

PORTOLA VALLEY TOWN COUNCIL SPECIAL MEETING NO. 1011, April 28, 2021

CALL TO ORDER AND ROLL CALL

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

Present: Councilmembers Jeff Aalfs, John Richards, and Sarah Wernikoff; Vice Mayor Craig Hughes; Mayor Maryann Derwin.

Absent: None

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

Attendees:	Judith Hasko	Kristi Corley	Leslie Kraus	Mary Hufty
	Nan Shostak	Rusty Day	Sandra Patterson	Sue Bennett
	Andrew Thompson	Tim Clark	Victor Schachter	Gary Nielsen
	Gary Morganthaler	Harriet Wrye	Helen Quinn	Jerry Shefren
	Jim White	John Mumford	Joyce Shefren	Angela Hey
	Barbara Vetter	Betsy Morganthaler	Bob Turcott	Dale Pfau
	Caroline Vertongen	David Cardinal	Lorrie Duval	Rita Comes
	Sylvia Tang	Dolores Dolan		

ORAL COMMUNICATIONS

Caroline Vertongen requested discussion on items (5) and (7) on the Consent Agenda and items (9) and (10) on the Regular Agenda, if possible. Mayor Derwin indicated she would respond to his at the beginning of the Consent Agenda.

Bob Turcott reflected back on November 8, 2018, when at 6:20 a.m. a faulty transmission line ignited spot fires in the Town of Paradise, 7.5 miles away. Eighty-five people died. Many Paradise residents were incinerated in their cars attempting to escape but weren't able to because the road was blocked by fire or traffic. Mr. Turcott said perhaps they didn't understand the risk they faced. He said a week ago, the Planning Department presented a proposal to the Planning Commission to reconcile ordinances with recent state laws concerning ADUs. Where the Town's seismic safety ordinances conflict with state laws, the Town's ordinances would be retained. The proposal would also retain the Town's current ordinances addressing access for emergency vehicles, even if in conflict with state law. Mr. Turcott said that when asked why wildfire risk mitigation was not addressed, staff replied that a nearby community had attempted to do this but failed. Furthermore, an outside entity had threatened litigation had they succeeded. Mr. Turcott said the Town can't, as its starting point, dilute its commitment to wildfire safety in order to proactively appease outside entities which have no interest in residents' safety or exposure to hazards. Rather, the Town's starting point has to be first and foremost the safety of the people who live and work here and the safety of the generations that will follow. He said the risk of wildfire is graver and more imminent than seismic risk and has to be addressed with the same seriousness, not ignored. He said that Portola Valley led the state and the world in developing methods for addressing geologic hazard, and the same needs to be done with wildfire hazards. He said it is not just the right thing to do but is also required by State law. He said the residents need the Council's leadership. The Planning Department, the Planning Commission, Town Staff, and Town committees all need to hear from the Council loudly and clearly and repeatedly that wildfire risk is our greatest threat, and wildfire risk mitigation is the Town's highest priority.

Town Attorney Cara Silver requested to make a comment, having been present at the Planning Commission meeting. She stated that what the Planning Commission is recommending is that the existing wildfire exception in the ADU ordinance be carried forward. Portola Valley was very insightful in having a wildfire exception in its original ADU ordinance, and the Planning Commission and the Council took considerable time and had several public hearings to develop a very specific exception addressing wildfire risk. She wanted to make it known that the Commission and the Council take wildfire risk very seriously, and it is incorporated into the existing ordinance and will be carried forward into any proposed ordinance.

Rita Comes said she has been doing anti-bias and racial justice Zoom workshops throughout California and Hawaii. She wanted to comment on item (11) but needed to leave early. Town Manager Dennis asked her to email her comment to staff.

Kristi Corley noticed on April 13th there was a seminar given by the County – Introduction to the Housing Element. For residents that weren't able to see the event, she asked if there is a way to post the event somewhere on the Planning webpage. Another seminar was held on April 22nd entitled "What is RHNA?" She said the Town is assessed 253 houses in eight-year period, which would mean 1,000 more residents. She thinks residents would also want to see that presentation. She would like County events as we as Town events to be on the Portola Valley calendar. Town Manager Dennis responded that staff plans to have a robust Housing Element/RHNA website, and materials such as those will be on that website.

Nan Shostak said she hopes the wildfire exception for ADUs will also be applied to any future building in Portola Valley, universally applied, not just for ADUs.

Betsy Morganthaler commented that during oral communications she previously heard the request to speak about something that the person was not going to be able to attend. She said the speaker got cut off abruptly in the previous exchange without the respect she wants to see from Town staff and the Town Council. She said it rattled her, it was painful moment, and she thinks we can do better.

(1) PRESENTATION – To honor National Poetry Month in April, San Mateo County Poet Laureate Aileen Cassinetto will read a poem.

Mayor Derwin Aileen welcomed Poet Laureate Aileen Cassinetto and noted her numerous acclaimed works, achievements and frequent appearances on various media outlets, local governments, colleges, schools and nonprofits to amplify the role of poetry in public discourse. Quoting Ms. Cassinetto, the Mayor said, "To be a poet laureate is to perceive and bridge the gaps that exist in a community. It is about creating empathy and recognizing our shared humanity. Our county is singularly diverse in terms of its geography and its demographics and in this landscape, we have the space we need to bring to the fore the issues that unsettle and divide us. But there is also more than enough room to hold up the ideals and hopes which define, connect and unite us. As an immigrant I came to America with some luggage overpacked with poems and the unshakeable conviction that I can be a poet here. I learned the most important lessons from being part of a community. That is, to be a poet is to help build, gather, restore. It's about hope, that great unifier, which transforms lives, which fortifies communities, which changes the world."

Poet Laureate Aileen shared she has celebrated National Poetry Month with Portola Valley residents for the past three years. She has participated in events at Woodside Priory and Woodland School. She asked the Council to consider establishing a Youth Poet Laureate program that would be open to middle and high school students who live or attend school in Portola Valley. She recognizes a wealth of talent and feels a Youth Poet Laureate would empower young people and encourage community participation.

Poet Laureate Cassinetto shared that she worked on a group poem with the first grade students of Miss Ivanna Hansen and Miss Monica Gojcaj at Woodland School, which was included in the anthology

released by the San Mateo Arts Commission entitled, *I Have a Dream: Inaugural Poems for a New Generation*, by San Mateo County Youth. Copies of the book have been sent to the White House and Library of Congress. Ms. Cassinetta then proceeded with the reading of the poem entitled, "Woodland Poem," written by the first graders:

You can put anything on the magic paper, shining sun, pollen for bugs, flying in the water, eating fish, cold yummy ice cream. I love watermelons on a hot summer day. Sunny days play catch, scraps like little vacuum cleaners. Peeps are yummy. Nature is awesome. The beautiful white petals are like unicorn mane. The keys on the piano are sparkling like bubbly water. I see a sparkling sunset with the colors green and purple. Rain falls. The deer look for shelter. She looks like a wild fox. She runs like no one's there. This leaf is ripped like a broken wing. Can you love love? Yes, everyone can love, love. Some are easy. Some are hard. Family is all healthy. Heart is full like a cheerful bird. When my mom is not around, I feel very lonely. My dog needs lots of love. My dog likes to eat my food. I see myself. There is a copy of me. It looks like white and pink cotton candy. It looks like a sunset could be a tree.

Councilmember Aalfs indicated his support of a local Youth Poet Laureate. Mayor Derwin agreed with him. Councilmember Wernikoff, Liaison for Cultural Arts, reported their committee has just been talking about this for Portola Valley, but not for youth. She will bring the idea to them at their next meeting. Ms. Cassinetta expressed her willingness to help the Committee structure such an endeavor.

(2) PRESENTATION – To honor National Mental Health Month in May, San Mateo County Health and Substance Abuse Recovery Commission Commissioner, Captain Kristina Bell, will accept a proclamation designating May as Mental Health Month.

Mayor Derwin said she was humbled and heartened to officially designate May as Mental Health Month. She shared about her personal experience with this ferocious and complex subject that strikes a deep chord for her. She shared that her life has been shaped and, in some ways, ravaged by family members who were challenged with the co-occurring brain illnesses of depression, anxiety and alcohol use disorder. She stated that, according to a survey done in April, 2020, by the San Mateo County Behavioral Health and Recovery Services and the Office of Diversity and Equity, in the county, about 33 percent of all adults have had a mental health issue themselves and 50 percent have had a family member with a mental health issue. When it comes to substance abuse, 13 percent will admit to a substance abuse issue, and 33 percent say they have a family member with a substance abuse issue. She said it doesn't matter where you come from. In fact, she said she believes, based only on anecdotal evidence, that in the more affluent communities of Portola Valley where the outward-facing veneer of perfection and success is the standard all are judged by, the numbers are even higher. She said she finds it unfathomable that in 2021, if you have a history of depression or addiction, you are still considered "less than," as if a brain disease is a character flaw, and you must hide your past from your friends and neighbors, your employers and sometimes even your own family, because the stigma is so profound, and that to be born with these organic, genetic functional disturbances that have been scientifically proven to be treatable is too often to be sentenced to a life of diminished opportunity, shame and worse. She said she is proud to bring this subject out of the shadows and to read the proclamation and present it to Captain Kristina Bell. Mayor Derwin dedicated the proclamation to the memory of her son, Charlie Derwin, and all the other boys like him, sharing that Charlie was diagnosed with depression at age nine, attempted suicide at age 16, fell into substance abuse to escape the depression at age 22, and who died in a crash at age 23.

Mayor Derwin read the Proclamation designating May 2021 as Mental Health Month and introduced Captain Kristina Bell, Commissioner, Mental Health and Substance Abuse Recovery Commission, representing the Chiefs and Sheriff's Association of San Mateo, who received the Proclamation.

Captain Bell addressed the Council, saying she is a captain with the Sheriff's Office assigned as a Bureau Chief in the city of San Carlos. She is also a family member of someone with mental health challenges. Captain Bell shared suggestions for promoting the event. Lime green is the National Color for Mental Health and represents how we want to bring light to an important issue that may be hidden or seen

negatively. She said the Planning Commission and partners for the event have organized almost 50 virtual events featuring open mics, music, art, films, pet therapies, children's stories, speakers, panels and more, targeting a range of age groups and largely available in English, Spanish and other languages on request. All events are free and open to the public. She encouraged to attend or share one or more mental health events, to wear lime green and to talk openly about mental health with others. Captain Bell thanked the Town of Portola Valley for raising awareness and acknowledging May as Mental Health Month.

Mayor Derwin thanked Captain Bell and San Mateo County Mental Health and Substance Abuse Commission and all other folks in the cities in the county publishing proclamations and lighting up city hall. s lime green to promote compassion, hope and recovery for those struggling with mental illness.

CONSENT AGENDA

- (3) **Approval of Minutes** – April 14, 2021
[removed from Consent Agenda]
- (4) **Approval of Warrant List** – April 28, 2021
- (5) **Recommendation by Town Manager** – Ad Hoc Wildfire Preparedness Committee Recommendations – Quarterly Report
- (6) **Recommendation by Public Works Director** – Adoption of a Resolution for FY 2021/2022 Street Resurfacing Project – Surface Seals Project No. 2020-PW01
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the 2021/2022 Street Resurfacing Project Surface Seals No. 2020-PW01 (Resolution No. 2847-2021)
- (7) **Recommendation by Town Manager and Wildfire Preparedness Committee** – RFP for Emergency Evacuation Planning Traffic Engineering Services
- (8) **Recommendation by Planning and Building Director** – Contract Amendment with Good City Company for Planning and Building Services

Mayor Derwin addressed Ms. Vertongen's previous question by explaining that Consent Agenda items are voted on all at once by the Commission unless a member of the Body requests an item be considered separately. Members of the public are permitted to comment on any item on the Consent calendar before the Body votes on the Consent Agenda and may speak once for up to three minutes. However, only members of the Council can vote to pull something from the Consent Agenda.

Mayor Derwin invited comments from the public on the Consent Agenda.

Bob Turcott requested a correction to the April 14th Council Minutes pertaining to his statement on page 2. Regarding item (7) on the current Consent Agenda, he thanked the volunteers on the Wildfire Preparedness Committee for their hard work and dedication to this important issue. He supports much in the plan and staff's report, but he requested more. He said that the Charter of Committee indicates that their role is to advise the Town Council on ways to reduce fire danger and increase resident resiliency in a wildfire emergency. He said, unfortunately, the primary tool and the instrument that should be central to the Town's approach is lacking from the plan, and this is the formal hazard and risk assessment, and the mitigating polices and ordinances that would be informed by it. He said that this has been called for in the California Code, and was needed years ago. He said that as ordinances undergo revision, they should be informed by the latest science, and the Planning Department and Planning Commission need the results of the hazard and risk assessment in order to do their work effectively. He feels the work should be expedited and asked the Council to pull item (7) from the Consent Agenda and instruct the Wildfire

Prepared Committee to develop an accelerated plan to satisfy the requirements of SB 1241, and where appropriate exceed them, and then return it to the Council as a regular agenda item.

Caroline Vertongen agreed with Mr. Turcott's comments and reiterated that an accelerated plan is needed. She stated there have been many recommendations from many volunteers and professionals as well as many budgets approved to have it done and yet it has not been done. She said she doesn't think it is appropriate to hire another consultant which will defer the action, or that it is appropriate to buy another software application when cell phone and internet service is unreliable. She said the Town has the tools, the evacuation plan, recommendations, professional opinions and a radio that works. She said she hopes to soon have action.

Rusty Day echoed the points made by the two previous speakers. He said the State has a mandate for wildfire that must be fulfilled. By the next amendment of the Housing Element green on the date the town is required to fulfill the mandate but by next amendment of the Housing Element, Council must also amend the Safety Element, complete the Hazard and Risk Assessment for wildfire, develop the policies, programs, ordinances, and implement them. He said this needs to be done at same time as amending the Housing Element. Council should set the schedule, set the priorities and set the budget to get it done. He said he doesn't see this reflected in the proposals of the Wildfire Ad Hoc Safety Committee and is not addressed with the context or urgency or commitment that is applied to amending the Housing Element. He would like it taken off Consent and sent back to Committee or addressed in detail tonight.

Mayor Derwin invited further public comments Hearing none, she brought it back to the Council and pulled item (3) from the Consent Agenda.

Councilmember Richards moved to approve Consent Agenda Item numbers 4, 5, 6, 7 and 8. Seconded by Councilmember Aalfs, the motion carried 5-0, by roll call vote.

(3) **Approval of Minutes** – April 14, 2021

Vice Mayor Hughes moved to approve Consent Agenda item (3) with the corrections as stated by Mr. Turcott. Seconded by Councilmember Aalfs, the motion carried 5-0, by roll call vote.

REGULAR AGENDA

(9) **Recommendation by Town Manager and Emergency Preparedness Committee** – Virtual Emergency Operations Center VEOCI Software

Town Manager Dennis acknowledged the Chair of the Emergency Preparedness Committee, Dale Pfau, as well as Craig Taylor and Mark Bercow, who served on a subcommittee to look at various software packages. He introduced two members of the VEOCI team in attendance, Nathaniel Ellis, Co-founder, and Mark Demski, Account Executive. Town Manager Dennis spoke in regard to potential deficiencies identified by staff in the Town's Emergency Operations Center in wildfire events. In the event of a significant wildfire requiring evacuation of the Town, the ability to replicate the EOC operations would have been limited prior to consideration of this item. The CZU fire as well as the COVID pandemic highlighted the need for those having responsibilities for emergency operations to be able to be in contact and full functionality in any 24hour period. A search for software solutions began last fall and discussions were focused on the VOC tool.

Mr. Demski presented the VOC platform, described in detail its customization capabilities and additional day-to-day uses in addition to emergency management. He outlined the categories of capabilities available with the platform. The platform is cloud-based, Amazon AWS and very secure. Updates are taken care of by the company. The platform can share information with others in the who use the system, and its base is growing, including City of Los Angeles and Alameda County. San Mateo is also considering using it. Mr. Ellis gave a demonstration of the product and a walkthrough of the features. The

product is a virtual emergency operations center that is used worldwide by various organizations. Its primary purpose is to facilitate real-time information sharing, communication, coordinating activities, executing checklists, et cetera, during incidents and emergencies. It offers mobile apps, text messaging, phone notifications, and email. Additionally, maps can be integrated showing potentially blocked roads and other wildfire data. The system helps to ensure that procedures, tasks and activities are followed. It offers many other tools such as damage assessment, collection of information for FEMA, ICS forms for collecting reimbursement and other items. Communication tools, data collection and workflow type tools, requests for resources, mapping capabilities including information specific to the incident. The system ensures that people making decisions are all working off same information.

Town Manager Dennis they believe there will be use for the tool outside of emergency needs. It will help with having all emergency information in one place, consistency with forms, and other emergency information in old access databases. It will help with managing volunteers and others. He said if there is an internet disruption, the information is stored until the connection is restored and then it immediately loads up. He added that they also included Selena Brown who runs WPV Ready in Portola Valley. As they integrate emergency preparedness with CERT, including using the Buckeye Room for certain needs during an emergency, Selena saw a lot of benefit for having this system available for her volunteers and getting information to the Town, eliminating duplication of efforts.

Mayor Derwin invited questions from the Councilmembers.

Councilmember Wernikoff asked if there are other customers in the area that are using this same product. Mr. Demski replied they have all of Alameda County and many cities within that county. They are a hotbed for CERT as well as Palo Alto, San Bernardino, City of Alameda, who use them for CERT along with everyone else in the county using them for emergency management. Others include City of Los Angeles, Los Angeles Unified School District, cities within Los Angeles County, several universities in California and several health institutions in California. Corporate customers.

Town Manager Dennis advised the system the County uses that the Town has access to is Web EOC, which is going away. He has made the County aware of conversations with different vendors on this issue. He anticipates Web EOC getting phased out soon, and it will be systems like VEOCI that we'll be using. Mr. Demski stated the San Mateo Emergency Manager is very interested and is looking for grant funds, trying to get this into budget for the entire county.

Councilmember Wernikoff said she didn't hear mentioned any neighboring communities with similar fire issues here on the peninsula, and Alameda and Palo Alto are quite different environments. Town Manager Dennis advised there are not San Mateo County cities that are using this tool, although many cities were interested in what they are considering as its an issue for many cities. He has shared information with Woodside, Hillsborough, and Las Altos Hills, and they are considering their options, but the Town would be first in immediate area to consider using this tool. Mr. Demski added that Half Moon Bay is also looking at it seriously.

Councilmember Aalfs asked if everything is completely compatible if an emergency occurred during the day and staff is here, and if the tool is useful even if everyone is in the physical EOC. Town Manager Dennis said yes, this is the case.

Vice Chair Hughes referred to the cost shown in the staff report, \$19575, with the contract cost slightly more, with some training cost not mentioned in staff report. Town Manager Dennis said the training cost would be included.

Councilmember Wernikoff asked how many vendors were looked at, and how did they end up prioritizing this solution over others? Town Manager Dennis said they talked to three and looked at two pretty intensely. They prioritized ease of use, relationship to existing forms, how it would be used with partners such as CERT and WPV Ready and others. They looked at their best estimate of tools that would

continue to be used in this area and other places as Web EOC goes away and at how the system could be used outside of the virtual EOC. They looked at cost and what is included in the cost compared to other vendors. He said the technical team looked at a variety of technical issues.

Councilmember Wernikoff asked who the other firms were and asked who the primary person among the staff would be managing the implementation. Town Manager Dennis said Ms. de Garneau will be taking the lead on implementation. She currently leads EOC training and other elements. He said that she is comfortable with this and was involved in all of the conversations. He said one of the other firms looked at was Infinite One, with the software called D-Lan [phonetic]. He will find the name of the third one and provide it to Councilmember Wernikoff.

Mayor Derwin invited comments or questions from the public.

Kristi Corley asked if there was an example of a situation fire or earthquake and how it works and is implemented in an emergency, how it played out in a real life example from other cities during an emergency. Town Manager Dennis said many cities currently use a system that is a paper system with variety of Incident Command Forms (ICS) forms used to track the needs in an emergency. The forms are important for access to federal funds when FEMA comes back later asking for them, so it's essential to be documenting everything done. Mr. Demski offered that in an emergency you would physically have people sitting at desks in a room with different responsibilities for activities and there is a conversation, a dialog. Ms. Corley was wondering if Mr. Ellis had documentation from actual emergencies in other cities. He responded they can look for an after-action report which would describe how the tool played a supporting role. Mr. Demski explained that during emergency there are multiple agencies assisting, and the role of an emergency management system is to coordinate those activities. The tool puts out information, so everyone sees it at the same time and comes up with a way to solve the situation. Then, five years later, FEMA comes back to audit and wants to see records of the many details of the incident. Everything is scrutinized in detail. The tool makes this all virtual in the system, and the entire incident can be pulled up along with all the documentation.

Nan Shostak asked why the County isn't taking the lead in choosing a system that will be used countywide if Web EOC is going away, instead of having cities individually choose software that may or may not integrate with each other and possibly may not integrate with the county. Town Manager Dennis said he can't speak to the County's efforts in this regard. He said staff would like to be leaders in Portola Valley and bring forward ideas that are innovative and appropriate for our community. He has no concerns with integration with Web EOC or other features. He said the hallmark of good software is that it does integrate with existing software. Mr. Demski said they are seeing that cities have their own product so they can manage their own users and incidents and do things individually without requiring the County to do things for them. This system can integrate with many of the town's systems and it's normal to have each city have their own system and connect to the County.

Andrew Thompson shared a concern about poor internet connection in his neighborhood, and they fear it will not work in an emergency, not just Comcast, but everything. He asked what the plan is for communication when connection is interrupted. Town Manager Dennis acknowledged the importance of this question. They have ongoing conversations with internet providers to ensure that they can meet the needs. Additional hours of backup power at internet sites are being implemented; and for those who have access to the Town's internet, there are backup generators. Internet would be a problem with any system, and this is not an attempt to solve that set of issues. He said cell phone coverage has been somewhat controversial in Portola Valley because of the infrastructure required, but that the town is in a better place than a few years ago relating to backup power, which is now at 72 hours. Mr. Demski noted that the oldest technology out there is amateur radio, which is a reliable backup communication. Town Manager Dennis agreed and said there is a very robust amateur radio system and operators in Portola Valley. Mr. Ellis agreed amateur radio is very important. Cell phone communication is poor in the town. He said in an emergency he has low confidence in the internet and cell communication. He said he sees it as an urgent need for the town to have not only software to support FEMA billing, but actually has a plan for shortwave radio, HAM radio, that is very comprehensive. He doesn't see other forms of communication working very

well if there's a real emergency, because when everyone starts to use it, it may crash.

Caroline Vertongen asked if they have had ever successfully prevented major damage in an actual wildfire or earthquake. Town Manager Dennis said it is a tool for managing people more effectively and getting resources to the right places quicker than current systems and would play a preventative role. Mr. Demski affirmed that information will be shared quicker, would allow bringing in maps of where wildfires are, looking at zones, power outages, and public data. The system will keep you informed of what is happening so preparative actions can be taken.

Town Manager Dennis added regarding HAM radio, it was very useful during CZU fires and other emergencies and they are looking to relocate the equipment in a place that get better coverage, but it is one of the older tools that will work in pushing out information to residents and visitors.

Harriet Wrye asked, as a horse owner from Santa Cruz County where he is part of the equine evacuation team, what plans there are in Portola Valley for emergency equine evacuation. Town Manager Dennis said this would be a longer conversation than possible tonight, but invited her to email him, and he would be happy to send her details on the Town's extensive set of operations in this regard.

Mayor Derwin, hearing no other public comments, brought the item back to the Council.

Councilmember Richards stated he has been involved in the discussions with the Emergency Preparedness Committee, and he thinks it fits in well with what is needed in the way of day-to-day operations capabilities as well as coordination with volunteers in the town and in Woodside.

Councilmember Wernikoff said she doesn't question the need for a tool like this to manage the EOC, but she doesn't feel she has enough information about the vendor and wonders why vendors that were used in areas like Petaluma or Tahoe, or Santa Cruz were not looked at.

Councilmember Aalfs commented on two significant concerns for years regarding the EOC in an emergency were, one, something happening when most of staff was out of town and unavailable to set up the EOC; secondly, that the EOC would not be available. He feels this is an important step in addressing both. He said he is comfortable moving forward.

Vice Mayor Hughes acknowledged the significant work on this and feels staff has reviewed a number of different options and selected the vendor they feel is most appropriate. He added, in addition to Councilmember Aalfs two primary concerns, the need to look at something like Starlink internet so if Comcast or other terrestrial communications go out, there would be more reliable power at Town Center by having an efficient satellite-based internet. He noted that a satellite was phone purchased recently, so persons can talk, but it would be good to have backup to access this and other communications platforms from Town Center.

Councilmember Aalfs thought the town had an account with Starlink. Ms. de Garreaux replied the satellite phone was grant funded through Woodside Fire Protection District and staff had been looking at installing satellite internet just as the pandemic began which created complications. They are now once again looking into Starlink. She supported the need for satellite internet access availability for the EOC and cited a 2019 PSPS event in which staff created a virtual EOC and had to search for places to access the internet in order to communicate with each other. She said she sees this as very integral component of moving forward with emergency preparedness.

Mayor Derwin said she appreciated Councilmember Wernikoff's reasonable concerns, but she has faith in people who have worked quite a while and made this decision, so she is fine with it the proposal.

Councilmember Aalfs moved to authorize the Town Manager to execute the contract with Veoci, Inc., for the Virtual Operations Center. Seconded by Councilmember Richards, the motion passed, 4-1, with

Councilmember Wernikoff voting nay.

Councilmember Wernikoff voiced that she totally supports the need for such a system but is simply not comfortable voting for this vendor based on amount of information she has.

(10) **Housing Element Update Discussion** – Work Program, Community Engagement Strategy, and Appointment of a Council Subcommittee

Mayor Derwin complimented Planning and Building Director Russell on the magnificent staff report, which was a pleasure to read, and she acknowledged the time spent researching this was astounding.

Planning and Building Director Russell was appreciative of the comment and proceeded with her presentation on the Housing Element Update, beginning with an explanation of the Housing Element. The Housing Element is part of the General Plan, the highest-level policy document for a community, which guides development. Each city, town and county in California has a general plan. These have elements, which are like the chapters of the plan. The Housing Element is like a chapter of the General Plan and is the plan for housing in a community. She explained that usually cities and towns don't build the housing themselves but do create the rules for what type of housing can be built, where it can be built and what it will look like. Housing Elements are required by state law and are guided by target numbers which are updated every eight years. She went on to explain that the state law requirements are an important part of the conversation as well as the practice that has evolved amongst planners in California. The state law requirement says there must be an analysis of the housing needs and the demographics, an evaluation of the constraints in place preventing the town from meeting those needs, identification of potential sites for housing, a housing plan with specific requirements with goals, policies, programs and quantified objectives, and a focus on fair housing. Also, community engagement is an essential component.

Planning and Building Director Russell next explained the Regional Housing Needs Allocation (RHNA), which is the target number the town is required to plan for during each eight-year cycle. This total number of units is distributed across different income levels to encourage housing for people that make less than the area median incomes. The State sets this target number for the region as well as the rules everyone must follow. The region distributes that number from the state based on a methodology, which for the Town is the Association of Bay Area Governments (ABAG). Information about them is available from their website as well as previous staff reports. The number arrived at is planned for by each city and town according to income levels of residents. Director Russell continued, Portola Valley's current Housing Element for the 2014 – 2022 cycle (RHNA-5) is 64 units. The Town has permitted 88 units so far in this cycle and is expecting to permit more before the end of the cycle, approximately 100. The vast majority of these units are accessory dwelling units (ADUs).

Director Russell said the Town is now planning for the next eight-year Housing Element Cycle (RHNA-6) which will run from 2023 – 2031. The RHNA is expected to be 253 units, but the final confirmation of that number won't be known until later this year, although staff expects it to be very close to this. Projecting forward based on the past ADU production gives a reasonable assumption that the Town would have 90 to 100 ADUs during that time period. Using this approximation, the Town would need to plan for approximately 150 to 160 additional units beyond the ADU production. Director Russell explained that the units are spread across different income levels used statewide, starting with the area median income and looking at those levels as a percentage of that median. For example, low-income households make 50 to 80 percent of the area median income; thus, the number of units that the Town needs to plan for is 42 units in that category.

Director Russell shared some challenges presented by the next Housing Element Update cycle, the higher RHNA being the most obvious. There are also new restrictions on what sites can be identified for housing under state law and changes to how zoning amendments are done, and it is possible for the State to impose prescriptive regulations and process in certain cases. She went on to say the timeline is challenging, especially with meaningful community input, and there are new requirements to affirmatively

further fair housing, meaning actively working to dismantle segregation and create equal housing opportunities. The challenge in this is the newness of it and uncertainty about how to implement it.

Director Russell reviewed the Proposed Work Program for Council's consideration. The overall recommendation is for the Council to form a subcommittee to guide the process. Staff will use 21 Elements, previously approved by Council, to do a majority of the Housing Element work itself. This organization is a collaboration of all the cities, towns and San Mateo County to work together on housing elements and other related housing work. Staff also proposes to hire a consultant to assist with other components and to assist with the committee outreach portion.

Director Russell reviewed some of the details for the Work Program. An attachment to the staff report includes a detailed description of what 21 Elements would be working on. Staff proposes that an additional consultant would assist with things such as community outreach, Ad Hoc committee meetings, mapping and other technical work, at an estimated cost of \$20,000. She said that, since all elements of the General Plan must be consistent, there will likely be updates to the Land Use Element and the General Plan Map, at an estimated cost of \$7,000. The Safety Element will also be reviewed and updated, with discussion of this at an upcoming Town Council meeting, with work expected to start this summer. Once key policies are developed, zoning code updates are anticipated as well, in order to implement and codify the policies. Doing these amendments within the Housing Element Update process will preserve more local control over the code amendments, without being subject to the more prescriptive rules in the State law. The budget estimate for this portion is \$25,000. Director Russell stated that all the General Plan and Zoning Code work is subject to review under the California Environmental Quality Act (CEQA). This methodology is used to analyze, and the document produced would be determined in conjunction with staff, the Town Attorney and our consultant once there is better understanding of what the policies and zoning code amendments might be. The estimate for this is \$165,000.

Director Russell then spoke about the committee engagement strategy. The Council Subcommittee would provide guidance to the overall effort and would form an Ad Hoc Committee for this purpose which would include Council and Planning Commission input, community-wide outreach, input from Committees and ongoing communications. The Ad Hoc committee's charge would be to create a Housing Element that complies with state law while maintaining town values. This would be the group to have detailed discussions to work through the analysis and policy proposals to come up with recommendations. Staff anticipates this committee meeting monthly, subject to change. A highly structured approach will be necessary in order to meet the state timeline. Public would be welcome to attend. Meeting protocols would be developed with the Council subcommittee and staff.

Director Russell presented recommendations for the Council to consider. First, the composition of the Community Outreach Subcommittee to include the two Council members, the same two as the subcommittee; two Planning Commissioners; and one ASCC member. These would be appointed by the respective bodies. Also, one member of the new Race/Equity Committee, if it is formed, and seven members of the community, for a total of 13 members on the Ad Hoc committee. She recommended that the members be residents but could either own or rent their homes.

Director Russell presented input on selection of the Ad Hoc committee, suggesting the Council Subcommittee review applications, conduct interviews and make recommendations to the Council. Selection criteria for ensuring a variety of viewpoints may include appointing residents of different parts of the town; long-term residents as well as newer residents; diversity of ages, gender identity and backgrounds; connection to the business to community who have connections to their employees; perhaps connection to a related profession, such as architecture, real estate, et cetera.

Director Russell described the proposed role of the Ad Hoc Committee and the role of the broader community in the process. Direct participation would occur at the beginning of the process; secondly, when there are draft policies, for a sense of the direction the plan is going; and thirdly, when there is a complete draft. At these points Council and Planning Commission would provide direct input. There will also be opportunities for communitywide outreach, as well as tapping into feedback from committees,

given the broad experience of the Town's committees. To facilitate this a "committee of committees" would be formed to hear updates and provide feedback.

Director Russell next spoke about communication and described the 21 Elements website, which is in the process of being developed. The site will have surveys and a place for the public to provide comments. Updates will be posted with notifications to the residents using e-notice and the Town News as well. Additional methods of communicating with the public will be discussed as the process unfolds. Director Russell presented an overview of the timeline for the process as shown in the staff report, which would be submitted for final Council approval in December of 2020. She shared the estimated budget for the project, a total of \$270,500. Staff has applied for State grants to assist with the cost of the Housing Element Update. The Town's SB2 grant has been amended to capture additional funds for this, bringing total grant funding to \$233,700, resulting in an estimated cost to the Town of \$36,800.

Director Russell shared that the Housing Element will also require significant staff resources, including the Planning and Building Director overseeing the process, the Town Manager working on coordination with subcommittee oversight and key decision points; a Senior Planner position currently vacant, who would function as day-to-day project manager; the Senior Planner to assist on tasks as needed; a Planning Technician to support the Ad Hoc Committee and staff on technical aspects; and Communications and Community Engagement Analyst to work on communications and outreach. In recent years, the consequences for noncompliance with State law have become more severe with possibility of litigation, fines, suspension of routing permitting authority, loss of state funding and grants, or if submission is late, a requirement to update every four years instead of eight.

Director Russell concluded her presentation with the recommendation that the Council form a subcommittee to oversee Housing Element Update process. Also, staff is seeking direction on staff's overall approach to the project; the appropriateness of staff's community engagement plan; appropriateness of the Ad Hoc Committee composition and selection criteria; and any other feedback or direction. She encouraged residents who would like to follow the process to sign up for e-notify from the Town's home page, under "eNotices."

Mayor Derwin invited comments and questions from the Council.

Councilmember Aalfs asked what types of prescriptive zoning changes could be imposed by the State for non-compliance with requirements. Planning and Building Director Russell summarized staff's interpretation of what is shown on the HCD website and advice from 21 Elements. If zoning is done after the Housing Element, certain rules would apply, primarily in regard to minimum densities, 20 units per acre, 16 units for each site, as well as requirements related to process. A zoning amendment for a site identified in the Housing Element as a housing site in the housing inventory, the minimum density requirement would apply. Councilmember Aalfs wondered if it would change the existing zoning in parts of town that are not being changed, and Director Russell's understanding was it would not.

Councilmember Wernikoff asked about 21 Elements and if all jurisdictions in San Mateo County are using it for managing the process. Director Russell stated that all cities and towns in the county are participating on some level, although different packages are offered, and different entities are participating at different level. Councilmember Wernikoff asked, since Portola Valley is one of the smallest towns, is pricing based on number of units, size of population, or any pro-rating of the package based on size of town? Director Russell said the package are pro-rated. Certain parts have a set price; other parts are priced according to the community size – small, medium or large – with Portola Valley being in the small category. Councilmember Wernikoff asked if 21 Elements would be making their recommendations based on the size and characteristics of a town. Director Russell replied 21 Elements meets regularly, with all directly involved and breakout meetings of smaller towns, so they are in tune with the Town's needs and will give a range of recommendations. These would be brought to the Ad Hoc Committee to be vetted. Some items, such as evaluation of the current Housing Element, they are working on directly for the Town, and the draft will be presented to the Town for review and changes.

Mayor Derwin stated that in this RHNA cycle, 21 Elements formed a subregion. She was chairing City/County Association of Governments (C/CAG) at that time. All were facing such enormous numbers and the bigger cities were having too many of their own issues, and this is why this time they are not all working together. Councilmember Wernikoff asked about the subregion. Mayor Derwin replied all 20 cities in the county worked together as a subregion. This time, 21 elements is forming smaller groups or working individually with cities. Planning and Building Director Russell said all are collaborating together in sharing information overall and then working in smaller groups in the way that serves us. The biggest change is that we can't move units around anymore. There used to be a process where bigger cities would take more units for the smaller towns, but this is no longer allowed. Mayor Derwin said the big cities were very clear on this. Smaller cities were begging, but answer was no.

Councilmember Aalfs said in the last cycle, he thought Redwood City took on housing from other communities. In the past there was an interactive process, but that is not happening anymore. Mayor Derwin said the methodology has new criteria having to do with equity, and that not building affordable housing that is racially or economically diverse may no longer be excused, essentially attempting to get communities to become more diverse.

Hearing no further questions, Mayor Derwin invited questions or comments from the public.

Tim Clark, Ladera Community Church, 3300 Alpine Road, has a half-acre vacant land within Portola Valley and has been talking to staff about putting affordable housing there. They feel it would be a win/win situation for the church and the Town and for low-income individuals who currently have long commutes. They came a year-and-a-half ago and were admitted to Affiliated Housing Program, which needs to be changed before it becomes useful to them as a planning device. Last month they hired an architect to do a preliminary site assessment for either 6-10 units or the maximum of what the architect thinks the Town would approve. After discussion with staff, the max at present would be between zero and one units given the minimum size for single family in Portola Valley at present. He urged Council to consider a multi-family housing zoning ordinance and changes to the Affiliated Housing program, because they don't have enough families in the church to fill up the housing that's there, they are stuck until actions are taken. He said they feel strongly that affordable housing is an equity issue.

David Baszucki, Ladera, remarked on the values of Portola Valley. He considers these values to be wide open spaces, horses, trails, low traffic and rural lots. To maintain those, he feels state laws address pre-COVID days when everyone was commuting, and in the last year the world has changed, with a lot less commuting, more people working from home and more flexibility. It seems the law is out of step with the new world. This meeting seems to be about changed values of Portola Valley as mentioned. He said it doesn't seem like in post-COVID, these laws are necessary. He recommends the Council explore legal, ethical, but strongly committed ways to maintain the values of Portola Valley and not chip away at them, and he is happy to help in any way – legal fees, ways of offsetting loss of funding from State.

Mayor Derwin asked Town Attorney Silver to address these points. Attorney Silver confirmed the law has been around for years, adopted pre-COVID. RHNA numbers for the sixth cycle were based on a pre-COVID landscape and it will be interesting to see how the State addresses that. There has been some discussion about whether numbers should be revised. The problem is because the state is so large, areas have been subdivided and certain areas are on a different cycle. They have already planned for the higher numbers, so is it fair to allow cities in later cycle to be exempted from the higher requirements? She remarked that getting legislation through the State is difficult. Meanwhile, the requirements are coming upon us, and noncompliance with the Housing Element carries significant consequences. Many in the past attempting to fight the State have not been successful to date. She said requirements are well settled and the State Legislature has amped up the penalties for noncompliance. The State will essentially take away all local authority over local land use policy and have done it in different ways. Courts can take away the authority. The AG works in coordination with HCD and has authority to issue fines, bring formal lawsuits and file litigation against cities and towns for noncompliance. Also, noncompliance in this cycle will result in more intense ramifications in next cycle. She reiterated that the State has doubled down in this area and made it difficult for cities to resist the requirements.

Andrew Thompson complimented Planning and Building Director Russell on the plan presented. He didn't see any planned attempt to discuss the appropriateness of the RHNA allocation for the Town, given that there are a number of zones which are high fire hazard. He feels it would be appropriate to push back on the RHNA standards based on this circumstance and has heard there are other towns in this area of similar risk, which intend to do this. He encouraged starting with assessment of the fire risk in the town and ability to evacuate the people already living here, risks associated with death and loss of billions of dollars of property before acquiescing to a state allocation. He feels the town is at high risk and should try to make the case as to why it would be potentially disastrous to increase housing. In regard to losing zoning authority for noncompliance, he added the State is currently working to pass legislation that would essentially eviscerate or eliminate local zoning authority anyway. He said the State will be pressuring every community in regard to housing and he feels every community should therefore be assessing their own ability to respond to the State's needs, but also to the needs of the people who already live in the communities. In Portola Valley, he feels there are great risks associated fire as well as other geologic risks. He would like to see the plan address educating the people imposing the standards about the risk the Town faces, which are very different than Palo Alto and Menlo Park.

Mayor Derwin stated she thought the issue had been raised with HCD. Vice Mayor Hughes affirmed this and stated a letter was written to HCD on this subject and how to pay for the additional work in such a small town. The reply was basically that Palo Alto has many times higher allocation than our town. She said she agreed, and the Town needs to make sure as we move forward that we carefully consider safety issues all kinds. She said in Planning and Building Director Russell's process laid out over next couple years that will be big part of the job - how to design a program that satisfies all the requirements of the Town.

Mr. Thompson commented further that the cost of planning will be laughed at with Portola Valley being one of the ten most affluent zip codes in the country, so we should claim nothing that's about money. It's all about safety and the fact that there are a few thousand people living here who are at risk of being burned. He said the money is not the point, because Portola Valley is an incredibly affluent community.

Town Manager Dennis remarked that staff has had conversations with counterparts in other cities, and he is not aware of a significant movement in any city to fight RHNA. There is no city that has reported to them that they plan to fight their numbers. Mayor Derwin agreed and said she knows people on every council, having done this for 16 years and having spent hours and hours with colleagues on other councils, assemblymen, state senators. She has not heard anybody that is fighting. Resistance is futile. Town Manager Dennis advised the purpose of the Committee is not to have that dialog with the State on an appeal or other issues. That would be up to the wisdom of the Council. The Committee's task would be to put together a plan that is right for the Town and its values, but also addresses the requirements from the State. He also commented that SB 9 and SB 10 have both changed in the last couple months and are not as onerous as first proposed.

Attorney Silver said they have indeed been recently amended; SB10 now says that a voter initiative cannot stop a zone change to a density of up to ten units per acre. However, the current bill has an exception for very high fire hazard areas, which it is good to see that the State is starting to recognize that there are some special considerations in these areas. The bill is nowhere near complete, and the movement has been favorable in terms of less State control in this area and does not eviscerate all zoning control. She appreciates the point, and all are aware of the fact that housing is a very important issue to this legislature, and more legislation in this area is expected.

Mr. Thompson said the biggest issue for Portola Valley right now is safety. There are those who can't buy fire insurance; people who won't buy homes in the area because of the perceived risk that you can't get out. He feels Ladera is a firebomb, a high density housing development with a gas station as the town's main exit route. If it catches fire, he said he doesn't know how we get out. He said Escobar is a high fire risk canyon and that we exist in an extremely fragile place and he feels we should be extremely aware of the risk. He said there are recent examples of towns that completely burned to the ground in four or five hours, and that could be us. He said contemplating putting high density housing into the town without

thinking through how we get out in a real fire emergency is a very big issue that Council needs to address head-on in the context of the RHNA allocation.

Mr. Epstein [no first name given] commented that he agreed and thinks times have changed. There is a flow of people out of California, so why build so much housing in this area, especially considering that California was more about building in areas where there is high density, public transportation, et cetera. Building all these new units in this area. He is especially worried about friends in Los Trancos, adding with another 1,000 people, how are we going to get out? He said he was born and raised here, and although we have never had a major fire but with current drought that could change and the CZU fire was a wakeup call. He said it is up to the Town to push back for safety reasons, not financial. He wondered why build in an area so far away from jobs, especially for people in lower income areas to have to commute, which is added expense for them. He said we need to challenge the number of units and the type of units and push back before complying, especially no having everything set up for an evacuation plan and other aspects of safety. He said the Council should be looking more about protesting instead of complying and pushing an agenda that will put residents at risk.

Kristi Corley listened to the RHNA talk on the 22nd. Southern California is one year ahead on RHNA cycle. There were 53 appeals and two small adjustments, probably adjusted only 10 percent. She asked about banding together with the other cities on this side of 280, as the cities more at risk of fire. She said some councils are putting together committees to look at this. She suggested reading the two that got numbers adjusted to see how their appeal read and why the others didn't. If you don't ask, you don't get, and we have a right to challenge. Secondly, she said with paying \$48,500 to 21 Elements to give talks about housing element and RHNA, and the talks don't get on our calendar so residents can go and learn. She asked that these be put it on the calendar. She encouraged use of the calendar for county educational events that the Town has paid for. She hopes to get one week's notice then a reminder. She is concerned about SB 9 going through the Senate right now. It splits lots and doesn't give the Town the option to not do that. She said if does go through, every lot in Portola Valley will be split. You can put a house, and ADU, a junior ADU and an ADU in a garage - four houses on one split lot. She said SB 10 allows for 10 units on one lot. She said we need to be involved and send letters to senators and encouraged the Town Council to do this.

Rusty Day observed that there's common ground between remarks of Tim Clark and David Baszucki to preserve the values of Portola Valley, including providing affordable housing for people who work and live here. He said e want to do that and including maintaining the open rural character is also important, but the Council should accept that we must do it in context of safety. He said in regard to the point made about the RHNA allocation methodology, he read very carefully the letter that Councilmember Richards and Vice Mayor Hughes received back from their request and thought it seemed to say that the baseline allocation in the RHNA methodology addresses concerns about natural hazards and says that growth outside the urban growth boundaries does not allow for growth geographies to overlap with worst fire hazard severity zones. He said the blueprint for growth geographies not only excludes Cal Fire designated very high fire severity zones, but also exclude high fire severity areas in unincorporated communities as well as county designated wildfire urban interface areas He said this raises the question, what has the Town Council done to inquire of RHNA? Are they aware of the very high fire hazard severity zone designated by Cal Fire in Portola Valley, and has it been excluded as a growth area in their calculations, and are they aware that there are 19 "highest hazard" areas in town? The Town Council is granted local authority under the government code to designate within local responsibility areas that Cal Fire never looked at, but Moritz did. He asked what the Town is doing to look at those areas and designate them. He said we have an urgent need to comply with the State mandate to perform a wildfire hazard risk assessment and designate very high fire hazard severity zones in town, because RNHA excludes those zones from its calculation of housing density and the housing allocation it assigns. He said if the Town cedes to the RHNA allocation and to adding 253 more homes in town and hundreds more residents in the next ten years, then they need to know where to do that safely and how do it.

Mayor Derwin advised Dr. Day that Town Manager Dennis is timing the speakers, who each have three minutes, and that his time had elapsed.

Bob Turcott agreed with Rusty Day's point and asked to give his three minutes to him.

Mr. Day continued that the urgency of getting a wildfire hazard and risk assessment done is so that we know and RHNA can know where the highest severity zones in town are and exclude them from the allocation. He said if the Town wants to embrace the growth, then we need to find out where and how it can be done without burning the town down. He reiterated the priority for a wildfire hazard and risk assessment and thinks it should be done by the most competent and best representatives from the community and outside to get it done. Much like 60 years ago for seismic safety, he wants to see the Town do the same for wildfire safety and to protect the people who live here.

Caroline Vertongen expressed gratitude for the new people who spoke at the meeting, saying we have been advocating for safety for many years and urgency is being neglected. She said she hopes message is clear – we don't need more tools we need action and hope that all speakers tonight will help the Town Council take action and not defer solutions.

David Cardinal was in favor of the Ad Hoc Committee. He said we can whine about the 250 houses and wish it was zero, but it's not going to be. Portola Valley is one of the richest most innovative, highest patent-awarded startup-founding towns in the world, so he'd rather phrase it as, "We need to provide 250 housing units. How do we do that safely?" He said this is a great charter for the Committee, and we should be able to come up with solution that is safe and uses any innovation we can come up with.

Jim White, longtime resident, thought the previous were great comments, and the last one is where he is at. There are lots of issues with workers work here, families with children, folks who have different issues that don't have housing options here. He said this is a solvable problem. The town has had environmental issues before, and does need to be prepared for it, but there is a broader political issue, with the Stanford project and others. He said he thinks we have to have some multi-family housing and do it responsibly, and there are groups that want to do that. He said he thinks it would be a waste of resources, limited staff and money to go try to challenge the State, and that communities that are very wealthy are not as diverse in many dimensions. He said this is not a fight we want to be standing up to, but the town can be a leader in beginning to solve some problems. He concluded that he is happy to help in any way he can.

John Silver, 355 Portola Road, expressed that he served roughly 30 years in government, 16 on Portola Valley's Council and 13 years on the County Planning Commission. He had understood the new RHNA numbers were going to be pretty big, and he is not happy to see it, but folks that want to fight the numbers should call their state legislator. He doesn't think Portola Valley, Woodside and/or Hillsborough banding together would be laughingstock of the state, to have wealthy communities perceived as exclusive and saying that we don't need to do our part. On the other hand, we do need to be concerned about safety, and those cases do need to be made. If taking safety seriously, what we object to in regard to new housing also needs to be applied to existing developed areas of town. People who are concerned about fire safety yet want to add development to their own parcels in steep and wooded areas, those things cut two ways. He thinks it would be good for people in town to push back with their legislators but said don't blame local government for what the State is doing, because this is not productive course of action.

Mayor Derwin remarked that the Assemblymember Berman was coming in May, and staff can also share contact information for Berman or Josh Becker.

Hearing no further questions or comments from the public, Mayor Derwin brought it back to the Council and asked Planning and Building Director Russell to reiterate the items that Council is requested to give direction on. Director Russell stated, first, whether the Council wishes to form a Council Subcommittee and appoint two members to it. Questions included the overall approach correct; is community engagement strategy appropriate? Is the Ad Hoc committee composition and selection criteria appropriate?

Mayor Derwin invited comments regarding appointing a Subcommittee.

Vice Mayor Hughes suggested going through remainder of discussion before picking the Subcommittee to get broader feedback on structure to better inform the thinking on a Subcommittee, although he feels that is a good idea.

Mayor Derwin invited comments on the overall approach as presented. Vice Mayor Hughes thought it seems appropriate and will be important dealing with the concerns and needs to inform everything else. He said it makes sense to first do the housing needs assessment but, next, what are the constraints on where the 253 units might go and what type they might be, how to make it safe, other issues raised tonight and more? He said, thinking about how the Housing Element will interplay with the Safety Element, past cycles have considered them separately, but weaving the two together will be necessary to effectively create a safe housing element. He thought the overall approach is good; the calendar makes sense, as well as the various check-in points with the Council. He said the Ad Hoc Committee is a great idea. Regarding composition, he said he questions the recommendation that there should be residency requirement for people to live in town. Although he generally agrees with this, the current housing cycle aspect to consider is increased diversity, so his thought is how to better inform that. Having a member of new Race and Equity Committee makes sense but bringing in thoughts and views of people who are not currently residents in some form might be a good idea. They would not necessarily be members of the committee, but maybe have speakers or presenters or discussion points come in.

Councilmember Aalfs thought the overall approach is good and said he definitely thought subcommittee is needed to move forward, as it will be too cumbersome for Council to directly oversee. He agreed with the Vice Mayor's point about having an advocate or spokesperson, or technical advisors, for the greater community. He said he did wonder if having 13 people is cumbersome for meetings, especially Zoom meetings, although he sees point of wider range of people from town. He suggested maybe five instead of seven members of the public, just because sharing larger meetings gets wieldier, but it is also important to have wide representation of the community. Regarding the general timeline, he comments that it will be a lot of work for the committee member, but it is what's required, given the deadline. deadline. wieldy

Councilmember Richards said he likes the approach and thinks it works very well in the context of the ideas that Vice Mayor Hughes and he sent to the State, saying that we want to figure out how to do this, we want to make it work and work safely. He said he thinks it covers all the bases and should move ahead with forming the subcommittee. He said he has a concern, also, with the size of the committee, but it may be a necessary evil, and they need to involve as many people as possible. He said he thinks more representation from people outside the community as more of a consultant-type approach makes more sense than having people on the committee from areas of influence.

Councilmember Wernikoff definitely agreed with need for a subcommittee. She asked about volunteers, and perhaps some sort of job description, so they know the expectation. She said she agrees on pros and cons of the size of committee but would err on the side of being more inclusive than less inclusive, even if cumbersome. She thinks communication throughout will be key, especially with the more heated issues where there is inaccuracy or misinformation floating around. She said she would like to make sure there is good information on the website. An update of the website is coming up in early summer and should double down on communication, so there's a centralized resource for clear, concise information about what's going on, so there are not inaccurate rumors floating around. She liked Vice Mayor Hughes' comment that the Safety Element is going to be happening at the same time, and it's a great coincidence that we are needing to consider fire issues as a huge priority as part of this process. She said she thinks it would be good to clarify people's concerns that the two things are being considered in partnership together. She said when thinking about other counties, we are unique and smaller, so it would be good if there are ways to have subset that we're working with within the 21 Elements that are more like us. She echoed Mayor Derwin's comments, and said the packet was very well put-together and off to a good start.

Mayor Derwin appreciated Councilmember Wernikoff's comment about getting accurate information up on the website. Planning and Building Director Russell explained that 21 Elements is creating websites that the Town can utilize, which will have things such as surveys and comment forms available. The site will

be user-friendly and be able to graphically show things like milestones reached or documentation of meetings, blog-style, so people can see updates from the most recent and going backwards. Director Russell said it is very early in development of the 21 Elements page, and it will probably mid-May when it will actually come out. There will also be a need to figure out how the 21 Elements web page interfaces with the Town's own web page for specific news and the Town's own e-notice functions.

Mayor Derwin asked if hiring a consultant was mentioned. Planning and Building Director Russell said yes, this will be a joint effort between 21 Elements and Town Communication staff and then coordinated with the Town. The consultant will also be helping with the outreach component. Director Russell remarked that reaching out to employees in town who do not live in the town is challenging and that to address this, 21 Elements has formed a committee and they are inviting neighborhood groups religious organizations, outreach groups, housing advocacy groups, multi-languages, and a diverse set of residents across the county. They are convening meetings of 20-some organizations to try to get feedback around the needs of employees to help staff feed that into their process.

Mayor Derwin agreed with most fellow Councilmembers. She thought the Safety Element should definitely be rolled into the Housing Element. She said feels a subcommittee is essential and the composition is good, and 13 members is necessary. She remembers the Climate Change Task Force in 2006 had many more than that and said there would be many more than seven people wanting those seats. She thought the job description idea was good and would help make it clear that it would be a big commitment. Councilmember Wernikoff added its almost like picking a jury, including people willing to see all sides and come into it with good faith. Mayor Derwin commented on the need for creative thinkers to figure out how to solve this very tough problem.

Mayor Derwin moved to appoint Councilmember Wernikoff and Councilmember Aalfs to the Ad Hoc Housing Element Subcommittee. Seconded by Vice Mayor Hughes, the motion carried, 5-0.

Town Manager Dennis said per direction of the Council tonight that the subcommittee will have authority to construct this plan. He said he hopes to bring the item back on May 26th with recommendations for members to serve on the committee. Staff will start work tomorrow to get out appropriate materials for recruiting. Vice Mayor Hughes understanding is the subcommittee would work with staff to send out a call and collect resumes, as well as conduct interviews. He asked if appointments to the subcommittee would come back to the full Council for approval. Councilmember Aalfs and Town Manager Dennis agreed this would be the case.

Councilmember Aalfs asked whether there is an appeal process for the RHNA number. Planning and Building Director Russell said yes, there is, and 21 Elements will send an update when that is released. It is expected to happen this summer, and staff will update the Council when that information is available. Councilmember Aalfs felt strongly the Town should participate in an appeal in parallel with the work going forward. Town Manager Dennis said they would bring that back as an item as they get more information. Mayor Derwin said they have talked to legislators about the fire danger. Town Manager Dennis added there have been staff-to-staff level conversations with Senator Becker as well. Mayor Derwin said there are certainly areas in town where residents cannot build.

Mayor Derwin suggested a five-minute break.

(11) **Colleagues Memo** – Proposed Race and Equity Standing Committee

Mayor Derwin shared that this proposal was initiated a year ago in June after approving a Resolution condemning the murder of George Floyd. Subsequent activities were held over the past year. Professor Jennifer Eberhart, author of *Biased*, visited the Town. A townhall meeting regarding policing was held with the Sheriff, the D.A., and black leaders in the community, moderated by Henrietta Burroughs from EPA Today. Conversations were held with tribal elders from the Ramaytush. A few months ago, Lucy Neely and Kim Acker reached out to Mayor Derwin and asked if an equity committee could be formed. Mayor

Derwin said the memo from her, and Councilmember Richards lays out the background, purpose, proposed projects, and other specifics. She asked the Council for feedback regarding the proposal and added that two councilmembers would need to be appointed.

Councilmember Richards said they are exploring things with this proposal and shared that he has personally realized this is something he has not been as clued into as he should be. He said the problem was not created by people of color, but by the rest of us and we are obligated to resolve it in his view. He said he wants to invite and encourage everybody and anybody willing to help. He feels the committee will evolve from what has been put down in the initial memo, depending on the members' wishes.

Mayor Derwin said within the last couple weeks as the community started to really get behind condemning the violence toward Asian Americans, she put together a resolution but realized it would be better if a committee were doing this. Others have reached out to her asking for other resolutions and causes, and she realized that there is no limit to how an equity committee could be helpful.

Mayor Derwin invited comments from the Councilmembers.

Councilmember Aalfs said he would hope the committee could find diversity across race, gender, income, sexual orientation or gender identify in the somewhat less diverse town of Portola Valley. Mayor Derwin added this was part of the idea of having an advisory committee.

Vice Mayor Hughes asked how big the committee would be. Councilmember Richards said they talked up to seven members, plus the two liaisons from the Council.

Mayor Derwin said it would use the same process as the Housing Element Committee, with a call for volunteers. The two councilmembers appointed to the subcommittee would do the screening and make a recommendation to bring back to the full Council.

Mayor Derwin invited comments from the public.

Rita Comes said when these things are being created, she has offered to sit down, as a person of color in this community, if somebody wanted to have a conversation with her, but as of yet no one has reached out to her. She said she has been very vocal about this. A few people in the community have reached out to her and she has had very interesting conversations. She said she doesn't speak for all African Americans, but only for herself and her own experience, but the needs and stresses of African Americans in this community are different from other communities. She would like the criteria of who gets to join to be run by her or someone else who knows about what their needs might be, about things they would like to see addressed. She said she is easy to find and reach out to, and she hopes that happens before this move forward. Mayor Derwin responded that these items are suggested things the committee may want to take up, but the committee will decide what they want to do.

Hearing no other comments from the public, Mayor Derwin invited comments from the Council.

Councilmember Wernikoff said she thought it was a great proposal for all the reasons previously stated.

Vice Mayor Hughes agreed with Councilmember Wernikoff.

Councilmember Aalfs moved to approve appointment of a Race and Equity Committee and nominate Councilmember Richards and Mayor Derwin as Liaisons. Seconded by Vice Mayor Hughes, the motion carried, 5-0.

Vice Mayor Hughes encouraged the Liaisons during the committee's goal setting remember that the Sheriff's contract is coming up in a couple years. Discussion in this regard may be helpful over the course of the meetings. Mayor Derwin agreed.

Councilmember Aalfs remarked that PCE is currently drafting a diversity and equity inclusive statement, which started from the Citizen Advisory Committee. Donna Colson and Michael Smith are the Board Liaisons currently. Councilmember Aalfs said the PCE statement made a point of saying they wanted measurable outcomes from their policy and talked about ways to benefit disadvantaged communities and communities of color tangibly and measurably within PCE territory. He said he liked the good sentiment in the wording along with measurable progress towards the goal.

Mayor Derwin wondered if the timeline ought to follow that of the Housing Element Subcommittee. Town Manager Dennis replied this would be advantageous since a member of the Race and Equity Committee is recommended to serve on the Housing Element Committee. He suggested aiming for two meetings from now if possible.

PUBLIC HEARING

(12) **Recommendation by Town Manager and Finance Director** – Adoption of a Resolution Approving a Revised Fee Schedule

(a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving a Revised Fee Schedule for its Administrative, Building, Public Works/Engineering and Planning Departments (Resolution No. 2848-2021)

Town Manager Dennis presented the revised fee schedule which reflects a modest increase in the fees based on a CPI change. Staff did omit from the recommended change the rental of Town facilities as previously directed by the Council, which also seemed appropriate given the interruption in usage due to COVID.

Mayor Derwin opened the public hearing. With no members of the public requesting speak, she closed the public hearing and brought the item back to the Council.

Councilmember Aalfs moved to approve the Resolution. Seconded by Councilmember Richards, the motion carried, 5-0.

Councilmember Aalfs thanked staff for putting forward the Resolution.

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

Vice Mayor Hughes reported he attended the Planning Commission meeting. The one item on the agenda was a discussion of updating the Town's ADU Municipal Code to comply with various changes in State law, of which there have been many since creation of the ADU ordinance. He said many changes in State law are quite substantial. By right you are now allowed to build ADUs in places that in many parts of Portola Valley could be very problematic. He said he is quite sure it will come back to them to hash through it and discover the right approaches to integrating these changes. He said I under State law, you might be able to build 850-square-foot unit four feet off the property line, so basically ignore all but four feet of setbacks. Planning Commission is trying to get creative, with staff's help, to incentivize people not to do this, but to respect setbacks, and to deal with safety issues. He said if you can't legally require something under State law, which trumps restrictions, how do you incentivize people to do the right thing? Potentially through a combination of incentives or letting them have a slightly larger ADU as long as they have a regular setback, et cetera. Vice Mayor Hughes said there is much work to be done in coming months, but they are heading in a good direction.

Councilmember Richards attended the Emergency Services Council on the 15th, which consisted primarily of a preview of the 2021-22 budget. Due to the reduced cost for the Fire Battalion Chief, all the towns will pay a little bit less. Instead of \$18,300 the Town will pay \$17,930. He said there are some significant revisions to the JPA agreement, primarily centered around moving the entire ESC from the Sheriff's Office to the County Manager's Office and some changes to a couple articles in order to stay current with federal rules, which will be approved in June. He said he attended the Conservation Committee on the 27th. He said they worked hard to shorten the meeting by having the subcommittee reports submitted early along with the agenda, so anyone attending could see them beforehand. He said this worked well

and shortened the meeting from 2 hours to about a 1.25-hour meeting. A subcommittee to study fences and improve wildlife circulation was discussed. Nancy Reyerling reported on what they are doing in Woodside, talking of a joint committee with subcommittees from Woodside and Portola Valley. They will be investigating that. He said site visits were described, and that one of the members was the recipient of the Backyard Habitat Award. Councilmember Richards will be presenting that award.

Councilmember Wernikoff reported the CAC has picked a date for the Town event, October 9. It has been cleared by staff. It will be in conjunction with Parks and Rec. The working title is Portola Valley Live Revive, the idea being that it would be a post COVID get together with multiple events, including the run, the picnic and the party. The thinking was that having all the resources on deck at the same time would be easier versus two separate events. She mentioned the Finance Subcommittee, stating that he data is all there, but the challenge is still the reporting. Their goal is for this to be resolved by the end of May. She listened in on the ASCC meeting. Two projects were approved. One was a small addition, and one was a pool. There was update to the Committee about the Wildfire Hardening Code. There were no action items relating to it. Today there was a Website Subcommittee update. Everyone has been working on getting the site launched and it should be an early June launch. She said the website is a great opportunity to have all the critical information in Town in the same source, particularly in regard to things like fire, housing, and the more controversial and important issues. She said she doubts if all the information will be updated in time for the June 1st launch but once it's there, the process to keep it updated will be easier with the new platform and processes.

Mayor Derwin attended a Resource Management and Climate Protection meeting on April 21st. They had an update on water supply from Tom Francis from BAWSCA. At the time of the meeting there was only a tiny part of the state that was not considered in a drought condition. She said Hetch Hetchy is an anomaly and is predicted to fill this year because of its water bank. She said the town is okay but are one of the only systems that is okay. SFPUC water reduction goal is to maintain summertime water use at no more than 2019 pre-pandemic levels but will not be mandatory rationing. They will ask retail to reduce by 10 percent voluntarily. The State could request or require further conservation activity if necessary. Some regions are already calling for measures such as mandatory rationing. Carol Steinfeld from the Sierra Club wants to have a Water Subcommittee on the RMCP Committee and thinks we do a one water agency in San Mateo county. She said Santa Clara Valley is with Valley Water, and they do everything – wastewater, water supply, site conservation, groundwater. There was much talk about that. She said BAWSCA is territorial about it, but she was happy to see that they have been working with Carol and will get a group together including the environmentalists to talk about this.

Mayor Derwin attended a presentation of state and regional hydrogen infrastructure and opportunities for use in heavy duty vehicle application. There was a presentation on the RICAPS countywide greenhouse emission inventories. The Search Committee for a new C/CAG Executive Director will be interviewing six candidates on Friday from 9:00 to 5:00. At the last meeting two panels were established – the search committee and the professional panel. Ten questions for each panel were agreed upon. She reported there was a Special Library Strategic Plan Subcommittee that was formed after the last Library meeting because some of the new members were not comfortable rolling over the strategic plan since they had no idea what was done in the past. Consultants gave survey results and they felt good about where we're at. They will do another small survey to fill in a few gaps.

Mayor Derwin reported the Flood and Sea Level Rise Resiliency District had a historic day, approving contracts for the first major construction project – the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration Project. They adopted a resolution and awarded a construction contract. Dave Klein reported out from the Strategic Planning Committee who is to figure out funding. They decided to do a Climate Resiliency Parcel Tax in the county which would cover flood, sea level rise, wildfire and coastal erosion. She said she thought including wildfire is great, because then they will get buy-in from Portola Valley and Woodside. They are polling right now. They are looking at one proposal in which the tax rate is per building square foot – three cents or five cents per building square foot. On a 1,900 square-foot house this would be \$60 a year or \$100 a year. A sunset clause was discussed, how the money would be distributed, et cetera. Matt Fabry thought stormwater should be included. CEO, Len,

has been there for a year. There will be a CEO performance review, and Mayor Derwin said she will be on that committee.

Mayor Derwin reported the League of Women Voters have been doing Zoom meetings, one of them tonight, a conversation with Assemblyman Mullin, "Collaborating to Address Climate Change." There will be another one on June 3rd on "Countywide Wildfire" with Don Horsley putting the program together. She attended a Silicon Valley Leadership Group Summit Series, called "Cities Matter." The speakers included "Mayor Pete," Pete Buttigieg; Nuria Fernandez, Federal Transportation Agency Deputy Director; Tony Atkins of SB 9; Alexa Arena, who is working on a San Jose Downtown Plan; Cindy Chavez, Santa Clara Board of Supervisors; Senate Wiener; Therese McMillan from MTC; the Chair of California Water Commission; a South Bay Civil Rights Advocate. Overall, she said it was very meaty and good.

Councilmember Aalfs attended the Historic Resources meeting, the annual meeting to approve their budget. He persuaded them to add a little to their budget. Their ongoing project is to digitize more old records such as maps, photos, audio/video interviews. They would like to have as much as possible archived to the cloud. They have some opportunities to scan and put together audio files. They intend to ask for an additional amount in their budget in case they have an opportunity to digitize more things. They may also go out and obtain some technical help for the process. Mayor Derwin asked if they are doing this themselves. Councilmember Aalfs replied they are doing a lot of it themselves. They are contemplating enlisting a local high schooler who could help with some of it. He thought the Council would be happy to provide them with some more funds if they had an opportunity to digitize more things. Mayor Derwin acknowledged it is very valuable information, and Councilmember Aalfs said they are hoping to have it in a format for anybody to click on anytime they wanted.

(14) **TOWN MANAGER REPORT**

Town Manager Dennis announced Captain Christina Corpus will be transferred to the City of Millbrae as their new Police Chief under a Sheriff contract. Portola Valley will have an interim Police Chief, Lieutenant Mark Meyers, until a permanent replacement is found. Town Manager Dennis thanked Captain Corpus for all she has done for the town in the last four years, particularly mentioning that communication has been outstanding.

Town Manager Dennis announced that Action Minutes will be provided, and those should be seen on the next agenda. He shared that the Library opening went very well. People were delighted to be able to go in the library even if just for a few hours. Finally, he mentioned that on June 15th the State will reopen beyond the tiered system. Town staff is actively working on its plan to accommodate related to things like sports fields, outdoor facilities, rental of indoor facilities, access to Town Hall, et cetera. Staff will be meeting to discuss this and come up with a plan. The goal will be to open things up as quickly as possible to return to the most normal we can get to.

(15) **Town Council Digest** – April 15, 2021

(16) **Town Council Digest** – April 22, 2021

[none]

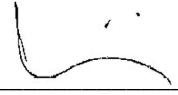
Mayor Derwin stated that on Friday night there is a Council of Cities virtual meeting hosted by Woodside at 5:30. Anna Eshoo will be the speaker, and she encouraged one of the councilmembers to attend with her.

ADJOURNMENT [10:46 p.m.]

Mayor Derwin adjourned the meeting.



Mayor



Town Clerk