

**PORTOLA VALLEY TOWN COUNCIL SPECIAL TELECONFERENCE MEETING NO. 991, MAY 27, 2020**

**CALL TO ORDER AND ROLL CALL**

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

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

Absent: Vice Mayor Derwin

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

**ORAL COMMUNICATIONS**

Rita Comes Whitney asked what the stipulations are for the Portola Valley Town Committee members to recuse themselves on different projects. She asked, with regard to the Stanford Wedge Project in Portola Valley, how many members of the Planning Commission, ASCC, and Town Council have to recuse themselves from the project and why. She asked if there was a place in the Town bylaws that states what happens when a Committee or Town Council no longer has a quorum to vote on a project due to recusals.

Town Attorney Silver said the State law governs recusals and disqualifications for the most part. She said under State law, generally if you have a financial interest in a particular decision, you need to disqualify yourself. She said financial interest typically involves income received, such as being employed by an applicant for a project. She said if someone owns property within a certain number of feet of a project, he or she must be recused. She said if stock is owned in a company that will be applying for a development permit, that is another standard ground for recusal. She said if you have a financial interest that could be impacted by the decision, State law requires recusal. Town Attorney Silver said, with regard to the Stanford project, there are a few Committee members and a Councilmembers who have financial interests under the Political Reform Act or State law that governs these issues. She said as the project moves through the process, those members will recuse themselves. She said with respect to the particular interests, Mayor Aalfs has a conflict in that he did some work a while ago for Stanford so he has a source of income from Stanford and has announced that he will be recusing himself. Two Planning Commissioners will be recusing themselves from the Stanford project – one who is currently performing property-related work for the applicant and the other owns property close to the Stanford Wedge. One of the ASCC Commissioners also owns property within close proximity to the Wedge property and will be recusing himself. Town Attorney Silver said if quorums can't be reached due to recusals, the Political Reform Act has a provision whereby all of the conflicted members' names are put into a hat and the Committee will draw a name and that Committee member will be able to participate in the decision even though they have a conflict of interest. That is referred to as the Rule of Necessity so that any project applicant can be guaranteed they will have a quorum of members of the body participating in the decision.

In response to Town Manager Dennis's question, Town Attorney Silver said Committee members also require recusal because they're advising the Council and the Political Reform Act applies to all of the Town Committee members.

Kristi Corley said she is concerned about how to keep the residents involved in the Stanford Wedge project during the pandemic. She said the comment on the project page provides dates and what's been done for the EIR. She thanked the Town for providing that information and would like to see it for lots of different projects that are this large. She said because there is so much interest in the Stanford Wedge project, easier access to the community would serve everyone better. She said attaching all of the reports rather than requiring citizens to request them in writing would be better. She said she knows there have been Zoom meetings with Stanford and asked how residents can be involved with those meetings. She said during the pandemic they feel a little bit behind the curtain and want to participate as much as possible. She asked if they can attend the site visits if they keep the 6-foot distancing.

Town Manager Dennis said the current Town website for Stanford has all the information up. He said they continue to update it as information is received. He said it is a bit of a work-in-progress in that this is not a normal process by any Town for preapplication materials. He said there have been no public meetings with Stanford. He said with regard to social distancing in public meetings, Item #8 on tonight's agenda will discuss the reopening plans. Ms. Corley said residents go to the Town versus the Stanford site, so anything on the Town's website that makes it easy access for residents to read things would be appreciated.

### **CONSENT AGENDA**

- (1) **Approval of Minutes** – Town Council Regular Meeting of May 13, 2020.
- (2) **Approval of Warrant List** – May 27, 2020, in the amount of \$187,568.07.
- (3) **Recommendation by Assistant to Town Manager** – Adoption of a Resolution Approving and Authorizing Execution of a Farmers' Market License Agreement *[Removed from Consent Agenda.]*
  - (a) Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of an Agreement Between the Town of Portola Valley and Nile Estep dba Good Roots (Resolution No. \_\_\_\_)
- (4) **Recommendation by Town Manager** – Animal Control Services Contract Amendment *[Removed from Consent Agenda.]*

Councilmember Hughes moved to approve Items #1 and #2 on the Consent Agenda. Seconded by Councilmember Richards, the motion carried 4-0, by roll call vote.

- (3) **Recommendation by Assistant to Town Manager** – Adoption of a Resolution Approving and Authorizing Execution of a Farmers' Market License Agreement
  - (a) Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of an Agreement Between the Town of Portola Valley and Nile Estep dba Good Roots (Resolution No. 2821-2020)

In response to Councilmember Wengert's question, Town Manager Dennis said the Town has been speaking with Mr. Estep and his team about what the Farmer's Market will look like in the coming weeks. It has been agreed to move to a model that allows people to visit the market under some very strict social distancing.

Assistant to the Town Manager de Garmeaux added that the first Farmer's Market will be the first week of June. Assistant to the Town Manager de Garmeaux said Town Manager Dennis will be sharing the two proposed options in his COVID Update –pedestrian-only or hybrid. She said that to continue the SAFE

Farmer's Market will require the Town spending \$1,500 a week whereas the proposed pedestrian option will not, which will also be covered in Town Manager Dennis' update. She said they have worked with Mr. Estep to keep in the place the ability for residents to donate a bag to the Portola Valley School District families in need. She said that secure food supply has been provided to about 50 families throughout the duration of the shelter-in-place. She said whether the Council opts for the pedestrian-only or hybrid option, staff will work with Mr. Estep to still allow the donations and perhaps expand the ability to purchase donation bags at the pedestrian market as well as online.

Town Manager Dennis shared an overview map of the proposed modified market. He said they are still in discussions with Mr. Estep regarding continuing the SAFE portion of the market and sensing this may not be necessary and they would like to transition fully to the socially distanced market. He said once staff has the Council's recommendation, it will be brought to the COVID Finance Subcommittee.

Town Manager Dennis described the proposed modified Farmer's Market, which would have a few entrances and social distancing requirements. There will be two handwashing stations, one at each end of the market (paid for by the Town), masks enforced and gloves encouraged, all booths set 10 feet apart, one group at each booth at a time, - foot distance between booths (marked in chalk), rope in front of vendor booths, products handled exclusively by vendor, no sampling, and with cashless transactions encouraged. Town Manager Dennis said staff does not think it is necessary to have both the SAFE Market and the pedestrian market because those who may only want to use the SAFE Market may have friends pick up items for them at the pedestrian market. He said this will eliminate the \$1,500 Town expense and instead only have the minimal cost of handwashing stations. Staff wants to keep the donation bag program in place.

Councilmember Wengert said her concern was that the contract looked like a pre-COVID normal contract with its three-year term and it that it may be premature because of being still in the COVID period. She understands that it contains the monthly cancellation provision so that nothing is locked in irrevocably. She said she does not want to discourage Mr. Estep and his team but she thinks there should not be a contract today that looks like previous contracts and certainly not for three years due to the uncertainty. She preferred considering a one-year contract, that wouldn't start until the Town has entered into the new normal.

Councilmember Hughes said there are a lot of County requirements regarding posting of practices, training workers, etc. He asked if the Farmer's Market merchants would be taking that on fully with training programs, gloves, wiping things down, etc. Town Manager Dennis said they would. Councilmember Hughes asked if the Town was reviewing that or if Mr. Estep was taking that responsibility. Town Manager Dennis said this has been a very collaborative relationship with Mr. Estep and the Town would also review the practices.

Councilmember Hughes said the agreement seems fairly generic and asked Councilmember Wengert if, other than the length of the term, she found anything else particularly problematic.

Councilmember Wengert said because Mr. Estep is not a farmer himself but is operating a business putting this together, the farmers are responding to his business, which has worked very well in the past. She questions, however, how well this will work going forward. She said where there are a maximum number of participants allowed, she did not see the counter provision of a minimum number. She said the Farmer's Market has been a wonderful asset. She said she is reluctant to look too far forward right now. She said perhaps that will change in six months. She asked if Mr. Estep specifically asked for a three-year contract.

Town Manager Dennis said staff has been moving to standard three-year contracts across the board. He said they have been delighted in what Mr. Estep has provided over the last year and his ideas and his

response to COVID, so staff saw this as an opportunity to potentially lock up Mr. Estep over a period of time with a good contract to keep him with the Town.

Councilmember Hughes was supportive of this contract with a one-year term instead of three years.

Mayor Aalfs said although it is a three-year contract, it can be terminated at any time with one-month notice.

Councilmember Richards was supportive of shortening the term to one year because of the unsettled nature of everything. He said there may be traffic and pedestrian/car issues if both the SAFE Market and pedestrian market are going at the same time. Town Manager Dennis said that issue has been discussed but that was the best option to offer out of a series of not great options. Councilmember Richards was supportive of a socially-distanced pedestrian market.

David Cardinal said that after the Town starts to come out of this, the local dining facilities will be at a hard place for a variety of reasons. He said with regard to the Town energy and resources, there might be some ways to be creative to also help them get back on their feet after what's been a very difficult time.

Councilmember Hughes moved to approve Item #3 of the Consent Agenda as amended with a one-year lease. Seconded by Councilmember Wengert; the motion carried 4-0 by roll call vote.

(4) **Recommendation by Town Manager** – Animal Control Services Contract Amendment.

Councilmember Wengert asked about the payment owed related to the remainder of the Town's portion of the capital improvements for the new facility since the facility is open and finished. Town Manager Dennis said in 2020 it will be \$5,014 and the total share the Town will pay into Animal Control will be a little less overall that what was paid this year, apparently because there have been more opportunities for licensing animals in Town.

Councilmember Wengert moved to approve Item #4 of the Consent Agenda. Seconded by Councilmember Richards; the motion carried 4-0 by roll call vote.

## **REGULAR AGENDA**

### **COMMITTEE REPORTS & REQUESTS**

(5) **Report by the Emergency Preparedness Committee** – Annual Report to the Town Council

Chair Chris Raanes presented the Annual Update. He described an overview of the Committee in general and the work completed in 2019/2020. He said the pillars that drive the Committee are outreach, medical response, WPV-CERT (previously CERPP) integration, and Communications. He explained that the EPC is organized by subcommittee and they all meet monthly for reporting. He said he was proud of the high performing members and subcommittee chairs – David Howes, Ray Rothrock, Craig Taylor, Jerry Shefren, Dale Pfau, Lorrie Duval, Mark Bercow, and Bud Trapp. He also gave special thanks to Council Liaison John Richards who has found just the right touch between advising and keeping the Committee between the guardrails.

Mr. Raanes provided the 2019/2020 overview, which included working cooperatively with the ad-hoc wildfire committee, upgrading to the town AM radio, forming the Medical Subcommittee, expanding Communications Outreach, and establishing co-location of WPV-CERT Command post with the Town EOC. He said further integration of the WPV-CERT and Town EOC response is a major goal for 2020.

The Outreach Subcommittee, headed by Lorrie Duval, initiated the Resilient Portola Valley Monthly Tips in January 2020. He noted that COVID-19 precautions have postponed some of the scheduled event opportunities. They plan to engage residents in possible Zoom classes for training with WPV-Ready.

The Communications Subcommittee, led by Ray Rothrock, relocated and upgraded the Town AM radio, maintained emergency amateur radio link to the San Mateo Office of Emergency Services, hosted a joint Amateur Radio Emergency Communications and Portola Valley Communications day, and upgraded various modes of communication between Town, WPV-CERT, and WPV-CERT teams in Los Trancos and Vista Verde. The upcoming priorities include assuring process for equipment review, maintenance, battery upgrades, etc., for Town communication equipment; assure solid communication capability for Portola Valley WPV-CERT; and implement communication capability for WPV-CERT Portola Valley Command and Town EOC.

The Medical Subcommittee Review, led by Jerry Shefren, MD, has established a good working relationship with SMC Director of Emergency Services, attended the first meeting of the SMC Medical Reserve Corp organizing group, attends regular meetings with the Logistic Committee for CERPP and Medical Subcommittee of that group, and is instrumental in planning the big disaster exercises. The future priorities are to build stronger ties to the SMC Emergency Medical Services, WPV-Ready, WPV-Cert and Red Cross; review and replace Town medical supplies needed for an emergency (cooperatively with WPV-CERT); continued participation in Medical Reserve Corp for SMC that could serve Portola Valley in an emergency; and promote personal safety through education, training, and acquiring personal medical supplies.

The WPV-CERT & Woodside EPC Integration Subcommittee Review, headed by Mr. Raanes, began outlining Town and WPV-CERT integration strategy. The future priorities include deploying liaisons to Woodside EPC and WPV Cert, and proposing a set of scenarios for which the EPC and Town should plan for emergencies.

Mr. Raanes expressed thanks to the Mayor, the Town Council, and the Town Manager for the consistent, strong support the Committee has received over the long term.

Mayor Aalfs thanked Mr. Raanes for the excellent report and for the Committee's impressive volume and quality of work. Mayor Aalfs invited questions from the Council.

Councilmember Richards said this Committee is very impressive. He noted the many members from this Committee participating in tonight's meeting.

Mayor Aalfs also thanked Councilmember Richards for his work as liaison for this group. Mayor Aalfs invited public comment.

Rusty Day commended Mr. Raanes and all the Committee members for taking on this huge responsibility. He said the work they do is much appreciated. He said the General Plan Safety Element was written in 2010, wherein the Town set out clear priorities including using the Moritz Fire Safety Study to educate the residents of Portola Valley about the fire risks in Town and that has not happened. He said another high priority that was called out was to establish an emergency operations center in Town. He said he is glad to see there is progress being made but asked if it was up and operating yet. He said the third priority called out was to implement evacuation procedures and practice them to make sure they are fully communicated to the residents and rehearsed. He highly recommended that the EPC and all of its members to look at the Frontline documentary on the Camp Fire in Paradise that aired in November 2019 to see what happened in a town that was prepared for wildfires, had an emergency operations center, and had evacuation plans in place which had been rehearsed and practiced. He said the Town is underestimating the risks faced – seismically, because earthquakes will spawn fire, and also, more importantly, topographically from vegetation. He said the urgency of dealing with this is much greater than

10 years. He said the Town needs to get on top of this. He said if the Safety Element is read, it will be understood why the Town needs to redouble their efforts with a much greater sense of priority and much higher commitment of funding from the Town.

Hearing no other public comment, Mayor Aalfs thanked Mr. Raanes again for the report. Mayor Aalfs invited additional questions from the Council.

Councilmember Wengert thanked the EPC, noting they are one of the most successful committees and have been operating incredibly effectively for a number of years. She said the Committee has moved the ball forward in town in ways that have not always been easy, but have been successful due to the commitment of the Committee. She thanked them for all of their efforts.

### **STAFF REPORTS & RECOMMENDATIONS**

#### **(6) Report by Town Manager – Updates on COVID-19 and Town Response**

Town Manager Dennis said Windy Hill has been open the last couple of weeks and this last weekend was incredibly busy, with the largest parking and traffic around Windy Hill ever seen. He said some graffiti vandalism occurred on Willowbrook that called for people to go home. He said there was some further interaction today between members of the crew cleaning up the graffiti and someone who drove by telling the crew to go home. He said he understands everyone's frustrations but encourages everyone to continue to be patient as these issues are worked through. He said all parking for Windy Hill has been opened up except for one small area next to the Sequoias. Town Manager Dennis noted that it was so busy that MROSD Rangers across the district ran out of parking citations.

Town Manager Dennis said the Town is waiting for the next set of revised orders from the County. New allowances and loosening of restrictions are being seen regularly. He said there are now opportunities to see those graduating from school to celebrate in some fashion and discussions are occurring with the School District and Woodside Priory about what that may look like.

Mayor Aalfs invited questions from the Council.

Councilmember Hughes asked when the Farmer's Market options will be discussed. Town Manager Dennis said the SAFE Market options will go through the Subcommittee tomorrow and then be brought back to the Council.

Councilmember Hughes said parking will be problematic trying to have SAFE pick-up along with the pedestrian market. He would be supportive of the pedestrian approach. Town Manager Dennis said the suggestion back to Mr. Estep today was that moving forward on a modified social distance market would be appropriate at this point. He said staff prefers the modified market without the SAFE pick up. He said PV Cares is also doing volunteer shopping for people. Staff is not in favor of the hybrid approach.

Mayor Aalfs invited public comment.

David Cardinal said the number of new cases in San Mateo seems stubbornly high over the last few days. He asked where those cases are coming from and if Portola Valley was contributing to that. Mayor Aalfs said he did not look at the cases by jurisdiction this week. Councilmember Hughes said the last he looked the Town went from under 10 to 10. Mr. Cardinal said he is concerned about what is not being done right resulting in the numbers remaining high. Councilmember Hughes said they participate in calls twice a week with the County Health Officer and staff, who have reported that the number of tests performed has gone up dramatically which is catching more cases. The Health Officer said he fully expected that as reopening occurs and people are interacting more, the virus will spread more and there will be more cases. He said the reopening is the tradeoff between safety and getting the economy going

again. The estimates are that approximately 4% of the County has had the virus which means 96% are still susceptible to being infected. He said the goal is not necessarily to see the number go down but to not see it go up. He reported that we will continue to see cases for a long time because we are nowhere close to herd immunity.

(7) **Recommendation by Director of Planning & Building** – Consideration of Adoption of an Urgency Ordinance Establishing a Temporary Streamlined Planning Review Process for Existing Businesses Directly Impacted by the COVID-19 Pandemic (Ordinance No. \_\_)

Planning & Building Director Russell presented the proposed ordinance, the background, discussion items, and fiscal impact. Staff recommended that the Town Council consider adopting an urgency ordinance establishing a temporary streamlined planning review process for existing businesses directly impacted by the COVID-19 pandemic (Attachment 1) and appoint one Council Member as a liaison to the Ad-Hoc Planning Review Committee, as detailed in the staff report.

Mayor Aalfs invited questions from the Council.

In response to Councilmember Hughes' question, Planning & Building Director Russell confirmed this would be a Brown Act body. She said they will comply with the Brown Act requirements of posting the agenda and having it be a public meeting, over Zoom for now. She said there are other noticing requirements that are in the Town's Code but the Ordinance specifically calls out that those sections of the Code will not apply and this Urgency Ordinance will apply instead. Councilmember Hughes asked if best efforts will be made to notify people anyway despite it not being a requirement. Planning & Building Director Russell said staff can certainly make best efforts and they will encourage the applicants to do the same.

Councilmember Hughes said the ordinance mentions businesses being applicants; however, he noted that CUPs run with the land, not with the business operating on the land. He asked who would be the applicant and who would need to be in good standing in order to apply – the landowner or the business. Planning & Building Director Russell said CUPs do run with the land, but it is the obligation of the entity that runs the operation to comply with the CUP. She said a new tenant would not be eligible and only existing tenants prior to the pandemic would be eligible. Councilmember Hughes asked if there was a specific reason for that eligibility restriction. Planning & Building Director Russell said staff's intent was to create a relatively narrow process because they understood the interest to be making sure the existing businesses remained viable because they are such an important part of the community. Councilmember Hughes said he was concerned about some of the business restructuring that may need to happen.

Councilmember Hughes asked about the anticipated schedule. Planning & Building Director Russell said it will be ad hoc. She said they expect perhaps between one and five of these types of applications and they want to be very responsive, moving as quickly as possible.

Mayor Aalfs said Betsy Morgenthaler sent an email late this afternoon about the Neely project. Planning & Building Director Russell said the Neely application is not the intent of this ordinance. She said the Neely application is an active application that is not yet approved and is not an existing business with all approvals in place.

With no other questions from the Council, Mayor Aalfs invited questions from the public.

Rusty Day asked for an example of a particular essential business that is in need of a truncated and accelerated Conditional Use Permit granted with minimal public participation. He asked what this ordinance was addressing.

Town Manager Dennis said they don't have anything specific in mind. He said they have been talking to businesses that have indicated, for example, issues around paying their rent so, in anticipation of further conversations, they wanted to create this kind of mechanism to support the ability to make some kind of short-term arrangements to ensure that the businesses can continue to operate.

Mr. Day said this situation may well persist for years, not weeks or months. He said he does not understand why the Town would create such a blanket exemption for businesses in Town to circumvent the public process put in place to ensure that Conditional Use Permits get the airing and consideration that the Town wants. He said it seems there can be a much more focused and circumspect mechanism to give relief in particular cases where essential businesses are impacted and have shown that they need expedited treatment.

Councilmember Wengert said there is not any one prospect or tenant or business owner who has made this request. She said, however, in conversations with tenants, they were made aware of some situations that could develop related to the business's ability to operate, depending upon the success of their negotiations and discussions with their landlords or lenders. She said this is not intended to be any circumvention of the Town's normal processes in a way that's long-term. She said any potential changes would only be to help facilitate the survival of the business that has been serving the town. Councilmember Wengert thanked Planning & Building Director Russell and her team for coming up with this very creative approach that incorporates all the best parts of what the various bodies do, and makes sure that it isn't something that's going to be a long-term issue. She said there will be plenty of protections and, in fact, it may never even be used. But if it is needed, it is available as something that can be implemented in this extraordinary time.

Councilmember Wengert moved to approve Adoption of an Urgency Ordinance Establishing a Temporary Streamlined Planning Review Process for Existing Businesses Directly Impacted by the COVID-19 Pandemic. Seconded by Councilmember Richards; the motion carried 4-0 by roll call vote.

Councilmember Hughes said, with regard to Mr. Day's concern about unintended consequences of the ordinance, the language really does limit this only to businesses that are impacted directly by COVID and also lists specific examples.

Councilmember Hughes nominated Ann Wengert to serve as the Council liaison to the Ad Hoc Committee. Seconded by Councilmember Richards; the motion carried 4-0 by roll call vote.

**(8) Recommendation by Town Manager – Town Hall/Town Facilities Reactivation Plan**

Town Manager Dennis thanked all the Town residents for the support they have shown to the staff as they work through these issues. He said they are proud to be the smallest staffed government entity in San Mateo County, all essential workers and intimately involved with everything that happens. He said that also means there is a problem delivering services if any one staff member goes down. He said the plan presented tonight was developed to share with residents how the Town will be moving forward into various stages of reopening with the proposed Town Hall/Town Facilities Reactivation Plan. He said staff has been fortunate in their ability to provide a significant amount of service to residents without having access to Town Hall. He expressed his pride in the staff for coming up with new ways to provide that service, in particular Planning & Building Director Russell and Assistant to the Town Manager de Garreaux, for their creative solutions. He said this has resulted in the ability to provide services more efficiently to residents and visitors moving forward. He said this plan recognizes that working from home will be a regular part of how the Town operates.

Town Manager Dennis presented the background, discussion items, and fiscal impact, as detailed in the staff report. Staff recommended the Town Council accept the plan for the reactivation of full provision of

government services at Town Hall and currently shuttered Town Facilities and consider the creation of a Council subcommittee to advise on reactivation issues, as detailed in the staff report.

Assistant to the Town Manager de Garmeaux said this plan complies with multiple levels of guidance and regulations from the CDC to Cal-OSHA to San Mateo County Health. She said staff has done a lot of research in making sure they're being thoughtful in this approach. She said this has also been vetted with staff. They want to make sure that when staff comes back, they feel confident they are safe and have the tools needed to be safe within the building. She said with the teams approach, if someone gets exposed either at work or at home, that team can be quarantined, bringing the other team in once the building is safe, providing some continuity of service if there is an exposure.

Town Manager Dennis expressed appreciation for the Council for their support and assistance in the preparation of this document.

Mayor Aalfs invited questions from the Council.

Councilmember Hughes asked if the Town's insurance coverage provides protection should an employee or visitor to the premises get infected and trace it back to the Town. Town Manager Dennis said they are working with the insurers but do not yet have a final answer. Town Attorney Silver said there has been some State legislation stating that if any employee contracts COVID, there will be a presumption that the contraction came from their place of employment, and therefore eligible for Workers' Compensation benefits.

Councilmember Wengert said the wearing of face coverings on trails and paths is a much contested and debated issue and is stricter than what is recommended at the County Health level. Town Manager Dennis said the intention was not that wearing face coverings was required but that people needed to follow the requirements of face coverings as put in place by the Counties. Right now the County's instruction is to carry face coverings with you to use as needed.

Town Manager Dennis said there are a few remaining service provision items being worked through right now, including reinstating the Commissions. He said the intent is to hopefully bring back the ASCC meetings toward the end of June. They have some draft planning in place related to performing safe site visits. He said it is very difficult to perform detailed and thoughtful review of design guidelines and plans on Zoom calls.

Councilmember Wengert asked how staff felt about the feasibility of the teams being able to work and be effective remotely in a part in-office and part telecommute environment. Town Manager Dennis said there are no significant challenges. He said there may be specific areas of service delivery to work through but he is very impressed with how much they are able to do from home.

Mayor Aalfs said this situation has pushed a lot of things forward about what can be achieved from telework in general. He said in some ways it has been very positive. He said this difficult situation may have resulted in learning some things that staff may have hesitated to explore prior. Town Manager Dennis said this has been the mother of invention. He said some of the negatives is that they miss each other and would like to sit down around a table interacting as usual, problem solving, and whiteboarding. He said there has not been an example of anything they haven't been able to work on as a team to arrive at a good solution. He said it's more everyone's personalities getting use to what the new normal may be like. He said for some of them it is hard to transition to a model where everyone's social cues are not easily readable. He said there are also incredible positives that have come out of this and will lead to a great recruitment tool later on.

Mayor Aalfs invited public comment. There was none.

Councilmember Hughes moved to accept the Town Hall/Town Facilities Reactivation Plan. Seconded by Councilmember Richards; the motion carried 4-0 by roll call vote.

Town Manager Dennis thanked the Council for accepting the report. He said Assistant to the Town Manager de Garneau has been living this project for a long while. He said what this Town has been able to do in a short period of time is exceptional thanks to Assistant to the Town Manager de Garneau making this a coherent and thoughtful document.

Mayor Aalfs thanked Assistant to the Town Manager de Garneau, Town Manager Dennis, and all the management level staff for their work.

(9) **Recommendation by Town Manager and Interim Finance Director – Not-for-Profit Agency Funding Requests**

Interim Finance Director Rodas presented the annual review of funding requests for Not-for-Profit Agencies. She described the background, discussion items, and fiscal impact, as detailed in the staff report. Staff recommended the Town Council approve funding for not-for-profit agencies providing services benefitting the Town, its residents, or the larger Peninsula community, in an amount not to exceed \$17,584.

Mayor Aalfs invited questions from the Council.

Councilmember Richards asked if the Peninsula Conflict Resolution (PCRC) has ever been used. Town Manager Dennis said it has not. Mayor Aalfs asked if PCRC had mentors at the housing roundtable discussions. Town Manager Dennis said they did provide some of the facilitators.

Councilmember Wengert recommended raising the Meals on Wheels allocation back up to \$3,000. Interim Finance Director Rodas and Mayor Aalfs agreed.

With no other questions from the Council, Mayor Aalfs invited public comment. There were none.

Councilmember Richards moved to approve the Not-for-Profit Agency Funding Request and increasing the Meals on Wheels allocation to \$3,000. Seconded by Councilmember Wengert; the motion carried 4-0 by roll call vote.

Councilmember Hughes suggested Mayor Aalfs address a couple of Q&A items regarding how the Zoom meetings operate. Mayor Aalfs explained that the meetings are run in two tiers – attendees and panelists for simplicity of viewing. He said there are 32 people logged in as attendees right now. Town Clerk Hanlon says she can provide the list of attendees to anyone who asks. Town Manager Dennis said he will check with Communications & Community Engagement Analyst Chinn to see if it can be set up where that is visible.

(10) **Recommendation by Town Manager and Planning and Building Director – Portola Valley Neighbors United Response Letter**

Mayor Aalfs recused himself from this item because in his day job he has worked in the past year or so where Stanford was his ultimate client.

Town Manager Dennis provided the background of Portola Valley Neighbors United (PVNU) and discussion items as detailed in the staff report. He pointed out that it is atypical that there is this opportunity to respond to this kind of letter because it would normally be part of the upcoming entitlement process. Staff recommended that the Town Council approve and authorize the attached letter be sent to PVNU.

Councilmember Wengert invited questions from the Council. Hearing none, she invited questions from the public.

Mary Hufty appreciated the Council responding to their inquiry. She said her letter to Town Manager Dennis and Planning & Building Director Russell explains what they see as lacking in this particular response. She said the highest priority of Town government and its employees is the protection and promotion of the health and safety of the residents. She said there is a tip of a hat to this concept at the end of the Town's letter but it never says it is the main concern and commitment. She said the letter points out all the loopholes to avoid the regulations for high density housing but nowhere does it say that Town government is there to protect the residents' health and safety as a group. She said she brought the letter from Fire Chief Enea's office saying this should not be built to the Town Council and nobody did anything until March. She said it is not just about the letter of the law but also the intent of the law, the regulations, and the General Plan. She said it is also the necessity to become flexible in the face of climate change. She said these things cannot just continue to be ignored, saying it'll come out in the EIR or it will come out in whatever the next phase will be. She said it's true they are not experts in the EIR process but they are distressed that this project has not been stopped and that their interests are not being heard. She said she believes the letter is well-intentioned and the rules and regulations may allow this to continue but they need to see what it will do to the community and the residents.

Town Manager Dennis said the staff is in no position to stop a project – there is no mechanism to do that. He said if someone comes to the staff with a single-family residence they want to build and the neighbors come and say it must be stopped, and the staff simply stopped the project, there would rightly be great concern. He said the mechanism to decide whether the project is appropriate to Portola Valley is moving forward through a robust entitlement process including the vegetation management qualifier review that they have taken seriously since late last year when Planning & Building Director Russell was preparing the EIR notice. He said well into late last year they were working directly with the consultants on looking at this as an issue. He said it is important to state for the record that the Town staff will not stop a project. He said there is a process by which the decisionmakers who are accountable to residents will make a decision on whether a project is appropriate.

Rusty Day said it's not what's in the letter but is what is not in the letter that is concerning. He said 60 Town residents wrote to the members of the Town Council asking that they clarify their priorities, not about the entitlement process for the Stanford project. They asked if the Council considered the highest priority to be protection of the health and safety of Portola Valley. They asked if the Council agreed that wildfire is among the greatest, if not the greatest, risk that confronts the community. He said that in the context of this application, information was brought forth warning the Town of the fire risk, asking the Town to move the project to a different site, and that information was not disclosed or publicized by the Town until 60 residents wrote to the Town Council, and then a month later it was posted on the Town's website. He said they don't consider that acceptable and is the point of their letter. He said in the context of wildfire, they want the Town Council to support the important differentiation between fire hazard and fire risk. He said wildfire hazard is looking at the Stanford project and seeing what kind of conditions on that site are conducive to the spread of fires. He said Stanford's own consultant two weeks ago acknowledged they are very severe. He said that based on the Stanford modeling, a fire on that site would spread offsite into the hills and reaching the neighboring properties within one hour. He said the second concern is what that hazard poses to all the surrounding residents on the property and beyond, in the adjacent ravines and canyons. He said Stanford's vegetation management plan, submitted two weeks ago, does not look at fire risk at all. He said the modeling tries to constrain the focus to the site, not the risk it poses to the broader community. He said that is not an acceptable way to look at the project. He asked where the Town government is on this issue – on the side of the Town citizens, whose safety they are obligated to protect, or on the side of the developers who want to build. He said his last point has to do with the disclosure of information about the hazards on the site. He said the report of the Woodside Fire Protection District was not disclosed or publicized until after 60 residents wrote to the Town Council. He said the Town now has a website providing some of the information but in particular does not include

the seismic hazard report submitted by Stanford on its geological evaluation of the site. Mr. Day said the seismic hazard report is required under State law and not just Town ordinance. He asked why that document is not on the website.

Karin Wick thanked the Council and staff for everything they're doing in these unprecedented times. She said she is not as knowledgeable about this issue as Mr. Day or Ms. Hufty. She asked the Council where they are in the process because it appears that many Town ordinances are being lifted for this project, which is bothersome because as someone who has done construction in Town, she made sure she followed all the rules. She said she is quite grateful that Town staff can't go in and block any projects because she knows what it's like to be on that side, as well. She said it is bothersome that there are different setbacks for the project. She asked if there are any traffic studies that have been or will be done, or the impact on the School District. She asked who would be living in the development. She suggested the website Mr. Day mentioned could be made easy to find because she didn't even know about it.

Town Manager Dennis gave a brief explanation of the EIR process, explaining that it will include traffic review and potential mitigations to those impacts, if any. He said the applicant has not formally resubmitted their application. He said once that occurs, the next phase of the entitlement process will begin, which will start with a Planning Commission meeting. Town Manager Dennis said an applicant has every right to apply how they want to and it is not uncommon for applicants to apply for projects that go in a different direction to the letter of the Town codes or using State laws to modify the Town's codes. Staff will let the applicant know about issues such as noncompliance with the Town code but does not deny them the right to bring their application before the review body. He said this is a complicated project with a lot of moving parts, especially as it relates to State law, and the entitlement process is designed to vet all of these issues in a way where the decisionmakers can ultimately decide.

Planning & Building Director Russell added that there seems to be a misperception that the Town is much farther along in the process than they are. She said when the Planning Department calls an application complete, it just means it's ready for processing – that they have all the information in the file – the plans, the studies, the information needed to really get deep into the analysis and to complete the Draft Environmental Impact Report and begin to bring it before the approval bodies for preliminary and final reviews. She said at this time the application is not yet complete because they do not have all of the needed pieces to begin the meaningful review. She said a lot of feedback is well taken with regard to what information is available on the website and they will work on some language that is more descriptive and easy to understand so people better know where we are in the process, as well as adding some additional information to make it easier to find.

David Cardinal said he does not question that the Council and staff have the best interests of the citizens at heart. He said Stanford has been a relatively lax steward of their land, doing very little in the way of fuel load mitigation and setting fires through poor trimming practices near 280. He said their proposal looks pretty good and it's their land. He said it looks like a nice thing that will bring more people to town and more housing. He said he supports the project if they will be responsible landlords.

Kristy Corley said this Town is paradise and Alpine is the exit. She said she lives on Alpine Road and she is very concerned about it, the density of it, especially now with COVID. She said density causes more COVID. She is also concerned about being included in the process, not informed later in the process regarding the EIR. She said the Town is saying they're going to finish the EIR and then report. She said the residents are asking to be involved in each process of the EIR. She asked if the residents can walk with staff as they meet and look at biology. She asked if the residents can join in the Zoom meeting discussing traffic. She asked how residents can be involved in the EIR process.

Town Manager Dennis suggested the comments be germane to the letter and not the project because there will be a very robust process where all of these questions will be answered. He said he understands it may be frustrating for some, but this is very early in the process and there will be multiple meetings on

this exclusively when and if the applicant decides to move forward. Ms. Corley said they are trying to get the word out to get people to read about it as it happens so people don't come in late saying they didn't know anything about it. She said discussing it now educates the community. Town Manager Dennis said there will be many opportunities for resident involvement in the coming months. He said nothing will be decided without public participation. He said when a draft EIR is ready, the public will see it and be able to comment on it. He said the process being followed, designed, and implemented will maximize participation. He said that is why there is so much information on the website. He said cities do not normally put out preapplication materials. Ms. Corley said the Town is gathering a lot of information and the earlier the residents can read it the better.

Councilmember Wengert assured Ms. Corley that because this will be a very long process, she will be very much involved. Councilmember Wengert said there is no attempt or effort to keep any information from anyone. She said it is a very public process. She said there have been no Zoom meetings with Stanford. She said it is entirely in the applicant's hands as to how it moves forward and what the next steps become because the applicant has not yet even completed the application process.

Mary Hufty they want to get the word out so people understand. She said they do not think this is some kind of a plot but they just want to people to understand and get some honest information. She said they have a robust website that tells an amazing story and they make it easy for people to get to the Town's website as well.

Anthony Guichard said he has lived at 225 Alamos Road for approximately 43 years. He said he was first made aware of the Stanford Wedge project in November 2019 at a meeting of people who were invited to attend because they were within 1,000 feet of the proposed project. He said the comment has been made that this is very early in the process; however, he was led to understand that this has been in the works since 2016. He said at the meeting he attended, he was astonished to see how advanced the process was in terms of architectural renderings and proposals from Stanford that he was unaware of. He said when he asked neighbors, he was surprised to find that everyone was as ignorant as he was about the project, including people elsewhere in Westridge who knew nothing about it. He said he was surprised to hear statements that it had been well publicized, public notice had been given, and there had been no objections from any corner about the project. He said the things that concern him are the lack of transparency. He said he does not know how much the wider Portola Valley community knows about the project and if they've had a chance to weigh in. He asked if the Town Council and Planning Commission are unanimous in their support of the project or if there are people that are not in support of the project, and if so, why not? He said it seems a project of this sort would have been rejected before it even got very far into the Planning process. He said he understands an EIR will be forthcoming but, as others have commented, there is not much opportunity for citizen input until that report comes out. He said there is a letter dated April 2019 from various communities in the County to Supervisor Simitian addressing the mitigation problems and adverse impacts related to Stanford's 2018 General Use Permit, signed by the Mayor and Town Manager. He said there seemed to be a list of criteria being required of Stanford for mitigating the impacts that led to Santa Clara County basically terminating their agreement with Stanford. He said since San Mateo County was also a signatory to that letter, he is surprised that Stanford's feet are not being held to the fire to address all those mitigation issues raised by Santa Clara County.

Town Manager Dennis said there is a fundamental difference between where the General Use Permit (GUP) process was for Stanford in Santa Clara County and where this project is now. He said the Town got involved in the discussions related to the GUP during the Planning Commission and Board of Supervisor meeting, during the end of the entitlement process, which is entirely appropriate. He said this project is not in that phase of the entitlement process. He said there was an ability for the Town and other cities to respond to information that isn't available now that will become part of the EIR and any discussions around code. Town Manager Dennis said the Planning Commission has not formally reviewed the project and none of the bodies have an opinion on the project, which will occur later. He said it would be akin to a member of the Council publicly stating before a project received an entitlement

process that they didn't like the project. He said that would not be fair to any applicant. He said there is no mechanism for the Town to say, "No, we're not letting you do this." He said that happens at the entitlement process when the Planning Commission and Council make a decision after having reviewed all the information.

With no further public comment, Councilmember Wengert brought the issue of the letter back to the Council for discussion.

Councilmember Richards said it is clear this area has a potentially great danger for wildfire. He said he has been working on projects in Town for more than 35 years and was one of the original drafters of the design guidelines. He acknowledged that the process is very complicated and can be very drawn out and frustrating and even more mysterious and difficult to follow from outside of the project. He said people should trust that the process will bring out all the issues that need to be brought out but they have to wait for those complex things to come together. He said the process has worked very well over the last 50+ years. He said the next step is for Stanford to make their best pitch and if it turns out that it does not meet the Town's requirements, it will not go through.

Councilmember Hughes agreed with Councilmember Richards' comments. He said Mr. Day's point is well taken that the safety of the Town residents is one of the Council's main concerns. He said their oath is to the constitution and the laws of the State of California and making sure that due process is followed, which is critically important. He said the established process is set up to ensure public safety. He said the process is followed because it gives an applicant the opportunity to review all the reports, try to mitigate circumstances, come up with alternatives, revise things, and get their application to the point where they think it can be approved, satisfying all of the code requirements and meeting all other requirements of the process. He said that process cannot be short circuited because that would be taking away the rights of an applicant to come up with a proposal in the first place. He said the core of what this letter is talking about is saying there are some elements of the project that will likely need some refinement or work done in order for the Town to review it. Until that application is complete, the Town cannot begin the process of thinking about the merits because the entire project could be redesigned tomorrow. He said the job of the Council and Planning Commission is to wait until the project is before them and the application is complete so all of the parts can be reviewed and evaluated as to whether or not it meets the requirements for projects in Town. He said not letting an applicant to get to the stage where an application can be evaluated on its merits is not something the Town can do.

Councilmember Wengert hopes that everyone understands that one of the top priorities of this Council has always been resident safety, from COVID to fire prevention. She said Mr. Raanes' presentation on emergency prep would demonstrate that there is a longstanding commitment to safety with unwavering support and prioritization of that for all of the Council, who are also residents. She said it needs to be remembered that is who the Council is and their passion for the Town is why they spend all the time doing this, vaunted in the most beloved of ethics and ethos, which underlies all of their actions. She said while some people may have been unaware of the project, there have been ample opportunities, many different meetings and showings, and Stanford open houses. She said if the criteria were applied to every parcel in town, it is likely all homeowners would fall very short. She acknowledged that is in a high fire risk area and said the Town will continue to promote safety of all residents and all parcels in town, as demonstrated by all of the efforts being made in all parts of town including rights of ways, public properties, Town-owned properties, and encouraging homeowners to do as much as they can on their private properties.

Councilmember Richards moved to accept the letter as drafted. Councilmember Hughes seconded; the motion carried 4-0 by roll call vote.

The Council took a two-minute break.

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

Councilmember Wengert – Attended C/CAG Finance Committee meeting today. She said the meeting was continued to Monday because there was not adequate time to review some of the coming COVID impacts. She said the challenge will be their sources of revenue.

Councilmember Richards – Attended Conservation Committee last night where they discussed looking for new ways to get more people involved in maintaining the open spaces in Town. They discussed an alternatives-to-rodenticides campaign. They discussed publicizing kids' activities in Town such as studying nature at the Frog Pong and other biology studies.

Councilmember Hughes – Attended weekly meeting with two School Board members where they learned that the County School Superintendent is looking at how to manage reopening schools. Daycare and camps are currently allowed to operate as long as there are no more than 12 children with the same 12 children and supervisor. They are trying to figure out how to not create centers of germ distribution while at the same time making education work and not having to have all the kids remote all the time. They are looking at trying to manage cohorts of 16 instead of 12. They are working hard to try to have the schools opening in the fall.

Mayor Aalfs – No Town Meetings. He said Peninsula Clean Energy is on the cusp of rolling out a program that will basically contract with some solar battery and storage companies that will be marketing solar and battery systems for residences and small businesses. He said they are targeting people looking for power systems during a power shutdown. He said the batteries that sit on houses will become part of PCE's resource adequacy, which means they are a value to PCE and they would compensate people to help subsidize the cost of the battery in exchange for limited access to use the battery during certain shortage periods on the grid. He is hoping that people will consider this as an alternative to buying a generator for the next round of PSPS coming this summer and fall.

(12) **TOWN MANAGER REPORT** – Town Manager Dennis reported that the Portola Valley Library is one of the first libraries in San Mateo County to allow curbside pickup, which will begin on June 7.

**WRITTEN COMMUNICATIONS**

(13) **Town Council Digest** – May 14, 2020

None.

(14) **Town Council Digest** – May 21, 2020

None.

**ADJOURNMENT:** 9:55 p.m.

Mayor Aalfs adjourned the meeting.

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Mayor

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Town Clerk