

**PORTOLA VALLEY TOWN COUNCIL SPECIAL MEETING NO. 998, OCTOBER 14, 2020**

**CALL TO ORDER AND ROLL CALL**

Mayor Aalfs called the Town Council's Special Teleconference meeting to order at 7:00 p.m. 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  
Brandi de Garmeaux, Assistant to the Town Manager  
Cara Silver, Town Attorney  
Howard Young, Public Works Director  
Cindy Rodas, Finance Director  
Jim Saco, Fiscal Consultant  
Laura Russell, Planning & Building Director  
Sharon Hanlon, Town Clerk

Attendees: Jean Isaacson  
Annelise Connell  
Betsy Morgenthaler  
Bud Trapp  
David Cardinal  
Felicity Barringer  
G. Kohs  
Teresa Godfrey  
Georg Schuele  
Kristi Corley  
Gregory Rubens  
Lorrie Duval  
Lucas Monterno  
Mary Hufty  
Nan Shostak  
P. Goodrich  
Rita Comes  
Rusty Day  
Sarah Wernikoff  
Win Farrar

Town Manager Dennis explained the changes to the Zoom process, due to input from the community as well as changes in the Zoom program itself. Instead of both Q&A and Chat there will only be the Chat feature. If a participant wishes their Chat comments to be visible to all, they need to select All Panelists and Attendees. The total number of attendees is now posted and everyone now has the ability to see gallery view instead of only speaker view.

**ORAL COMMUNICATIONS**

Mayor Aalfs welcomed anyone to address the Council during the meetings. He noted that the Town's speaker policy is available for review on the Town's website.

Rita Comes. Ms. Comes thanked the Town for changing the opening statement which will make people feel more comfortable to speak. She said Item #4 regarding the Cannabis Land Use Ordinance on the Consent Agenda was presented at the Planning Commission meeting last week. She said she did not hear any input at that meeting or read any comments in the document made by the Ad Hoc Fire Safety Committee Meeting. She requested that the issue be reviewed by the Ad Hoc Fire Safety Committee before it moves forward. Town Manager Dennis said the document is merely an annual report regarding the cannabis activity in Town. He said the Ad Hoc Wildfire Preparedness Committee would not typically review this particular annual report but Ms. Comes or the Council can certainly reach out to the Committee to see if they would like to review it. Mayor Aalfs confirmed that if someone requests a permit for cannabis, the application would be vetted by the Fire Marshal and others and this is simply an annual report of activity, for which there was almost none to report. Ms. Comes acknowledged the clarification.

Mary Hufty. Ms. Hufty asked that Items #3 and #6 be removed from the Consent Agenda and included in the regular agenda. She said she reached out to the Council this afternoon trying to understand how the budget setup works and requested some clarification regarding approving the budget.

### **CONSENT AGENDA**

- (1) **Approval of Minutes** – Town Council Special Meeting of September 23, 2020. *[Removed from Consent Agenda.]*
- (2) **Approval of Warrant List** – October 14, 2020, in the amount of \$476,718.88.
- (3) **Recommendation by Finance Director** – FY 2020-21 Appropriations Limit *[Removed from Consent Agenda.]*
  - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Determining and Establishing the Appropriations Limit for Fiscal Year 2020-2021 (Resolution No.2834-2020)
- (4) **Report by Planning & Building Director** – Annual Report on Cannabis Land Uses Ordinance.
- (5) **Report by Planning & Building Director** – Contract Extensions for Inspection and Plan Check Services
- (6) **Recommendation by Planning & Building Director** – Collaboration Agreement for Preparation of Housing Element *[Removed from Consent Agenda.]*
- (7) **Recommendation by Mayor** – Appointment of Member to the Bicycle, Pedestrian & Traffic Safety Committee
- (8) **Recommendation by Mayor** – Appointment of Member to the Parks & Recreation Committee
- (9) **Recommendation by Public Works Director** – Adoption of Resolutions Supporting Grant Applications to San Mateo County Transportation Agency for Local Bicycle & Pedestrian Projects. *[Removed from Consent Agenda.]*
  - (a) Adoption of the Town Council of the Town of Portola Valley Supporting the Rectangular Rapid Flashing Beacon on Alpine Road at Golden Oaks Drive Project and Submitting an Application to the San Mateo County Transportation Authority for Pedestrian and Bicycle Program Funding (Resolution No. 2835-2020)

- (b) Adoption of the Town Council of the Town of Portola Valley Supporting the Rectangular Rapid Flashing Beacon on Portola Road Project and Submitting an Application to the San Mateo County Transportation Authority for Pedestrian and Bicycle Program Funding (Resolution No.2836-2020)

Mayor Aalfs invited public comment regarding the Consent Agenda. Seeing none, Mayor Aalfs called for roll call vote.

Councilmember Richards moved to approve Consent Agenda Items 2, 4, 5, 7, and 8. Seconded by Vice-Mayor Derwin, the motion carried 5-0, by roll call vote.

- (1) **Approval of Minutes** – Town Council Regular Meeting of September 23, 2020.

Councilmember Wengert moved to approve Consent Agenda Item #1 as amended. Seconded by Councilmember Hughes, the motion carried 5-0, by roll call vote.

- (3) **Recommendation by Finance Director** – FY 2020-21 Appropriations Limit

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Determining and Establishing the Appropriations Limit for Fiscal Year 2020-2021 (Resolution No.\_\_\_\_)

Mayor Aalfs invited Town Manager Dennis to explain the appropriations limit. Town Manager Dennis further explained this item, as detailed in the staff report.

Mayor Aalfs invited public comment.

Mary Hufty said there was some question about whether the Town was overspending and she's been trying to watch the amounts going in and out. She asked if the Council was happy with the amount of adjustment made in the appropriations.

Mayor Aalfs explained the resolution is a legal requirement and the important thing is to stay under the legal limit. He said the Council deals with this yearly and are happy they don't have to worry about exceeding the legal limit on how much they can appropriate.

Councilmember Richards moved to approve Consent Agenda Item #3. Seconded by Vice-Mayor Derwin, the motion carried 5-0, by roll call vote.

- (6) **Recommendation by Planning & Building Director** – Collaboration Agreement for Preparation of Housing Element

Mayor Aalfs invited Town Manager Dennis to explain the Collaboration Agreement. Town Manager Dennis explained this item, as detailed in the staff report.

Mayor Aalfs invited public comment.

Lucas Monterno asked if houses are being built on Windy Hill. Mayor Aalfs said no houses are being built on Windy Hill. He said collaboration agreement is a State-required planning exercise the Council must undergo. He explained it is support for developing a Housing Element for the next housing cycle and does not address any specific housing projects.

Mary Hufty said it is impressive that Portola Valley must spent four times as much as Woodside for this particular aspect, with Portola Valley paying at the same level of the City of San Mateo. She asked if there were special things Portola Valley needed more than Woodside or if Portola Valley is farther behind

in the ADUs. She said it seems that the Town is prioritizing, yet again, development over safety. She asked when the Town would put extra money into safety and stop spending so much on development. Planning & Building Director Russell said all of the Cities and Towns in the County had the option to select what package they chose. She said the different packages are outlined in the staff report. She said staff's recommendation is to choose the full package, which provides all of the offered services, so that the Town has the support needed to go through the entire process. She said Woodside has selected a different package and has chosen to take less services from 21 Elements through the collaboration. She said the different dollar amounts correspond to the size of the cities due to tiered pricing and the ability to opt in or out of the different parts of it. Town Manager Dennis added that there is no connection between having a certified Housing Element and the level of development a city supports or does not support. Mayor Aalfs added that there will be discussion of the safety budget as part of the budget discussion.

Kristi Corley. Ms. Corley asked about Portola Valley's RHNA estimate and when the final number will be available. Town Manager Dennis said the Methodology Committee has completed its work and is forwarding their recommended numbers to the full ABAG Committee, which will allow a process to suggest different numbers. He said at this point the numbers are in the 260-270 range, which is significantly higher than previous numbers. He said the Town will have the opportunity to work with ABAG to review those numbers. He said an upcoming Council meeting will be scheduled to have a much more in-depth conversation. Planning & Building Director Russell said they estimate they will begin to get more firmed up numbers in early-2021.

Win Farrar asked if they are building houses on Windy Hill. Mayor Aalfs said that is not true and he does not know where that rumor is coming from. He said the property is owned by Mid-Pen Regional Open Space District and there is no plan for development there.

With no other comments, Mayor Aalfs called for a motion.

Vice-Mayor Derwin moved to approve Consent Agenda Item #6. Seconded by Councilmember Hughes, the motion carried 5-0, by roll call vote.

- (9) **Recommendation by Public Works Director** – Adoption of Resolutions Supporting Grant Applications to San Mateo County Transportation Agency for Local Bicycle & Pedestrian Projects.
- (a) Adoption of the Town Council of the Town of Portola Valley Supporting the Rectangular Rapid Flashing Beacon on Alpine Road at Golden Oaks Drive Project and Submitting an Application to the San Mateo County Transportation Authority for Pedestrian and Bicycle Program Funding (Resolution No. \_\_)
  - (b) Adoption of the Town Council of the Town of Portola Valley Supporting the Rectangular Rapid Flashing Beacon on Portola Road Project and Submitting an Application to the San Mateo County Transportation Authority for Pedestrian and Bicycle Program Funding (Resolution No. \_\_)

Councilmember Wengert said when she looked at the timing relative to the TA Grant, she wondered why this had not been responded to earlier in the process since it looks like one of the preliminary deadlines has been missed. Public Works Director Young said they received notification by the TA through email. He said previous applications allowed 12 months to process but this came out in mid-August and was due in less than two months. He said the applications required approximately 200 pages of information. He said no deadlines were missed. He said he and Town Manager Dennis were notified, they listened to the workshop, asked questions, and submitted the application on time. He said it was known that applicants would not be able to submit the resolutions on time so they allowed the resolutions to come afterwards.

Councilmember Wengert moved to approve Consent Agenda Item #9. Seconded by Councilmember Hughes. Mayor Aalfs invited public comment. Seeing none, he called for a roll call vote. The motion carried 5-0, by roll call vote.

### **REGULAR AGENDA**

(10) **Recommendation by Town Manager** – Woodside Highlands Road Maintenance District Citizen Advisory Board formalization

(a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting the Woodside Highlands Road Maintenance District Citizen Advisory Committee Charter (Resolution 2837-2020)

Town Manager Dennis described the background of the Woodside Highlands Road Maintenance District and the proposed draft charter to formalize the Citizen Advisory Committee (CAC), as detailed in the staff report. Staff recommended the Town Council adopt the resolution and attached mission statement/charter for the Woodside Highlands Road Maintenance District Citizen Advisory Committee.

Mayor Aalfs invited questions from the Council.

Councilmember Hughes asked what the implications are of membership to this Committee and whether they would need to submit Form 700s given they are involved in potentially spending money. Town Attorney Silver said this Committee has always operated in the same capacity, making recommendations regarding the expenditures of essentially Assessment District funds collected from the residents of the HOA. She said the Council has the ability yearly in their Conflict of Interest Code to designate various Committees to be subject to a Form 700 disclosure requirement. She said this type of Committee is not required to file a Form 700 under State law but the Town Council may require the filing if they choose.

Councilmember Hughes asked if staff's intention is to consider this Committee more like the Finance Committee as opposed to the ASCC or Planning Commission. Town Manager Dennis said that is correct. He said the Committee is different from other Committees because it serves only a specific part of Town, with membership only coming from those who live within their association.

Councilmember Wengert asked Jean Isaacson if there is an active group with people willing to serve on this new advisory board. Ms. Isaacson said she just stepped down after 10 years and Teresa Godfrey is the new president. Ms. Isaacson said they have a very active group and they just installed a new Roads Committee made up of three officers of the association, two board members and two non-board members. She said they will likely recommend their Roads Committee members to the new Citizens Advisory Committee and the Town Council can also look at applicants.

Mayor Aalfs asked if this is an existing group being converted to a Committee. Town Manager Dennis said the Roads Committee will still function as a Committee of the Woodside Highlands Improvement Association. He said the membership of the Citizens Advisory Committee will be applicants appointed by the Council. He said presumably the Roads Committee members will apply and there will also be other ways to apply.

Ms. Isaacson pointed out that Woodside Highlands Improvement Association is not a homeowners' association, although that is a common mistaken assumption. She said their main concern is keeping the roads working and having fun. She said the Road Maintenance District was formed back in 1972 which is different from the Woodside Highlands Improvement Association. She said the Citizens Advisory Committee will be under the Road Maintenance District which is under the Town Council.

In response to Mayor Aalfs' question, Town Manager Dennis said the recommendation is that only people who live within the association's boundaries be appointed and they do not necessarily need to be elected officials of the association.

Teresa Godfrey said she is the current president of the Woodside Highlands Improvement Association and also sits on the Road Committee. She said they hope that, as applicants put their names in for consideration to the Citizens Advisory Committee, that there be two-way communication with input from the association regarding applications. Mayor Aalfs said that is the typical process.

Annelise Connell, homeowner in Woodside Highlands. Ms. Connell said she sent in a written submission. She said the word "citizen" is historical and was included in 1972 but you don't actually have to be a citizen to own property in Woodside Highlands or to join the corporation. She asked if there was any functional reason to use the word "citizen" when it is not accurate and can be perceived as discriminatory based on immigration status. Town Manager Dennis said there is no tie to the word "citizen" and they can change that word.

Ms. Connell asked about the idea that you must be a resident to sit on the committee. She said this means that a tenant who does not pay property taxes has the right to serve on the committee but the property owner does not. She said requiring residency is inappropriate. She said tenants can of course contribute but it is not appropriate for a non-property owner to have decision-making power over how the money is spent.

Ms. Connell said the Woodside Highlands Improvement Association is a private corporation. She said the background section indicates that the Road Committee had historically performed the duties of the Road Maintenance District, the genuine Town Committee, which is not correct. She said the bylaws establishing the Road Committee were only signed in 2014, which is fairly recent in the history of the Road Maintenance District. She said that in 2015 the genuine Town Committee was performing all its own functions and the Road Committee was not, as shown in the minutes, which have been uploaded and are accessible. She said the last meeting of the genuine Town Committee was held in 2016. Since then, there have been no meetings of the genuine Town Committee and there have only been meetings of the private corporation's Road Committee. She said the standard process had always been that the corporation sent names to the Town and the Town approved them. The genuine Town Committee then sent a budget to the Town and the Town approved it. She said that process stopped in 2017. At that time, the Town approved the names that were sent in and thought there was a genuine Road Committee functioning but in actuality the corporation's Road Committee had appropriated all the functions of the genuine Committee without the knowledge or consent of the Town. She said the budget was sent to the Town with the title "Woodside Highlands Road Maintenance District" but not a single meeting had been held and there had been no approval by the Committee for that budget. She said the problem with having the Road Committee do everything is that, while they are having meetings and have minutes, those minutes are on paper in binders and not accessible via the internet. She said they are under the total control of the private corporation and cannot be viewed by the public or the Town Council. She said the current relationship between this private corporation and the Town is why they are here today. Ms. Connell said currently anyone can apply directly or someone can be nominated but this charter adds an undefined process that will be used in order to determine whether or not someone is eligible for membership. She said that process has something to do with this private corporation. Ms. Connell said the document indicates that the Council will consider nominations made by residents of the district through a process developed by the residents of the district. She asked where that process is defined and who has control of it. She asked why this process was necessary when there is already a well-defined nomination process for all the Town Committees.

Town Manager Dennis said he understands the confusion and clarified that there is no separate process and that is not what staff is recommending. He said he is happy to amend the wording. He said people can nominate themselves or someone else can nominate someone, and then the Council will choose the

Committee members. Ms. Connell said as she reads it, it appears to be code for the private corporation's nomination system and she believes it is being formalized into this because otherwise there is no reason for any discussion about the private corporation at all in this document. She said it says "process developed by the residents of the district," which seems to be the private corporation's election system to their Road Committee. Town Manager Dennis said there is no code for a separate outside process, the intent is to have a similar process to all of the Committees, and he is happy to offer an amendment to the wording to clarify that.

Town Attorney Silver said when staff looked at institutionalizing and formalizing the nomination system for this particular Committee, the intent was to apply the same Town application process to this Committee that is available to all other Committees; however, they also wanted to recognize that there has been a history that the Town has long used where the residents of the particular district have served on the Committee and have been nominated by the Committee and the Council has, for the most part, accepted those nominations. She said in the language that was referenced, staff wanted to let the Committee know that the Town Council will continue to consider all nominations coming from the Road Maintenance District itself. Ms. Connell said her concern is that is such an amorphous phrase and if the Town is actually saying that this private corporation has the right to nominate people, they should state it that way or get rid of it entirely. She said there is no special need to maintain this. She said there are already procedures in place where homeowners can make nominations. She said to insert a private corporation that has not historically been performing the functions is one of the reasons they are here today, to make sure that this does not happen again.

Teresa Godfrey said Ms. Connell shared a lot of information and there are two sides to many of the issues she brought forward. She said from her perspective, as a person who has participated on the Woodside Highlands Improvement Association and the Woodside Highlands Road Maintenance District Board, the information Ms. Connell shared was incorrect.

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

Councilmember Wengert said this issue is very confusing. She said clearly issues have been raised but it is not appropriate to continue that discussion at this point. She said this is a step-back moment to understand whether or not there is substance to the comments and the Council needs to understand them more fully before moving forward on this item.

Councilmember Richards agreed with Councilmember Wengert. He said he would like to see some clarification with regard to the conflicting information before moving forward.

Councilmember Hughes said he does not see why this Committee should be any different than any of the other Town Committees other than possibly limiting membership to the residents of the District. He said the nomination process should be no different from the other Committees, which is laid out in the Committee handbook. He agreed that changing "citizen" to "resident" is appropriate. As to the residency versus ownership requirements, all other things done in Town are based on residency not on ownership and he would not suggest making an exception specifically for this Committee.

Vice-Mayor Derwin said there are Committee procedures that have served well for many years. She said this is another Committee that can follow the same procedures. She agreed that "citizen" is a very charged word right now and it can be changed. She said she has known Teresa Godfrey for a very long time and she trusts her.

Mayor Aalfs said it seems this should be governed by the usual process with the exception that they obviously want to appoint people that live on the street. He agrees with replacing "citizen" with "resident." He asked the Council if they would be comfortable with the proposal with the understanding that anyone can apply under the same process as everyone else.

Councilmember Hughes suggesting keeping the first two sentences under the Membership section and striking the rest of the paragraph. He said by default it would then fall within the Committee Handbook rules. He said the rest of the charter is similar to any of the other Town Committee charters. He also agreed with changing “citizen” to “resident.”

Mayor Aalfs agreed it should look like all of the other Committees, which will also add a layer of transparency.

Councilmember Wengert said she wants to make sure that the primary concerns of Ms. Connell and others, who are very well versed in their objections, are addressed. She agreed that all Committees should operate in the same fashion. She also agreed with changing “citizen” to “resident.”

Councilmember Richards agreed that the standard Committee process for appointments should be followed. He suggested that the concern about the duties and responsibilities of the Board versus the Maintenance group be clarified. Town Manager Dennis said it has been confusing to some folks for a very long time and the intent is to clarify some of this. He said if there is a functioning Resident Advisory Committee that is meeting the needs of the Town per the procedure directive, it is irrelevant what the Roads Committee of WHIA does. He said the intent of this proposal is to make it very clear who does what. He said the Resident Advisory Committee should recommend a budget and the major work to be done.

Councilmember Hughes said there is commentary in Chat about the language of the Road Maintenance District articles of incorporation. Councilmember Hughes asked if the Council is acting tonight as the Board of the Road Maintenance District. He asked if passing this resolution would have the effect of changing the articles as needed. He referenced the section in the resolution that reads, “To the extent this resolution conflicts with the 1972 Directive, this Resolution shall govern,” and asked if articles would also need to be amended. Town Attorney Silver said the articles do not need to be amended. She said the intent is to untangle the articles that govern the private corporation from the governance of the Residents Advisory Committee, which will report to the Town Council. She said anything related to the private corporation is not within the purview or jurisdiction of the Town Council. She said the Council does not act as the Board for the Road Maintenance District.

Ms. Connell said in the early days the private corporation did not have a Road Committee. She said it was the introduction of the Road Committee that has created all of this confusion. She agreed with Councilmember Wengert that the issue needs a closer look to find out how the private corporation’s Road Committee should interface with the Town’s genuine Committee. Town Attorney Silver said that issue can be explored but is an issue that should be explored by the residents of the district and the private corporation. The Town only has jurisdiction over the coordination of the Residents Advisory Committee.

Councilmember Wengert asked Town Attorney Silver for confirmation that the Council’s only jurisdictional issue in tonight’s discussion is the Residents Advisory Committee and if there are communications, challenges, etc., between the private corporation and the new Town Committee, they should work on that and the Town is not in a position to be involved in that. Town Attorney Silver said that is correct. She said she has relationships with all of the members, and is happy to reach out in an informal capacity. She said staff certainly wants this structure to work and would offer their assistance but they do not have legal jurisdiction over that relationship.

The Council agreed that the Membership paragraph should read: “The Committee shall consist of seven regular voting members appointed by the Council. The members serve two-year terms and must be residents of the District.” The remainder of the paragraph will be stricken. The Council agreed to change “citizen” to “resident.”



Vice-Mayor Derwin moved to Adopt the Resolution of the Town Council of the Town of Portola Valley Adopting the Woodside Highlands Road Maintenance District Residents' Advisory Committee Charter as amended. Seconded by Councilmember Hughes; the motion carried 5-0 by roll call vote.

(11) **Recommendation by Finance Director** – FY 2020-2021 Salary Schedule Update

- (a) A Resolution of the Town Council of the Town of Portola Valley Modifying the Salary Schedule for Fiscal Year 2020-21 (Resolution No. 2838-2020)

Finance Director Rodas described the background of the policy for the Town maintaining competitive salaries, discussion items, and fiscal impact, as detailed in the staff report.

Mayor Aalfs invited questions from the Council. Seeing none, he invited public comment. Seeing none, Mayor Aalfs invited discussion.

Councilmember Hughes moved to approve a Resolution of the Town Council of the Town of Portola Valley Modifying the Salary Schedule for Fiscal Year 2020-21. Seconded by Councilmember Richards; the motion carried 5-0, by roll call vote.

(12) **Recommendation by Councilmember Richards** – Portola Valley “Hensus”

Councilmember Richards presented recommended “hensus” survey, as detailed in the staff report, to get an idea of how many hens there are in town and how many eggs they are producing.

Mayor Aalfs invited questions from the Council.

Councilmember Wengert asked if Councilmember Richards was planning to start an egg exchange.

Councilmember Hughes asked if this survey is budgeted and how it fits in the overall Council priorities. He also asked whether or not this survey should be included in the General Plan to be repeated every 10 years. He said it could be tied in with the actual census and used as a marketing activity to encourage people to fill out their census forms with a joint “census/hensus.”

Councilmember Richards suggested putting together a poll that can be distributed online. Mayor Aalfs said the statistical methodology will be critical to ensure accuracy. Councilmember Richards said undocumented hens will also be counted.

Town Manager Dennis shared a suggestion by Felicity Barringer that a “horsus” is also needed.

Councilmember Hughes moved to approve the concept but advised that in order to enact it, there should be a subcommittee created consisting of Councilmember Richards. Vice-Mayor Derwin seconded the motion and agreed to join Councilmember Richards on the subcommittee. The motion carried 5-0, with a roll call vote.

**PUBLIC HEARING**

(13) **PUBLIC HEARING** – Adoption of the Proposed 2020-21 Fiscal Year Budget

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting the Operating and Capital Budgets for Fiscal Year 2020-21 (Resolution No. 2839-2020)

Town Manager Dennis and Finance Director Rodas shared the presentation of the Proposed Revised 2020-21 Budget. He provided the timeline, summary and detail, September 23 Council meeting actions, and budget updates, as detailed in the staff report.

Mayor Aalfs invited questions from the Council.

Councilmember Wengert thanked Finance Director Rodas and the team for doing a good job seeing where they could sharpen their pencils on the expense side. Referring to the Capital Improvements Chart, Pedestrian Safety Study/Improvements line item, Councilmember Wengert asked if that money may potentially be awarded through the TA grant. Finance Director Rodas confirmed that is correct.

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

Nan Shostak asked where they can see a total salary for a person rather than it being pieced out by department. She asked if salaries are published publicly. Finance Director Rodas said the Town complies with the annual government compensation report compiled for the State Controller's office, which is available to the public. Town Manager Dennis said [www.transparentcalifornia.com](http://www.transparentcalifornia.com) also publishes this information.

Ms. Shostak also asked if Budget Item #220, Fire Services, indicates the total amount of money budgeted for fire services. Town Manager Dennis said it includes everything but there may be in the future an occasional item that would be part of the Capital Improvement Program so they don't get it mixed up. Ms. Shostak asked where she can find the funds budgeted for other disasters such as earthquakes, landslides, etc. Town Manager Dennis said one-time preventative expenditures would be in Capital, post-event expenses would be pulled out into a very separate funding stream.

Councilmember Richards said Woodside Fire Service provides a considerable amount of help with earthquake preparedness and coordination with the Emergency Services Committee. Councilmember Hughes said CalFire and the County also assist in disaster preparedness.

David Cardinal also pointed out that the amounts indicated are from the Town government but noted that a lot is spent and contributed by the Fire District with regard to fuel mitigation and fire prevention.

Rusty Day said Councilmember Hughes and Councilmember Wengert previously asked that the budget be modified to group the expenses in a more categorical presentation. He said this presentation appears to be much more orderly and accessible and is much easier to follow.

Mr. Day asked why there was no budget at all for the Wildfire Preparedness Committee or the Geological Safety Committee. He also asked for more detail and breakout under the Fire Services – 220 category, such as what fire prevention services the \$45,000 would be spent on. He would like to see an explicit description of the fuel mitigation engineer, their duties and responsibilities, and what the Town will get for \$151,000. Town Manager Dennis explained that the Town Committees submit their own budgets and this reflects what each of the Committees requested. He said their expenditures are usually associated with some type of programming or event. He said there are significant reductions since the Geologic Safety Committee only meets as needed and they don't have events. He said the Wildfire Preparedness Committee also has no events supported by staff and do the work on their own at no expense to the Town. Town Manager Dennis said the fuel mitigation engineer is an employee of the Woodside Fire Protection District, Danny Dempsey, and the \$151,000 also provides additional FTE, which many residents have noticed occurring along the arterials with the vegetation removal, ladder fuel reductions, and shaded fuel breaks. He said the increase in funding allows for more work to happen and also reduces the amount time the Public Works team has to spend on these projects. Finance Director Rodas pointed out that the Fuel Mitigation Engineer line item is a fire program with a crew of four individuals. She said

the Fire Prevention line item also includes a portion of funding for the CERPP Coordinator, Selina Brown, as well as the chipper program.

Kristi Corley asked if there was a way to allocate funds to the Fire Prevention Committee so they can also make recommendations on funding. She said they should have some funds because they are the only ones listening to every meeting on fire.

Ms. Corley said she'd like to see posters go up in three areas in Town. She said she had been advised there was no funding for banners and asked if they could get \$300 for banners for elections.

Councilmember Hughes said the role of the Committees is not typically to spend money directly themselves but to make recommendations to the Council. If the Fire Prevention Committee wants to make recommendations to the Council, they would then take those up and potentially spend money on those projects. Mayor Aalfs said the Fire Prevention Committee, once designated as a permanent Committee, will start submitting their own budgets yearly as all Committees do.

Rita Comes asked for clarification of the \$151,000 cost for the Fuel Mitigation Engineer crew of four. Town Manager Dennis said the Town initially paid for Danny Dempsey's time working on the fire mitigation efforts. Working with Don Bullard, Mr. Dempsey brought on additional people and Portola Valley is only paying for the time they spend doing work in town. Town Manager Dennis does not know if the crew members are employed by Mr. Dempsey for other services within the Fire District. Ms. Comes asked if the people are working for the Town during the day when the Town staff is present or if it is something they do only on the weekends and holidays, and if the Town is paying overtime. Town Manager Dennis confirmed that these people are not considered Town staff.

Mary Hufty said the Town is facing serious threats from fire and it is quite obvious from the way the town is structured that it relies on the flexibility and immediate response of the Town Council to muster the resources and answer the urgent needs of the people of Portola Valley for an evacuation plan to be in place. She said the biggest month for fire is coming up and the people need assurance that the Town is doing everything possible within their financial ability. She said changes have been made but do not really make it a true Council priority but is more changing land management toward saying its fire. She said this is not a significant increase in expenditures toward fire prevention in comparison to the assets at risk in Town. She asked the Council to be more facile with the flexibility of the budget to make sure the Town really is protected.

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

Councilmember Wengert thanked staff for their work. She said overall this budget reflects the Town's priorities and is well-designed. She said there are significant resources being dedicated and have been for some period of time, particularly to fire prevention, and there will be more coming. She said it is hard to pull them out in one aggregate number because they have been in the budget for so long in various committees. She said that the Woodside Fire Protection District and the Sheriff's Office get involved, and it is a very tangled web of all of the different pieces. She said the Town started in earnest studying evacuation routes to understand what opportunities they could create in the event of wildfire seasons. She said she is comfortable that the current activity is appropriate but said that does not mean it won't be added to in the future. She said there are some systemic issues that are currently occurring that did not previously exist because there is a much bigger budget, a much bigger staff, and much more overhead, and the demands are not decreasing but are increasing for those limited resources. She said it will be imperative with this group to really identify additional potential revenue sources and move forward with those as quickly as possible. She said the fact the Town is drawing down on the reserves at the current level reflects those demands. She said approving this budget indicates it is appropriate to spend.

Councilmember Richards thanked the staff for their heroic effort. He said the Town is in relatively good shape considering COVID and all the accompanying difficulties. He was supportive of the budget. He agreed with Councilmember Wengert that the efforts on Fire Safety have been ongoing for a very long time. He said the Town is very reliant on Woodside Fire for guidance. He said he meets with the Fire Department monthly with the Emergency Preparedness Committee, with the Fire Chief sitting in on most meetings. He said they now have the possibility of using Zonehaven to make potential evacuations more efficient. He said the recommendation by the Fire Department to perform the roadside clearances along the major exit routes is phenomenal and people need to understand the Town is doing exactly what needs to be done in that arena.

Councilmember Hughes thanked Councilmember Wengert for her many years of service as the primary liaison to the Finance Committee and her work on the many, many budgets. He said Councilmember Wengert's help and understanding has been very helpful to him and the budgets are much clearer. Councilmember Hughes is comfortable with the public safety spending. He said the balance of available funds needs to be recognized and there is not the luxury of ceasing spending on any of the budget items. He said there must be spending on fire safety and planning for other potential disasters. He said the stage has been set over the years and there is more to do, thus the reason for the creation of Ad Hoc Fire Committee, the investment in Zonehaven, and the ongoing work with Woodside Fire, the County, the State, and all other agencies. He said those activities are not necessarily reflected in the budget because many other funding sources are involved. He said there are increasing costs and future uncertainties. He said adding 260 units of housing in the next eight-year cycle would have a substantial impact on property tax revenues but also an increased load on the Town's infrastructure.

Vice-Mayor Derwin agreed with her colleagues. She said with regard to fire and emergency preparation, although it may not appear so, the Council has been chipping away at this since she was elected in 2005. She said when Steven Tobin was on the Council, they met every fifth Wednesday to do emergency preparedness work. She said there is a very dedicated Emergency Preparedness Committee and now the Wildfire Preparation Committee. She said they used to do simulated disaster drills. She said the CERPP people are great champions for safety. She said the Town is making progress and will continue to make progress, despite the difficulty in staying ahead of climate change and the new fires. She said everyone must do their part. This week she is having extensive vegetation management work done on the slopes of her own property. She said in the recent CZU lighting fire, Town Manager Dennis was on the phone 24/7 with Woodside Fire, the County Manager, County Emergency, and Cal Fire, which was a clear demonstration on how a fire unfolds and how the Town staff reacts to it. She agreed that things are getting bigger, residents want more services, overhead is higher, and property taxes are still only 53% of the Town's revenue. She said the Town needs to find more funding streams, such as utility tax, road impact fees, and perhaps a fire safety bond measure. She said she is confident the Town will be successful, being in much better shape than many other struggling cities in the County. Vice-Mayor Derwin thanked Finance Director Rodas, Town Manager Dennis, and everyone else who worked on this budget in this very challenging year. She said they did a very good job and she was happy to approve it.

Mayor Aalfs agreed and also thanked Town Manager Dennis, Finance Director Rodas, and Consultant Saco for all the work that went into reorganization of the budget, which is so much more readable. He agreed the long-term trend is worrisome. He said he is certain the Town will find revenues to meet the expenses as they rise but it will result in some difficult conversations. He was supportive of the budget.

Councilmember Wengert moved to approve the 2020-21 Fiscal Year Budget. Seconded by Councilmember Richards; the motion carried 5-0, by a roll call vote.

Vice-Mayor Derwin said the Town is very appreciative of all of the work Councilmember Wengert has done for the Town and the budget. Vice-Mayor Derwin thanked Councilmember Wengert for all she has learned from her. Mayor Aalfs also thanked Councilmember Wengert for everything she's done for all of the budgets over the years.

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

Councilmember Hughes – Attended Bicycle, Pedestrian & Traffic Safety Committee meeting last week where they received an update on the outreach to residents on Willowbrook and discussed Windy Hill overflow parking. They also appointed returning member Patricia Baenen to the Committee.

Councilmember Richards – Attended Emergency Preparedness Committee meeting where they heard the Fire Chief's update on the state of the fires in San Mateo County, update on Zonehaven, discussed State grant money to work on emergency preparedness programs, discussed moving the radio up to the Cal Water site at a cost of approximately \$15,000, and discussed a communication plan between CERPP and the Town emergency operations center. He listened to a fascinating discussion in Ladera about land acknowledgements by Stanford Archeologist Laura Jones, who talked how to be an ally of indigenous people, and how to offer support as consumers, investors, and advocates.

Councilmember Wengert – Attended Parks & Recreation Committee meeting. The Committee is now down to five members, including Dave Bailey who was appointed tonight. The discussion included recruiting members and debates related to the reopening of the fields and courts. Councilmember Wengert said that Town Manager Dennis, Assistant to the Town Manager de Garmeaux, Public Works Director Young, Jon Myers, and all of the team members worked an unbelievable amount of time dealing with this issue and coming up with compliant and safe procedures for reopening. She also attended the Roundtable meeting a week ago. She said the FAA has been basically an agency in retreat, with none of the promises made in 2017 coming to fruition. She said the FAA has an increasingly complex organizational structure with a lot of people who speak a lot but do not have the authority or ability to make the changes that the Roundtables are requesting. She said there is increased air traffic because a few procedures have not been subjected to EIR review or public scrutiny prior to flying them. She said they have voiced their complaints but did not get the impression that anyone was listening. She said the operations at the airport are down 80 percent today from this time last year. She said they are implementing on-site COVID testing at the airport and are piloting a program now with some United international flights to Germany, Tahiti, and Hawaii.

Vice Mayor Derwin – Attended first Planning Commission meeting held since February, where they discussed the public comment policy and the annual report on the cannabis land use ordinance. She said they decided to use the policy as a guideline rather than adopt a strict policy. There has been no cannabis activity in town, very few inquiries, and one code enforcement complaint that is being investigated. She said Planning & Building Director Russell explained all of the revamping of the Planning Department since COVID. Vice-Mayor Derwin said the author event held on September 29, which was sponsored and paid for by the Library, featured Professor Jennifer Eberhardt, author of Biased. Vice-Mayor Derwin attended the virtual Green Foothills' annual event, honoring Amah Mutsun Tribal Band Chairman Valentin Lopez. She attended the PG&E Webinar with Mayor Aalfs, where they discussed the transformer on Coalmine View and the PSPS events and how they're called.

Mayor Aalfs – Reported that the Nature and Science Committee met last week, where they discussed the Butterfly event, and exploring more research programs around town. He attended the Wildfire Preparation Committee meeting last night, where they provided a report with six recommendations post-CZU fire that will be coming to the Council.

(15) **TOWN MANAGER REPORT** – Town Manager Dennis reported that after a six-year effort, the Town was notified earlier today that the pilot program with Cal Water for smart water meters was tentatively approved. The Town has received guidance from the State of California to reopen playgrounds and are planning to do so this weekend. Tennis and Pickleball activities are occurring on the all-sports court. Town Manager Dennis thanked Jon Myers for all of his efforts in coordinating with the volunteers who are making that possible. Town Manager Dennis announced three open seats on the ASCC and three open seats on the Planning Commission, with applications being accepted through the month,

holding the interviews on November 11. He said he received a preview today of the great work done by the subcommittee of Councilmembers Wengert and Hughes for the updated website.

Mayor Aalfs thanked Town Manager Dennis, Vice-Mayor Derwin, and Assistant to the Town Manager de Garmeaux, who went through an odyssey trying to get the Smart Water Meter approved, an effort that sometimes seemed would never come to fruition. He said he is very excited at the amazing good news.

Vice-Mayor Derwin reminded the community that the Policing Town Hall Zoom is on Monday from 7:00 to 8:30, with all the information available on the website.

**WRITTEN COMMUNICATIONS**

(16) **Town Council Digest** – September 24, 2020

None.

(17) **Town Council Digest** – October 1, 2020

None.

(18) **Town Council Digest** – October 8, 2020

None.

**ADJOURN TO CLOSED SESSION** 9:28 *p.m.*

(19) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS:** (Gov. Code Section 54956.8)  
Property: APN: 076280130, 725 Portola Road  
Agency Negotiator: Jeremy Dennis, Gregory J. Rubens  
Negotiating Parties: Goodstein Family Partners

**REPORT OUT OF CLOSED SESSION**

None.

**ADJOURNMENT** 10:02 *p.m.*

Mayor Aalfs adjourned the meeting.

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Mayor

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Town Clerk