMERCIAL TENANTS IMPACTED BY COVID-19

COVID-19 DISEASE ADVISORY NOTICE

The San Mateo County Health Officer, in conjunction with colleagues from five other Bay Area Counties, has issued legal orders to help stop the spread of the coronavirus. These legal orders include directing all residents to shelter in place, with exceptions for visits to essential service providers such as grocery stores, gas stations, and pharmacies.

This meeting will be conducted in compliance with the Governor's Executive Order N-25-20 issued on March 12, 2020, and N-29-20 issued on March 18, 2020, allowing for deviation of teleconference rules required by the Brown Act. On Thursday, March 19, Governor Gavin Newsom issued a statewide stay-at-home order to protect the health and well-being of all Californians. In an effort to reduce the risk of spreading Coronavirus (COVID-19), members of the Town Council, the Town Manager, and the Town Attorney will all participate via teleconference. The purpose of this is to provide the safest environment for officials, staff, and the public while allowing for public participation.

Remote Public Comments: Meeting participants are encouraged to submit public comments in writing in advance of the meeting. Please send an email to jdennis@portolavalley.net by 5:00 PM on the day of the meeting. All received questions and comments will be read by the Mayor and addressed and will be included in the public record.

Additionally, the Town Council will take questions by using the Q&A button for those who attend the meeting online or on the App.

Finally, if you can only call in and you did not send in questions and comments ahead of time, you can press *9 on your phone to "raise your hand" The town council will call on people to speak by the phone number that is calling in.

We encourage anyone who has the ability to join the meeting online to do so. You will have access to any presentations that will be shown on your screen and can easily ask questions in the Q&A.

Below are instructions on how to join and participate in a Zoom meeting.

<p><u>Join Zoom Meeting Online:</u></p> <p>Please click the link below to join the webinar: https://zoom.us/j/799209104 Webinar ID: 799 209 104</p> <p>Or Telephone: (669) 900-6833 Webinar ID: 799 209 104</p> <p>Or iPhone one-tap: US: +16699006833, 799209104#</p>	<p><u>Remote Public Comments:</u></p> <p>Meeting participants are encouraged to submit public comments in writing in advance of the meeting. Please send an email to jdennis@portolavalley.net by 5:00 PM on the day of the meeting. All received questions and comments will be read by the Mayor and addressed and will be included in the public record.</p> <p>Town Council will take questions by using the Q&A button.</p>
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7:00 PM - CALL TO ORDER AND ROLL CALL

Councilmember Wengert, Councilmember Richards, Councilmember Hughes, Vice Mayor Derwin, and Mayor Aalfs

ORAL COMMUNICATIONS

Persons wishing to address the Town Council on any subject may do so now. Please note, however, that the Council is not able to undertake extended discussion or action tonight on items, not on the agenda.

CONSENT AGENDA

The following items listed on the Consent Agenda are considered routine and approved by one roll call motion. The Mayor or any member of the Town Council or of the public may request that any item listed under the Consent Agenda be removed and action taken separately.

1. **Approval of Minutes** – March 17, 2020 (3)
2. **Approval of Minutes** – March 25, 2020 (15)
3. **Approval of Warrant List** – April 8, 2020 (27)

REGULAR AGENDA

4. **Report by Town Manager** - Updates on COVID-19 and Town Response (37)
5. **Report by Town Manager** – Farmers' Market Update (38)
6. **Recommendation by Town Attorney** – Consideration of Adoption of an Urgency Ordinance of the Town Council of the Town of Portola Valley Establishing a Moratorium on Evictions for Non-payment of Rent by Small Business Commercial Tenants Directly Impacted by the COVID-19 Pandemic (Ordinance No. __) (39)
7. **Recommendation by Town Manager and Planning & Building Director** – Adoption of a Resolution to Ratify Ordinance No. 12 of the Woodside Fire Protection District (45)
 - (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. __)
8. **Recommendation by Town Manager** – Recommendation of Proposed Public Comment Policy (80)
9. **COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS** (86)

Oral reports arising out of liaison appointments to both in-town and regional committees and initiatives. *There are no written materials, and the Town Council does not take action under this agenda item.*
10. **TOWN MANAGER REPORT** (87)

WRITTEN COMMUNICATIONS

11. **Town Council Digest** – March 27, 2020 (88)
12. **Town Council Digest** – April 2, 2020 (99)

ADJOURNMENT

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley Library located adjacent to Town Hall. In accordance with SB343, Town Council agenda materials, released less than 72 hours prior to the meeting, are available to the public at Town Hall, 765 Portola Road, Portola Valley, CA 94028.

SUBMITTAL OF AGENDA ITEMS

The deadline for submittal of agenda items is 12:00 Noon WEDNESDAY of the week prior to the meeting. By law no action can be taken on matters not listed on the printed agenda unless the Town Council determines that emergency action is required. Non-emergency matters brought up by the public under Communications may be referred to the administrative staff for appropriate action.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only issues you or someone else raised at the Public Hearing(s) described in this agenda, or in written correspondence delivered to the Town Council at, or prior to, the Public Hearing(s).

PORTOLA VALLEY TOWN COUNCIL SPECIAL MEETING NO. 984, MARCH 17, 2020

CALL TO ORDER AND ROLL CALL

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

Present: Councilmembers Craig Hughes, John Richards, and Ann Wengert; Vice Mayor Maryann Derwin; Mayor Jeff Aalfs

Absent: None

Others: Jeremy Dennis, Town Manager
Cara Silver, Town Attorney

Mayor Aalfs thanked everyone for participating in this experiment in social distancing and governance with this Zoom online meeting.

ORAL COMMUNICATIONS

Mayor Aalfs explained because there is no open mic for public comment at the Town Center, staff requested that comments be emailed.

REGULAR AGENDA

(1) Consideration of Local Emergency Declaration in Response to Novel Coronavirus (COVID-19)

Town Manager Dennis said extraordinary measures are required in these extraordinary times. He said San Mateo County has taken extraordinary measures related to the spread of this disease. Tonight's presentation included a proposed declaration of local emergency and a resolution. The conversation will also be broadened related to the operations of Town Hall and the services provided.

Mayor Aalfs thanked Town Manager Dennis and the Town staff who have worked very hard these last several days.

Town Manager Dennis said significant measures have been instituted in order to stop the spread of this disease. He said his primary concern is finding a balance between ensuring his staff stays well and healthy and providing the service expected by residents of Portola Valley. Fortunately, technology provides many opportunities to communicate with one another and residents and perform some basic services. He said, however, the health issue is significant and, per the order issues by the County, Town employees are required to work from home beginning March 18 unless there are essential services required.

Town Manager Dennis described the essential Town-wide services as communicating with residents, paying Town bills, passing a budget, annual audits, paying employees and providing benefits, meeting Brown Act requirements, maintaining IT infrastructure, and ordering supplies as needed.

Town Manager Dennis described the essential services by each Department, as follows:

Public Works: Right of way clearance to ensure smooth flow of traffic/emergency evacuation; life/safety work on trails, roads, and facilities; cleaning applicable opened public spaces; life/safety engineering and right-of-way work/inspections (utilities, erosion control). Town Manager Dennis said it has been a struggle to keep public spaces clean with janitorial services increasingly difficult to come by.

Planning and Building: Life/Safety building inspections including but not limited to gas or electrical emergency that needs Town inspections before PG&E reconnection; accident, storm damage, fire; conditions that may cause severe erosion; water heater; heaters/furnace; and emergency plumbing. Essential services also include project sign-offs that are necessary for financial reasons and statutory land-use deadlines.

Town Manager Dennis said many services will not be possible to continue during this situation. All non-essential events (classes, practices, meetings, gatherings) have been canceled and the library, playground, and bathrooms have closed. The fields have not been closed and it is not being proposed as long as people socially distance themselves as appropriate.

Town Manager Dennis said it has been difficult to keep up with the current load in the Planning Department and he proposes the limitation or prohibition of accepting new applications coming into Town Hall during the duration of this order. Some of the pending building permits may be able to be closed out quickly. He said there are exceptions to the rule related to affordable housing projects and staff believes they can handle the Priority project. Town Manager Dennis said a lot of work can be done over the phone, but processing applications requires a lot of face time, and the energies should be focused on critical services.

Mayor Aalfs said the Council recognizes what a profound change this is in services and how drastic this might seem. He said for those who have closely followed this situation both locally and internationally, it is clear how dire this situation is. He said the Town is being very cautious and it is wise to err on the side of caution in this situation. He acknowledged that these measures may seem extreme, and he apologized for the disruptions this will cause, but said this is being taken very seriously and this is the level of change warranted right now. Mayor Aalfs invited questions from the Council.

Councilmember Hughes thanked Town Manager Dennis for the helpful information regarding the Town Hall services. He said there are also Town services provided by contractors that people may have concerns about, including refuse collection, public safety, Sheriff's Office, Fire Department, etc. He asked what can be expected from those services.

Town Manager Dennis said staff has been in close contact with the Fire Department and the Sheriff's Department who have assured him they anticipate no interruption of public safety service. Town Manager Dennis has asked the Sheriff's office to be visible in Town. There are also no anticipated service interruptions by GreenWaste.

Councilmember Hughes said the County Public Health Order specifically listed residential construction projects as essential services. He asked if Town Manager Dennis was proposing to curtail that in Portola Valley. Town Manager Dennis said staff welcomes the Council's direction and input in this regard. He said he is uncomfortable assigning staff or contractors to inspection services on construction sites that will possibly not be meeting the social distancing requirements. He said with the increase of people in Town who are now required to work from home, he would anticipate an increase in concerns about noise. He said curtailing construction activities will address the public health issue as well as noise concerns. He said the Town will not be able to enforce some of the issues the way they'd like to, but the most prudent thing to do from a health standpoint is to limit the Town's employees' exposure to potential transmission sources, which includes construction sites. Councilmember Hughes agreed.

Councilmember Hughes said there will be more people in Town during the daytime, possibly going out to hike a trail or go outdoors while maintaining social distancing. He said there will also be DPW workers repairing trails, cutting trees, cleaning public fields, etc., who are accustomed to being alone when they do their work. Councilmember Hughes asked if there had been any training to those employees about what they should do when someone comes down a narrow trail in their vicinity. Town Manager Dennis said staff has received some training and that training will be continuing.

Councilmember Richards asked if there had been any discussion about changing the statutory land use deadlines. Town Manager Dennis said there has been discussion at the local level and he has been in

contact with Assemblyman Berman's office, asking for them to be looking at it. Town Manager Dennis said staff does not anticipate projects that would trigger that in Portola Valley but it is a huge issue with some of the other communities. He said this would relate to ADUs for Portola Valley. He said the Assembly is currently in recess and will not meet again until April. Town Manager Dennis invited Town Attorney Silver to comment. Town Attorney Silver said the latest information she has heard is that the Governor was considering an Executive Order that would waive certain permit streamlining deadlines.

Councilmember Richards asked for clarification regarding exceptions for affordable housing. Town Manager Dennis said it would apply to the Priory affordable housing project but the exceptions are quite interpretive. Town Attorney Silver said the Order language contains an exception for residential housing construction with an emphasis of affordable housing and homeless shelters. She said, according to the counsel that helped draft this order, the thought behind this particular exception is that it would apply to larger housing projects. She said this is a six-County Order with a lot of different scenarios being considered. She said County Counsel thought that within San Mateo County, due to their extreme need for housing, local agencies could use their discretion to determine the desire to expand that exception to smaller housing projects. She said the city's ability to actually perform inspections would need to be factored into the consideration of expanding that exception.

Councilmember Wengert asked for clarification of the kind of permit activity that would take place. Town Manager Dennis said the recommendation is to cease accepting planning applications for projects at this time and instead focus on life and safety building issues and to provide staff some level of flexibility to determine what makes sense. He said they don't want to get to a place where they are carving out multiple exceptions, which would be very difficult to manage, and there would be concern about staff's exposure.

Councilmember Wengert said there were a number of exceptions in yesterday's County announcement regarding safety issues related to ongoing projects. She said there are construction projects of varying sizes in different stages that may find themselves in precarious situations if they stopped immediately. She asked what would be the best way to manage that for people in that situation with an eye to quickly getting the project to a place where it is out of the danger category. Town Manager Dennis said this situation would fall under life and safety related to the building permits. He said there are a few projects in town in which their need to continue would follow under this definition because stopping today would be dangerous. Town Manager Dennis said they should get to a place where they are not dangerous and then curtail their construction activities for the duration of the order. He said the Town has communicated with everyone who has a currently active permit to advise them of the status and will address any life and safety related issues.

Vice-Mayor Derwin said she and Mayor Aalfs were on the County call with the County Manager and many City Councilmembers, public schools, Congresswoman Speer, Senator Hill, and many others. She said there were a lot of questions about permits that have been filed, definition of essential services, and if housing construction can go forward. She said her understanding is that anything to do with housing would be exempt because the State is in a housing crisis and it is an essential service, which includes ADUs. She said they were also talking to community development directors to come up with a uniform way to handle permits that have been filed. She said she doesn't know what has developed since that discussion. She asked Town Manager Dennis if he would be discussing tonight any of the County services being developed, the prohibition of eviction ordinance, resources for people who have lost jobs, housekeepers not being paid, and small business owners. Town Manager Dennis said he will be discussing many of those issues.

Town Manager Dennis said the city planning officials met late this morning and did not reach a consensus approach, primarily because cities' ability to staff is radically different in a situation like this. He said the understanding is that each city will need to find the approach that works best for them as it relates to their staffing and any concerns about health. He said there was a valiant effort to find a way to coordinate some of these issues but there is a significant difference between San Mateo and Portola Valley. He said Portola Valley is the smallest staffed city in San Mateo County and the challenge with that is if that one or two people are out, the Town's ability to provide any level of service is severely curtailed. He said he was

appreciative that the County offered the opportunity for the Town to structure this in a way that makes sense. He said he was appreciative of the County's approach on housing and the housing crisis. He said he has been comfortable with the interpretation that this is about larger projects that provide affordable housing as opposed to other types of housing projects.

Town Attorney Silver added, with regard to the County call Vice-Mayor Derwin referenced, the County Counsel realized that this was a colossal effort to draft this order. She said there are a lot of gaps in it, however, as a whole is a very well-written order. She said the County Counsel asked all City Attorneys in the County to interpret the order for themselves based on local conditions. She said there is a critical exception in the order for essential government services. She said the language there gives specific authority to Towns to determine what constitutes essential government services. In keeping with that spirit, the County Counsel encouraged the individual City Attorneys to make their own interpretations of what would constitute essential infrastructure and essential construction, given the circumstances of the Town.

Councilmember Hughes said the County Public Health Officer has issued an order supported by the Governor's Executive Order implementing these various restrictions. He said the order didn't just grant power to the County Health Officers but also to local jurisdictions. Councilmember Hughes asked if the Town could, under police powers and the Executive Order, constrain things even further than the County. He asked, for example, if the Town could remove the County's exception for residential construction. Town Attorney Silver said the Town could remove that exception and that would be the Town's preferred approach on that particular issue. She said there is some broad interpretive authority the Town has but the Town's local order can certainly be more restrictive than the County's. She said the Town would be constrained, however, from providing exceptions that loosen the County's restrictions.

Councilmember Hughes said it sounds like Portola Valley has special safety circumstances different from other parts of the County and the Town may want to restrict construction of residential properties in Town and go a little beyond the County order due to those special circumstances. Town Manager Dennis agreed. He said his proposal is very uncomfortable and he would not suggest it if he knew of another way to move forward. He stressed his concern about sending the Town staff to construction sites that are not meeting the spirit of the order. He said there will be a significant number of people working at home and he would anticipate an increase in complaints regarding construction noise during daylight hours.

Councilmember Wengert said she is concerned about tightening the Town's restrictions. She said the best approach may be to give the staff latitude to determine the adequacy of safety and ability to adhere to the social distancing requirements related to some of the situations they may be asked to be part of. She said she would recommend a more blanket restriction that says the Town will not look at anything that might fall into this category without allowing for some judgment to be applied. She said the intent is to shut down any work as quickly as possible but it is really not possible and not safe to do that. She said in the interest of full disclosure, she herself is in this situation. She said if it is not possible and safe to shut down work immediately, and if there is an inspection required that would not compromise the social distancing requirements, a transition period should be allowed so people can manage those projects.

Councilmember Hughes asked Town Attorney Silver if the Town could delegate staff to make those decisions or if there should be a date set for some point in the future by which construction projects need to be shut down completely. Town Attorney Silver said there are two acceptable options. One would be a gentle wind down of construction with a certain end date or there could be a customized approach, perhaps banning all projects unless there is an articulated exception and some kind of exception process. She said, in that case, it would be appropriate to delegate that exception process to the Town Manager so that he can then look into the particular facts and circumstances of the case.

Town Manager Dennis pointed out that the Town has no in-house building services and instead uses a consulting firm to do plan checks, building inspections, and provide building official services. He expects there will be a lot of layoffs in the coming weeks as different types of service slow down and he cannot assure the status of any of the Town's consulting firms. He said things can change rapidly which will affect the Town's ability to provide any of those kinds of services.

Town Manager Dennis said the Town has a part-time employee that works on code enforcement issues such as construction noise, who will be working from home. He said the Town will have no ability to come to construction sites to deal with those kinds of complaints.

Town Manager Dennis said the County has identified senior staff to coordinate volunteer efforts. The Town has been in touch with those County representatives sharing the contact information of people in Town who want to assist in any volunteer efforts for those in vulnerable populations. He said the Town churches have reached out proactively asking to help. Town Manager Dennis said the Town will be reaching out to Town business owners with information related to loan assistance, employee assistance, etc. San Mateo County Economic Development (SAMCEDA) is also putting something together the Town can use.

Town Manager Dennis said the State and Federal government have extended the tax deadlines, waiving penalties of interest for 90 days. He said there are some efforts at AT&T and other companies may be providing unlimited internet data. He said the Farmer's Market manager, Nile Estep, reached out to the Town with a plan to modify the current Farmer's Market to a drive-through pickup structure. He said customers can purchase one of four program bags made up of essentials, vegetarian essentials, fresh produce, or fresh produce specialties that would serve up to four people for two to three days. He said the Town would need to make a contribution, which can be done under emergency powers, possibly \$15,000 a week. He said he appreciates that the Farmer's Market wants to continue to provide service and utilize the local meat and bread vendors.

Mayor Aalfs read emails into the public comments.

Letter from Eleanor Duff addressed to Planning & Building Director Russell and the Town Council, regarding a project on Alpine Road. "Due to a vast number of challenges on our project, we have been nearly done and hopeful to complete planning and building inspections for at least four months now. We have waded through months of the PG&E backlog, last-minute PG&E cancellations, multiple civil and geotech final letter revisions, and a multitude of contractor delays, and drawing up plan requirements in this last multi-month stretch of time." In the interest of time, Mayor Aalfs did not read the entire email. He said the gist of the letter basically asks the Town to move this project forward so they can switch from a construction loan to a mortgage. He said this letter speaks to the Town Manager's earlier point about projects that are at critical junctures and where the Town continuing to process and inspect would be an important service.

Letter from Lorrie Duvall. "Thank you for all your tremendous work preparing our community to be ready for and to respond to the COVID-19 pandemic. I am grateful that so many of my fellow residents are stepping up to help each other out. The next few weeks will require patience and resilience. We are all in this together. Sincere thanks, Lorrie."

With there being no other public comment letters, Mayor Aalfs brought the issue back to the Council for discussion.

Mayor Aalfs asked the Council to discuss the issue of allowing or halting construction.

Councilmember Wengert supported Town Attorney Silver's suggestion of either a wind down with a date certain or a customized approach. Councilmember Wengert asked Town Manager Dennis how much of a burden the customized approach would create for staff. She said she would expect that over time it would be a dwindling burden. Town Manager Dennis said the way staff typically schedules inspections is on a 24-hour notice which will be challenging with a remote staff. He said not having the building permit inspection piece narrowly defined could create a lot of inquiries about projects and he is always reluctant to pick one project over another. He said, by its nature, building inspection will be difficult because everyone wants their inspections done yesterday and people get very frustrated with delays. Town Manager Dennis said he has some reservations about staff having a broad interpretive role because it could cause frustration.

Councilmember Richards agrees that having a discretionary process makes sense but said it should be fairly centralized. He said it is not a kind of work process anyone ever signed up for and it would be unfair to place that kind of burden on staff. He said the process must be carefully orchestrated and narrowed.

Mayor Aalfs asked Town Manager Dennis if there was an effective way to manage it. Town Manager Dennis said he doesn't know how staff could manage it. He said there is a way to manage life and safety issues, which are fewer and farther between, and which can be defined in a very particular way. He said it becomes more difficult when the definitions become broader. He said the point is to try to limit interactions with people across the board, not being certain of who or who has not practiced safe social distancing. He pointed out that every time you introduce a new interaction, it's a potential recipe for transmission. He said there could be 15 to 20 people at some of the larger projects in town and he is reluctant to send his staff or consulting staff out for that kind of inspection without it being a life and safety issue. He said it can be managed but it would be arbitrary, which will create an environment where people become quite frustrated. He said staff has struggled over this issue as they put together their thoughts and recommendations to present to Council. He said the Order from the Health Officers provided a lot of top-level guidance, with the starting place being limiting all social interactions.

Mayor Aalfs agreed and said this virus doesn't differentiate between having friends over for dinner or building a house – a gathering is a gathering. He said from a public health standpoint, he does not think the County's guidance is great.

Councilmember Hughes said he understands the economic situation for people who are in the middle of a construction project and he wants to minimize the harm to them, but this is a public health emergency causing an enormous amount of economic damage to most everyone. He said his inclination is to mothball all of these construction projects into a safe state as quickly as possible. He said some may not need to come back to the construction sites, some may need to do whatever is needed to make the project sites safe, and then leave as soon as possible. He said he is sympathetic to those who are in the middle of construction projects that are rife with coordination problems under normal situations, but these are not normal situations and hard decisions must be made to balance finding a way to lessen economic harm to these people with public safety, which must be the primary concern.

Councilmember Wengert agreed with Councilmember Hughes. She said she has two projects currently underway and her goal is to quickly wrap them up. She said she is hoping to have everyone off site on both projects by the end of this week. She said it is an uncomfortable position to be caught in this, but there is no question in her mind that the public health emergency is the primary concern. She said many current projects are much larger than hers and there will not likely be staff time available to complete all the needed steps. She said flexibility is best given to whomever is on-site – the homeowner or resident – so that everyone is moving to minimize the impact of COVID-19, which means abiding by the social distancing and staying home recommendations. She said the economic damage is incalculable but it is about getting the sites to a safe place where they can be mothballed.

Town Manager Dennis read an email: "Hello Mr. Dennis. We would like to know if there is any possible way to get a certificate of occupancy on homes that are safe for occupancy and are really close to passing final inspection. In light of recent extenuating circumstances, can we get the C of O without Planning and Public Works final Inspections are currently on hold so we can't schedule for those? Is a Facetime video conference an option?"

Vice-Mayor Derwin agreed that construction sites need to be closed down as soon as possible. She said all we have to do is look at Italy and France.

Mayor Aalfs agreed. He said these projects need to be brought to the safest possible place they can get to in the interest of public safety. He asked if that should be delegated to staff or if more restrictive language should be included in the declaration of emergency.

Councilmember Wengert said not all contractors are able to access their resources so things may have to shut down quickly. She said the most creative are trying to make sure wherever they stop is as safe as it

can be. She said it may not be perfect in many cases. She said Town Manager Dennis is uncomfortable having staff make those decisions on an individual project basis because the Town does not have the capacity and it can create a potential risk to staff. She suggested that in lieu of staff being the one to make these decisions, the Council decide on a wind-down period with a set end date, perhaps to the end of next week, March 27.

Councilmember Hughes suggested that the order could also waive the restriction against working on weekends which would give an extra two days to achieve the shutdown. He said two days of weekend construction noise is a reasonable tradeoff. Councilmember Wengert agreed.

Councilmember Richards agreed. He said that a full two weeks is probably not necessary for most of the projects. He asked Town Manager Dennis if he had any idea how many projects were in this precarious state. Town Manager Dennis said he could only guess. He said what the Council is suggesting can work but he is concerned with staff's ability to timely fulfill a lot of inspection requests that come in at the same time. Councilmember Richards said perhaps rather than having a fixed deadline, it may make more sense to make it clear that things have to shut down and ask for information on scheduling to get that done, which may help to spread out required inspections. Town Manager Dennis said he would want to reserve the right, in any case, to not send staff out to an unsafe environment. He said he would prefer to just have people close these projects down as soon as possible instead of assigning a fixed date. He said there will be no building permits issued and so it will be a de facto prohibition for a period of time.

Mayor Aalfs asked Town Manager Dennis how many building permits are currently open. Town Manager Dennis said there could be hundreds open, most for very minor projects. He said there may be 15 to 20 on the building side that need to wrap up in some way. He said some of that will be happening anyway because of the rain. Mayor Aalfs asked if it was reasonable to say that staff could wrap those projects up on a timely basis without too much stress. Town Manager Dennis said it could be done as long as it is an appropriate site to send a staff person.

Councilmember Hughes said when he was talking about a March 27 deadline, he was thinking it would take a few days to get to a stopping point and then a few days to schedule an inspection. He said contractors respond to deadlines over everything else so including a date, even two weeks out, may be prudent. He said giving flexibility may result in contractors doing "just one more thing" to the point where nothing gets inspected and the rules may get tightened to where their workers are no longer allowed to come to the project at all. He said he doesn't want to see abandoned construction sites but wants the sites being made as safe as possible. He supported including an achievable firm date for shut down. Mayor Aalfs agreed.

Councilmember Richards said he was trying to think of the most likely reasons that staff would need to go out for inspections. He said weathering sites does not usually require any kind of permitting process. He said construction sites generally need to maintain a safe condition throughout the entire process. He said he is having trouble thinking of things that would need to be done on an emergency basis that would require inspections. He said giving more time than necessary may tempt contractors to launch into other parts of the project that are not part of the shutting-down process.

Town Manager Dennis agreed that there are erosion control things that may need to be looked at. He said if major electrical or plumbing work is being done, someone needs to be in the building to make sure it's safe, which makes him more nervous. He said if it was just an exterior visit with one or two people on-site that may be acceptable. He said building officials or inspectors are being prohibited from entering buildings that have had any occupant for the prior 24 hours.

Councilmember Wengert suggested one way to accomplish what I think we're all trying to accomplish, which is to safely shut down projects without unduly harming the people who are very close to the end of their projects is perhaps a way to allow people time to get their jobsites mothballed but without the promise that there would be inspections that would be associated with whatever time period so that we could – it would shorten it up potentially. You could go as soon as next Monday or some time next week or end of this week even, I guess. So I think showing some flexibility there if we're not going to be

comfortable, from what I hear you saying, Jeremy, having anybody issuing internal permits that are where you have people moving around where workers have been active, may be the way to solve it. Town Manager Dennis said staff would love to embrace technology to allow them to accomplish some of these things. He said, however, that it opens up the idea that there will be exceptions allowed which will be a recipe for disaster with people becoming very frustrated.

Mayor Aalfs said this discussion has been around larger construction projects. He asked how this will apply if, for example, if someone's water heater or furnace quits and they need to get a permit to install new ones. Town Manager Dennis said in the last three days, thanks to the help of Assistant to the Town Manager de Garmeaux, staff has made astounding progress using technology, being able to do this work from home. There are also officials on call to do some of the work. He said the community needs to understand it will take a bit more flexibility because it may take longer than usual to get their work done.

Councilmember Hughes suggested allowing work to continue through the weekend but that projects should be shut down by Monday so Sunday would be the last work day on the projects since no inspections are needed for that. He would agree that the contractors should not be tempted to pull out all stops and bring more people onto a jobsite to finish the project in two weeks.

Councilmember Richards suggested Monday be the end date to close up operations, weatherize the buildings, and that no inspections will be done unless there is the unlikely event there is an exceptional situation where someone needs an inspection.

Mayor Aalfs agreed that work stops should be quickly on sites, perhaps with some discretion from staff around life safety issues.

Town Manager Dennis suggested providing the Town Manager or his designee with the discretion to fine-tune the particulars of the proposed resolution. As the resolution was not attached to the staff packet, Town Manager Dennis immediately emailed the resolution to the Councilmembers to review.

Mayor Aalfs said it is appreciated that several citizens have reached out to volunteer their help to the Town. He said one group in particular (Steve Levin, Jane Wilson, and Rebecca Flynn) are trying to formalize the conversation about matching volunteers with people in need. He suggested reaching out and checking on neighbors that may be vulnerable, but also to exercise social distancing and all other precautions so that the problem is not made worse through good intentions.

Mayor Aalfs said this Zoom meeting is not the same as a public meeting and certain things, for better or worse, will just have to wait. He asked for suggestions on how to foster better public participation for these remote meetings.

Vice-Mayor Derwin said PV COVID Assist is the name of the tool that will be live on the PV Forum soon, created by Jane, Rebecca, and Steve, who have guidelines. Vice-Mayor Derwin wants to help the vulnerable besides the elderly and those with disabilities – those who are losing their jobs at the nail salon, the hair salon, the small business owners, the housecleaners, etc. She asked if there is a way to get out all the information about what is being offered by the County and the State. She said there is a provision in the Governor's order preventing evictions, but each city must take action. Town Manager Dennis said the Town's communication team will be putting out all of the information Vice-Mayor Derwin mentioned within the next day. Town Attorney Silver said the Governor issued a specific order regarding policies with respect to both residential and commercial evictions due to COVID-19, authorizing cities to adopt moratoriums to address these types of evictions. She said several San Mateo cities are getting together to discuss the various ways to approach this moratorium. Town Attorney Silver was on a conference call today with several attorneys. There will be an effort to coordinate on this issue to come up with a uniform ordinance.

Town Manager Dennis read the ordinance into the record:

URGENCY RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY DECLARING THE EXISTENCE OF LOCAL EMERGENCY

WHEREAS, Government Code Section 8637 authorizes the Town Council to declare a local emergency; and

WHEREAS, Portola Valley Municipal Code defines a local emergency as “actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons, property, and environment, within or affecting the territorial limits of the Town, caused by such conditions as air pollution, drought, earthquake, epidemic, fire, flood, human acts, plant or animal infestation or disease, riot, severe weather, sudden or severe energy shortage, technological interruptions, the governor’s warning of an earthquake or volcanic prediction, or other conditions including conditions resulting from war or imminent threat of war, which are, or are likely to be, beyond the control of town services, personnel, equipment and facilities and requiring the combined forces of other public agencies to combat;” and,

WHEREAS, the Town Council hereby finds conditions of extreme peril to the safety of persons and property have arisen within the Town due to the following:

The Centers for Disease Control and Prevention has stated that a novel coronavirus named “COVID-19” is a serious public health threat, based on current information.

The County of San Mateo’s Health Officer issued a statement on March 10, 2020, that evidence exists of widespread community transmissions of COVID-19 in San Mateo County. The Health Officer further clarified that implementation of activities prescribed in his statement March 5, 2020, is now critical;

WHEREAS, implementation of the Health Officer’s direction may have immediate or future impacts on the Town’s ability to provide services to the community as follows:

Urgent modification to Town services, including temporary closure of the Portola Valley Town Hall, cancellation of upcoming non-essential Town-sponsored events and meetings, and increased telework by Town employees; and

Additional service impacts such as temporary closure of Town facilities and/or postponement or cancellation of programs and services involving the Town’s recreation centers, library, and Town Hall including planning and building services; and

Reassignment of available staff to deliver the following essential services necessary to protect life and property of the Portola Valley community: emergency building inspections, public works emergency response, public information and Town Council support, and the internal services necessary to support essential services including payroll, accounts payable, procurement, information technology, and critical fleet maintenance; and

Reassignment of staff may impair ability to make progress on Town Council priorities and work plan and comply with mandated state and federal reporting; and

WHEREAS, the economic impact of COVID-19 is projected to cause significant reductions in Town revenues; and

WHEREAS, said Town Council does hereby find that the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency; and

NOW, THEREFORE, the Town Council of Portola Valley does hereby:

1. Declare that a Local Emergency now exists throughout the Town of Portola Valley, California;
2. During the existence of this Local Emergency, the Town Manager/Director of Emergency Services shall have the authority to adopt emergency orders or regulations to ensure the health and wellbeing of the public and mitigate the effects of the Local Emergency, including but not limited to public health, safety and welfare measures, employee service levels and purchasing and procurement;
3. During the existence of the Local Emergency, the City Council authorizes the Mayor to appoint a subcommittee of two council members to approve the warrant list on behalf of the Town Council in the event regular Town Council meetings are cancelled or prompt payment is needed while the Council is not in session.
4. During the existence of this Local Emergency, the powers, functions and duties of the Town Manager/Director of Emergency Services and the Town Council shall be those prescribed by state law, by the existing ordinances and resolutions of the Town Council as well as this resolution and any subsequent emergency orders or regulations adopted by the Town Council or Director of Emergency Services.
5. This Local Emergency shall continue until it is terminated by proclamation of the Town Council. Pursuant to Section 8630 of the Government Code, the Town Council shall proclaim the termination of a local emergency at the earliest possible date that conditions warrant. The need for continuing this local emergency shall be reviewed within 60 days by the Town Council.

REGULARLY PASSED AND ADOPTED this 17th day of March, 2020.

Mayor Aalfs said this resolution does not specifically address the question about construction projects in general. Town Attorney Silver said she has drafted language reflecting the Council's discussion. Councilmember Hughes said this resolution is authorizing the Town Manager to adopt Emergency Orders and asked if this could be an Emergency Order. Town Attorney Silver said it could be an Emergency Order.

Councilmember Hughes asked Town Manager Dennis if it would be possible for the Town to refund unspent construction deposits while the projects are shut down, with the understanding they would need to be reinstated before a project resumed. Town Manager Dennis said his understanding is that is the type of thing he would be doing anyway, including refunds to instructors, etc. – anything of that nature that would need to be done during the duration of this emergency. He asked Town Attorney Silver if it would be necessary to specify that into the order. Town Attorney Silver said it is not necessary to include it in this order but can be added to the separate construction order. Town Manager Dennis said Item #3 suggests that a subcommittee be appointed that Town Manager Dennis can go to if he needs some consultation. Mayor Aalfs agreed.

Mayor Aalfs suggested this resolution be passed, acknowledging that other issues may come out in future orders between Town Manager Dennis and the subcommittee. He suggested the subcommittee consist of Mayor Aalfs and Vice-Mayor Derwin.

Councilmember Hughes was supportive of the subcommittee consisting of the Mayor and Vice Mayor, but asked if there was any issue about the Mayor and Vice Mayor, who sign the checks, also being the people approving the warrant list. Town Manager Dennis said he anticipates that the Council will continue to meet but it is smart to include this subcommittee option. He suggested there could be two subcommittees, one that is broad in scope and one specifically for warrants.

Councilmember Wengert said they need to look at the warrant list and make sure that all those things are operating as they should but, as we get closer to the time in which the new budget should be approved,

there will be some bigger discussions and issues that will need to be addressed. The latest predictions are that this situation may peak in May which will be right up against the beginning of next budget year. She said there may be some benefit of having two subcommittees, one that's just focused on finance and the other being a broader group that will be tasked with more of the multi-faceted decisions.

Mayor Aalfs asked Town Manager Dennis if two subcommittees would be more difficult to manage. He suggested himself and Vice-Mayor Derwin as the subcommittee and Councilmember Wengert and Councilmember Hughes as the Finance Committee liaisons. Town Manager Dennis and the Council were in support of this suggestion.

Mayor Aalfs suggested amending the language to appoint a subcommittee of two Councilmembers to approve the warrant list on behalf of the Town Council and a second subcommittee of the Mayor and Vice Mayor to continue discussions of broader emergency issues.

Councilmember Hughes moved to approve the proposed Urgency Resolution of The Town Council of The Town of Portola Valley Declaring the Existence of Local Emergency as amended. Seconded by Councilmember Richards; the motion carried 5-0 with a roll call vote.

Councilmember Hughes moved to appoint himself and Councilmember Wengert to the Town Council Finance Subcommittee. Seconded by Councilmember Wengert; the motion carried 5-0 with a roll call vote.

Mayor Aalfs said the next Council meeting will be in this format. He thanked the public for their patience as this process is being worked out. He acknowledged that it is not an ideal situation and they do not like having to use this more formal and less interactive public participation process. He asked the Councilmembers to make suggestions to improve these meetings going forward.

Councilmember Hughes asked if public attendees could be unmuted and allowed to speak. Councilmember Wengert agreed. Councilmember Hughes said he has attended webinars where attendees can raise their hands to speak, which is under control of the host.

Town Manager Dennis said San Rafael is piloting this kind of new interaction with the public using technology. He said a lot of cities broadcast their meetings but usually do not have a live participation function. Town Manager Dennis said for the purposes of tonight's meeting, he and Communications & Community Engagement Analyst Chinn wanted to make sure the most basic functionality worked before introducing additional functionality. He said staff is absolutely open to increasing participation as much as possible so that people can react to live conversation.

The Council was supportive of providing the opportunity for more public interaction at these Zoom Town Council meetings.

Town Manager Dennis thanked his staff, many of whom have been working from home. He said Communications & Community Engagement Analyst Chinn, Assistant to the Town Manager de Garneau, Public Works Director Young, Planning & Building Director Russell, Maintenance Worker Bixby, have all been here putting in 14- to 16-hour days to try to get good information out. He said he is proud of the team and hopes they are meeting the high standards of this community, particularly as it relates to letting people know what is happening.

Vice-Mayor Derwin wanted to be sure that Town citizens were made aware of various information, including: the prohibition on evictions ordinance; ways for workers to access whatever money is available at the state or local level, whether its loans, sick pay, unemployment, or disability; the County call-in number; and information for small business owners. She encouraged people who can afford it to pay their housecleaners not to come. She said these are extremely vulnerable people who in many cases are now having to stay home to take care of their children.

Councilmember Wengert agreed with Vice-Mayor Derwin. She said that part of the community will be unduly slammed by the economic impact of all of this. She recommended Vice-Mayor Derwin and Mayor Aalfs lead the way on recommending different potential solutions for those issues.

Mayor Aalfs said developments are ongoing from the County and it is important that the public is updated regularly as the information comes in. Vice-Mayor Derwin said the Health Officer on the conference call today gave statistics on how many have tested positive, how many are hospitalized, and how many are waiting for the tests. She asked if that information should also be publicized in Town.

Mayor Aalfs said a lot of that is already summarized on the County Health website. Councilmember Hughes said he would rather direct people to resources where that information is available and the most up-to-date rather than trying to repeat it. Mayor Aalfs agreed the website should be shared.

Mayor Aalfs said he will be coming to Town Center tomorrow to record a public service announcement. The Council was supportive of providing a public service announcement from the Mayor.

Vice-Mayor Derwin said in working with Town Manager Dennis, Mayor Aalfs, the Town staff, and the County, she is so impressed with how prepared the County can be at this given moment in time when we don't know when the tidal wave is going to hit. She said we are in really good hands and very blessed to live where we live with these people who are so committed to doing right by the community. She said everyone is working on this every single day because it is so important that the residents are kept safe.

Mayor Aalfs agreed that a lot of work is going into making this situation as safe as possible. He thanked all the citizens for their patience and promised to find ways to make sure they are more involved going forward. He asked listeners to voice their needs and check in on neighbors, and thanked everyone for their efforts in the community.

Councilmember Wengert thanked Town Manager Dennis and the Town staff, the front line. She said the Councilmembers have all had incredible communication. She said it will likely become more challenging before it improves and she encourages everyone listening to show great kindness to each other and to work together as we get through this pandemic.

ADJOURNMENT [9:04 p.m.]

Mayor Aalfs adjourned the meeting.

Mayor

Town Clerk

PORTOLA VALLEY TOWN COUNCIL SPECIAL MEETING NO. 985, MARCH 25, 2020

CALL TO ORDER AND ROLL CALL

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

Present: Councilmembers Craig Hughes, John Richards, and Ann Wengert; Vice Mayor Maryann Derwin; Mayor Jeff Aalfs

Absent: None

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

ORAL COMMUNICATIONS

Mayor Aalfs announced that several local partners in public service have joined the meeting, which was held via teleconference.

Capt. Corpus, San Mateo County Sheriff's Office. Capt. Corpus reinforced that the San Mateo County Sheriff's Office is committed to continuing to provide professional law enforcement services with a focus on keeping the community safe during these unprecedented times. She said they are being very visible in the communities and educating people on social distancing, trying to adhere as best as possible to the shelter in place. Mayor Aalfs thanked the Sheriff's Office for being so helpful and responsive.

Roberta Zarea, Superintendent, Portola Valley School District. Ms. Zarea thanked the community for their help during these trying times. She said the parents are working as partners to implement the distance learning plans the teachers and staff are providing. She said today they completed their sixth day of distance learning. The school closure notice has been extended to May 1. She said the second phase of distance learning will ramp up after spring break. She said they are providing any possible means of support for families and students, particularly providing lunch. She thanked Assistant to the Town Manager de Garreaux and the Farmer's Market for the donations of the food boxes. Mayor Aalfs expressed the Town's appreciation for the School District's efforts.

Selena Brown, Public Education Officer/CERPP Coordinator, Woodside Fire Protection District. Ms. Brown thanked the community for their amazing support. She said the Fire District and Emergency Preparedness Program have been reaching out as much as possible to try to connect all the residents that want to assist in providing their skills to the high-risk population.

Karyn Bechtel, Chair, Portola Valley School District. She said, with regard to collaboration and opportunity while sheltering in place, to keep in mind that all children are eligible to pick up food through the food program, not just qualifying children and not just children who attend the schools. She directed people to visit the School District website for the drop-off locations. She said the School District goal is make sure all children are fed.

CONSENT AGENDA

- (1) **Approval of Minutes** – Town Council Regular Meeting of February 26, 2020. *[Removed from Consent Agenda.]*
- (2) **Ratification of Warrant List** – March 11, 2020, in the amount of \$160,817.15.

- (3) **Approval of Warrant List** – March 25, 2020, in the amount of \$67,059.00.
- (4) **Request by Portola Valley Neighbors United** – Town Council Recognition of Portola Valley Neighbors United for Facility Use *[Removed from Consent Agenda]*
- (5) **Recommendation by Town Manager** – Frog Pond Open Space Restricted Fund *[Removed from Consent Agenda]*

Vice-Mayor Derwin moved to approve Consent Agenda Items 2 and 3. Seconded by Councilmember Hughes, the motion carried 5-0, by roll call vote.

- (1) **Approval of Minutes** – Town Council Regular Meeting of February 26, 2020.

The approval of minutes was carried 3-0-2, by roll call vote with Councilmember Hughes and Councilmember Wengert abstaining.

- (4) **Request by Portola Valley Neighbors United** – Town Council Recognition of Portola Valley Neighbors United for Facility Use

Mayor Aalfs said this is the first time taking comments on Consent Agenda items. Comments will be limited to two minutes each.

Resident Mary Hufty said they are happy to be on the agenda tonight and the acceptance received from the Town with regard to their mission to support and inform the community, governance, and staff of issues of importance to the Townspeople. She said they have been successful in getting momentum and traction and are pleased to be part of the process. She said their website – pvnu.org – is up and running with regular lively new additions.

Councilmember Hughes moved to approve Consent Agenda Item 4. Seconded by Vice-Mayor Derwin, the motion carried 5-0, by roll call vote.

- (5) **Recommendation by Town Manager** – Frog Pond Open Space Restricted Fund

Councilmember Hughes asked if the intention over time is to have a separate restricted fund for each Town-owned property. He asked about the logic behind creating a separate fund for this piece of open space as opposed to open space generally. Town Manager Dennis said this was a request from a resident through the Conservation Committee. He said it is anticipated there will be a desire for more of these restricted funds. He explained it is a different type of expenditure than the Open Space Acquisition Fund, which is the purchase of property. He said these restrictive funds would allow for some ongoing maintenance efforts, which are appreciated at the staff level. He said there is increased desire for expenditures to bring the properties up to a certain level of maintenance and then maintain that maintenance over the longer term, as expressed by Council direction and priorities last year. He said staff would certainly welcome additional such restricted funds to support other properties. He said this ask was primarily driven by the interest of a resident who wishes to make a donation specifically to that fund. Councilmember Hughes asked if that meant extra money in the Frog Pond maintenance fund could not be used for another property that needed extra work. Town Manager Dennis said that is correct. He said there could be a restricted maintenance fund for all properties created; however, he suspected that residents may be more interested in contributing to funds specific to those open spaces for which they have a personal connection rather than a general fund.

Mayor Aalfs invited questions from other Councilmembers regarding this item. Hearing none, he invited public comment or questions. Hearing none, Mayor Aalfs brought the item back to the Council for discussion.

Councilmember Hughes said he was concerned about creating separate individual parcel restricted funds. He said he appreciated setting up a restricted fund for open space maintenance but separately funding each parcel does not seem like the right approach because it would limit the Council's flexibility in maintaining the open spaces. He understands that desire for people to contribute to the park next door but that is not how public services typically work. He said typically contributions are put into a communal pot so that the entire community benefits and shares. He said unless there is a particularly strong reason to limit it to just the Frog Pond property, he would be more supportive of making it available for maintenance across all of the open space properties. He said the funds set aside for the road remnant property already had significant commitment to fund something very specific. However, because he did not understand the logistics of that, he said he abstained from voting for it. He said he is leery of going down this path that could result in separate maintenance funds for each of the 35 Town-owned parcels, which will rapidly become unmanageable.

Town Manager Dennis said the ask came from a specific resident who would otherwise not make that contribution to something more general. He said this approach could benefit from a broader Council conversation. He said it is not unprecedented and there are similarities to the types of programs seen in other parks and rec programs where people will buy a bench or support a tree. Town Manager Dennis speculated that a program could be created that would allow residents to support a handful of the priority open space properties. He said the majority of the properties owned by the Town are not classic open space.

Councilmember Wengert said Councilmember Hughes' point is valid. She said the time to consider a specific Frog Pond Open Space restricted fund should come at the time the Council discusses the following three items noted in the staff report. She said she was uneasy with the potential expansion of that open space and there is a lot more to discuss in that regard. She said it makes sense to potentially take this step at the same time the next set of work is done or not take it at all.

Councilmember Richards said there are good points being made regarding the difficulty of having a separate fund for every open space in town. He liked the idea of setting up more of a programed approach with a certain set of open spaces singled out in some way rather than just a broader fund. He agreed with Town Manager Dennis that some of the donations are meant to be targeted and may not be offered without that option.

Councilmember Hughes asked if the dollar amount of this particular pledge would be consumed fairly quickly if used as directed by the Conservation Committee to bring the park up to a basic level. He asked if a temporary specific fund was created now, if the offered contribution would likely be spent down quickly anyway. Then later, a more general open space maintenance fund could be discussed and possibly created.

Town Manager Dennis said he would prefer to wait until the Committees' efforts around the vision statements for the open space properties were completed before contemplating expenditures out of any restricted open space property fund. He said would anticipate monies would be spent fairly quickly, depending on the level of maintenance work.

Councilmember Hughes said, with regard to his earlier comments about preferring to see a more unified fund with greater flexibility, it matters if there will be a balance carried. He said if a contribution is collected that will be quickly spent on a specific project in a specific open space, it is less concerning. He said he is more concerned about maintaining flexibility with a long-term pool of money for funding ongoing maintenance efforts because some properties will need more than others in different years.

Councilmember Richards said bringing the Frog Pond and that area up to speed will take a substantial amount of money and any contributions would be quickly spent.

Councilmember Hughes moved to approve Consent Agenda Item 5. Seconded by Councilmember Richards; the motion carried 3-2, by roll call vote. Councilmember Wengert and Vice-Mayor Derwin voted nay.

REGULAR AGENDA**(6) Updates on COVID-19 and Town Response**

Town Manager Dennis said the Town communications to the residents is coming primarily through the Mayor. Beginning yesterday, there will be daily roundups of important information learned and answers to any questions the Mayor has received through email or have been seen on Next Door, PV Forum, or other places. If additional information needs to get out, staff will continue to push it out. He recommended clicking on the red banner at the top of the Town's website, which is continuously updated.

Town Manager Dennis thanked Communications & Community Engagement Analyst Kari Chinn and Assistant to the Town Manager Brandi de Garneau for all of the work they've put into ensuring that the most amount of information is getting out to the most amount of people, including setting up conference calls with a variety of interested parties, making this meeting possible. Town Manager Dennis said Portola Valley is the first in San Mateo County to have a meeting that allows residents to communicate live from a remote location.

Town Manager Dennis said today is day three of the Town's construction suspension. He said it was a difficult message to send to the community because of the impact. He was happy to report that the construction community and those residents impacted by the suspension have been very positive and understanding in their comments to staff about Council's decision. He said the approach has been duplicated in other cities and Atherton, Menlo Park, and Woodside have implemented what they are referring to as the "PV model." He said there are some life and safety construction items still ongoing. He said residents who have any questions can contact Planning & Building Director Laura Russell or her staff. For projects that are expected to be ongoing because of their nature (significant erosion control projects or life and safety kitchens), the Town has attempted to keep residents in close proximity to those projects informed.

Town Manager Dennis said he issued a temporary parking restriction around Windy Hill because there were significant life and safety issues observed with parking in the street on Upper Alpine, bicyclists, and negative interactions regarding social distancing. Town Manager Dennis thanked Laurie Duval, who coordinates Neighborhood Watch for her help. He said he has been communicating very positively with residents on Willowbrook so they know there is someone they can come to with any issues. He said the Willowbrook community understands there is a regional asset just outside their door that comes with challenges and benefits. Mid-Peninsula Regional Open Space District (MROSD), who operates Windy Hill, issued a new set of regulations today, titled "Help Up Keep Our Parks Open (available on their website), that speaks to the need for social distancing on the trails, and there will be more to come from them.

Town Manager Dennis said the managers have started work on a project to examine thoroughly the effect the shelter in place order has on the Town's finances. He said there will surely be decreases in revenue streams such as sales tax, permit processing, and facility events. There will also be reduced expenditures such as projects that have not been started and consultant fees. He said within a week the Finance team will provide him with the estimated range of impact of the shelter in place order. Staff will then consult with the Council Finance Subcommittee (Councilmembers Wengert and Councilmember).

Town Manager Dennis said staff is discussing whether or not spring quarter for classes is even possible and what it will look like for leagues and the Town fields. He said staff is inclined to allow for a season that goes later than normally allowed on the fields. He said it is anticipated the shelter in place order will continue for some time which will definitely impact classes. He said the Farmer's Market pickup opportunity has been very successful, with 150 basic veggie bags sold out, 123 specialty veggie bags sold out, 52 bags donated to families of children who come to PVSD from outside the community, and 100 pounds of ground beef sold out. The food essentials bag did not sell out, partially because there was no picture available to show people what was in it. He said they worked with the vendor so that the Town covers the cost of the administration but not the cost of the bags, with any leftover bags for essentials being returned to the Farmer's Market and sold. He thanked Assistant to the Town Manager de

Garmeaux and Nile and Lauren with the Farmer's Market for creating the program. They have received a lot of emails from Town residents thanking the team.

Town Manager Dennis said there are restaurants and other businesses still open in Portola Valley and residents are encouraged to visit them for take-out needs.

Town Manager Dennis warned about a PG&E scam going around where residents are being asked via email to keep their side gates on for access to look at meters.

Town Manager Dennis asked residents to let staff know if they are listening via AM radio.

Town Manager Dennis said staff has been doing well under these extraordinary circumstances with everyone except for Public Works is working from home. He said it is working well and everyone is in good spirits. He thanked everyone on the staff for making this something to be proud of. He said Public Works is on the front lines in Town doing life and safety work. They continue on the 9/80 work schedule and the rest of staff is working from home on a Monday through Friday, 8:00 a.m. to 5:00, schedule.

Town Manager Dennis said the County has banned evictions in all 20 cities. A program called San Mateo County Strong has been created that takes donations for residents, nonprofit organizations, and small businesses that are particularly hard hit. He said the County seeded that program with \$3 million. The website is at smcstrong.org.

Town Manager Dennis said this afternoon the County issued new guidance on the park system and encouraged much more social distancing, anticipating more parking lot closures for the County park systems, with some parks already closed. He said the County Health Officer issued strong guidance around visiting recreational opportunities, recommending people not travel for recreation.

Mayor Aalfs invited questions from the Council.

Councilmember Richards thanked the Mayor for the great job he's doing in community messaging.

Councilmember Hughes thanked Town Manager Dennis and staff for keeping everyone so well informed and doing a tremendous job despite these completely unprecedented circumstances.

Councilmember Wengert agreed with the previous comments. She there was a discussion today by Charlie Crocker of Zonehaven regarding the establishment of evacuation zones throughout the County. There has been a pivot on their previous focus on wildfires, to creating and modifying the maps to provide more information to all the affected communities in San Mateo County that includes medical, social services, food, and parks and rec. She requested that the Town Manager look into the parks and rec portion of it which may be a great potential tool to identify places for people to go.

Councilmember Hughes agreed the Town should research the parks and rec information. He said because Portola Valley is fairly small, although for fire evacuation purposes the town is split into multiple zones, the same information pretty much applies across town for COVID-19 purposes. He suggested using the link from the Zonehaven site to the Town's website and then focus activities on making sure it has the most relevant information for the Town citizens. He said it might be useful for other parts of the County more than Portola Valley and we should make sure they're not recommending people drive to and park in Portola Valley to visit Windy Hill. Councilmember Hughes suggested the Portola Valley website would be a better tool.

Town Attorney Silver said the presentation was intended for local agencies to make individual comments and it may be an appropriate tool to specify any parking restrictions that apply to the trails in town.

Councilmember Wengert supported Town Attorney Silver's idea. She said having that resource being used by a broader group of people throughout the County potentially increases the possibility that people will look to see where there are parks to visit. Her concern is that purposes were not being crossed.

Mayor Aalfs agreed that outreach should be done on that question. With no other Council questions, he invited questions or comments from the public.

(7) **Recommendation by Public Works Director** – Adoption of a Resolution for the 2019/2020 Street Resurfacing Project – Surface Seals Project No. 2020-PW01

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the 2019/2020 Street Resurfacing Project Surface Seals No. 2020-PW01 (Resolution No. __)

Public Works Director Young presented the staff report regarding the proposed resolution for the 2019/2020 street resurfacing project and surface seals project. He noted that this project was planned and assembled prior to the COVID-19 related shelter in place. He described the background and discussion items and the fiscal impact, as detailed in the staff report.

Staff recommended adoption of the resolution approving plans and specifications for the FY 2019-20 Street Resurfacing project and calling for sealed bids for this project; authorize the Town Manager to award the project to the lowest responsible bidder with a total contract and change order amount not to exceed \$596,604 (base bid and additive bid alternate one). This would include authorization to add to (or subtract from) the project, additional work as recommended by the Public Works Director if the allocated amount allows, in an effort to maximize paved areas and utilize the entire allocated amount; and, authorize the Town Manager to award additive bid alternate two as aligned with the Council adopted budget for improvements related to the Pedestrian Safety Study, as detailed in the staff report.

Mayor Aalfs invited questions from the Council.

Councilmember Richards asked Public Works Director Young if the usual bidders were operating and if they were even in a position to bid. Public Works Director Young said some are still open and some have an outgoing voicemail message that they are closed due to COVID-19.

In response to Councilmember Wengert's question, Public Works Director Young said the Alternate Bid 2 items are included in this year's adopted budget. Councilmember Wengert asked why they wouldn't then be part of the base bid if they were part of the adopted budget. Public Works Director Young said it is not within the base bid because they're not within the resurfacing area and he wanted to separate those costs out. In response to Councilmember Wengert's question, Public Works Director Young said it is a separate budget item from the resurfacing budget.

In response to Councilmember Wengert's question, Public Works Director Young said the plan is to do the rolling on the shoulders of the Portola Road sections. Councilmember Wengert asked if that will be happening on any of the other main arterials. Public Works Director Young said the rolling arterials that were previously approved (Portola and Alpine) were included in the bid package. He said they can certainly add other streets for rolling.

Councilmember Hughes said the estimated project completion will be into the following budget year. He asked if this will all be charged against this year, even if the payment is not made to the contractor until next year. Public Works Director Young said a rollover was not anticipated. He said last year was different because the paving project was held off for a bit. He said the anticipated finish date is at the end of June and the July 10 date is the conservative estimate.

In response to Councilmember Hughes' question, Public Works Director Young confirmed that the base projects and Alternate #2 items will be done for sure, but Alternate #1 will only happen if the base projects

come in under budget and there is room in the budget to do it. Public Works Director Young explained that separating out Alternate #2 also highlights it as a topic for discussion at Council level and so that the Council and public are aware that these projects are moving forward.

Town Manager Dennis said the Town tends to go to bid on roads a bit earlier than other cities, budgeting for roads projects to happen at the end of the fiscal year as opposed to the start of the fiscal year. He said in a normal year they would be discussing altering that because it has caused some accounting challenges in the past. He said that issue will be brought to Council during a normal year's budget discussion.

Councilmember Hughes asked if the contractors were committing to a particular start/end date with their bid submissions. He asked if projects that are delayed due to COVID would need to be rebid. Public Works Director Young said the specifications indicate the bids are good for 45 days, as per Public Contracts Code. He did not know whether or not that 45 days is flexible.

Town Attorney Silver said her understanding is that the Public Contracts Code allows advertising a longer-term price guarantee in the bid request. However, it would be likely that contractors would then bid a higher price based on the longer price guarantee period.

Mayor Aalfs invited questions from the public.

Kristi Corley. Ms. Corley asked if they were planning to resurface the flat area on the corner of Golden Oak and Alpine, across from Alpine Swim & Tennis, across from the crosswalk. She said AT&T, PG&E, and others are parking there and it's not in good condition. Public Works Director Young said that area will be slurry sealed and any necessary repairs will be made.

With no other public comments, Mayor Aalfs brought the item back to the Council for discussion.

Town Manager Dennis acknowledged that life has changed fairly radically in the last few weeks and the future is unknown. He said there was discussion about whether the road work item should have been included on the Agenda at this time. He said they are not assuming that suddenly in a couple of weeks things will be normal, but in order to potentially do the things normally done, they wanted to start this process. Town Manager Dennis said he wanted to acknowledge that it was definitely recognized how peculiar this all is. He said this ultimately commits to an expenditure of approximately \$70,000 for design. They would then get bids and make a decision. He said last year one of the concerns was that so many firms that do this kind of work were getting quality, large jobs in other places and the bids were far outside what was anticipated. He said tonight's request includes allowing the Town Manager to make the call about whether or not to move forward. He said this year will clearly be a different environment. Town Manager Dennis said he has explained to the Interim Finance Director and her staff that anything on the General Fund dollars expenditure side that has not been started will be fair game to assist in any financial hit the Town takes during all of this. He said most of the money for these road projects comes from nondiscretionary sources, either very specific to exactly these kinds of projects or right-of-way work. He said there is approximately \$120,000 of General Fund dollars, but the rest comes from funds received from the State and other sources. He said there are issues that come from potentially not moving forward, but they all can be handled. He said for transparency, not to sway the conversation, but to provide clarity on what that looks like – the State has requirements around a Maintenance of Effort (MOE), which will be a problem for all cities. He said the Town is required to contribute a certain amount of funding for these types of projects because the State does not want the towns and cities to rely solely on their funds. He said some of these funds, as per the Town's right, to support salaries for the Public Works Department. He said that, given the current circumstances, the Council can certainly ask for the item to come back at some point if there is a desire to have some increased level of oversight. He said the staff is committed to provide, through the Finance subcommittee, staff's analysis of the impacts on revenue and expenditures. He said if things need to be delayed, they will do that, either through Council direction or under the Town Manager's authority. He said project starts can be delayed and monies can be moved to the next year. He said the MOE requirements would be met in that case. Town Manager Dennis said there will be other

issues brought forward that may seem a bit out of place, but if things are still operating, they want to provide some level of ability to move forward on those things.

Councilmember Hughes said he appreciates that there is a lot of the usual blocking and tackling that needs to be continued at some level. He said road maintenance is one of the largest single expenditures every year and it is worth proceeding toward bids. He said he is supportive of recommendations #1 and #3. He said because the financial future is uncertain around COVID-19, as the Town works through that with the Finance subcommittee (he and Councilmember Wengert) and the Town staff, there will be a clearer picture of that by mid-May. He said the go/no-go decision can be made at that point. He said in order to make that decision in May, the bid needs to be put out now, but the approval for starting the project can be held back until May 13.

Town Manager Dennis suggested the motion be amended to include bringing the item back at the May 13 Council meeting to provide information on the bid. Councilmember Hughes suggested that also include anything the Council needs to know that's relevant around the MOE and different funding sources. He said the State and County are currently focused on unemployment insurance, making sure the elderly are getting food, and housing the homeless. Over the course of the next month or so, they will likely be moving on to less pressing issues.

David Cardinal. Mr. Cardinal said he does not know how much discretion there is on how to spend pavement money but he would be happy to drive on bumpy roads if it means the Town can spend more money helping people and businesses that have been affected by this crisis. He said unless it's a safety issue, he'd rather see the money go somewhere else. Town Manager Dennis said he loves the sentiment; however, the majority of the funds are restricted and not allowed to be used for other things. They are either used for something related to road or nothing. Mr. Cardinal wondered if there was some flexibility on that. He suggested going back in the spirit of the times and there may be some changes in the way the funds are allocated. Mayor Aalfs said he is not sure that is possible around road funding. He said they've discussed this issue fairly often, for example being able to save a half million dollars one year by not doing the roads, but every year the routine maintenance is delayed the roads suffer more damage to the point where if it's delayed too many years it is a \$2 million cost to restore. He said it is a balancing act. He understands the point and likes the idea of having flexibility but it is complicated.

Councilmember Wengert said this is an incredibly difficult time right now and she is very uncomfortable looking at any expenditure of half a million dollars for some of the reasons Mr. Cardinal articulated. She said there have been long and robust discussions over the years of why these dollars typically need to get spent and are available on a fully discretionary basis. She said Public Works Director Young has indicated it will cost \$70,000 just to get the bids. She said there will need to be a very hard look taken at the Town's entire financial picture. She asked if there is the ability to back the schedule up. She said she does not think there will be a lot of firms available to bid right now until the shelter in place and some normalcy begins to reestablish itself in all businesses in the County. She would not want to spend \$70,000 to go out to bid when they will not get a reasonable number of bids. She said it will be incredibly difficult to bid a job like this right now. She said nobody knows if the workforce will be available, if costs will go up because supply chains have been interrupted, etc. She said the uncertainty associated with all parts of this suggest this whole schedule be backed up to at least the lifting of the shelter in place and possibly beyond and that there is an intermediate review by the Council prior to the final awarding of any contract.

Town Manager Dennis said the issue can be backed up. He agreed the uncertainty is challenging. He said there may be challenges associated with pushing it back. If the economy comes back, there may be the same problems as in previous years about whether or not Portola Valley will be an attractive place for a bid and what that would look like. He said those are problems that can be dealt with then with the understanding that it could cost more.

Public Works Director Young said the \$70,000 to go out to bid actually includes \$50,000 already spent in the design. He said it can be pushed further down the line. He said one of the concerns would be weather because a good quality job of slurry seal cannot be done in October and November. He said in the

summer the costs could go up 10 to 20 percent because a lot of cities and schools start bidding things out in the summer, which is why the Town tries to go out to bid a bit earlier to be first in line and get better pricing. He said at this time, because the design is done, if it gets pushed off too long, the base failures marked out for repair may become obsolete. He said those things can be addressed later on by refreshing the design, which would have a cost.

Councilmember Richards said he would support holding off a bit. He said the long lead time for preparation has already been done and will allow a bit more flexibility when they get to the point where some of the bidders will be available and ready to go. He would prefer to conserve as much cash as possible right now. He said although those are restricted funds, it should be looked into if there is any possibility to use those funds for other means as this whole situation develops.

Town Manager Dennis said the way the staff report is currently written, there is zero obligation to spend the majority of the dollars and would only happen with a decision by the Town Manager or modified to come back to the Council. He said there is no obligation to spend \$600,000 at this point should the Town go out for bid. Councilmember Richards agreed with Councilmember Hughes' suggestion to bring it back to the Council.

In response to Vice-Mayor Derwin's question, Public Works Director Young confirmed that if the Town was going to do this whole road project now, and there was not a pandemic, it would cost \$120,000 out of the Town's General Fund with the rest coming from the transportation funds that come in every year. Vice-Mayor Derwin said she sits on two transportation boards and the dedicated funds are dedicated to roads, potholes, highways, etc. She said, while it is a wonderful sentiment, the Town will never be allowed to use those funds to help, for example, struggling businesses. Vice-Mayor Derwin supported pushing forward, putting it out for bid. She supported Councilmember Hughes' suggestion to come back in May when there is more of an idea of what the world looks like and then make a decision to proceed or not.

Councilmember Hughes said he would prefer to go out to bid now because there is the outside chance a bid will come back way under the estimate because no one else is bidding. He said because the design costs are already spent, getting those bids in, even if not acted upon on May 13, may result in a low-ball offer and there is not a lot of downside to putting it out to bid now. He said it can be put out to bid again later if they decide not to proceed but having the option to proceed will be nice for when the financial picture is clearer in May. Mayor Aalfs added that if the bid is put out now, they could be keeping people employed, which will be good for everyone.

Councilmember Wengert said she understands the desire to foster businesses, but there is still a shelter in place order and putting these bids out next week could encourage some level of commerce that may not be appropriate for a municipality. She said obviously a number of businesses will not be bidding and it doesn't seem like a fair competitive environment if some are adhering to all of the orders to limit activity. She said this makes her uncomfortable pushing ahead of at least the next level of COVID activity settling into the next phase.

Mayor Aalfs acknowledged that was a fair point.

Public Works Director Young clarified that he would not assume the paving companies will not submit bids because although the offices may be closed during the shelter in place, the employees are working from home. He anticipated there would be bids submitted, particularly due to the current work environment.

Vice-Mayor Derwin asked if the workers had to leave their homes to come on-site to do the bids or if they are familiar enough with the area they can bid without leaving their home. Public Works Director Young said the standard bid process is staff would recognize social distancing by sending something out that instructs bidders to FedEx their bids, which must be opened and read aloud publicly. If the bidders do show up, an outdoor area or the community hall will be set up to recognize the social distancing requirements.

Town Manager Dennis said this conversation is similar to the other discussions around construction. He said roadwork is an essential service, although it is acknowledged that there is obviously unease about creating environments where people could be exposed.

Councilmember Wengert said the Town is among the communities leading in the COVID activity and environment and making sure that we're shutting down as much commercial activity in town as possible. She is concerned about the continuation of business that would involve contractors or others coming out to look at this project, having to visit each of the streets on the list. She suggested not moving forward with this until at least the next stage of the COVID crisis.

Councilmember Hughes asked Public Works Director Young if the bidders need to come on-site and inspect the locations or if they are they bidding from the engineering drawings. Public Works Director Young said the bidders will come on-site and that will include multiple subcontractors – base repairs, crack seals, slurry seals, and striping. He would expect that the smart contractors will not bid merely by a piece of paper but will come out to inspect the streets and their condition, shading, and available parking. Councilmember Hughes said he did not realize there was such extensive activity just to do the bidding and that information puts him more in line with Councilmember Wengert's opinion.

Councilmember Richards agreed that the Town would not accept a bid from any bidder that did not come out and inspect the site. He agrees that this project should at least wait until the next phase of the crisis and people should not be encouraged to step over the line and break the social distancing rules.

Mayor Aalfs agreed.

Councilmember Hughes suggested continuing this item to the April 13 Town Council meeting. Town Manager Dennis said he would assume this item would be tabled for more than a few meetings. The schools have extended their closures until May 1. He said it may not make much sense to set a date at this point.

Vice-Mayor Derwin asked if this item is tabled now, it means it is basically tabled for a year. Public Works Director Young said because of the way the fiscal year lines out and the expenditure of the funds, that is correct. Town Manager Dennis said, moving forward, the Town would state a certain amount of road-related money is not being spent, both discretionary and nondiscretionary funds. He said there will then be follow-up conversations held with Town Attorney Silver and his counterparts related to what the State may or may not do with those funds. He said there is something of a grace period going into next year around that but it is an unknown at this point. He said there should be full acknowledgement that when the economy comes back online, the Town may not be able to get to a project next year because of issues related to competing with other projects, bids that are too expensive, or weather.

Vice-Mayor Derwin asked if there was a way to queue this up so that if things looked better on April 13, the Council could move forward with it. Town Manager Dennis said the item can be brought back to the next regularly scheduled meeting as a placeholder. He said the budget issue can be resolved. The issue becomes whether or not the project can be completed within the fiscal year and, if not, monies would need to be moved around, but it's doable. Town Manager Dennis said it can be scheduled repeatedly until a point where there is some clarity.

Councilmember Wengert understands the risk of higher bids, weather, and other activity that will be robust when the economy returns, but thinks the right strategy is to keep this on the agenda on an ongoing basis until everything is in a much more normal state.

Councilmember Hughes would prefer to leave it up to the Mayor, Vice Mayor, and Town Manager to decide when it is appropriate to put it back on the agenda rather than having it come up every meeting.

In response to Vice-Mayor Derwin's question, Public Works Director Young said the specific funding streams for this work are Measure M, Measure W, and Measure A.

In response to Mayor Aalfs' question, Public Works Director Young said it will take a bit of research to determine if those funds are lost if not spent this fiscal year and how the State reacts to COVID-19. He said there are certain parameters in terms of spending the money within a fiscal year or rolling it over and how it meets the MOE. Town Manager Dennis said it is unknown what the State is going to do but the hope is there will be a lot of flexibility as it relates to any of this. He said Portola Valley will not be alone in that discussion because everyone will be dealing with these types of issues. He said a potential scenario is the loss of access to those funds for a year, which just means the project doesn't get done, which has always been an option.

Vice-Mayor Derwin said on C/CAG she's seen a somewhat similar situation where cities didn't spend the money on their project in the right amount of time and sometimes it works out and sometimes it doesn't. She said, as Town Manager Dennis mentioned, there will be a lot of people in the same situation so it is hard to predict whether or not the funds will be lost.

Councilmember Hughes moved to table this item until a future meeting to be determined at the discretion of the Mayor, Vice Mayor, and Town Manager. Seconded by Councilmember Wengert; the motion carried 5-0, by roll call vote.

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

Councilmember Wengert – None.

Councilmember Richards – None.

Councilmember Hughes – Attended Bicycle, Pedestrian & Traffic Safety Committee meeting earlier in the month. The Sheriff's Office continues to provide their monthly report regarding the number of citations and the range of those citations. They are now tracking what percentage of the citations are issued to Portola Valley residents as opposed to people visiting town. In February only 12% of the citations were issued to Portola Valley residents.

Vice Mayor Derwin – Attended Council of Cities Dinner in Belmont on February 28, where they heard a presentation of Zonehaven with regard to wildfires. Zonehaven is an attempt to evacuate people in real time using maps where every place in the County is zoned. Built into the maps is the ability to look at the behavior of fire and help residents evacuate before losing power and before it's too late. She suggested bringing Zonehaven representatives to a Town Council meeting for a presentation. She attended an Express Lanes JPA meeting where they decided to have two openings for the express lanes project – the southern piece will be done at the end of 2021 and the northern will be done at the end of 2022. She attended the C/CAG Admin meeting. Because the election for the new chair has been postponed, she is still the chair. The next meeting will be online.

Mayor Aalfs – Attended the Ad Hoc Fire Committee on March 4. They will continue the conversation with insurance carriers, following up in terms of making sure people can keep their coverage. They discussed Hillsborough's Wildlife Urban Interface (WUI) ordinance and working with the Fire District regarding modifications to the Town's fire codes going forward. He said the Nature and Science Committee has put out a flower scavenger hunt for people sheltering in place. They also talked about foraging and there was concern about people misidentifying things not actually edible as well as overhunting. The Committee has come up with ways for people to enjoy themselves even when they can't spend time together.

(9) **TOWN MANAGER REPORT** – Town Manager Dennis said a couple of Committees have expressed interest in holding virtual meetings. He wants to move that forward and, unless there is an objection, he will start the conversation more officially with staff on how to make that work.

WRITTEN COMMUNICATIONS

(10) **Town Council Digest** – February 27, 2020

None.

(11) **Town Council Digest** – March 5, 2020

None.

(12) **Town Council Digest** – March 12, 2020

None.

(13) **Town Council Digest** – March 19, 2020

#3 – Letter to the Community from the Mayor in response to COVID-19 – March 18, 2020. Councilmember Hughes commended the Mayor for his fantastic letter. Mayor Aalfs thanked staff for helping to put all this together. He said it has been very much a team effort.

ADJOURNMENT [9:03 p.m.]

Councilmember Hughes moved to adjourn the meeting. Seconded by Councilmember Wengert; the motion carried 5-0.

Mayor

Town Clerk

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

AARONSON DICKERSON	Legal Counsel, Equestrian Ctr.	22108	04/08/2020	
COHN & LANZONE			04/08/2020	
939 LAUREL STREET	884		04/08/2020	0.00
SAN CARLOS	BOA	54506	04/08/2020	0.00
CA 94070	320172-Town of Po			386.10

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4182	Town Attorney	386.10	0.00

Check No.	54506	Total:	386.10
Total for	AARONSON DICKERSON		386.10

ACCOUNTEMPS	Temp/Clerical/Acc'tng Support	22109	04/08/2020	
A Robert Half Company	Week Ended, 3/13/2020		04/08/2020	
P.O. BOX 743295	0884		04/08/2020	0.00
LOS ANGELES	BOA	54507	04/08/2020	0.00
CA 90074-3295	55562421			1,428.00

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4048	Accounting Technician	1,428.00	0.00

Check No.	54507	Total:	1,428.00
Total for	ACCOUNTEMPS		1,428.00

ARC DOCUMENT SOLUTIONS, LLC	Portola Preserve Copies	22111	04/08/2020	
			04/08/2020	
9740 RESEARCH DRIVE	0112		04/08/2020	0.00
IRVINE	BOA	54508	04/08/2020	0.00
CA 92618-4327	2287244			106.35

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	106.35	0.00

Check No.	54508	Total:	106.35
Total for	ARC DOCUMENT SOLUTIONS, LLC		106.35

CHRISTOPHER ATWOOD	Reimbursement, Electric Leaf	22112	04/08/2020	
	Blower Incentive Program		04/08/2020	
50 GRANADA CT.	1467		04/08/2020	0.00
PORTOLA VALLEY	BOA	54509	04/08/2020	0.00
CA 94028				120.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	120.00	0.00

Check No.	54509	Total:	120.00
Total for	CHRISTOPHER ATWOOD		120.00

CALPERS	March Unfunded Liability	22113	04/08/2020	
FISCAL SERVICES DIVISION			04/08/2020	
ATTN: RETIREMENT PROG ACCTG	0107		04/08/2020	0.00
SACRAMENTO	BOA	54510	04/08/2020	0.00
CA 94229-2703				5,977.90

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Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province	Zip/Postal	Invoice Number		Check Amount

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4080	Retirement - PERS	5,977.90	0.00

Check No.	54510	Total:	5,977.90
Total for	CALPERS		5,977.90

CLEANSTREET	February Litter/Street Clean	22115	04/08/2020	
			04/08/2020	
1937 W. 169TH STREET	0034		04/08/2020	0.00
GARDENA	BOA	54511	04/08/2020	0.00
CA 90247-5254	96781			1,712.27

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4342	Landscape Supplies & Services	78.44	0.00
20-60-4262	Street Sweeping	704.45	0.00
22-60-4266	Litter Clean Up Program	929.38	0.00

Check No.	54511	Total:	1,712.27
Total for	CLEANSTREET		1,712.27

COMCAST	WiFi, 3/21/20-4/20/20	22116	04/08/2020	
			04/08/2020	
P.O. BOX 34744	0045		04/08/2020	0.00
CITY OF INDUSTRY	BOA	54512	04/08/2020	0.00
CA 91716-0533				137.22

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	137.22	0.00

Check No.	54512	Total:	137.22
Total for	COMCAST		137.22

CSG CONSULTANTS INC	January Applicant Charges	22117	04/08/2020	
			04/08/2020	
550 PILGRIM DRIVE	622		04/08/2020	0.00
FOSTER CITY	BOA	54513	04/08/2020	0.00
CA 94404				3,442.50

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4013	Associate Planner	0.00	0.00
05-54-4192	Engineer Services	0.00	0.00
05-54-4214	Miscellaneous Consultants	0.00	0.00
96-54-4194	Engineer - Charges to Appls	3,442.50	0.00

CSG CONSULTANTS INC	Building Inspection Services	22145	04/08/2020	
			04/08/2020	
550 PILGRIM DRIVE	622		04/08/2020	0.00
FOSTER CITY	BOA	54513	04/08/2020	0.00
CA 94404				12,960.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	12,960.00	0.00

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Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

CSG CONSULTANTS INC	C-4 Business Stormwater Insp	22146	04/08/2020	
			04/08/2020	
550 PILGRIM DRIVE	622		04/08/2020	0.00
FOSTER CITY	BOA	54513	04/08/2020	0.00
CA 94404				105.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4192	Engineer Services	105.00	0.00

CSG CONSULTANTS INC	Planning Services, Affiliated	22147	04/08/2020	
	Housing Prog/Housing Elem		04/08/2020	
550 PILGRIM DRIVE	622		04/08/2020	0.00
FOSTER CITY	BOA	54513	04/08/2020	0.00
CA 94404				525.00

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4013	Associate Planner	525.00	0.00

Check No.	54513	Total:	17,032.50
Total for	CSG CONSULTANTS INC		17,032.50

EMPLOYMENT DEV'T DEPT	Employment Tax FY20	22118	04/08/2020	
			04/08/2020	
PO BOX 826846	0062		04/08/2020	0.00
SACRAMENTO	BOA	54514	04/08/2020	0.00
CA 94246-0001				32.26

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4094	Worker's Compensation	32.26	0.00

Check No.	54514	Total:	32.26
Total for	EMPLOYMENT DEV'T DEPT		32.26

EXCEL LD	March LD Telephone Svc	22119	04/08/2020	
			04/08/2020	
PO BOX 660343	0806		04/08/2020	0.00
DALLAS	BOA	54515	04/08/2020	0.00
TX 75266-0343				17.01

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	17.01	0.00

Check No.	54515	Total:	17.01
Total for	EXCEL LD		17.01

GOOD CITY COMPANY	Planning Services, February	22120	04/08/2020	
			04/08/2020	
751 LAUREL STREET,	0950		04/08/2020	0.00
SAN CARLOS	BOA	54516	04/08/2020	0.00
CA 94070	2121			2,800.00

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4013	Associate Planner	1,350.00	0.00
96-54-4198	Planner - Charges to Appls	1,450.00	0.00

Check No.	54516	Total:	2,800.00
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Total for GOOD CITY COMPANY 2,800.00

GRANICUS	Website Hosting, FY 19-20	22121	04/08/2020	
			04/08/2020	
DEPT CH - BOX 19634	1305		04/08/2020	0.00
PALATINE	BOA	54517	04/08/2020	0.00
IL 60055-9634	117762			9,522.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4311	Software & Licensing	9,522.00	0.00

Check No. 54517 Total: 9,522.00

Total for GRANICUS 9,522.00

ANDREW HARMAN	Reimbursement, Electric Leaf Blower Incentive Program	22122	04/08/2020	
			04/08/2020	
40 ADAIR LANE	1306		04/08/2020	0.00
PORTOLA VALLEY	BOA	54518	04/08/2020	0.00
CA 94028				120.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	120.00	0.00

Check No. 54518 Total: 120.00

Total for ANDREW HARMAN 120.00

INTERSTATE TRAFFIC CNTRL PRODUCTS, INC.	Street Signs/Arrow Cones Fire Mitigation Project on ROW	22124	04/08/2020	
		00006689	04/08/2020	
1700 INDUSTRIAL ROAD, STE B	564		04/08/2020	0.00
SAN CARLOS	BOA	54519	04/08/2020	0.00
CA 94070	237171			565.25

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4268	Street Signs & Striping	565.25	565.25

INTERSTATE TRAFFIC CNTRL PRODUCTS, INC.	Fire Mitigation Signage, ROW	22125	04/08/2020	
			04/08/2020	
1700 INDUSTRIAL ROAD, STE B	564		04/08/2020	0.00
SAN CARLOS	BOA	54519	04/08/2020	0.00
CA 94070	237351			471.08

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4268	Street Signs & Striping	471.08	0.00

Check No. 54519 Total: 1,036.33

Total for INTERSTATE TRAFFIC CNTRL 1,036.33

J.W. ENTERPRISES	Portable Lavs., 3/12/20-4/8/20	22126	04/08/2020	
			04/08/2020	
1689 MORSE AVE	829		04/08/2020	0.00
VENTURA	BOA	54520	04/08/2020	0.00
CA 93003	222545			402.48

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4244	Portable Lavatories	402.48	0.00

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	54520	Total:	402.48
Total for	J.W. ENTERPRISES		402.48

TESSA JONEMANN	Refund, 4/25/20 Event Canceled	22123	04/08/2020	
	COVID-19		04/08/2020	
627 POPLAR AVENUE	1307		04/08/2020	0.00
REDWOOD CITY	BOA	54521	04/08/2020	0.00
CA 94061				3,641.00

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2561	Community Hall Deposits	1,000.00	0.00
05-24-3185	Comm Hall Private Party Fees	2,500.00	0.00
05-58-4338	Event Insurance	141.00	0.00

Check No.	54521	Total:	3,641.00
Total for	TESSA JONEMANN		3,641.00

JORGENSON SIEGEL MCCLURE & FLEGEL LLP	February Statement	22127	04/08/2020	
			04/08/2020	
1100 ALMA STREET	0089		04/08/2020	0.00
MENLO PARK	BOA	54522	04/08/2020	0.00
CA 94025				9,822.50

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4182	Town Attorney	8,002.50	0.00
96-54-4186	Attorney - Charges to Appls	1,820.00	0.00

Check No.	54522	Total:	9,822.50
Total for	JORGENSON SIEGEL MCCLURE &		9,822.50

KRUPKA CONSULTING	Traffic Planning, February '20	22128	04/08/2020	
			04/08/2020	
431 YALE DRIVE	0857		04/08/2020	0.00
SAN MATEO	BOA	54523	04/08/2020	0.00
CA 94402	1246			3,150.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4192	Engineer Services	1,950.00	0.00
05-68-4560	CIP Bike/Ped/TrafficImprove	1,200.00	0.00

Check No.	54523	Total:	3,150.00
Total for	KRUPKA CONSULTING		3,150.00

MAZE & ASSOCIATES	Audit Services, FYE 6/30/19	22129	04/08/2020	
			04/08/2020	
3478 BUSKIRK AVENUE	879		04/08/2020	0.00
PLEASANT HILL	BOA	54524	04/08/2020	0.00
CA 94523	34856			14,706.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4180	Accounting & Auditing	14,706.00	0.00

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

MAZE & ASSOCIATES	Audit Services FYE 6/30/19	22130	04/08/2020	
			04/08/2020	
3478 BUSKIRK AVENUE	879		04/08/2020	0.00
PLEASANT HILL	BOA	54524	04/08/2020	0.00
CA 94523	35027			5,180.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4180	Accounting & Auditing	5,180.00	0.00

Check No.	54524	Total:	19,886.00
Total for	MAZE & ASSOCIATES		19,886.00

MIRANDA'S LANDSCAPE	Ford & Rossotti Fields, Maint/ Irrigation Repair	22131	04/08/2020	
			04/08/2020	
5907 LAKE ALMANOR DRIVE	0869		04/08/2020	0.00
SAN JOSE	BOA	54525	04/08/2020	0.00
CA 95123	1349			1,905.51

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	1,905.51	0.00

MIRANDA'S LANDSCAPE	TC Tennis/All Sports Court Landscape Maint Plantings	22132	04/08/2020	
			04/08/2020	
5907 LAKE ALMANOR DRIVE	0869		04/08/2020	0.00
SAN JOSE	BOA	54525	04/08/2020	0.00
CA 95123	1335			837.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4241	CIP Fields & Parks	837.00	0.00

MIRANDA'S LANDSCAPE	Triangle Park Conservation Maintenance Project	22133	04/08/2020	
			04/08/2020	
5907 LAKE ALMANOR DRIVE	0869		04/08/2020	0.00
SAN JOSE	BOA	54525	04/08/2020	0.00
CA 95123	1336			2,674.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4418	CIP Open Space Support	2,674.00	0.00

Check No.	54525	Total:	5,416.51
Total for	MIRANDA'S LANDSCAPE		5,416.51

NCE	2020 Street Resurface Proj. Through 2/14/2020	22134	04/08/2020	
			04/08/2020	
Nichols Consulting Engineers	0183		04/08/2020	0.00
1885 S. ARLINGTON AVE	BOA	54526	04/08/2020	0.00
RENO	424245504R			15,877.16

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4503	CIPStreetDesignFutureFY	15,877.16	0.00

Check No.	54526	Total:	15,877.16
Total for	NCE		15,877.16

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

NOLTE ASSOCIATES, INC. NV5	January Applicant Charges	22135	04/08/2020	
			04/08/2020	
P.O. BOX 74008680	0104		04/08/2020	0.00
CHICAGO	BOA	54527	04/08/2020	0.00
IL 89193-3243				6,095.48

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	6,095.48	0.00

Check No.	54527	Total:	6,095.48
Total for	NOLTE ASSOCIATES, INC. NV5		6,095.48

OLBERDING ENVIRONMENTAL, INC	C-1 Trail Riparian Monitoring, Nov-Dec 2019	22136	04/08/2020	
			04/08/2020	
193 BLUE RAVINE ROAD	2025		04/08/2020	0.00
FOLSOM	BOA	54528	04/08/2020	0.00
CA 94630	2019463			3,188.75

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	3,188.75	0.00

Check No.	54528	Total:	3,188.75
Total for	OLBERDING ENVIRONMENTAL, IN		3,188.75

PERS HEALTH	April Health Premium	22114	04/08/2020	
			04/08/2020	
VIA EFT	0108		04/08/2020	0.00
	BOA	54529	04/08/2020	0.00
				11,310.13

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4086	Health Insurance Medical	11,310.13	0.00

Check No.	54529	Total:	11,310.13
Total for	PERS HEALTH		11,310.13

PLATINUM FACILITY SERVICES	February Janitorial	22137	04/08/2020	
			04/08/2020	
1530 OAKLAND RD., #150	402		04/08/2020	0.00
SAN JOSE	BOA	54530	04/08/2020	0.00
CA 95112	37746			2,451.56

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4341	Community Hall	601.67	0.00
05-66-4344	Janitorial Services	1,233.82	0.00
25-66-4344	Janitorial Services	616.07	0.00

Check No.	54530	Total:	2,451.56
Total for	PLATINUM FACILITY SERVICES		2,451.56

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

PORTOLA VALLEY HARDWARE	February Statement	22110	04/08/2020	
			04/08/2020	
112 PORTOLA VALLEY ROAD	0114		04/08/2020	0.00
PORTOLA VALLEY	BOA	54531	04/08/2020	0.00
CA 94028				235.23

GL Number	Description	Invoice Amount	Amount Relieved	
05-58-4240	Parks & Fields Maintenance	41.26	0.00	
05-60-4267	Tools & Equipment	96.96	0.00	
20-60-4270	Trail Surface Rehabilitation	97.01	0.00	

Check No.	54531	Total:	235.23
<u>Total for</u>	PORTOLA VALLEY HARDWARE		235.23

PURCHASE POWER	Postage Meter Replenish	22138	04/08/2020	
Pitney Bowes Inc.			04/08/2020	
PO BOX 371874	0755		04/08/2020	0.00
PITTSBURGH	BOA	54532	04/08/2020	0.00
PA 15250-7874				450.03

GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4316	Postage	450.03	0.00	

Check No.	54532	Total:	450.03
<u>Total for</u>	PURCHASE POWER		450.03

RAMONA'S SECRETARIAL SERVICES	Transcription Services, March	22139	04/08/2020	
			04/08/2020	
18403 WATTERS DRIVE	1370		04/08/2020	0.00
CASTRO VALLEY	BOA	54533	04/08/2020	0.00
CA 94546	6072			1,057.50

GL Number	Description	Invoice Amount	Amount Relieved	
05-54-4188	Transcription Services	1,057.50	0.00	

Check No.	54533	Total:	1,057.50
<u>Total for</u>	RAMONA'S SECRETARIAL SERVIC		1,057.50

SAN MATEO LAWNMOWER	Chain Loop, Mower Parts	22140	04/08/2020	
			04/08/2020	
760 S. AMPHLETT BLVD	0412		04/08/2020	0.00
SAN MATEO	BOA	54534	04/08/2020	0.00
CA 94402	199486			82.39

GL Number	Description	Invoice Amount	Amount Relieved	
05-60-4267	Tools & Equipment	82.39	0.00	

Check No.	54534	Total:	82.39
<u>Total for</u>	SAN MATEO LAWNMOWER		82.39

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

SIERRA PACIFIC TURF SUPPLY INC	Fertilizer Purchase-All Fields	22141	04/08/2020	
		00006684	04/08/2020	
P.O. BOX 84	842		04/08/2020	0.00
CAMPBELL	BOA	54535	04/08/2020	0.00
CA 95009	0569611-IN			1,058.81

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	1,058.81	1,058.81

Check No.	54535	Total:	1,058.81
Total for	SIERRA PACIFIC TURF SUPPLY INC		1,058.81

SMITH'S GOPHER TRAPPING SVC	Town Fields Gopher Trapping Services, March 2020	22142	04/08/2020	
			04/08/2020	
1931 OTOOLE WAY	0824		04/08/2020	0.00
SAN JOSE	BOA	54536	04/08/2020	0.00
CA 95131	77875			975.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	487.50	0.00
05-66-4342	Landscape Supplies & Services	487.50	0.00

Check No.	54536	Total:	975.00
Total for	SMITH'S GOPHER TRAPPING SVC		975.00

STAPLES CREDIT PLAN	February Statement	22143	04/08/2020	
			04/08/2020	
DEPT. 51- 7820662814	430		04/08/2020	0.00
PHOENIX	BOA	54537	04/08/2020	0.00
AZ 85062-8004				1,150.49

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	1,150.49	0.00

Check No.	54537	Total:	1,150.49
Total for	STAPLES CREDIT PLAN		1,150.49

TURF & INDUSTRIAL EQUIPMENT CO	Batteries for Electrical Equip	22144	04/08/2020	
			04/08/2020	
2715 LAFAYETTE STREET	513		04/08/2020	0.00
SANTA CLARA	BOA	54538	04/08/2020	0.00
CA 95050	IV33911			393.28

GL Number	Description	Invoice Amount	Amount Relieved
05-60-4267	Tools & Equipment	393.28	0.00

Check No.	54538	Total:	393.28
Total for	TURF & INDUSTRIAL EQUIPMENT		393.28

Total Invoices:	40	Grand Total:	127,072.24
		Less Credit Memos:	0.00
		Net Total:	127,072.24
		Less Hand Check Total:	0.00
		Outstanding Invoice Total:	127,072.24

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
April 8, 2020

Claims totaling \$127,072.24 having been duly examined by me and found to be correct are hereby approved and verified by me as due bills against the Town of Portola Valley.

Date _____

Jeremy Dennis, Treasurer

Motion having been duly made and seconded, the above claims are hereby approved and allowed for payment.

Signed and sealed this (Date) _____

Sharon Hanlon, Town Clerk

Mayor

There are no written materials for Updates & Town Responses to COVID-19

There are no written materials for Farmers' Market Update

ORDINANCE NUMBER 2020-_____

URGENCY ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY ESTABLISHING A MORATORIUM ON EVICTIONS FOR NONPAYMENT OF RENT BY SMALL BUSINESS COMMERCIAL TENANTS DIRECTLY IMPACTED BY THE COVID-19 PANDEMIC

WHEREAS, international, national, state, and local governmental and health authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus and commonly referred to as COVID-19;

WHEREAS, on March 3, 2020, the San Mateo County Health Officer (“County Health Officer”) declared a local health emergency throughout San Mateo County related to the COVID-19 outbreak;

WHEREAS, on March 10, 2020, the Board of Supervisors of the County of San Mateo ratified and extended the declaration of a local health emergency;

WHEREAS, on March 14, 2020 the County Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancellation of all gatherings of ten or more people in a single confined space;

WHEREAS, on March 16, 2020, the County Health Officer issued a further order directing, among other things, that all individuals living in the county shelter at their place of residence, except to provide or receive essential services, or engage in essential activities, and that all businesses and governmental agencies cease non-essential operations at all physical locations in the county;

WHEREAS, on March 31, 2020, the County Health extended the shelter-in-place order until May 3, 2020 due to the significant increase in the number of positive cases, hospitalization and deaths from COVID-19;

WHEREAS, the extended shelter-in-place order requires, among other things, that essential businesses that continue to operate scale down operations to their essential components;

WHEREAS, on March 4, 2020 Governor Newsom issued a Proclamation of State of Emergency related to COVID-19;

WHEREAS, on March 16, 2020, Governor Newsom issued Executive Order N-28-20, which grants cities and counties broad authority to enact temporary moratoria on residential and commercial evictions based on a nonpayment of rent caused by the COVID-19 pandemic or by the local, state or federal government response to COVID-19;

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-20, which imposed a statewide shelter-in-place order requiring individuals to remain in

their places of residence, except as needed to maintain continuity of operations of critical infrastructure, access to necessities such as food, prescriptions, and healthcare, or engage in other authorized activities;

WHEREAS, the Governor of the State of California has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks;

WHEREAS, on March 17, 2020, the Town of Portola Valley declared a local state of emergency due to the rapid spread of COVID-19;

WHEREAS, the Town of Portola Valley, pursuant to its police powers, has broad authority to maintain the public peace, health, safety, comfort, convenience, prosperity and welfare of its community and preserve quality of life for its residents;

WHEREAS, as a result of the public health emergency, the precautions recommended by state and county health officers, and in compliance with orders issued by those officers, many residents and businesses in Portola Valley have experienced or expect soon to experience sudden and unexpected income loss and that loss of income may have negative impacts on small businesses' ability to make rent payments;

WHEREAS, a number of local small businesses that provide essential items (e.g. food, veterinary services, hardware store, public safety patrol) and services to town residents are deemed essential businesses under the county and statewide shelter-in-place orders, and it is in the public interest to have them continue to operate during the local emergency and after the restrictions in the shelter-in-place orders are lifted;

WHEREAS, to the extent that local small businesses are not currently operating due to the shelter-in-place orders, it is in the public interest to have them resume operations as soon as the county and statewide shelter-in-place orders are lifted because the ongoing existence of such small businesses are essential to the protection of the public peace and health, safety, life, property and general welfare of town residents;

WHEREAS, it is in the public interest to take immediate steps to mitigate the economic impacts of COVID-19 by ensuring that local small businesses, which are essential to the health and vibrancy of the community, survive this current pandemic; and

WHEREAS, based on the foregoing, the Town Council desires to establish a moratorium on eviction of on-payment of rent by small business commercial tenants directly impacted by the COVID-19 pandemic.

NOW, THEREFORE, the Town Council of the Town of Portola Valley does **ORDAIN** as follows:

1. FINDINGS. The Town Council finds that the foregoing recitals are true and correct and are incorporated into this ordinance and adopted as findings of the Town Council. The Town Council further finds, determines and declares that this ordinance is urgently needed for the immediate preservation of the public peace, health, safety or welfare of the community because:

- A. further economic impacts are anticipated as result of COVID-19-related workplace closures, childcare expenditures due to school closures, health care expenses, labor shortages, and other expenditures stemming from compliance with emergency orders, leaving small business tenants vulnerable to eviction;
- B. these economic impacts may inhibit small businesses from fulfilling their financial obligations, including rent and public utility payments such as water, sewer, and solid waste collection charges;
- C. during this emergency, and in the interest of protecting the public welfare it is essential to avoid unnecessary termination of small business tenancies.

2. MORATORIUM ESTABLISHED. A moratorium on eviction for non-payment of rent by small business tenants impacted by the COVID-19 crisis is imposed as follows:

- A. During the period of local emergency declared in response to COVID-19, no landlord shall endeavor to evict a tenant in either of the following situations: (1) for nonpayment of rent if the tenant demonstrates that the tenant is unable to pay rent due to financial impacts related to COVID-19, or (2) for a no-fault eviction, unless necessary for the health and safety of tenants, neighbors or the landlord.
- B. A landlord who knows that a tenant cannot pay some or all of the rent temporarily for the reasons set forth in 2.A. shall not: (1) serve a notice pursuant to California Code of Civil Procedure Section 1161(2), (2) file or prosecute an unlawful detainer action based on a 3-day pay rent or quit notice, or (3) otherwise seek to evict for nonpayment of rent. A landlord knows of a tenant's inability to pay rent within the meaning of this ordinance if the tenant, within 14 days after the date the landlord provides written notice of this emergency ordinance as required in 2.D., notifies the landlord in writing of lost income and inability to pay full rent due to financial impacts related to COVID-19, and provides documentation to support the claim. For purposes of this ordinance, "in writing" includes email or text communications to a landlord or the landlord's representative with whom the tenant has previously corresponded by email or text. Any medical or financial information provided to the landlord shall be held in confidence, and only used for evaluating the tenant's claim.
- C. Nothing in this ordinance shall relieve the tenant of liability for the unpaid rent, which the landlord may seek after expiration of the local emergency and the tenant must pay within six months of the date the local emergency is lifted. A landlord may not charge or collect a late fee for rent that is delayed for the reasons stated in this ordinance; nor may a landlord seek rent that is delayed for the reasons stated in this ordinance through the eviction process.

D. Prior to taking any action, during the term of this ordinance, to endeavor to evict a tenant for nonpayment of rent or under any circumstance that constitutes a no-fault termination of tenancy, the landlord must first provide the affected tenant or tenants with written notice of this ordinance; such notice shall include at a minimum: (1) the amount of rent to which the landlord is legally entitled pursuant to any written or oral agreement and under the provisions of state or local law; (2) that this rent is due unless the tenant promptly establishes in writing to the landlord that the amount of rent due qualifies for deferral under this ordinance; and (3) that the notice from the tenant to the landlord of the deferral of rent payment must be provided to the landlord within 14 days of receipt from the landlord of the written notice required by the subdivision.

E. For purposes of this ordinance, the following definitions shall apply:

1. "Financial impacts related to COVID-19" include, but are not limited to, loss of income due to any of the following: (a) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (b) lay-off, loss of hours, or other income reduction resulting from business closure or other economic or employer impacts of COVID-19; (c) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (d) extraordinary out-of-pocket medical expenses; or (d) child-care needs arising from school closures related to COVID-19.
2. "No-fault eviction" refers to any eviction for which the notice to terminate tenancy is not based on alleged fault by the tenant, including but not limited to eviction notices served pursuant to California Code of Civil Procedure sections 1161(1) or 1161(5).
3. "Small business" is a business entity with gross receipts of less than \$__ million per year.

F. Violations of this ordinance shall be punishable as set forth in Chapter 1.12 of the Portola Valley Municipal Code. In addition, this ordinance shall serve a defense in the event that an unlawful detainer action is commenced in violation of this ordinance. In the event of a violation of this ordinance, an aggrieved tenant may institute a civil proceeding for injunctive relief, money damages of not less than three times actual damages (including damages for mental or emotional distress as specified below), and any other relief the court deems appropriate. In the case of an award of damages for mental or emotional distress, said award shall only be trebled in the trier of fact finds that the landlord acted in knowing violation of or in reckless disregard of this ordinance. The prevailing party shall be entitled to reasonable attorney's fees and costs pursuant to court order. The remedies available under this section shall be in addition to any existing remedies which may be available to the tenant under local, state or federal law.

- G. Administrative review. The Town Manager shall have the authority to review and grant relief to a landlord who experiences undue or excessive hardship as a result of this moratorium. An aggrieved landlord shall file a written request for relief explaining the nature of the hardship. Such request shall be accompanied by documentation supporting the claimed hardship, such as the property owner's interest in the property, price paid or option price, assessed value, tax on the property, mortgage indebtedness, income and expense statements for income-producing property, and the like.
- H. The term of this moratorium shall be from the date of adoption until May 31, 2020, unless otherwise extended or replaced.

3. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION. In accordance with the California Environmental Quality Act ("CEQA") guidelines section 15061(b)(3), adoption of this ordinance is exempt from the provisions of CEQA, because there is no possibility that the implementation of this ordinance may have a significant effect on the environment. This ordinance will apply tenant protections to tenants in existing buildings for a limited period of time.

4. SEVERABILITY. In the event any section, clause or provision of this ordinance shall be determined invalid or unconstitutional, such section, clause or provision shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

5. EFFECTIVE DATE AND POSTING. This ordinance shall be published in a newspaper of general circulation. This ordinance was introduced and adopted on April 8, 2020 and shall be effective immediately upon adoption.

INTRODUCED on the ___ day of April 2020.

PASSED AND ADOPTED as an ordinance of the Town of Portola Valley at a regular meeting of said Council on the ___ day of April 2020, by the following vote:

- AYES: Councilmembers:
- NOES: Councilmembers:
- ABSTENTIONS: Councilmembers:
- ABSENT: Councilmembers:

ATTEST

Sharon Hanlon, Town Clerk

Jeff Aalfs, Mayor

APPROVED AS TO FORM

Town Attorney



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Jeremy Dennis, Town Manager
Laura Russell, Planning and Building Director

DATE: April 8, 2020

RE: Ratification of the Woodside Fire Protection District Fire Code

RECOMMENDATION

Staff recommends that the Town Council adopt the attached resolution which would formally ratify Ordinance No. 12 of the Woodside Fire Protection District (WFPD).

BACKGROUND

Properties within the Town of Portola Valley receive fire suppression and prevention services from the Town of Portola Valley Fire Protection District, an independent special district that derives its powers and authority, in part, from the Fire Protection District Law, found in the California Health and Safety Code. Health and Safety Code Section 13869.7 provides that a district may adopt a fire prevention code by reference.

On November 25, 2019, the WFPD Board of Directors introduced draft Ordinance No. 12, which would adopt by reference the 2018 International Fire Code with the 2019 California amendments. The draft ordinance was transmitted to the Towns of Portola Valley and Woodside, and the County of San Mateo, for review and comment before the Board of Directors considered adoption of the ordinance. The Town Council previewed the draft amended code at their December 11, 2019 meeting (Attachment 1).

The District adopted the amended fire code (Ordinance 12) on January 27, 2020; the Town of Woodside ratified the amended code on February 11, 2020 and once ratified by Portola Valley, the amended code goes into effect on February 27, 2020. The District's ordinance only includes local amendments to the uniform code. Unless amended by the local amendments, all other provisions of the uniform, code apply.

DISCUSSION

The amended fire code includes the following substantial changes from its previous version:

- Prohibitions to the planting of landscape vegetation within five feet of wood sided habitable buildings, with exceptions for groundcover or low-growing vegetation

- Limits to the storage of flammable or combustible liquids in outdoor, above-ground storage
- Limits to the amount of liquefied petroleum gas that can be stored on any premise
- Allowance for all-weather drivable shoulders for fire apparatus access

Staff supports the ratification of the amended code.

FISCAL IMPACT

There is no fiscal impact associated with the ratification of this ordinance for the Town.

ATTACHMENTS

1. [December 11, 2019 Council Minutes](#)
2. [Amended Copy of Ordinance No. 12 of the WFPD](#)
3. [Final Copy Ordinance No. 12 of the WFPD](#)
4. [Resolution](#)

Approved by: Jeremy Dennis, Town Manager



Mayor Aalfs said everyone is in agreement with protecting that right-of-way from Hawthorns to Windy Hill as some form of open space as long as it did not preclude a future action on a parcel or parcels. Councilmember Hughes said his motion does not restrict. Councilmember Wengert said it has been clearly signaled to all the residents that the Council hears them, is taking the Frog Pond parcel off the table, and that it will be designated as open space. She suggested waiting to understand how the mechanics of that works because she is uncomfortable not fully understanding the implications. Mayor Aalfs said the Council all agrees on that intention and asked if that is communicated clearly enough to staff so they can research the issue and bring something back to the Council in January that they can vote on as a formal resolution, protecting the whole stretch with some latitude.

Town Manager Dennis said he understands Council's direction to staff the desire for the road remnant property be in open space and to look more broadly at what open space designations would be for the other connected pieces in the rights-of-way and trails and the like. He said there are issues with rights-of-way that they must be very thoughtful of, utilities and other things that cross the rights-of-way or things the Town may want to do within the rights-of-way related to traffic, emergency preparedness, etc., that needs to be researched before staff would be comfortable providing anything back to the Council. Mayor Aalfs agreed and asked for confirmation that the Council was in agreement with the intent to protect the right-of-way from Hawthorns to Windy Hill as some form of open space.

Councilmember Hughes clarified that there is a distinction that applies to the right-of-way as opposed to the entire section of existing Town-owned property within the scenic corridor. He said the right-of-way is defined as 70 or 100 feet and the property is wider than that in some places. He would like to capture that it is not just the right-of-way but also the land adjacent to the right-of-way that belongs to the Town.

Councilmember Wengert suggested that Councilmember Hughes may be pushing for a motion that the Council is not looking for tonight. She suggested calling for a second to his motion and if there is no second, then the Council can move on with a motion that can be approved that just relates to the Frog Pond.

Mayor Aalfs suggested adopting and passing a motion directing staff to bring back a future resolution along the lines of Councilmember Hughes motion and addressing the logistics of it.

There was no second to Councilmember Hughes' motion.

Councilmember Wengert moved to approve designating the road remnant Frog Pond parcel as open space with the recommendation of how best to effect that designation to be brought back to the Council by staff. Town Attorney Silver noted that motion cannot be made because it was not properly noticed.

Councilmember Wengert moved to remove the road remnant Frog Pond parcel from the list of possible properties presented by the Ad-Hoc Committee on Town-owned properties. Seconded by Councilmember Hughes; the motion carried 5-0.

Councilmember Hughes moved to accept the Committee's recommendations that the Town Center property at the substation site be considered for housing, that the Los Trancos Woods property not be considered for housing at this time, and that the undeveloped portion of Ford Field be ruled out for future housing consideration. Seconded by Councilmember Wengert; the motion carried 5-0.

The Council directed staff to return to a future meeting to discuss the Council's desire to address the standing committee's broader recommendation of a connected open space designation for the trail system along western Alpine Road connecting multiple open space properties.

(10) Report by Town Manager – Staff Resource Review and Proposed Adoption of Recommendations by the Ad-Hoc Wildfire Preparedness Committee

Town Manager Dennis thanked the Ad-Hoc Wildfire Preparedness Committee Members for staying so late at tonight's meeting. He presented the background of the creation of the Ad-Hoc Committee for the purpose of addressing outstanding wildfire resiliency issues, its charter, their three subcommittees, and the Committee's recommendations. Council received the recommendations at their November 13 meeting and directed staff to review the recommendations, based on the allocation of resources, in order to finalize adoption, as detailed in the staff report.

Town Manager Dennis noted three corrections to the report: Item 2.a.i should read "Ban all combustible ..."; The resources listed under item 5.b.iii is a combination of design guidelines and adoption of fire code; and, Item 5.b.v should read \$800 total for 15 locks and not \$800 per lock.

Fire Marshal Enea explained how the Fire Code is adopted. She explained that her goal is to have one code that all three bodies (Woodside, Portola Valley, and unincorporated San Mateo County) can ratify. She described the following Summary of Proposed Local and State Changes.

Definitions: Wherever the word "Groundcover" is used it shall be held to mean a low growing perennial plant, under 18 inches, that covers expanses of ground, forming the lowest layer of vegetation, below the shrub layer and protecting the topsoil from erosion and can act as a mulch and weed suppressant.

Perimeter Property Line Clearance: Section 304.1.2.A Perimeter Property Line Clearance. Section 304.1.2.A Perimeter Property Line Clearance. Persons owning, controlling, or leasing structures and or property are required to remove, a minimum of 50 feet from the perimeter of the property line and 100 feet from any neighboring structure, specifically; flashy fuels consisting of dead weeds and dry annual grasses, as well as dead vegetative material and litter that is capable of being easily ignited and endangering property as determined by the Fire Marshal.

Limited Planting Around Structures: Section 304.1.2.D Limited Planting Around Structures. Due to the combustible nature of structures throughout the territory of the Woodside Fire Protection District, the planting of new landscape vegetation within the 0-5ft zone, adjacent to wood sided habitable buildings, shall be limited as described in this section. When a habitable building includes wood siding on the first floor, no new landscape vegetation, except ground cover, shall be allowed within 5ft of the wood siding. New landscape vegetation, except for ground cover, shall not be allowed within 5ft, in any direction, of any first story window or glass door opening. There is no setback requirement for new landscape vegetation adjacent to Non-combustible siding, such as fiber cement board, stone and stucco. Exceptions: Existing vegetation planted prior to the adoption of this code.

Town Manager Dennis said that staff supports this recommendation but pointed out there were two similar recommendations from the Committee and this is the more restrictive one. In response to Councilmember Wengert's question, the Committee members in attendance stated they were supportive of this recommendation.

Fire Marshal Enea said the intent is not to govern and be restrictive but is to incentivize people to build in an ignition-resistant way and be more fire resistant.

Town Manager Dennis said reaction to this is anticipated; however, staff is very supportive because the Committee did an excellent job showing that these kinds of changes will make a house more fire resistant. Fire Marshal Enea said this only applies to new plantings in proposed landscaped plans.

Councilmember Hughes said people commonly use plantings to break up wall massing and the Commissions will need to be thoughtful of the impact that has on other massing mitigations that are encouraged.

Fire Apparatus Access Roads:

Section 503.2.1 Amended Section 503.2.1 is deleted in its entirety and replaced by the following section. Section 503.2.1 Dimensions: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, inclusive of all-weather surface shoulders, and a vertical clearance of not less than 13 feet 6 inches. Security gates shall be in accordance with section 503.6. Driveways serving one property, with a single or multiple habitable dwelling shall have an unobstructed driveway width of not less than 12 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. Shared driveways serving more than one property with habitable structures shall have an unobstructed minimum width of 18 feet, inclusive of all-weather drivable surface shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches. All gates obstructing emergency access roadways shall have a sign stating Emergency Evacuation Route.

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Additional Fire Protection Systems in Accessory Dwelling Units:

Amended Section 901.4.4.1 is added to read as follows: Additional Fire Protection Systems in Accessory Dwelling Units. An automatic fire sprinkler system may be used in new accessory dwelling units as an alternative, when aspects of the fire code cannot be met in their entirety and when approved by the Fire Marshal.

Limits of Storage and Dispensing of Flammable and Combustible Liquids:

Section 9. Chapter 57 Establishment of Limits in Which Storage and Dispensing of Flammable or Combustible Liquids in Outside Above Ground Tanks Are Prohibited.

The limits referred to in Section 5704.2, 5704.4.2.4, Table 5704.4.2 and Section 5706, of the California Fire Code, in which the storage and or dispensing of flammable or combustible liquids, in outside above ground tanks, shall be limited to the commercial areas within the jurisdiction of the Woodside Fire Protection District. The dispensing, mixing, handling or storage adjacent to or on parcels with R1 and R2 occupancies is prohibited. Exceptions: 1. Quantities less than 100 gallons in emergency generators; 2. Farms, critical infrastructure and construction site uses if determined by the Fire Marshal that the safety of the public is not compromised. The occupancy classification quantities in Chapter 57 shall not be exceeded.

Storage of Liquefied Petroleum Gas: Amended Section 6104.2A is added to read as follows: Where Permitted; The storage of liquefied petroleum gas shall not exceed a water capacity of 100 gallons aggregate for any one premise installation within the Woodside Fire Protection District territory where natural gas mains exist. Exceptions: Installation of Liquefied Petroleum Gas may be permitted if used as a means of emergency standby supply for residential or industrial operations, or used for medical, research, testing, or purposes not suited to the use of natural gas. Such installation shall be in accordance with Chapter 61 of the California Fire Code and all provisions of NFPA 58.

Fire Flow Requirements *State Change:

Section B105.1 Fire Flow Requirements for Buildings. One- and Two-Family Dwellings. The minimum fire flow shall be 1000 gallons per minute for structures 3601 square feet and greater and 750 gallons per minute for

structures 1 - 3600 square feet. A water supply for fire protection shall mean a fire hydrant within 600 feet from the building, measured via an approved roadway/driveway, capable of the required fire flow. There shall be no reduction for installation of a fire sprinkler system.

Distribution of Hydrants: Section C103.2A Modified Distribution of Fire Hydrants; In rural areas where parcels, with structures, have large road frontages and or long driveways the minimum location of a fire hydrant shall be 600 feet to the structure measured via a roadway or primary driveway as approved by the Fire Marshal.

Access Road with a Hydrant: Section D103A Access road with a hydrant: Fire apparatus access roads shall be a minimum of 20 feet in width inclusive of all-weather drivable shoulders.

The Council adopted the recommendations from the Wildfire Preparedness Committee.

Town Manager Dennis announced that Fire Marshal Enea will be retiring effective December 31, 2019.

Town Manager Dennis said staff supports all of the recommendations but requested direction on the items requiring significant time resources and funding so they can understand how to manage it.

In response to Councilmember Wengert's question regarding 3.b.v, Town Manager Dennis said the \$180,000 estimate is a one-time expenditure.

Councilmember Richards suggested removing any recommendations for IPE wood, which has fallen out of favor with environmentally conscious design.

Mayor Aalfs said the Design Guidelines feels like a bigger lift than the Reach Code. Planning & Building Director Russell said the Design Guidelines are more work because of having to work through some of the specifics. She said, based on the specific recommendations for the Fire Reach Code, there is a fair amount of technical work to be done. She said the contract building officials will work through that with support from that firm, which she would oversee.

The Council was not supportive of 3.b.ii (incentive program to support private property fuel reduction efforts) or 5.b.vii (match for home hardening) unless there were grants to fund it; otherwise, the Council felt these should be considered low priority.

The Council directed staff to postpone 3.b.v, the prioritization of vegetation management on the Town's main evaluation routes, because it will be folded into the budget process after the completion of 3.b.i (identification of ignition sources).

The Council was supportive of the remaining recommendations.

Vice-Mayor Derwin moved to accept the staff report on resource allocation and adopt the recommendations. Seconded by Councilmember Wengert; the motion carried 5-0.

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

Postponed to the next Town Council meeting.

(12) **TOWN MANAGER REPORT** – Postponed to the next Town Council meeting.

WRITTEN COMMUNICATIONS

(13) **Town Council Digest** – November 14, 2019

**WOODSIDE
FIRE
PROTECTION
DISTRICT
ORDINANCE
NO. 12**

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**ORDINANCE NO. 12
BOARD OF DIRECTORS OF THE
WOODSIDE FIRE PROTECTION DISTRICT
COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

AN ORDINANCE ADOPTING BY REFERENCE, THE 2018 INTERNATIONAL, FIRE CODE WITH THE 2019 CALIFORNIA AMEDMENTS INCLUDING LOCAL AMENDMENTS AND STANDARDS AS SPECIFIED PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION WITHIN THE TERRITORY OF THE WOODSIDE FIRE PROTECTION DISTRICT, ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFORE AND DEFINING THEIR POWERS AND DUTIES.

WHEREAS, Health and Safety Code section 13869 provides that the Woodside Fire Protection District Board of Directors (“Board”) has the authority to adopt a fire prevention code by reference pursuant to applicable governmental code provisions.

WHEREAS, Section 108.1 of Chapter 1 of the California Fire Code pertains to the Board of Appeals and this Board hereby determines that the Board of Directors act as a Board of Appeals; and

WHEREAS, Section 304.1.2 of the California Fire Code pertains to vegetation that is capable of being ignited and this Board finds that it is in the best interest of the District to restrict the accumulation of vegetation and specify clearance requirements in wildland urban interface areas; and

WHEREAS, Section 307 of the California Fire Code pertains to open burning and this Board finds it is in the best interest of public safety and welfare to restrict open burning operations; and

WHEREAS, Section 503 of the California Fire Code pertains to Fire apparatus access roads and this Board finds that because of the rural nature of the Woodside Fire Protection District territory it is in the best interest of public safety and welfare to specify specific dimensions and requirements for fire apparatus access roadways and gates.

WHEREAS, Chapter 56 of the California Fire Code pertains to fireworks and this Board finds that the Woodside Fire Protection District enacted Ordinance No. 3 in 1986, prohibiting the use and sale of fireworks within the entire territory of the Woodside Fire Protection District is in the interest of public safety and welfare; and

WHEREAS, Chapter 56 of the California Fire Code pertains to storage of explosives and fireworks where the storage and use is permitted, and this Board finds that it is in the best interest of the District to specify and restrict where such storage and use be permitted in the District; and

WHEREAS, Chapter 57 of the California Fire Code pertains to the storage and dispensing of flammable or combustible liquids in outside above ground tanks, and this Board finds that it is in the best interest of the District to specify and restrict where such storage and dispensing may be permitted in the District; and

WHEREAS, Chapter 61 of the California Fire Code does not specify where the storage, use, handling, or dispensing of liquid petroleum gas is permitted, and this Board finds that it is in the best interest of the District to specify where such uses should be permitted in the District; and

WHEREAS, Table B105.1(1) and B105.1(2) of Appendix B and Table B105.1 of Appendix BB of the California Fire Code provides specified fire flow requirements for buildings and this Board finds that said requirements are not practical due to the lack of existing municipal water systems and the rural nature of the fire district; and

WHEREAS, Table C102.1 of Appendix C of the California Fire Code provides specified fire hydrant locations and distribution and this Board finds that said requirements are not practical due to the lack of existing municipal water systems and the rural nature of the fire district; and

WHEREAS, Appendix D of the California Fire Code provides minimum specifications for access roads with a fire hydrant and maximum grade and this Board finds that said requirements are not practical due to the rural nature of the fire district; and

WHEREAS, Chapter 1 of the California Fire Code does not specifically authorize audio visual or other recording including photographs to assist with investigations of alleged violations of this Code or fire incidents and this Board finds that use of said technological assistance is in the best interest of the District; and

WHEREAS, Chapter 9 of the California Fire Code pertains to automatic fire sprinklers and where they are required, and this Board finds that it is in the best interest of the District to specify installations related to new and existing buildings and structures; and

WHEREAS, In accordance with section 102.9 of the California Fire Code for subjects not specifically covered by the code, as deemed necessary for firefighter safety and suppression activities, Woodside Fire Protection District finds it necessary to maintain a set of design and installation standards as deemed necessary for firefighter safety and suppression activities.

WHEREFORE, this Board does ordain as follows:

SECTION 1. TITLE.

This Ordinance shall be known as the “Fire Code” of the Woodside Fire Protection District and may be cited as such and will be referred to in this ordinance as the “California Fire Code” or “this Code”.

SECTION 2. ADOPTION OF THE 2018 INTERNATIONAL FIRE CODE/2019

CALIFORNIA FIRE CODE & FIRE CODE STANDARDS.

It is hereby adopted by the Board of Directors for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2018 International Fire Code with the 2019 California Amendments Title 24 Part 9, and the whole thereof, including all Appendices and International Fire Code Standards except for Appendices A and J, as compiled, recommended and published by the International Code Council, save and accept only such portions thereof as are hereinafter expressly deleted, modified or amended by this ordinance; and including such new sections and paragraphs which are hereinafter added to and made a part of the Fire Code and of this ordinance, of which not less than two (2) copies have been and are now filed in the Office of the Fire Chief of the Woodside Fire Protection District and the same are hereby adopted and incorporated, by this reference, as fully as if set forth out at length herein, and from the date on which this ordinance shall take effect, the provisions of same shall be controlling within the Woodside Fire Protection District.

SECTION 3. DEFINITIONS.

- A. Wherever the word “**jurisdiction**” is used in the International/California

Fire Code & Fire Code Standards, it shall mean the Woodside Fire Protection District, except that wherever in the Code, “jurisdiction” is used in a context which implies the ability to exercise governmental powers which the District does not have but which powers are exercised within District’s territorial boundaries by another public agency, then in that context “jurisdiction” shall mean the public agency authorized to and exercising that governmental power.

- B. Wherever the words “**Fire Code Official**” are used they shall be held to mean “Fire Marshal.”
- C. Wherever the words “**Fire Code**” are used it shall mean International/California Fire Code & Fire Code Standards.
- D. Wherever the word “**Driveway**” is used it shall mean an access road from the public way to a structure that is used for public or private vehicular access, including fire and emergency apparatus or vehicles
- E. For calculating compliance within the Fire Code for the specific purpose of required fire flow, “**Floor Area, Gross**” shall mean; The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vents shafts and courts without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area shall be the usable areas under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

- F. Wherever the word “**Groundcover**” is used it shall be held to mean a low growing perennial plant, under 18 inches, that covers expanses of ground, forming the lowest layer of vegetation, below the shrub layer and protecting the topsoil from erosion and can act as a mulch and weed suppressant.

SECTION 4. ESTABLISHMENT OF BUREAU OF FIRE PREVENTION AND DUTIES OF MEMBERS THEREOF.

A. The Fire Code shall be enforced by the Bureau of Fire Prevention in the Woodside Fire Protection District, which is hereby established, and which shall be operated under the supervision of the Chief of the Department.

B. The Chief of the Fire Department shall appoint an officer of the Fire Department as Chief of the Bureau of Fire Prevention. The title shall be Fire Marshal. The appointment shall continue during good behavior and satisfactory service, and they shall not be removed from office except for cause in accordance with the rules and regulations of the Woodside Fire Protection District.

C. The Fire Marshal may appoint such members of the fire department as **Deputy Fire Marshals and** inspectors as shall from time to time be necessary.

D. A report of the Bureau of Fire Prevention shall be made monthly or annually and transmitted to the Board of Directors. It shall contain such statistics as the Chief of the Department or the Board of Directors may wish to include therein. **The Fire Marshal shall produce and transmit to the Board of Directors, Town Councils’ of Woodside, Portola Valley and the San Mateo County Board of Supervisors a report of all California State Fire Marshal mandated inspection activity within the Woodside Fire Protection District territory annually, by December 15th.** The Chief of the Fire Department shall recommend any amendments to the Code, which, in his judgment, shall be desirable.

SECTION 5. GENERAL CODE PROVISIONS.

Section 102 Amended 102.1A is added to read as follows:

Section 102.1A Applicability When alterations, additions or repairs exceed 50% of an existing building or structure, or has a Building Safety Score of less than 17, as determined by the Building Official having jurisdiction, such building or structure shall be made in its entirety to conform to the fire code requirements for new buildings or structures.

Within the Woodside Fire Protection District jurisdiction each Building Department may use their specific dollar values, structural formulas and or Building Safety Scores to complete the computation of existing and new square footages. The Fire District will accept the computations within the **structure’s** jurisdictional boundary. Verification must be attained by the Municipality’s Building Official.

Under Section 104.1 of the California Fire Code, Section 104.1A and 104.2A will be added to read as follows:

Section 104.1A Design Standards Woodside Fire Protection District will maintain a set of design and installation standards that include but are not limited to: Address posting, Bridges, Emergency shut off placards, Turnarounds, Turnouts, Driveway criteria, Knox installations, Solar PV **integrated roof installations, battery systems** and Fire Sprinkler systems including those with tanks and pumps.

These standards are necessary for the Woodside Fire Protection District to provide a reasonable degree of fire and life safety for the community and firefighters within the jurisdictional boundaries of the Fire District and is hereby in accordance with section 102.9 of the California Fire Code: For subjects not specifically covered by the code, as deemed necessary for firefighter safety and suppression activities.

Section 104.2.A Review Construction Documents Woodside Fire Protection District shall review all applications and construction documents related to any type of **existing or new** driveway construction, **improvement or** reconstruction within its territory which have been submitted to the Building Department.

Section 107.1A is added to read as follows:

Section 107.1A Inspection Authority The Fire Marshal or other designated representatives shall

inspect, buildings and premises, including such other hazards or appliances for ascertaining and causing to be corrected any conditions which would be deemed a fire hazard and reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire and life safety.

SECTION 6. GENERAL FIRE SAFETY PRECAUTIONS.

Section 307.1.1 Amended Section 307.1.1 of this code is deleted in its entirety and replaced by the following section.

Section 307.1.1A Prohibited Open Burning: Open burning is prohibited within the jurisdictional boundaries of the Woodside Fire Protection District. Open burning does not include approved exterior fireplaces with permanent spark arrestors or barbeques that are used in a safe manner and used for cooking or warming purposes only. The Fire Marshal prohibits burning of trash or vegetation, except for fuel reduction purposes and dedicated campfires in County Parks by special permit only.

Exceptions: Gas Fire Pits inspected by the Fire Prevention Bureau.

Section 304.1.2 Amended Section 304.1.2A is added to read as follows:

Section 304.1.2.A Perimeter Property Line Clearance. Section 304.1.2.A Perimeter Property Line Clearance. Persons owning, controlling, or leasing structures and or property are required to remove, a minimum of 50 feet from the perimeter of the property line and 100 feet from any neighboring structure, specifically; flashy fuels consisting of dead weeds and dry annual grasses, as well as dead vegetative material and litter that is capable of being easily ignited and endangering property as determined by the Fire Marshal.

Section 304.1.2.B Section 304.1.2B is added to read as follows:

Section 304.1.2.B Weed Abatement. Due to heavy growth of fuels, unmaintained lots are a hazard to the surrounding properties and the community. Woodside Fire Protection District shall carry out weed abatement program activities throughout the territory of the Woodside Fire Protection District. Vacant parcels, without any structures, shall be mowed of flashy fuels, consisting of dead weeds and dry annual grasses, in their entirety with the exception of conservation areas, sensitive habitat, marsh land, creek banks and a minimum of 50 feet from any riparian corridor, prior to July 1 of every year.

Section 304.1.2.C Section 304.1.2.C is added to read as follows:

Section 304.1.2.C Re-inspection of Violation. Re-inspections of the same violation shall incur a hourly fee of \$90.00 for every hour of re-inspection after the 3rd inspection of the same violation, at the same location, within a one year period.

Section 304.1.2.D Section 304.1.2.D is added to read as follows:

Section 304.1.2.D Limited Planting Around Structures. Due to the combustible nature of structures throughout the territory of the Woodside Fire Protection District, the planting of new landscape vegetation within the 0 – 5ft zone, adjacent to wood sided habitable buildings, shall be limited as described in this section. When a habitable building includes wood siding on the first floor, no new landscape vegetation, except ground cover, shall be allowed within 5ft of the wood siding. New landscape vegetation, except for ground cover, shall not be allowed within 5ft, in any direction, of any first story window or glass door opening. There is no setback requirement for new landscape vegetation adjacent to Non-combustible siding, such as Hardie board, stone and stucco. **Exceptions:** Existing vegetation planted prior to the adoption of this code.

SECTION 7. FIRE APPARATUS ACCESS ROADS

Section 503.2.1 Amended Section 503.2.1 is deleted in its entirety and replaced by the following section.

Section 503.2.1 Dimensions: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, inclusive of all-weather surface shoulders, and a vertical clearance of not less than 13 feet 6 inches. Security gates shall be in accordance with section 503.6. Driveways serving one property, with a single or multiple habitable dwelling shall have an unobstructed driveway width of not less than 12 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. Shared driveways serving more than one property with habitable structures shall have an unobstructed minimum width of 18 feet, inclusive of all-weather drivable surface shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches. All gates obstructing emergency access roadways shall have a sign stating Emergency Evacuation Route.

SECTION 8. AUTOMATIC FIRE SPRINKLERS

Section 903.2 Amended Section 903.2A is added to read as follows:

Section 903.2A New and Existing Buildings. An automatic fire sprinkler system shall be installed in new and existing buildings and structures as follows:

1. As determined by the Building Official, per the ordinance of their specific jurisdiction, all existing one and two family dwellings, buildings and or structures where, additions that increase the existing gross floor area by more than 50%, or alterations or repairs that exceed more than 50% of an existing building or which increase the number of floors. Within the unincorporated San Mateo County SRA area, additions, alterations or repairs which have a Building Safety Score less than 17 shall install an automatic fire sprinkler system.
2. Any combination of additions, alterations or repairs to more than 50% of the existing gross floor area within a two-year time. Within the unincorporated San Mateo County SRA area any combination of additions, alterations and/or repairs which trigger a Building Safety Score less than 17 shall require the entire existing building to be installed with an automatic fire sprinkler system. Timelines will be based on the date of the last final fire inspection.
3. Any additions, alterations or repairs within a building that contains an existing automatic fire sprinkler system shall have the automatic fire sprinkler system extended/modified to the area of proposed work.
4. Any change in use or occupancy creating a more hazardous fire/life safety condition as determined by the Fire Marshal requires that an automatic fire sprinklers system shall be installed

in the space where the change in use or occupancy is proposed.

5. Any change of use from a non-habitable to a habitable, non-day lighted basement requires the installation of an automatic fire sprinkler system in the proposed habitable basement portion.
6. All automatic fire sprinkler systems shall comply with the current edition of NFPA-13, NFPA-13D, NFPA-13R and any additional National and local standards recognized by the Woodside Fire Protection District.

Exceptions:

1. Seismic, Foundation or Accessibility improvements.
2. Detached group U and group U Agricultural occupancies which do not already have fire sprinklers and do not have living quarters attached.
3. Work requiring only mechanical, electrical, plumbing and/or demolition.
4. Exterior improvements, including windows, roofing or repairs that is reconstruction or renewal for the purpose of maintenance.
5. Work related to damage due to a natural disaster.
6. Mobile/manufactured or factory-built homes constructed or altered on or before March 12, 2011, which were not manufactured with automatic fire sprinklers and are not subject to fire sprinkler requirements.

Section 901.4.4.1 Amended Section 901.4.4.1 is added to read as follows:

Section 901.4.4.1 Additional fire protection systems in Accessory Dwelling Units. An automatic fire sprinkler system may be used in new accessory dwelling units as an alternative, when aspects of the fire code can not be met in their entirety and when approved by the Fire Marshal

SECTION 9. CHAPTER 57 ESTABLISHMENT OF LIMITS IN WHICH STORAGE AND DISPENSING OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVE GROUND TANKS ARE PROHIBITED.

The limits referred to in Section 5704.2, 5704.4.2.4, Table 5704.2 and Section 5706, of the California Fire Code, in which the storage and or dispensing of flammable or combustible liquids, in outside above ground tanks, shall be limited to the commercial areas within the jurisdiction of the Woodside Fire Protection District. The dispensing, mixing, handling or storage adjacent to or on parcels with R1 and R2 occupancies is prohibited.

Exceptions:

1. Quantities less than 50 gallons
2. Farms, critical infrastructure and construction site uses if determined by the Fire Marshal that the safety of the public is not compromised. The occupancy classification quantities in shall not be exceeded.

SECTION 10. CHAPTER 61 ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF LIQUIFIED PETROLEUM GASES ARE TO BE RESTRICTED.

The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted in areas which are heavily populated or congested commercial areas

within the territory of the Woodside Fire Protection District.

Section 6104.2 Amended Section 6104.2A is added to read as follows:

Section 6104.2A Where Permitted; The storage of liquefied petroleum gas shall not exceed a water capacity of 100 gallons aggregate for any one premise installation within the Woodside Fire Protection District territory where natural gas mains exist.

Exceptions: Installation of Liquefied Petroleum Gas may be permitted if used as a means of emergency standby supply for residential or industrial operations, or used for medical, research, testing, or purposes not suited to the use of natural gas. Such installation shall be in accordance with Chapter 61 of the California Fire Code and all provisions of NFPA 58.

SECTION 11. CHAPTER 56 ESTABLISHMENT OF LIMITS IN WHICH STORAGE, OF EXPLOSIVES AND FIREWORKS AGENTS IS TO BE PROHIBITED.

The storage and handling of fireworks, special effects and pyrotechnics material referred to in Section 5608.1.1 and the California Code of Regulations Title 19, Division 1, Chapter 6 in which storage of explosives and fireworks is prohibited, are hereby established to the entire territory of the Woodside Fire Protection District. Exception: Special permit issued to a licensed pyrotechnic operator by the Fire Marshal.

5608.1 General All professional pyrotechnical devices used for public display, or special effects, shall be in accordance with the applicable provisions of the State of California Code of Regulations, Title 19 and the applicable section of the California Amended Fire Code. Permits for public display and/or special effects shall be obtained by the Fire Marshal.

SECTION 12. CHAPTER 56: EXPLOSIVES AND FIREWORKS

Section 5608.1.1 Amended Section 5608.1.1A is added to read as follows:

Section 5608.1.1A Safe and Sane Fireworks Prohibited. All non-professional fireworks listed by the California State Fire Marshal as "Safe and Sane" are prohibited within the jurisdictional boundaries of the Woodside Fire Protection District.

SECTION 13. APPENDIX B SECTION B105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS.

Section B105.1 Amended ONE AND TWO FAMILY DWELLINGS, GROUP R1 AND R2 BUILDINGS AND TOWNHOMES. This section is modified by means of Section B103.

SECTION B105.1 (1) of Appendix B of the California Fire Code pertaining to fire-flow requirements for buildings to be amended at any time due to the rural nature of a water system may be substituted by the following:

SECTION B105.1 FIRE FLOW REQUIREMENTS FOR BUILDINGS

B105.1 One- and Two-Family Dwellings.

The minimum fire flow shall be 1000 gallons per minute for structures 3601 square feet and greater and 750 gallons per minute for structures 1 - 3600 square feet. A water supply for fire protection shall mean a fire hydrant within 600 feet from the building, measured via an approved roadway/driveway, capable of the required fire flow. There shall be no reduction for installation of a fire sprinkler system.

Where a public or private water company is not within 1000 feet of the required fire hydrant location, or the water company cannot provide the required gallons per minute, NFPA 1142 Standard on Water Supplies for Suburban and Rural Fire Fighting 2017 Edition may be adhered to for fire flow requirements as an alternate means.

SECTION 14. APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION.

Section C103.1 Amended Section C103.2A is added to read as follows:

Section C103.2A Modified Distribution of Fire Hydrants; In rural areas where parcels, with structures, have large road frontages and or long driveways the minimum location of a fire hydrant shall be 600 feet to the structure measured via a roadway or primary driveway as approved by the Fire Marshal.

SECTION 15. APPENDIX D FIRE APPARATUS ACCESS ROADS.

Section D103 Amended Minimum Specifications Section D 103.1A and D103.1B is added to read as follows:

Section D103A Access road with a hydrant: Fire apparatus access roads shall be a minimum of 20 feet in width inclusive of all-weather drivable shoulders.

Section D103B Grade: Fire apparatus access roads or driveways shall not exceed 20 percent in grade.

SECTION 16. PROVISIONS OF THE CALIFORNIA FIRE CODE ESTABLISHING BOARD OF APPEALS.

The following provisions for Appeal per Section 108.1 of the California Fire Code shall be amended as follows:

Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted the applicant may appeal the decision of the Chief by presenting, within 10 days, a written request to the District Board of Directors for a hearing on and a review of such decision appealed. The request shall state the reasons therefore, and the District Board of Directors shall, within 30 days of the receipt of same, hold a hearing, and may, if they determine that the circumstances appear to justify such action, modify, vacate, or affirm the decision.

SECTION 17. PROVISIONS ADDED TO CALIFORNIA FIRE CODE.

The following provisions shall be added or amended to read as follows:

Section 104.10 Amended The following is hereby added to Section 104.10 Chapter 1, of the California Fire Code:

Section 104.10 Authority to Photograph or Otherwise Record Investigations.

The Chief or his duly authorized representative may make such audio, visual or other recordings including photographs, video tapes, audio tapes, diagrams, drawings, sketches, and the like, in connection with the investigation of any actual or alleged violation of this Code or in connection with the investigation of any incident as authorized by this Code.”

SECTION 18. FEES

The Board of Directors may, by resolution, establish a schedule of fees to be charged and collected for reviewing plans and specifications, inspection services performed, for the issuance of permits and event stand by services. Such schedule, when adopted, shall be incorporated by reference as a part of this code as fully as if set forth at length herein. Two copies of such resolution shall be kept on file in the office of the Fire Chief of the Woodside Fire Protection District and shall be available for public inspection.

SECTION 19. VIOLATIONS.

- A. Any person who shall violate any of the provision of the Fire Code hereby adopted or fails to comply therewith, or who shall violate or fail to comply with an order made there under, or who shall build in violation of any detailed statement or specifications or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the District Board or by a court of competent jurisdiction, within the time fixed therein, shall severally for each and every such violation and non-compliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$500.00, or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violation or defects within a reasonable time; and when not otherwise specified, each day that any such prohibited conditions are maintained, shall constitute a separate offense.
- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 20. VALIDITY

The Woodside Fire Protection District Board of Directors hereby declares that should any section, paragraph, sentence or word of this ordinance or of the Code of Standards hereby adopted be declared for any reason to be invalid, it is the intent of the Woodside Fire Protection District Board of Directors that it would have passed all other portions of this ordinance independent of the elimination here from of any such portion as may be declared invalid.

SECTION 21. REPEAL OF CONFLICTING ORDINANCES.

Ordinance No. 11 of the Woodside Fire Protection District shall be and is hereby repealed.

SECTION 22. DATE OF EFFECT.

This ordinance shall be published once in the Country Almanac and shall be effective upon the expiration of 30 days from its adoption.

Regularly passed and adopted this day of January 2020 by the following vote:

YES and in favor of said ordinance:
Directors:

Matt Miller

Randy Holthaus

Patrick Cain

**ORDINANCE NO. 12
BOARD OF DIRECTORS OF THE
WOODSIDE FIRE PROTECTION DISTRICT
COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

AN ORDINANCE ADOPTING BY REFERENCE, THE 2018 INTERNATIONAL, FIRE CODE WITH THE 2019 CALIFORNIA AMENDMENTS INCLUDING LOCAL AMENDMENTS AND STANDARDS AS SPECIFIED PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION WITHIN THE TERRITORY OF THE WOODSIDE FIRE PROTECTION DISTRICT, ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFORE AND DEFINING THEIR POWERS AND DUTIES.

WHEREAS, Health and Safety Code section 13869 provides that the Woodside Fire Protection District Board of Directors (“Board”) has the authority to adopt a fire prevention code by reference pursuant to applicable governmental code provisions.

WHEREAS, Section 108.1 of Chapter 1 of the California Fire Code pertains to the Board of Appeals and this Board hereby determines that the Board of Directors act as a Board of Appeals; and

WHEREAS, Section 304.1.2 of the California Fire Code pertains to vegetation that is capable of being ignited and this Board finds that it is in the best interest of the District to restrict the accumulation of vegetation and specify clearance requirements in wildland urban interface areas; and

WHEREAS, Section 307 of the California Fire Code pertains to open burning and this Board finds it is in the best interest of public safety and welfare to restrict open burning operations; and

WHEREAS, Section 503 of the California Fire Code pertains to Fire apparatus access roads and this Board finds that because of the rural nature of the Woodside Fire Protection District territory it is in the best interest of public safety and welfare to specify specific dimensions and requirements for fire apparatus access roadways and gates.

WHEREAS, Chapter 56 of the California Fire Code pertains to fireworks and this Board finds that the Woodside Fire Protection District enacted Ordinance No. 3 in 1986, prohibiting the use and sale of fireworks within the entire territory of the Woodside Fire Protection District is in the interest of public safety and welfare; and

WHEREAS, Chapter 56 of the California Fire Code pertains to storage of explosives and fireworks where the storage and use is permitted, and this Board finds that it is in the best interest of the District to specify and restrict where such storage and use be permitted in the District; and

WHEREAS, Chapter 57 of the California Fire Code pertains to the storage and dispensing of flammable or combustible liquids in outside above ground tanks, and this Board finds that it is in the best interest of the District to specify and restrict where such storage and dispensing may be permitted in the District; and

WHEREAS, Chapter 61 of the California Fire Code does not specify where the storage, use, handling, or dispensing of liquid petroleum gas is permitted, and this Board finds that it is in the best interest of the District to specify where such uses should be permitted in the District; and

WHEREAS, Table B105.1(1) and B105.1(2) of Appendix B and Table B105.1 of Appendix BB of the California Fire Code provides specified fire flow requirements for buildings and this Board finds that said requirements are not practical due to the lack of existing municipal water systems and the rural nature of the fire district; and

WHEREAS, Table C102.1 of Appendix C of the California Fire Code provides specified fire hydrant locations and distribution and this Board finds that said requirements are not practical due to the lack of existing municipal water systems and the rural nature of the fire district; and

WHEREAS, Appendix D of the California Fire Code provides minimum specifications for access roads with a fire hydrant and maximum grade and this Board finds that said requirements are not practical due to the rural nature of the fire district; and

WHEREAS, Chapter 1 of the California Fire Code does not specifically authorize audio visual or other recording including photographs to assist with investigations of alleged violations of this Code or fire incidents and this Board finds that use of said technological assistance is in the best interest of the District; and

WHEREAS, Chapter 9 of the California Fire Code pertains to automatic fire sprinklers and where they are required, and this Board finds that it is in the best interest of the District to specify installations related to new and existing buildings and structures; and

WHEREAS, In accordance with section 102.9 of the California Fire Code for subjects not specifically covered by the code, as deemed necessary for firefighter safety and suppression activities, Woodside Fire Protection District finds it necessary to maintain a set of design and installation standards as deemed necessary for firefighter safety and suppression activities.

WHEREFORE, this Board does ordain as follows:

SECTION 1. TITLE.

This Ordinance shall be known as the “Fire Code” of the Woodside Fire Protection District and may be cited as such and will be referred to in this ordinance as the “California Fire Code” or “this Code”.

SECTION 2. ADOPTION OF THE 2018 INTERNATIONAL FIRE CODE/2019

CALIFORNIA FIRE CODE & FIRE CODE STANDARDS.

It is hereby adopted by the Board of Directors for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2018 International Fire Code with the 2019 California Amendments Title 24 Part 9, and the whole thereof, including all Appendices and International Fire Code Standards except for Appendices A and J, as compiled, recommended and published by the International Code Council, save and accept only such portions thereof as are hereinafter expressly deleted, modified or amended by this ordinance; and including such new sections and paragraphs which are hereinafter added to and made a part of the Fire Code and of this ordinance, of which not less than two (2) copies have been and are now filed in the Office of the Fire Chief of the Woodside Fire Protection District and the same are hereby adopted and incorporated, by this reference, as fully as if set forth out at length herein, and from the date on which this ordinance shall take effect, the provisions of same shall be controlling within the Woodside Fire Protection District.

SECTION 3. DEFINITIONS.

- A. Wherever the word **“jurisdiction”** is used in the International/California

Fire Code & Fire Code Standards, it shall mean the Woodside Fire Protection District, except that wherever in the Code, “jurisdiction” is used in a context which implies the ability to exercise governmental powers which the District does not have but which powers are exercised within District’s territorial boundaries by another public agency, then in that context “jurisdiction” shall mean the public agency authorized to and exercising that governmental power.

- B. Wherever the words **“Fire Code Official”** are used they shall be held to mean “Fire Marshal.”
- C. Wherever the words **“Fire Code”** are used it shall mean International/California Fire Code & Fire Code Standards.
- D. Wherever the word **“Driveway”** is used it shall mean an access road from the public way to a structure that is used for public or private vehicular access, including fire and emergency apparatus or vehicles
- E. For calculating compliance within the Fire Code for the specific purpose of required fire flow, **“Floor Area, Gross”** shall mean; The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vents shafts and courts without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area shall be the usable areas under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

- F. Wherever the word “**Groundcover**” is used it shall be held to mean a low growing perennial plant, under 18 inches, that covers expanses of ground, forming the lowest layer of vegetation, below the shrub layer and protecting the topsoil from erosion and can act as a mulch and weed suppressant.

SECTION 4. ESTABLISHMENT OF BUREAU OF FIRE PREVENTION AND DUTIES OF MEMBERS THEREOF.

A. The Fire Code shall be enforced by the Bureau of Fire Prevention in the Woodside Fire Protection District, which is hereby established, and which shall be operated under the supervision of the Chief of the Department.

B. The Chief of the Fire Department shall appoint an officer of the Fire Department as Chief of the Bureau of Fire Prevention. The title shall be Fire Marshal. The appointment shall continue during good behavior and satisfactory service, and they shall not be removed from office except for cause in accordance with the rules and regulations of the Woodside Fire Protection District.

C. The Fire Marshal may appoint such members of the fire department as Deputy Fire Marshals and inspectors as shall from time to time be necessary.

D. A report of the Bureau of Fire Prevention shall be made monthly or annually and transmitted to the Board of Directors. It shall contain such statistics as the Chief of the Department, or the Board of Directors may wish to include therein. The Fire Marshal shall produce and transmit to the Board of Directors, Town Councils’ of Woodside, Portola Valley and the San Mateo County Board of Supervisors a report of all California State Fire Marshal mandated inspection activity within the Woodside Fire Protection District territory annually, by December 15th. The Chief of the Fire Department shall recommend any amendments to the Code, which, in his judgment, shall be desirable.

SECTION 5. GENERAL CODE PROVISIONS.

Section 102 Amended 102.1A is added to read as follows:

Section 102.1A Applicability When alterations, additions or repairs exceed 50% of an existing building or structure, or has a Building Safety Score of less than 17, as determined by the Building Official having jurisdiction, such building or structure shall be made in its entirety to conform to the fire code requirements for new buildings or structures.

Within the Woodside Fire Protection District jurisdiction each Building Department may use their specific dollar values, structural formulas and or Building Safety Scores to complete the computation of existing and new square footages. The Fire District will accept the computations within the structure’s jurisdictional boundary. Verification must be attained by the Municipality’s Building Official.

Under Section 104.1 of the California Fire Code, Section 104.1A and 104.2A will be added to read as follows:

Section 104.1A Design Standards Woodside Fire Protection District will maintain a set of design and installation standards that include but are not limited to: Address posting, Bridges, , Turnarounds, Turnouts, Driveways, Knox installations, Fire Pits, Generators, Solar PV, Integrated Solar PV Roof installations, Energy Storage systems, Fire Sprinkler systems, including those with tanks and pumps.

These standards are necessary for the Woodside Fire Protection District to provide a reasonable degree of fire and life safety for the community and firefighters within the jurisdictional boundaries of the Fire District and is hereby in accordance with section 102.9 of the California Fire Code: For subjects not specifically covered by the code, as deemed necessary for firefighter safety and suppression activities.

Section 104.2.A Review Construction Documents Woodside Fire Protection District shall review all applications and construction documents related to any type of existing or new driveway construction, improvement or reconstruction within its territory which have been submitted to the Building Department.

Section 107.1A is added to read as follows:

Section 107.1A Inspection Authority The Fire Marshal or other designated representatives shall inspect, buildings and premises, including such other hazards or appliances for ascertaining and causing to be corrected any conditions which would be deemed a fire hazard and reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire and life safety.

SECTION 6. GENERAL FIRE SAFETY PRECAUTIONS.

Section 307.1.1 Amended Section 307.1.1 of this code is deleted in its entirety and replaced by the following section.

Section 307.1.1A Prohibited Open Burning: Open burning is prohibited within the jurisdictional boundaries of the Woodside Fire Protection District. Open burning does not include approved exterior fireplaces with permanent spark arrestors or barbecues that are used in a safe manner and used for cooking or warming purposes only. The Fire Marshal prohibits burning of trash or vegetation, except for fuel reduction purposes and dedicated campfires in County Parks by special permit only.

Exceptions: Gas Fire Pits inspected by the Fire Prevention Bureau.

Section 304.1.2 Amended Section 304.1.2A is added to read as follows:

Section 304.1.2.A Perimeter Property Line Clearance. Section 304.1.2.A Perimeter Property Line Clearance. Persons owning, controlling, or leasing structures and or property are required to remove, a minimum of 50 feet from the perimeter of the property line and 100 feet from any neighboring structure, specifically; flashy fuels consisting of dead weeds and dry annual grasses, as well as dead vegetative material and litter that is capable of being easily ignited and endangering property as determined by the Fire Marshal.

Section 304.1.2.B Section 304.1.2B is added to read as follows:

Section 304.1.2.B Weed Abatement. Due to heavy growth of fuels, unmaintained lots are a hazard to the surrounding properties and the community. Woodside Fire Protection District shall carry out weed abatement program activities throughout the territory of the Woodside Fire Protection District. Vacant parcels, without any structures, shall be mowed of flashy fuels, consisting of dead weeds and dry annual grasses, in their entirety with the exception of conservation areas, sensitive habitat, marsh land, creek banks and a minimum of 50 feet from any riparian corridor, prior to July 1 of every year.

Section 304.1.2.C Section 304.1.2.C is added to read as follows:

Section 304.1.2.C Re-inspection of Violation. Re-inspections of the same violation shall incur a hourly fee of \$90.00 for every hour of re-inspection after the 3rd inspection of the same violation, at the same location, within a one year period.

Section 304.1.2.D Section 304.1.2.D is added to read as follows:

Section 304.1.2.D Limited Planting Around Structures. Due to the combustible nature of structures throughout the territory of the Woodside Fire Protection District, the planting of new landscape vegetation within the 0 – 5ft zone, adjacent to wood sided habitable buildings, shall be limited as described in this section. When a habitable building includes wood siding on the first floor, no new landscape vegetation, except ground cover, shall be allowed within 5ft of the wood siding. New landscape vegetation, except for ground cover, shall not be allowed within 5ft, in any direction, of any first story window or glass door opening. There is no setback requirement for new landscape vegetation adjacent to Non-combustible siding, such as fiber cement board, stone and stucco.

Exceptions: Existing vegetation planted prior to the adoption of this code.

SECTION 7. FIRE APPARATUS ACCESS ROADS

Section 503.2.1 Amended Section 503.2.1 is deleted in its entirety and replaced by the following section.

Section 503.2.1 Dimensions: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, inclusive of all-weather surface shoulders, and a vertical clearance of not less than 13 feet 6 inches. Security gates shall be in accordance with section 503.6. Driveways serving one property, with a single or multiple habitable dwelling shall have an unobstructed driveway width of not less than 12 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. Shared driveways serving more than one property with habitable structures shall have an unobstructed minimum width of 18 feet, inclusive of all-weather drivable surface shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches. All gates obstructing emergency access roadways

shall have a sign stating Emergency Evacuation Route.

SECTION 8. AUTOMATIC FIRE SPRINKLERS

Section 903.2 Amended Section 903.2A is added to read as follows:

Section 903.2A New and Existing Buildings. An automatic fire sprinkler system shall be installed in new and existing buildings and structures as follows:

1. As determined by the Building Official, per the ordinance of their specific jurisdiction, all existing one and two family dwellings, buildings and or structures where, additions that increase the existing gross floor area by more than 50%, or alterations or repairs that exceed more than 50% of an existing building or which increase the number of floors. Within the unincorporated San Mateo County SRA area, additions, alterations or repairs which have a Building Safety Score less than 17 shall install an automatic fire sprinkler system.
2. Any combination of additions, alterations or repairs to more than 50% of the existing gross floor area within a two-year time. Within the unincorporated San Mateo County SRA area any combination of additions, alterations and/or repairs which trigger a Building Safety Score less than 17 shall require the entire existing building to be installed with an automatic fire sprinkler system. Timelines will be based on the date of the last final fire inspection.
3. Any additions, alterations or repairs within a building that contains an existing automatic fire sprinkler system shall have the automatic fire sprinkler system extended/modified to the area of proposed work.
4. Any change in use or occupancy creating a more hazardous fire/life safety condition as determined by the Fire Marshal requires that an automatic fire sprinklers system shall be installed in the space where the change in use or occupancy is proposed.
5. Any change of use from a non-habitable to a habitable, non-day lighted basement requires the installation of an automatic fire sprinkler system in the proposed habitable basement portion.
6. All automatic fire sprinkler systems shall comply with the current edition of NFPA-13, NFPA-13D, NFPA-13R and any additional National and local standards recognized by the Woodside Fire Protection District.

Exceptions:

1. Seismic, Foundation or Accessibility improvements.
2. Detached group U and group U Agricultural occupancies which do not already have fire sprinklers and do not have living quarters attached.
3. Work requiring only mechanical, electrical, plumbing and/or demolition.
4. Exterior improvements, including windows, roofing or repairs that is reconstruction or renewal for the purpose of maintenance.
5. Work related to damage due to a natural disaster.
6. Mobile/manufactured or factory-built homes constructed or altered on or before March 12, 2011, which were not manufactured with automatic fire sprinklers and are not subject to fire sprinkler requirements.

Section 901.4.4.1 Amended Section 901.4.4.1 is added to read as follows:

Section 901.4.4.1 Additional Fire Protection Systems in Accessory Dwelling Units. An automatic fire sprinkler system may be used in new accessory dwelling units as an alternative, when aspects of the fire code cannot be met in their entirety and when approved by the Fire Marshal.

SECTION 9. CHAPTER 57 ESTABLISHMENT OF LIMITS IN WHICH STORAGE AND DISPENSING OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVE GROUND TANKS ARE PROHIBITED.

The limits referred to in Section 5704.2, 5704.4.2.4, Table 5704.4.2 and Section 5706, of the California Fire Code, in which the storage and or dispensing of flammable or combustible liquids, in outside above ground tanks, shall be limited to the commercial areas within the jurisdiction of the Woodside Fire Protection District. The dispensing, mixing, handling or storage adjacent to or on parcels with R1 and R2 occupancies is prohibited.

Exceptions:

1. Quantities less than 50 gallons
2. Farms, critical infrastructure and construction site uses if determined by the Fire Marshal that the safety of the public is not compromised. The occupancy classification quantities in Chapter 57 shall not be exceeded.

SECTION 10. CHAPTER 61 ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF LIQUIFIED PETROLEUM GASES ARE TO BE RESTRICTED.

The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted in areas which are heavily populated or congested commercial areas within the territory of the Woodside Fire Protection District.

Section 6104.2 Amended Section 6104.2A is added to read as follows:

Section 6104.2A Where Permitted; The storage of liquefied petroleum gas shall not exceed a water capacity of 100 gallons aggregate for any one premise installation within the Woodside Fire Protection District territory where natural gas mains exist.

Exceptions: Installation of Liquefied Petroleum Gas may be permitted if used as a means of emergency standby supply for residential or industrial operations, or used for medical, research, testing, or purposes not suited to the use of natural gas. Such installation shall be in accordance with Chapter 61 of the California Fire Code and all provisions of NFPA 58.

SECTION 11. CHAPTER 56 ESTABLISHMENT OF LIMITS IN WHICH STORAGE, OF EXPLOSIVES AND FIREWORKS AGENTS IS TO BE PROHIBITED.

The storage and handling of fireworks, special effects and pyrotechnics material referred to in Section 5608.1.1 and the California Code of Regulations Title 19, Division 1, Chapter 6 in which storage of explosives and fireworks is prohibited, are hereby established to the entire territory of the Woodside Fire Protection District. Exception: Special permit issued to a licensed pyrotechnic operator by the Fire Marshal.

5608.1 General All professional pyrotechnical devices used for public display, or special effects, shall be in accordance with the applicable provisions of the State of California Code of Regulations, Title 19 and the applicable section of the California Amended Fire Code. Permits for public display and/or special effects shall be obtained by the Fire Marshal.

SECTION 12. CHAPTER 56: EXPLOSIVES AND FIREWORKS

Section 5608.1.1 Amended Section 5608.1.1A is added to read as follows:

Section 5608.1.1A Safe and Sane Fireworks Prohibited. All non-professional fireworks listed by the California State Fire Marshal as “Safe and Sane” are prohibited within the jurisdictional boundaries of the Woodside Fire Protection District.

SECTION 13. APPENDIX B SECTION B105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS.

Section B105.1 Amended ONE- AND TWO-FAMILY DWELLINGS, GROUP R1 AND R2 BUILDINGS AND TOWNHOMES. This section is modified by means of Section B103.

SECTION B105.1 (1) of Appendix B of the California Fire Code pertaining to fire-flow requirements for buildings to be amended at any time due to the rural nature of a water system may be substituted by the following:

SECTION B105.1 FIRE FLOW REQUIREMENTS FOR BUILDINGS

B105.1 One- and Two-Family Dwellings.

The minimum fire flow shall be 1000 gallons per minute for structures 3601 square feet and greater and 750 gallons per minute for structures 1 - 3600 square feet. A water supply for fire protection shall mean a fire hydrant within 600 feet from the building, measured via an approved roadway/driveway, capable of the required fire flow. There shall be no reduction for installation of a fire sprinkler system.

Where a public or private water company is not within 1000 feet of the required fire hydrant location, or the water company cannot provide the required gallons per minute, NFPA 1142 Standard on Water Supplies for Suburban and Rural Fire Fighting 2017 Edition may be adhered to for fire flow requirements as an alternate means.

SECTION 14. APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION.

Section C103.1 Amended Section C103.2A is added to read as follows:

Section C103.2A Modified Distribution of Fire Hydrants; In rural areas where parcels, with structures, have large road frontages and or long driveways the minimum location of a fire hydrant shall be 600 feet to the structure measured via a roadway or primary driveway as approved by the Fire Marshal.

SECTION 15. APPENDIX D FIRE APPARATUS ACCESS ROADS.

Section D103 Amended Minimum Specifications Section D 103.1A and D103.1B is added to read as follows:

Section D103A Access road with a hydrant: Fire apparatus access roads shall be a minimum of 20 feet in width inclusive of all-weather drivable shoulders.

Section D103B Grade: Fire apparatus access roads or driveways shall not exceed 20 percent in grade.

SECTION 16. PROVISIONS OF THE CALIFORNIA FIRE CODE ESTABLISHING BOARD OF APPEALS.

The following provisions for Appeal per Section 108.1 of the California Fire Code shall be amended as follows:

Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted the applicant may appeal the decision of the Chief by presenting, within 10 days, a written request to the District Board of Directors for a hearing on and a review of such decision appealed. The request shall state the reasons therefore, and the District Board of Directors shall, within 30 days of the receipt of same, hold a hearing, and may, if they determine that the circumstances appear to justify such action, modify, vacate, or affirm the decision.

SECTION 17. PROVISIONS ADDED TO CALIFORNIA FIRE CODE.

The following provisions shall be added or amended to read as follows:

Section 104.10 Amended The following is hereby added to Section 104.10 Chapter 1, of the California Fire Code:

Section 104.10 Authority to Photograph or Otherwise Record Investigations.

The Chief or his duly authorized representative may make such audio, visual or other recordings including photographs, video tapes, audio tapes, diagrams, drawings, sketches, and the like, in connection with the investigation of any actual or alleged violation of this Code or in connection with the investigation of any incident as authorized by this Code.”

SECTION 18. FEES

The Board of Directors may, by resolution, establish a schedule of fees to be charged and collected for reviewing plans and specifications, inspection services performed, for the issuance of permits and event stand by services. Such schedule, when adopted, shall be incorporated by reference as a part of this code as fully as if set forth at length herein. Two copies of such resolution shall be kept on file in the office of the Fire Chief of the Woodside Fire Protection District and shall be available for public inspection.

SECTION 19. VIOLATIONS

- A. Any person who shall violate any of the provision of the Fire Code hereby adopted or fails to comply therewith, or who shall violate or fail to comply with an order made there under, or who shall build in violation of any detailed statement or specifications or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the District Board or by a court of competent jurisdiction, within the time fixed therein, shall severally for each and every such violation and non-compliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$500.00, or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violation or defects within a reasonable time; and when not otherwise specified, each day that any such prohibited conditions are maintained, shall constitute a separate offense.
- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 20. VALIDITY

The Woodside Fire Protection District Board of Directors hereby declares that should any section, paragraph, sentence or word of this ordinance or of the Code of Standards hereby adopted be declared for any reason to be invalid, it is the intent of the Woodside Fire Protection District Board of Directors that it would have passed all other portions of this ordinance independent of the elimination here from of any such portion as may be declared invalid.

SECTION 21. REPEAL OF CONFLICTING ORDINANCES.

Ordinance No. 11 of the Woodside Fire Protection District shall be and is hereby repealed.

SECTION 22. DATE OF EFFECT.

This ordinance shall be published once in the Country Almanac and shall be effective upon the expiration of 30 days from its adoption.

Regularly passed and adopted this day of January 2020 by the following vote:

YES, and in favor of said ordinance:

Directors:

Matt Miller

Randy Holthaus

Patrick Cain

RESOLUTION NO. _____-2020

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PORTOLA VALLEY TO RATIFY ORDINANCE NO. 12 OF THE
WOODSIDE FIRE PROTECTION DISTRICT**

WHEREAS, the California Health and Safety Code Section 13869 provides that a fire protection district may adopt a fire prevention code by reference; and

WHEREAS, pursuant to California Health & Safety Code, a fire district may adopt standards and amendments relating to fire safety that are more stringent than those standards and requirements adopted by the International Fire Code and the California Amendments; and

WHEREAS, the Woodside Fire Protection District (“WFPD”) adopted Ordinance No.12 on January 27, 2020, adopting by reference the International Fire Code and the California Amendments and adopting locally determined standards and amendments; and

WHEREAS, California Health & Safety Code Section 13869.7 requires the WFPD upon the adoption of standards, additions and amendments to transmit the ordinance to the Town of Portola Valley (“Town”), which may ratify, modify or deny the ordinance; and

WHEREAS, the WFPD’s ordinance is not effective in Town until ratified by the Town; and

WHEREAS, the WFPD has requested ratification of Ordinance No. 12; and

WHEREAS; pursuant to Chapter 15.16 [Fire Protection District] of Title15 [Building and Construction] of the Portola Valley Municipal Code, the Town can ratify the WFPD’s Ordinance No. 12 by resolution; and

WHEREAS, the Town Council has reviewed the additions and amendments adopted by the Fire District and finds the standards, additions and amendments to be in the public interest.

NOW, THEREFORE, the Town Council of the Town of Portola Valley, hereby ratifies Ordinance No. 12 of the Woodside Fire Protection District attached hereto as Attachment 1, adopted by the Woodside Fire Protection District Board January 27, 2020 and adopting by reference the 2018 International Fire Code, including the 2019 California Amendments.

REGULARLY PASSED AND ADOPTED this 26th day of February, 2020. This resolution shall go into effect immediately or as soon as Ordinance No. 12 goes into effect, which ever date is later.

Jeff Aalfs, Mayor

ATTEST

Sharon Hanlon, Town Clerk



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Jeremy Dennis, Town Manager

DATE: April 8, 2020

RE: Public Comment Policy

RECOMMENDATION

Staff recommends that the Town Council

1. Adopt the attached Public Comment Policy for Town Council meetings
2. Amend the Decorum Policy

BACKGROUND

The Town does not currently have a Public Comment Policy. In 2016, the Town Council adopted a Decorum Policy, designed to create a neutral environment where public speakers could address a body in the Historic Schoolhouse without concern of inappropriate or unruly behavior.

Most cities have adopted such a public comment policy for the purposes described above.

DISCUSSION

Public Comment Policy

As drafted (Attachment 2), the Public Comment Policy is designed to provide:

1. An opportunity for all public speakers to enjoy a positive experience when addressing a body
2. Guidance to prospective public speakers on the process and use of materials
3. Guidance to the members of the body

By adopting such a policy, the Council is declaring its hope that all public speakers:

1. Understand the basic contours of public meetings in Portola Valley
2. Are appreciated by both the body and attendees
3. That their comments are entered into the public record, and recorded

While staff recognizes that the adoption of such a policy may take away from some of the current informal nature of public speaking at Town meetings, an increase in significant projects and controversial issues obliges the creation of a policy that all speakers can inform themselves of, and create an equitable environment for all who wish to speak.

Decorum Policy

Per the drafted Public Comment Policy, the Decorum Policy has been amended. Elements of the Decorum Policy have been incorporated in to the draft Public Comment Policy.

Commission Use

While the staff's recommendation is for this policy for the Planning Commission and ASCC, Staff recommends that the Council refer the policy for their adoption with modifications that reflect each body's needs and responsibilities.

Committee Use

Staff does not recommend that this policy be applied to committees at this time. Staff recommends that the Council refer to each committee the policy for their review so each could decide whether they should adopt.

FISCAL IMPACT

None

ATTACHMENT

1. Decorum Policy (redlined)
2. Draft Public Comment Policy

Approved by: Jeremy Dennis, Town Manager

TOWN OF PORTOLA VALLEY PUBLIC MEETING DECORUM POLICY

Public comment at open meetings of the Town Council, Commissions and Committees are a cherished element of local government.

It is the intent of these rules to allow everyone to be heard without fear of being discouraged from participating.

Members of the public attending a Portola Valley public meeting shall observe the same rules of order and decorum applicable to the governing body. Any person wishing to address the Council is requested to announce his/her name and address (address disclosure is not a requirement). Any person while addressing a governing body who

- Makes slanderous, impertinent and profane remarks
- whistles, yells, disturbs or displays disruptive behavior that impedes the orderly conduct of meeting

shall, at the discretion of the Presiding Officer or Chair, or a majority of the governing body, be barred from further audience during that meeting.

No matter how passionate one is about an issue, the goal is to conduct oneself in a way that will add to one's credibility and standing as a thoughtful member of the community. Following the chairperson's direction will ensure a positive experience for all who attend.

~~**SUGGESTED TIME LIMITS FOR PUBLIC COMMENT:**~~

- ~~1. Individual Speakers — 3 Minutes.~~
- ~~2. Organized group (in lieu of individual speakers) — up to 15 minutes, depending on the number of speakers represented.~~
- ~~3. The Mayor may, at his/her discretion, allow additional time and/or limit the amount of time allotted to the speaker(s) when needed.~~



TOWN of PORTOLA VALLEY

Town Hall: 765 Portola Road, Portola Valley, CA 94028 - Tel: (650) 851-1700 Fax: (650) 851-4677

Public Comments During Town Council Meetings

Public comment at open meetings of the Town Council meetings are a cherished element of local government, and a critical component to the decision-making process. Feedback, opinion, and information from the public is a vital part of the Town's inclusive process. This guide provides information to potential speakers on how to prepare and provide comments at public meetings.

1. Components of a Public Meeting Agenda

All Town agendas follow the same basic structure:

1. Call to Order/Roll Call – the official beginning of the meeting and the determination of the body's attendance
2. Oral Communications – the portion of the meeting dedicated to hearing from the public on matters that are not otherwise on the body's agenda. The body cannot take action on items not on the agenda, or brought up in oral communications
3. Consent Agenda – these items are voted on at once by the body, unless a member of the body or the public requests that an item be considered separately
4. Regular Agenda – these items are called in sequential order (unless changed by vote of the body), and members of the public may speak to any item during its public comment period, as called by the presiding officer (typically the Mayor)
5. Member reports – these are summaries provided by each member of the body on items of note
6. Adjournment

Members of the public may speak during items 2, 3, 4, or 5.

2. General Rules to Public Comment

Participation in the public decision-making process is a privilege all members of the public are afforded. Ensuring that such participation is a positive experience is the responsibility of all those who attend a public meeting. All attendees, including members of the Council, shall follow these general rules.

1. All speakers must be treated with respect. Public speaking on a potentially controversial item is not an easy task for many, and participation should be appreciated. Members of the public should not fear jeers or cheers that can

discourage public participation. For this reason, all who attend a meeting should respect these rules, and the Mayor or Presiding Officer may ask a speaker to leave the meeting should unruly or disruptive behavior take place.

2. Any person addressing a governing body who:
 - Makes slanderous, impertinent and profane remarks
 - whistles, yells, disturbs or displays disruptive behavior that impedes the orderly conduct of meeting

shall, at the discretion of the Mayor or Presiding Officer, or a majority of the governing body, be barred from further audience during that meeting.

3. If you wish to speak to an item on the agenda, you are invited to submit a speaker card to the Town Clerk. Any person wishing to address the Council is requested to announce his/her name and address (address disclosure is not a requirement).
4. Members of the public are invited and encouraged to speak at the podium microphone to ensure that all attendees can hear and so comments may be captured in the public record recording.
5. Unless otherwise specified by the Mayor or Presiding Officer, all members of the public are allotted three minutes for each item. A timer is available so each speaker can monitor their remaining time. The Mayor or Presiding Officer may use the timer to more closely manage speaking times if there are many speakers present.
6. Should a group of people wish to address the body on the same item, a spokesperson may address the body and can use each group member's three minutes, up to a total of a half hour. Members of the public allotting their time must be in attendance at the meeting at the time the item is being considered.
7. If you are an applicant for a project, you may address a body for a total of 20 minutes as part of a formal presentation; you may also speak for a total of five minutes in closing remarks, should you wish to do so.
8. All remarks should be addressed to the body and not to any individual member of the body, staff, or any other member of the public.
9. The Mayor or Presiding Officer may direct a staff member to answer any questions from a speaker, during the meeting or at a later time if necessary.
10. Council members shall not enter into debate or discussion with speakers during oral communications or public comment on a regular agenda item.
11. The Mayor or Presiding Officer has the authority to shorten speaking time to two minutes or ask speakers to limit themselves to new information and points of view not already covered by previous speakers should there be a large number of speakers. This may be necessary, not to limit public input, but to ensure that all speakers are able to participate in the full meeting, including the decision-making portion.

3. Presentation Materials

Organized groups with a spokesperson may use presentation materials to support their public comments. These can include power points or other computer-projected materials, or short videos. Such materials should be submitted in advance of the meeting by sending before 3 pm of the day of the meeting to:

Town Council –

Sharon Hanlon, Town Clerk
shanlon@portolavalley.net

There are no written materials for Council Liaison Committee and Regional Agencies Reports

There are no written materials for Council Liaison Committee and Regional Agencies Reports

TOWN COUNCIL WEEKLY DIGEST

Friday – March 27, 2020

1. Agenda (Canceled) – Bicycle, Pedestrian & Traffic Safety Committee – Wednesday, April 1, 2020
2. Agenda (Canceled) – Planning Commission – Wednesday, April 1, 2020
3. Agenda (Canceled) – Emergency Preparedness Committee – Thursday, April 2, 2020
4. Letters from the Mayor to the Community – Open Space (3/22), SAFE Farmers Market & Staying Connected (3/23), Shelter in Place (3/24), and Local Businesses, SAFE Farmers Market, Libraries Update (3/26)
5. Notice from C/CAG – Committee Vacancies for Elected Officials

Attached Separates (Council Only)

(placed in your town hall mailbox)

1. None



TOWN OF PORTOLA VALLEY
Bicycle, Pedestrian and Traffic Safety
Committee Meeting
Wednesday, April 1, 2020 – 8:15 AM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

BICYCLE, PEDESTRIAN AND TRAFFIC
SAFETY COMMITTEE

MEETING CANCELLATION NOTICE

The regular meeting of the Bicycle, Pedestrian and Traffic Safety Committee, scheduled for Wednesday, April 1, 2020, has been canceled.



TOWN OF PORTOLA VALLEY
7:00 PM – Regular Meeting of the Planning Commission
Wednesday, April 1, 2020
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

NOTICE OF MEETING CANCELLATION

PORTOLA VALLEY PLANNING COMMISSION MEETING REGULARLY SCHEDULED FOR

Wednesday, April 1, 2020

Notice is hereby given that the Portola Valley Planning Commission meeting regularly scheduled for Wednesday, April 1, 2020 has been cancelled.

The next regular meeting of the Portola Valley Planning Commission is scheduled for Wednesday, April 15, 2020 at 7:00 PM, in the Historic Schoolhouse, located at 765 Portola Road, Portola Valley, CA.



TOWN OF PORTOLA VALLEY
Regular Meeting of the
Emergency Preparedness Committee
Thursday, April 2, 2020 - 8:00 AM
EOC / Town Hall
765 Portola Road, Portola Valley, CA 94028

EMERGENCY PREPAREDNESS COMMITTEE

MEETING CANCELLATION NOTICE

The regular meeting of the Emergency Preparedness Committee, scheduled for Thursday, April 2, 2020, has been canceled.



TOWN of PORTOLA VALLEY

Town Hall: 765 Portola Road, Portola Valley, CA 94028 - Tel: (650) 851-1700 Fax: (650) 851-4677

Post Date: 03/22/2020 12:14 PM

Dear Friends and Neighbors,

Over the last 24 hours, Town staff has been in touch with San Mateo and Santa Clara County officials, MRSOD officials, the Sheriff's Office, and others in discussion about the use of open space facilities during the current shelter in place crisis.

As I mentioned in my message last night on the PVForum, Santa Clara County is encouraging the use of open space facilities, which we believe is contributing to the overflow traffic in and around Windy Hill.

Later today, the Town Manager will be issuing a second Emergency Order, prohibiting parking adjacent to the entrances to Windy Hill's trails (Portola Road, Alpine Road, and Willowbrook). Our experiences (including reports from many of you) over the last two days at Windy Hill indicate that not only are some of the trails incompatible with social distancing, the use of our streets for parking and trail entry is creating unsafe conditions as well.

Town staff has, since yesterday, been preparing this order and is working to implement it through increased signage. This order will be enforced starting tomorrow, March 23, until the County Order is lifted.

Thank you to all who have been practicing social distancing and meeting both the spirit and letter of the County Order. PLEASE continue to go on walks and get your exercise, as that is so critical for our physical and mental well-being.

While you may not immediately hear back from me, my colleagues, and Town staff, be reassured that we all continue to work on our responses to this crisis, and that the safety of all residents is paramount to our work.

We realize that this order, and all of the orders coming from the Town, County, State and Federal Governments, are having dramatic impacts on all our lives. Unfortunately, we can't avoid those impacts right now. The top priority now is to limit transmission of the disease; for the moment, that means setting clear boundaries on individual behavior.

Thank you again for your patience, your understanding, and all of the individual acts of kindness and courage you've displayed in caring for your families and neighbors.

Best Regards,

Jeff Aalfs, Mayor



TOWN of PORTOLA VALLEY

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Post Date: 03/23/2020 12:47 PM

Dear friends and neighbors,

This weekend, we had some beautiful weather, and many of us (my family included) took advantage of it to get some time outdoors. I'm glad that we had good weather, and we're lucky to have so many great trails and parks to enjoy, but please pay attention to physical distancing, for yourselves and the people you encounter. The numbers for infections, both locally and globally, show that now is the time for every last measure to slow the spread of COVID-19.

To that end, we have restricted parking on town right of ways near Windy Hill, where our colleagues with the Sheriff's Office and Mid-Peninsula Regional Open Space District reported a number of safety issues over the weekend. Our public works crews were out this morning, before light, placing signage. Thank you to them for their work.

This week will be our first [SAFE Farmer's Market](#). The SAFE market will provide goods and produce from our Thursday market vendors during the shelter-in-place order. You can choose one of 3 farmers market bags to pick up in a drive through market on Thursday. Place your order by Wednesday night, pay for it online, and then you just drive through to pick up your bag. If you live in the Sequoias, there will be a special drop off for people who order a bag.

Many of our local restaurants are still open for pick-up and delivery--please support them! They are the places we all gather to socialize when the Shelter in Place is lifted. Let's help them in this time of need. Go to their websites for more information on how to order.

We are seeing a lot of great ideas on the forum on how to find fun activities online. Please continue to share these and keep engaged with neighbors who may need extra support. If you are not yet on the PV forum you can send an email to main@pvforum.us to request to be added. Next Door is also a great resource to stay connected.

Again, thank you to everyone who has done their part, large or small, for the greater good. Staff is working hard to keep up with all the new and unexpected demands, but we are all available to help you find help if you need it. Take care of yourselves and your neighbors and be well.

Best Regards,
Jeff Aalfs, Mayor
Town of Portola Valley



TOWN of PORTOLA VALLEY

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Posted: 03-24-20

Dear friends and neighbors,

Tomorrow evening, the Council will be meeting online at 7:00. This is a public meeting, and details on joining will be available on the Town web site. We appreciate your patience as we figure out how to hold virtual meetings with your participation.

As we continue to shelter in place, I want to revisit a few questions and concerns that keep coming up in different forms, with regard to what "shelter in place" means:

1. Talking with the County and other elected officials, beaches and parks in the County are being overwhelmed with visitors, making effective social distancing nearly impossible. Please get outdoors, but do so as "locally" as possible. Many of us here in Portola Valley can have a nice walk just outside our front doors. Try to minimize driving to get outdoors; in general, if you have to drive to a spot, try to find a hike or site you can walk to instead.
2. Please don't socialize up close with people outside of your household. I know most of us are not infected, but gathering in groups, even outdoors, defeats the purpose of sheltering in place
3. Contractors and other workers coming into houses creates an unnecessary danger to both the contractor/worker and the resident. Construction-related activities, except for life/safety issues, are temporarily suspended, and the County's Order has limited all but essential work, which does not currently include gardeners, nannies and other such workers. Please don't bring non-essential workers into your home right now.
4. Some residents, often children, are moving between households (e.g. going to grandparents' house, other family, or even between multiple family properties). While some of these movements are necessary, please use your best judgment about how often you move between properties, keeping in mind the importance of reducing the spread of the virus.
5. Staff heard from the executive director at the Sequoias today, and we understand that there has been an increase in parking at their lot, apparently by people hiking at Windy Hill and other trails. This illegal parking is making it difficult for Sequoias staff to park. Please do not park at the Sequoias to access Windy Hill or any other town trail.

I know there's a lot to consider here. Again, our top priority right now is to slow the spread of infections to spare our health care system from a deluge of patients. Please be safe and thoughtful about your interactions with others.

Emails like this are difficult to write, as I know that we're asking a lot from all of you. Please understand that I would not be writing unless I thought it was absolutely necessary to stay focused on our collective top priority.

Best regards,

Jeff Aalfs, Mayor

Town of Portola Valley



TOWN of PORTOLA VALLEY

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Posted 3-26-20

Dear Friends and Neighbors,

1. I'll start off today by reminding you that our local businesses, particularly our restaurants, are doing their best to remain open and available to us. Please support them with a takeout order. Parkside Grill, Alpine Inn, Alpine Hills, and the Portola Café and Deli are all preparing takeout orders and observing physical distancing when you're ready for a break from cooking.

a. Alpine Inn: <https://alpineinnpv.com> <<https://alpineinnpv.com>> , scroll down for takeout

b. Parkside Grille: <https://parksidegrille.com> <<https://parksidegrille.com>> , call for takeout

c. Portola Valley Deli:

https://portolacafedeli.business.site/?utm_source=gmb&utm_medium=referral, call for takeout

d. For members: Alpine Hills Tennis and Swim Club: <https://www.alpinehills.us/dining>

e. Roberts is also open, with modified hours and procedures: <https://www.robertsmarket.com> <<https://www.robertsmarket.com>>

2. Today will be our first day of the SAFE Farmers market <<http://www.safeportolavalleymarket.com/>> . Like our local restaurants, we're trying to support our farmer's market vendors who can't provide their usual amazing fare. Thank you to everyone who ordered food, and a big thank you for all the donations you have made. Again, its humbling to be part of such a great community.

3. If you're following the news, you can see that the epidemic continues, and that we will likely be sheltering in place for longer than the current April 7 end date. Our Public Schools have already announced that they will be out of session until at least May 1st. The Town, working with the State and County, will re-evaluate local conditions. If shelter-in-place continues, we will need to make provisions for some activities to resume or continue on a safe, carefully managed basis. Again, thank you for your patience and understanding as we navigate this brave new world.

4. Last night the Town Council held its second virtual meeting, and its first with live comments from the public. The meeting went very well, and I thank everyone who 'joined" us. If you listened to the meeting on AM 1680, please let us know (we'd like to get a sense of its use for this purpose) by emailing jdennis@portolavalley.net

5. Libraries

a. The San Mateo County Library system, of which the Portola Library is a member, announced today that all libraries will remain closed through May 1; this aligns with the recent announcement from the school districts that they will remain closed to on-site learning for the same length of time.

b. The Library has a new “text your question” system available to anyone who has library-related inquiry. Details are available here <<https://smcl.org/blogs/post/have-a-library-question-text-us/>> .

I’ll just say again that our local professionals—our Town Staff, our Sheriff’s Deputies and Officers, our Fire District, our Schools, our Libraries, our Stores and our Restaurants—are doing amazing work, often on their own time and at their own expense, to keep us safe and healthy. Please keep doing your part by staying at home, and if you have a kind word to offer to them, it’s always highly appreciated. Stay home and stay safe.

Best regards,

Jeff Aalfs, Mayor

Town of Portola Valley



Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park • Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside

Date: March 26, 2020
To: All Councilpersons of San Mateo County Cities and Members of the Board of Supervisors
CC: All City/County Managers of San Mateo County
From: Maryann Moise Derwin, C/CAG Chair
Subject: **C/CAG Committee Vacancies for Elected Officials**

The City/County Association of Governments of San Mateo County (C/CAG) currently has vacancies on two of its standing Committees for elected officials of City Councils and/or the Board of Supervisors. The vacancies are:

- 2 Seats – Congestion Management & Environmental Quality (CMEQ) Committee**
- 2 Seats – Bicycle and Pedestrian Advisory Committee (BPAC)**

Individuals wishing to be considered for appointment to any of these Committees should send a letter of interest to:

Sandy Wong, C/CAG Executive Director
City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063
or e-mail to slwong@smcgov.org

Individuals must be an elected official on one of the twenty City Councils in San Mateo County or an elected official on the San Mateo County Board of Supervisors. Individuals may send a letter of interest for a specific committee or a letter expressing interest in serving on any of the committees where there are vacancies. Please see Attachment A for more information about each Committee.

If you would like to be considered for any of these Committees, please submit your letter of interest by **April 30, 2020**. Appointments will be considered at the May 14, 2020 C/CAG Board meeting. If letters of interest are not received by April 30, 2020, the recruitment will remain open until filled.

If you have any questions about the Committees or this appointment process, please feel free to contact any of the C/CAG Staff as follows:

For CMEQ: Jeff Lacap 650-599-1455 jlacap@smcgov.org	For BPAC: Mikaela Hiatt 650-599-1453 mhiatt@smcgov.org
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Sincerely,

A handwritten signature in black ink, appearing to read 'Maryann Moise Derwin', is written over a light blue horizontal line.

Maryann Moise Derwin
Chair, C/CAG Board

Attachment – Committee Descriptions

ATTACHMENT A

About the Committees:

1. **The Congestion Management and Environmental Quality Committee (CMEQ)** provides advice and recommendations to the full C/CAG Board on all matters relating to transportation planning, congestion management, travel demand management, coordination of land use and transportation planning, mobile source air quality programs, energy resources and conservation, and other environmental issues facing the local jurisdictions in San Mateo County. The role of the CMEQ Committee also includes making recommendations to the C/CAG Board on the allocation of funding for specific projects and activities addressing these programmatic areas. The Committee meets on the last Monday of each month from 3:00 p.m. to 5:00 p.m. in the San Mateo City Hall*. There are two (2) vacancies on this committee.
2. **The Bicycle and Pedestrian Advisory Committee (BPAC)** provides advice and recommendations to the C/CAG Board on all matters related to bicycle and pedestrian facilities planning and the selection of projects of certain state and federal funding. Meetings are held on the fourth Thursday of the month at 7:00 p.m. in San Mateo City Hall*. The BPAC has approximately six meetings per year. No more than two BPAC members can reside in the same jurisdiction. There are currently two members that reside in the City of South San Francisco, the City of Millbrae, and the Unincorporated County of San Mateo, and as a result, no new members from these three jurisdictions can be appointed. There are two (2) vacancies on this committee.

*To comply with the County of San Mateo and the State of California's Shelter in Place order in response to the COVID-19 pandemic, upcoming meetings will be conducted via webinar and teleconference. Committee members will participate in the meeting from individual remote locations.

TOWN COUNCIL WEEKLY DIGEST

Thursday – April 2, 2020

1. Agenda (Canceled) – Parks & Recreation Committee – Monday, April 6, 2020
2. Agenda (Canceled) – Cultural Arts Committee – Thursday, April 9, 2020
3. Agenda (Canceled) – Nature & Science Committee – Thursday, April 9, 2020
4. Letter from Town Attorney – Legal Updates on COVID-19
5. COVID-19 Town Website [Link](#) to Updates & Resources
6. [Western City Magazine – April 2020](#)

Attached Separates (Council Only)

(placed in your town hall mailbox)

1. None



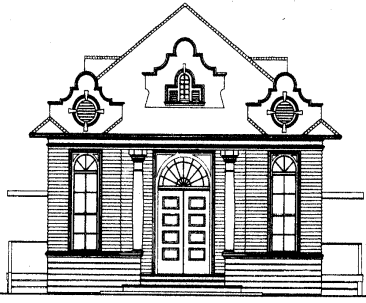
Town of Portola Valley
Parks & Recreation Committee Meeting
Monday, April 6, 2020 – 7:30 pm

MEETING CANCELLATION NOTICE
765 Portola Road, Portola Valley, CA

PARKS & RECREATION
COMMITTEE MEETING

CANCELLATION NOTICE

The regular meeting of the Parks & Recreation Committee scheduled for Monday, April 6, 2020 has been canceled.



**TOWN OF PORTOLA VALLEY
Cultural Arts Committee Meeting
Notice of Meeting Cancellation
Thursday, April 9, 2020 - 1:00 PM**

NOTICE OF MEETING CANCELLATION

CULTURAL ARTS COMMITTEE MEETING

Scheduled for Thursday, April 9, 2020

The Regular Meeting of the Cultural Arts Committee scheduled for Thursday, April 9, 2020, has been canceled.



Town of Portola Valley
Nature and Science Committee Meeting
Thursday, April 9, 2020
Notice of Meeting Cancellation

NOTICE OF MEETING CANCELLATION

NATURE & SCIENCE COMMITTEE MEETING

Scheduled for Thursday, April 9, 2020

The regular meeting of the Nature and Science Committee scheduled for Thursday, April 9, 2020 has been canceled.

Monday, March 30, 2020

Legal Updates: COVID 19

Dear Mayor and City Council (via bcc):

A few updates:

1. I'm attaching an article that appeared in today's Mercury regarding remote public meetings.
2. The FPPC extended the Form 700 filing date from April 1 to June 1.
3. Commercial evictions: The County is considering an ordinance for unincorporated county. The city attorneys have been discussing this too. There are some legal concerns:
 - a. Unlike the residential eviction moratorium, the nexus to a public health emergency is more tenuous. It could be justified as an economic recovery measure but from a legal standpoint it would be better if that came from the State. At this point, we have insufficient evidence to support this type of regulation.
 - b. There could be a "takings" claim if cities adopted the ordinance. This claim could be asserted by property owners forced to forego rent payments during difficult economic times. Again if the County adopted the ordinance, this insulates the City from such a claim.
 - c. There are forgivable SBA loans available to small businesses that can be used for rent payments. These rent payments are offered through the CARES legislation. I can research this further if you would like.
4. As you may have heard, the County will be announcing an updated shelter in place order tomorrow at 11:30 am. It is expected to:
 - a. Extend the date of the current shelter in place to at least May 1.
 - b. Provide clarifications on certain essential services
 - c. Contain further restrictions, possibly in the area of construction activity

Cara E. Silver
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