

TOWN COUNCIL WEEKLY DIGEST

Thursday – February 3, 2022

1. Agenda – Open Space Acquisition Advisory Committee – Tuesday, February 8, 2022
2. Agenda – Woodside Highlands Road Maintenance District RAC – Tuesday, February 8, 2022
3. Agenda – Race & Equity Committee – Tuesday, February 8, 2022
4. Agenda – Cultural Arts Committee – Thursday, February 10, 2022
5. Agenda – Nature & Science Committee – Thursday, February 10, 2022
6. Email from resident K. Vahtra re Volunteer Code of Conduct
7. Email from resident R. Day re April 21, 2020 Decision of California’s Fish & Game Commission
8. Email from resident R. Comes re Town of Woodside discussion of Mountain Lion Habitat and the implementation of SB9

Attached Separates (Council Only)

(placed in your Town Hall mailbox)

1. None



**Town of Portola Valley
Open Space Acquisition Advisory Committee
Tuesday, February 8, 2022, 4:30 PM**

Special Videoconference Meeting via Zoom

SPECIAL VIDEOCONFERENCE MEETING AGENDA

To access the meeting by computer, click on the link below:

<https://us06web.zoom.us/j/82466536273?pwd=MU1QVS9KN1Z6Mlo2R1pXSVZtK0pldz09>

To access the meeting by phone:

1-699-900-6833 or

1-877-853-5247 (toll-free)

Meeting ID: 824 6653 6273

Password: 486003

SPECIAL MEETING AGENDA

1. Call to Order
2. Roll Call
3. Oral Communications
4. Approval of Minutes for May and December 2021
5. Old Business
 - a. Website Update
 - b. Vision Statements for Next Open Space Parcels
 - c. Housing Element Advisory Committee of Committees
6. New Business
 - a. Committee Leadership
 - b. Wildfire Mitigation
 - c. PV Donates
 - d. Dog Park
7. Adjournment



Town of Portola Valley

Woodside Highlands Road Maintenance District
Residents' Advisory Committee Meeting (WHRMD RAC)
Tuesday, February 8, 2022 – 5:30 PM

Special Videoconference Meeting via Zoom

VIDEOCONFERENCE MEETING AGENDA

Remote Meeting Covid-19 Advisory: On September 16, the Governor signed AB 361, amending the Ralph M. Brown Act (Brown Act) to allow legislative bodies to continue to meet virtually during the present public health emergency. AB 361 is an urgency bill which goes into effect on October 1, 2021. The bill extends the teleconference procedures authorized in Executive Order N-29-20, which expired on September 30, 2021, during the current COVID-19 pandemic and allows future teleconference procedures under limited circumstances defined in the bill. Portola Valley Town Council and commission and committee public meetings are being conducted electronically to prevent imminent risks to the health or safety of attendees. The meeting is not available for in-person attendance. Members of the public may attend the meeting by video or phone linked in this agenda.

Join Zoom Meeting:

<https://us06web.zoom.us/j/81872361687?pwd=WjdHL1Jqdis0aWtZS3ZXVU11aUVVHQT09>

Phone into Zoom Meeting:

1-669-900-6833

1-877-853-5247 (toll-free)

*Mute/Unmute – Press *6 / Raise Hand – Press *9*

Meeting ID: 818 7236 1687

Password: 181769

1. Call to Order
2. Roll Call: Members present, absent and guests; Assign Secretary for meeting
3. Oral Communications
4. Approval of Minutes from December 7, 2021, Meeting
5. Business
 - 1) Projects Schedule & Reports
 - Paving Subcommittee:
 - a) 2nd Phase Planning (Schuele)
 - b) Resident Input Regarding Road “Stretching”
 - Drain Subcommittee: Placement (Grant)
 - Spring Clean Up: April 23, 24, 2022: Comments/Planning
 - 2) Financial Statement (King)
 - 3) Projects from Prior Meeting: Follow-Through
 1. Santa Maria: Yellow Line Along Lower Santa Maria (Aliosio, Godfrey)
 2. Yellow Dash Lines Along mid-Santa Maria (Crow)
 3. Signage: Russell/LeRoy (King) (McDonald)
 4. Mirror Replacement: Lower Santa Maria (Schuele)
 5. Drain Repair: below 144 Santa Maria (Godfrey)
 6. Emergency Fire Road Fence Repair (Schuele)
 7. Oak Tree on Lower Santa Maria with Caution Tape (Schuele/Godfrey)
 - 4) New Projects
 1. Santa Maria “Leaning” Tree (Isaacson)
 2. Open Drain Box below 31 Santa Maria (Crow)

6. Other Business:

1) Water Issues:

- a) Pipe between 133 (Do) + 141 (Orchard) Santa Maria
- b) Water through garage 56 Santa Maria (Connell)

7. Adjournment:

Date & Time of Next Meeting



**Town of Portola Valley
Race & Equity Committee
Tuesday, February 8, 2022 – 7:00 PM**

Special Videoconference Meeting via Zoom

VIDEOCONFERENCE MEETING AGENDA

Remote Meeting Covid-19 Advisory: On March 17, 2020, the Governor of California issued Executive Order N-29-20, suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Pursuant to the statewide Shelter-In-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the CDC's social distancing guidelines which discourage large public gatherings, Portola Valley Town Council meetings are being conducted electronically. The meeting is not available for in-person attendance.

Members of the public may attend the meeting by video or phone linked in this agenda.

Join Zoom Video Meeting:

<https://us06web.zoom.us/j/82332911945?pwd=TVVpUTdLRTNvTjJGaWE5Wnc0Nkldz09>

Phone into Zoom Meeting:

1-669-900-6833

1-877-853-5247 (toll-free)

*Mute/Unmute – Press *6 / Raise Hand – Press *9*

Meeting ID: 823 3291 1945

Password: 389360

1. Call to Order
2. Roll Call
3. Oral Communications for items not on the agenda
4. Approve Meeting Minutes for January 11, 2022
5. Old Business:
 - 1) Subcommittee updates (Housing Element, Housing Subcommittee, Town Seal, Town Policies, etc.)
6. New Business:
 - 1) Black History month activity
 - 2) Year-long calendar
 - 3) PV Donates: What projects do we want to see fundraised under PV Donates (see attachment)
7. Adjournment



**TOWN OF PORTOLA VALLEY
Cultural Arts Committee Special Meeting
Thursday, February 10, 2022, 1:00 PM
Videoconference Meeting**

CULTURAL ARTS COMMITTEE SPECIAL MEETING AGENDA

Remote Meeting Covid-19 Advisory: On September 16, the Governor signed AB 361, amending the Ralph M. Brown Act (Brown Act) to allow legislative bodies to continue to meet virtually during the present public health emergency. AB 361 is an urgency bill which goes into effect on October 1, 2021. The bill extends the teleconference procedures authorized in Executive Order N-29-20, which expired on September 30, 2021, during the current COVID-19 pandemic and allows future teleconference procedures under limited circumstances defined in the bill. Portola Valley Town Council and commission and committee public meetings are being conducted electronically to prevent imminent risks to the health or safety of attendees. The meeting is not available for in-person attendance. Members of the public may attend the meeting by video or phone linked in this agenda.

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Join Zoom Meeting

<https://us06web.zoom.us/j/81361419875?pwd=MTVaaWVMMSXV1N043dkE5NjROY3Y3UT09>

Phone into Zoom:

1-669-900-6833

1-877-853-5247 (toll free)

*Mute/Unmute – Press *6 / Raise Hand – Press *9*

Meeting ID: 813 6141 9875

Password: 296310

- 1. Call to Order & Roll Call**
- 2. Oral Communications (anything not currently on the agenda)**
- 3. Approval of prior meeting minutes:**
 - Thursday January 20, 2022, via Zoom
- 4. New February 2022 Business:**
 - Additional new CAC member: Phil Barth
 - Jeremy – Kids Movie Night - Heidi
 - PV Donates for 2022 Fundraising
 - PV Palooza Planning and Fundraising
 - Summer Concert Series 2022 Planning
 - Local artists collection and photography / archives – Sue Chaput
 - Update from Subcommittee (Sue, Ryan, Mimi, Jerrie)

Other Business: None

Announcements: None

Date & Time of Next Meeting: March 10, 2022 (normally scheduled date)

Adjournment:



Town of Portola Valley
Nature and Science Committee Special Meeting
Thursday, February 10, 2022 – 5:00 PM

Special Videoconference Meeting via Zoom

VIDEOCONFERENCE MEETING AGENDA

Remote Meeting Covid-19 Advisory: On September 16, the Governor signed AB 361, amending the Ralph M. Brown Act (Brown Act) to allow legislative bodies to continue to meet virtually during the present public health emergency. AB 361 is an urgency bill which goes into effect on October 1, 2021. The bill extends the teleconference procedures authorized in Executive Order N-29-20, which expired on September 30, 2021, during the current COVID-19 pandemic and allows future teleconference procedures under limited circumstances defined in the bill. Portola Valley Town Council and commission and committee public meetings are being conducted electronically to prevent imminent risks to the health or safety of attendees. The meeting is not available for in-person attendance. Members of the public may attend the meeting by video or phone linked in this agenda.

Join Zoom Video Meeting:

<https://us06web.zoom.us/j/85965656761?pwd=ajlTZFZQNlpOVEZIZDd1b1c1VXQwQT09>

Phone into Zoom Meeting:

1-669-900-6833

1-877-853-5247 (toll-free)

*Mute/Unmute – Press *6 / Raise Hand – Press *9*

Meeting ID: 859 6565 6761

Password: 188013

1. Call to Order
2. Oral Communications (Anyone wanting to address the Committee or anyone wanting to speak on an item not on the agenda)
3. Minutes of January 13, 2022 meeting
4. Reports: Bonnie – Town Meeting
5. Planning:
Andrew suggests July 1 – 3, Sept. 30, October 28-30 for Star Party
May 6, 31, Oct. 21, Nov. 19 for Meteor Showers
6. Water/Event
7. Suggestions for future programs
8. Action Items :
Program proposals including setting dates
9. Discuss Composting ideas
10. Adjournment:

Next meeting – March 10, 2022 at 5:00 pm

Sharon Hanlon

From: Karen Vahtra

Sent: Sunday, January 30, 2022 4:15 PM

To: Craig Hughes <chughes@portolavalley.net>; Sarah Wernikoff <swernikoff@portolavalley.net>; Maryann Moise Derwin <mderwin@portolavalley.net>; John Richards <jrichards@portolavalley.net>; Jeff Aalfs <JAaalfs@portolavalley.net>

Cc: Sharon Hanlon <shanlon@portolavalley.net>

Subject: Volunteer Code of Conduct

In the recent years, our town has lost several volunteers because of extremely challenging situations within the committee settings. We have a Commission and Advisory Committee Policies and Procedures last updated in 2015. The current procedure only specifies the following:

“Removal — If the Mayor, the council liaison and commission/committee chair all concur that a member is not fulfilling the duties (i.e. repeated failure to attend meetings, violation of ethical standards, disruptive behavior, repeated failure to abide by Commission/Committee handbook rules, etc.) of the committee, the Mayor may revoke the appointment of a commission/committee member.”

No where in this document is any requirements for a code of conduct or anti-discrimination or harassment policy.

In both my professional and volunteer positions in life, I have been required to up front agree to a set of professional and ethical conduct before working or volunteering. In organizations both large and very small, a system exists to allow an individual to contact a neutral professionally trained party to discuss the situation and correct it when deemed a valid concern. Often this process can result in a corrective action that restores harmony to the organization and does not require the removal or resignation of any volunteers.

In Portola Valley, the volunteer must convince three people: the Mayor, the council liaison, and commission/committee chair of their case in order to remove that individual. No process exists to warn or reprimand the individual prior to removal. The requirement to convince three non-trained community members with potentially existing ties to the troublemaker is an onerous task for the whistleblower.

I urge the Town Council to develop a modern Code of Conduct for volunteers (committee and commission members, and the town council) supported by a reporting mechanism, an investigative procedure, and corrective actions.

Karen Vahtra, former town volunteer

Many policies are available on the web to use as a model. I found a “Code of Conduct - Volunteers” from Codepath which can serve as a starting point for discussion.

<https://codepath.org/conduct/volunteer>

Here are some key highlights:

It is your responsibility to understand and comply with the specific policies of this Code of Conduct. Any violation of this Code may result in disciplinary action, including the cessation of your volunteer position at CodePath and removal from the CodePath community.

If what you’re doing is making someone feel uncomfortable, that counts as harassment and is enough reason to stop doing it.

Our policy is to take prompt action to enforce this Code of Conduct and all of our other policies. Depending on the seriousness of the violation and the other relevant circumstances, violations of this Code may result in a formal or informal warning or reprimand, suspension, cessation of volunteer services, or other disciplinary action, including removal from the CodePath community.

If you become aware of any violation or suspected violation of this Code, or are asked to depart from this Code of Conduct, please report it immediately to report@codepath.org. All complaints will be investigated and prompt corrective action will be taken, as appropriate. Interim measures may be taken, as appropriate, when a complaint is made. We will not discipline, discriminate against or retaliate against, or tolerate any discrimination or retaliation by any other person against, any person who in good faith reports a violation or suspected violation of this Code.

February 1, 2022

Portola Valley Town Council
Town Center
765 Portola Road
Portola Valley, CA 94028

Portola Valley Planning Commission
Town Center
765 Portola Road
Portola Valley, CA 94028

Re: April 21, 2020 Decision of California's Fish & Game Commission

Dear Mayor Hughes and Chairperson Taylor,

On April 21, 2020 the California Fish and Game Commission designated the Central and Southern Coast Evolutionary Significant Unit (ESU) of mountain lion as a Candidate Species under the California Endangered Species Act. A copy of the Commission's April 21, 2020 written findings for its decision is attached.

I respectfully request the Town of Portola Valley to review and enforce the Commission's April 21, 2020 decision by suspending all action on any lot split or subdivision application under SB-9 pending final decision of the Commission to deny protection to the designated sub-species of mountain lion. I also request that the Town include a copy of this letter in the Town Digest and public Agenda packet for the next Town Council meeting.

Pursuant to Fish and Game Code section 2068, a

"Candidate species' means a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list."

The State's designation of the Central and Southern Coast ESU of mountain lion as a Candidate Species includes the sub-species of mountain lion occupying the CC-N (Central Coast North) habitat and thus all of Portola Valley.

Until the Fish and Game Commission makes a final decision to deny protection, the decision to grant the CC-N mountain lion Candidate Species status within the designated habitat area precludes application of SB-9 within that area. Pursuant to Government Code section 66411.7(a)(3)(C), a local agency may ministerially consider and approve a parcel map for an urban lot split pursuant to SB-9 "only if the local agency determines that the parcel map for the urban lot split ... satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph 6 of subdivision (a) of Section 65913.4." Section 65913.4(a)(6)(J) of the Government Code precludes application of SB-9 to lot splits or subdivisions located on a site that is

"habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code)."

Section 17.13.020(m) of the Town's recent SB-9 emergency ordinance specifically adopts and incorporates this mandatory exemption from SB-9 for all lands within protected habitat as an express exemption from SB-9 within our Municipal Code:

"The parcel does not contain habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code)."

Consequently, our Municipal Code also requires the Town to refrain from any consideration of SB-9 applications until the Commission renders a final decision.

Because the State's designation of mountain lion within the Central and Southern Coast Evolutionary Significant Unit includes all of Portola Valley, the requirement to protect and maintain mountain lion habitat throughout Portola Valley is also directly relevant to the Town's pending update and amendment of its Housing Element. Please ensure that the Ad Hoc Housing Element Committee is advised of the law's requirement to protect mountain lion habitat throughout Portola Valley.

Sincerely,

Rusty Day

Cc: Jeremy Dennis, Portola Valley Town Manager
Laura Russell, Director, Portola Valley Planning and Building Dept.
Cara Silver, Town Counsel

**CALIFORNIA FISH AND GAME COMMISSION
NOTICE OF FINDINGS**

Mountain Lion
(*Puma concolor*)

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2074.2 of the Fish and Game Code, the California Fish and Game Commission (Commission), at its April 15-16, 2020 teleconference meeting, accepted for consideration the petition submitted to list an evolutionarily significant unit (ESU) of mountain lions (*Puma concolor*) in southern and central coastal California as threatened or endangered under the California Endangered Species Act.

Pursuant to subdivision (e)(2) of Section 2074.2 of the Fish and Game Code, the Commission determined that the amount of information contained in the petition, when considered in light of the California Department of Fish and Wildlife's (Department) written evaluation report, the comments received, and the remainder of the administrative record, would lead a reasonable person to conclude there is a substantial possibility the requested listing could occur.

Based on that finding and the acceptance of the petition, the Commission is also providing notice that the Southern California/Central Coast ESU of mountain lions is a candidate species as defined by Section 2068 of the Fish and Game Code.

Within one year of the date of publication of this notice of findings, the Department shall submit a written report, pursuant to Section 2074.6 of the Fish and Game Code, indicating whether the petitioned action is warranted. Copies of the petition, as well as minutes of the April 15-16, 2020 Commission meeting, are on file and available for public review from Melissa Miller-Henson, Executive Director, California Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, California 95814, phone (916) 653-4899.

Written comments or data related to the petitioned action should be directed to the Department contact via email (Esther.Burkett@wildlife.ca.gov); include "Mountain Lion ESU" in the subject line. Comments may also be submitted by mail, addressed to: California Department of Fish and Wildlife, Wildlife Branch, Attn: Esther Burkett/Mountain Lion ESU, P.O. Box 944209, Sacramento, CA 94244-2090. Submission of information via email is preferred.

April 21, 2020

Fish and Game Commission

Melissa Miller-Henson
Executive Director

Sharon Hanlon

Dear Council Members,

On Tuesday January 25th, 2022, I attended the hybrid Town Council Meeting for the Town of Woodside, California. You can listen to the audio of this very informative meeting using this link https://www.woodsidetown.org/sites/default/files/fileattachments/town_council/meeting/33002/tc_meeting_2022-01-25.mp3 There was a discussion about the Mountain Lion Habitat and how it changes the implementation of SB9 in those areas of a Mountain Lion Habitat. Because of this, all SB9 applications will be suspended in the Town of Woodside, CA until further notice.

There was also an article in today's Almanac concerning the mountain lion habitat information discussion that happened at that meeting. https://www.almanacnews.com/news/2022/02/02/woodside-freezes-sb-9-projects-with-town-citing-exemption-for-mountain-lion-habitats?utm_source=express-2022-02-02&utm_medium=email&utm_campaign=express

As a resident of this beautiful town, I hope that Portola Valley investigates the Mountain Lion Habitat issue regarding SB9 since our town abuts with the Town of Woodside.

Thank you for all that you do.

Rita Comes Whitney
Westridge