

PORTOLA VALLEY TOWN COUNCIL SPECIAL MEETING NO. 1024, January 12, 2022

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 Maryann Derwin; Vice Mayor Sarah Wernikoff; and Mayor Craig Hughes

Absent: None

Others: Jeremy Dennis, Town Manager
Cara Silver, Town Attorney
Laura Russell, Planning & Building Director
Sharon Hanlon, Town Clerk

Attendees: Rita Comes
Caroline Vertongen
Bob Turcott
Karen Askey
Bob Adams
Robert Younge
Mida Jones
Ellen Vernazza
Ron Eastman
Bev Lipman
Peter Draeger
David Cardinal
Rusty Day
Andrew Thompson
Alyson Illich
Kristi Corley
Judy Murphy
Bruce Roberts
Greg Franklin

ORAL COMMUNICATIONS

Rita Comes commented that there was a burglary in Westridge on December 31st, at about 4 p.m. She said there was a message that was sent out January 12th, which made it seem that the reporting was in real time from the Sheriff. She did not understand why they were only receiving the message on January 12th. Another concern was that phones for many Portola Valley residents have been out since December 23rd as well as internet service for many people. She remarked that not everyone has a cell phone, and the town has a lot of elderly residents who depend on their landlines and that many of those phones have been restored, including one of her own, as of Monday, January 10th. She did not believe, aside from discussion on the Forum, that there was any messaging from the Town about this. She felt this is a concern in regard to safety issues and looking out for each other. She requested that that Town address these outages, whether electric, phones or internet. She inquired about the committee in the Town that coordinates with the utility companies and said this issue occurred before regarding a burglary. She said if the public knew about these things they could double down if people are traveling and secure their homes a little better, since when there is one burglary there is often another. She requested the Town Council do whatever they can to help keep them safe by letting them know when utilities are out and when there is a burglary.

Vice Chair Hughes asked Town Manager Dennis to address the timing of the Sheriff's message. Town Manager Dennis responded that the Town was not directly notified of the burglary until late last week. He said he had put a practice in place in 2016 requesting a press release to describe such information. Unfortunately in this case, the Sheriff's Office was late in getting it to him. Town Manager Dennis noted that staff did put it up as soon as it was received. They have indicated to the Sheriff's Office that they want this to happen more timely. Regarding the AT&T issue, Town Manager Dennis noted that if there are issues that residents wish staff to act upon, the best way to do so would be to contact them directly, as opposed to posting on the Forum. Although they try to monitor the Forum, staff is not able to spend its time doing this first and foremost. He said Public Works Director, Howard Young, has been speaking with AT&T since last week regarding the issues with an underground data interchange that has been an issue for some time. They have indicated to AT&T that they want this to be resolved as quickly as possible. He encouraged residents having issues to email him or Town Center at portolavalley.net or to call them.

Caroline Vertongen had a comment similar to Ms. Comes'. She said she had shared in December her hope that communication would be the Mayor's priority. She feels there is a lot of miscommunications and that the more they spend taxpayer money, the less things are working. She said AT&T and other telephone/internet communications have been a problem for many years. They have addressed concerns directly to Town Council as well as the Town Manager, and she said it is another problem that has not been fixed. She wished also to voice concerns regarding Consent Agenda item number seven.

Bob Turcott was disappointed that the Council did not adopt the provisions in the petition at the last Council meeting, or any measures by which the impact of SB 9 proposals on wildfire hazards can be assessed and prevented. He felt a number of positive things did come out of the meeting. First, more than 90 people attended and because of resident participation, the Council decided to pull the erroneous draft hazard mitigation plan from the Consent Agenda and delay approval until it was corrected. Secondly, he said the positions and the debate about fire safety became starkly clear in that the Council and some of its appointees on the Wildfire Committee believe that home hardening and vegetation management are sufficient. In contrast, many residents believe that those measures are necessary but not nearly sufficient and they should, at minimum, comply with Cal Fire regulations, NFPA standards, and state fire safety mandates for hazardous areas such as Portola Valley's. Thirdly, he said they learned that the advice of the Fire District is very different depending on the jurisdiction, and he wondered why there was such divergent advice. Finally, Mr. Turcott spoke of the issues addressed in the Petition to Protect Public Safety and said earlier this month 27 residents sent a letter to the Council asking that the petition be placed on the agenda so that supporters could be given an opportunity to present their rationale and the merits of the petition; the Council and others could have an opportunity to probe its merits directly; and advocates could have an opportunity to challenge misconceptions about it. He said the Mayor declined and gave no rationale for doing so, and that the issues mentioned remain unaddressed. He said he sees the number of people concerned about these issues growing and not shrinking, and the number had grown to 600 since the last Council meeting. He felt the only way to put the concerns to rest was to fully air them, along with related fire safety concerns, in a special session of the Council held in accordance with transparency requirements, with an agreed upon format facilitating effective dialogue. He urged the Mayor and Vice Mayor to consider holding such a session.

Mayor Hughes noted that some of Mr. Turcott's comments addressed actions and comments made by Woodside Fire Protection District, and he suggested Mr. Turcott take those up with them, as he could not speak as to why they give different recommendations to different towns, other than that towns are different from each other. He said in his discussion with them, they were very clear on the advice they gave the Town.

Karen Askey said her understanding was that the Town's SB 9 ordinance and fire safety checklist could be amended at any time, and that they are waiting on the Woodside Fire Protection District to update and finalize recommendations, with a wait time of approximately one year. She wondered if they have that luxury of time, because the top priority of the Town Council should, first and foremost, be the safety of its residents. She requested that the Town revisit the National Fire Protection Association standard of a 30-foot structure separation. In 2007 and 2008, she said many areas of Portola Valley were designated as

high or very high fire danger areas by Cal Fire. In the past 15 years since the maps were drawn, climate change has continued, fires in wildland urban interface areas have increased dramatically, and the drought threat is even higher. She commented that home hardening, vegetation management and structure separation all play an important role in fire prevention and that the NFPA has set a standard of 30-foot structure separation in high fire danger zones. Since the goal of the NFPA is to eliminate death, injuries, property damage and other issues related to fire and electrical-related dangers, she felt prudence would dictate adopting the NFPA standard now, and then amending their ordinance and checklist if and when Cal Fire or Woodside Fire changed its standards. She felt this presented the greatest safety measure. She advocated relying on the data they have now and not second guessing the experts, as they must put resident safety first. Mayor Hughes responded that Ms. Askey's comments referred, in part, to advice given by the Woodside Fire Protection District to not implement the NFPA at this time, but to wait for their fire code update. He asked her to address questions regarding that advice to them.

Bob Adams said he had a broader view of the issue, having been in the town when the Nathhorst Triangle came up, about which there was much discussion by Council, who then brought it to the citizens. The citizens felt as though the Council was not listening, and it got to be a very uncomfortable time. He said he sees parallels with the current situation. He said he has spent some time with Vice Mayor Wernikoff, with them trying to understand each other and the situation. He has done the same with Town Manager Dennis. He felt many people do not feel heard right now, and he urged the Council to hold a working session, open to the public. He said people worry that this type of big meeting can be a problem, but the benefit of doing it right now is that a meeting can be done on Zoom. On a Zoom meeting, there is significant control and, rather than have the Council run the session, a professional facilitator would be present to do nothing but manage the meeting. With the potential to mute people, explosive reactions could be limited, more than in a face-to-face meeting. He said he felt pressure was building up on both sides, with both digging in and a scarcity of communication happening. He felt they needed a time for everyone to get together, talk about this and, once the town has a chance to say something and feel heard, he believed the pressure would start to release and more civility would be gained. He said communication has, unfortunately, become more uncivil of late, and he would like to see its return. He felt giving citizens a chance to talk to the Council directly, with the Council asking questions but not making decisions or holding votes, would be a way for the citizens to be heard and feel heard.

Robert Young said he felt it was obvious that they are at a point of divergence, as neighbors and as Councilmembers. He said this is not a good thing, and they need to pull together. He felt the best way to do that is to have a special working session in which Woodside Fire is invited and all could be there for a more leisurely time to discuss the issues and pull together. He remarked that it doesn't do any good to express disagreement on issues. What is needed is a time to actually discuss the points. He hoped the Council would discuss this idea because a special working session would give them a chance to be the old Portola Valley, as originally created.

Mida Jones agreed with many of the previous comments but wanted to particularly point out that for Mayor Hughes to keep referring residents' concerns back to the Woodside Fire Protection District didn't seem to be confronting the Town's issues head-on. She said her understanding is that the Town Council has the ability to install rules pending the completion and outcome of Woodside Fire's next year-long study. She said they are asking that the Council do so and not keep referring back to what the new Fire Marshal has said, specifically, that he can't really recommend the 30-foot separation between buildings for fire safety. She expressed that the Town Council is intelligent, strong and hardworking enough to come together with residents and agree that fire safety must be first, and their own rules can be adjusted when Woodside Fire comes out with the official study results in about a year. She asked that the Council take a position in alignment with what the residents were requesting.

Ellen Vernazza said it seemed odd to her that the safety petition signed by 600 people was not agendaized. With that many adults signing she thought it would be something they would want to address. Mayor Hughes responded that the petition was submitted to the Town in December and was addressed at the December 8th meeting in discussion of the two agenda items on SB 9 and on the home hardening

code agenda item. In discussion with the Fire Marshal and the Chief of the Fire Department, the Council decided that the five specific items requested in the petition were not things the Woodside Fire Department wanted at this time. They did not, therefore, want to impose that upon them. He said they have addressed it, and there would be an update from the Town Manager under item 14.a. on the agenda, at which time there may be further discussion as well.

Ron Eastman responded item 14.a. on the agenda is completely blank, making it unclear what will be addressed. He said the petition was not taken up in the December 8th meeting but was referenced after 11:00 p.m. at a time and in a fashion in which no one could respond to it. He said it was a scientific study, but he felt it was mischaracterized, attacked and dismissed. He said the study found, through arduous data collection and statistical analysis, that structure proximity is a big factor in structure-to-structure fire spread. He said approximately 18 percent of the registered voters in Portola Valley signed the petition, including technology CEOs, lawyers, engineers, scientists, members of the National Academy of Sciences, accomplished people of all stripes. Many more would have signed the petition if given the opportunity, and he didn't understand the Council not taking it up, because it is clearly an issue that is important to the community, their homes and their lives. He said wildfire is a real, existential threat, and a large number of residents don't feel it is being taken seriously. He thought they should be discussing policy, and instead are discussing facts, arguing over the science, which is clear and without question. He said they need to come to agreement on what the facts are, which is why he supports Mr. Adams' recommendation for a study session, an open forum, where all sides can present their evidence, and the community could come to consensus on what the facts are.

Peter Draeger stated that he stands with the more than 600 fellow citizens supporting a building separation code to mitigate wildfire risk. He felt it would be a simple measure, not at odds with home hardening, but an additional step to protect the community. He felt there was no reason to put it off. There may be some thought that it is counter to multi-unit development in Portola Valley under the Housing Element. He said everyone should put their cards on the table and be honest about what's going on. The fact is that they have a largely ignored risk to homes, which are the biggest investments in residents' lives. He said real data and information is not being fully considered with regard separating building structures as a valid and strong mitigation for wildfire risk. He asked that they not deflect discussion to the Woodside Fire Protection District. Mayor Hughes clarified that he was not trying to deflect to the Woodside Fire Protection District but was referring very specific questions about advice they had given. If there were questions about their advice, he asked they be addressed to the Fire District.

David Cardinal had two comments. First, he hesitated to support anyone who thinks the Town Council or anyone else in the town doesn't take fire seriously. He pointed out that they all live there and have houses, so they can argue over the tactics, but to impugn motives or priorities is short-sighted and wrong. Secondly, he said regarding the science, he has read hundreds of pages of papers and tons of emails, and the science is not settled. There are some studies based on tiny bits of data; for example, spending two years studying whether sheds are a problem. He did not feel there is settled science on the best way to proceed, although there is anecdotal evidence and studies based on individual events, which are important, but he didn't feel anyone could claim a moral high ground and claim everyone else is an apostate because their reading of a particular incident is one way or the other. He said he trusts the people they have elected to make informed policy choices and to provide a good sense of where they need to go from here.

Rusty Day expanded on the comments of Bob Adams, Ron Eastman and Rob Young. He said the question is not what the science teaches or who has the moral high ground, but the fact that 600 residents in the town signed a petition asking the Town Council to rethink its policy on wildfire science and asking the Council to convene a public session where citizens' concerns and the opinions of Woodside Fire Protection District can be brought to bear. He said Fire Marshal Bullard could answer the question about structure separation. The residents could hear and consider the debate for themselves, in public. He urged the Council not to run from the petition, but to embrace it and hold a full public debate on level grounds, allowing responses to be made and issues to be fully weighed and considered, so that the

2,000 adult residents in Portola Valley could choose for themselves what they think the best policy is for their future, their safety, for affordable housing in town, and all of the issues impacted.

Andrew Thompson remarked on Mayor Hughes' comment that he doesn't mean to deflect questions about the advice of the Fire Protection District. He wanted to respectfully state that he thinks he is deflecting, and that many others think that he is. He said the advice one gets depends upon the questions asked, and clearly the Council is asking very different questions than the Town of Woodside. He felt it inappropriate for their leaders, the decision-makers, to deflect by saying, "Go ask the Fire Department.". He said that people were expressing their desire for fire safety to be the number one priority and for it to trump any other agenda of the Council. Since the public doesn't know what questions the Council asks, they don't know why they get the advice they get. He said they desire accountability to the people who live in the town, who are concerned about fire safety and who vote for the Council. Mayor Hughes encouraged Mr. Thompson to review the December 8th meeting video, available online, where the Fire Marshal and Fire Chief spoke extensively on their own behalf.

Alyson Illich supported the petition because she supports the concern behind it. She thinks they are in a dilemma with state housing mandates coming down upon them at a time when they are waiting for more information from Woodside Fire Protection District. She said what she heard in the December meeting was that they are studying the problem, they are working on it, developing new fire codes, that they need time. She said they have this year to year-and-a-half in which they are waiting. They are waiting for their own evacuation study to be completed. Yet they have a housing mandate placed on them rather suddenly on January 1st. She said one of the main thrusts of the petition was to lobby and put into effect the most restrictive development restrictions possible until they have the additional information. She said they have a year-and-a-half of waiting for the fire professionals, waiting for evacuation study. She said for her that is actually as big a concern, putting more homes, more cars, more people, with two ways out of town. She said it doesn't make sense to her, having been in a community this summer that was evacuated.

Kristi Corley wondered if the Council had considered any additions to their SB 9 ordinance. She said many cities are looking at their ordinance, at other cities, for what they forgot, and how they can poke holes into it, whether the ordinance is everything they want it to be, including things like solar, trees, basements balconies. She encouraged the Council to look closely at the ordinance, which can be adjusted only within a certain period of time, to re-evaluate and make sure they have everything in it that they desire.

With no further public comments, Mayor Hughes moved to the agenda.

(1) **Presentation** – Backyard Habitat Awards by the Conservation Committee

Nona Chiariello, recipient, spoke and explained that, because the Backyard Habitat Subcommittee Chair could not be there, she had encouraged Nona to show some images from her backyard, including some from their camera. Ms. Chiariello thanked the Committee for the award. She said when she and her husband moved to Portola Valley, they were already long-term native plant enthusiasts. Yet, the property they bought was covered in a thick blanket of English ivy, periwinkle and St. John's Wort, a layer so thick that it almost shouted, "We have no habitat value, and you can tell that because nothing eats us." She said over the years they have replaced nearly all of those invasive non-natives with nearly 100 native species. She shared photos of a few of the native species they have introduced in their yard, explaining that they are all local natives or California natives, nothing rare. She said part of the beauty they see in these native plants is that they help create a natural habitat in an environment that is defined by the awesome redwood trees, especially in their backyard, which backs on to Corte Madera Creek. She said their main goal for their backyard is to simply help keep the creek and the riparian corridor a lifeline for wildlife.

Ms. Chiariello described that in this corridor, cottonwoods growing on the creek provide nest material for red-shouldered hawks, which they see crisscrossing their property to maintain a massive old nest in a

redwood tree that they monitor from the corner of their yard. She said the hawks eat a lot, mostly squirrels they think, which their camera shows are common, but kept in check. She shared some of the camera track on "the lower bench," adjacent to a tumbled down stone wall. Shown was a glimpse of corridor activity, including deer, occasionally coyotes, and the highly reflective eyes of many animals. Skunks, usually solitary, sometimes have family. Foxes are usually in pairs, and they often see them hunting, sometimes on the stone wall that has tumbled down. She said this year they also saw bobcats, which became more common as the year progressed and which often use the wall as well. She pointed out one of the Scrophularias, a plant which the deer regularly defoliate. Ms. Chiariello said it is not always immediately clear to them whose eyes they are seeing at night, but Great Horned Owls are more common on the ground than they expected. She said most of the wildlife in their yard moves quite fast through the yard, except the mountain lions, which are usually solitary, but occasionally there has been a pair. Ms. Chiariello concluded by noting that replacing the non-native plants in their yard with natives is essentially all they have done for wildlife there, but the amazing thing about Portola Valley is that that is all it really takes. She applauded all that is done to keep Portola Valley wildlife-friendly, and they look forward to joining the growing network of backyard habitats. She once again thanked the Council for the Backyard Habitat award.

Mayor Hughes thanked Ms. Chiariello for all the work she has done to improve her yard so that the creatures and plants can enjoy it. The results of their work are very clear from her spectacular video footage. He said they have seen photos from previous Backyard Habitat Award winners, but this is the first time they have seen a video, and it was impressive seeing the animals, especially the predators. He said when the predators are present, then everything else down the food chain is probably there also.

Mayor Hughes invited comments from the Councilmembers.

Vice Chair Wernikoff thanked Ms. Chiariello for the amazing video and said that seeing the wildlife was incredible. She congratulated her and thanked her for work in creating that environment and advocating for this kind of effort throughout town. She suggested the post it on PV Forum if they have not already.

Councilmember Aalfs said he worries at times when a committee gives an award to one of its members, but the recipients earned this one. He said it was phenomenal, and he couldn't believe she lives less than a mile from him. He said he knew the critters are out there, but it is another thing to see them running through his neighbor's yard. He said he would love to see her camera feed somewhere on the website and be able to see what is moving through at any time. He highly recommended that she keeps it up.

Councilmember Richards said her video was fabulous and he thought he recognized the lion going through his yard. He agreed it is a great program and encouraged everyone in town to do what they can to bring their yard into compliance with the native-friendly vegetation.

Councilmember Derwin asked Ms. Chiariello where her camera was located. Ms. Chiariello responded that it is located on the "lower bench," which is basically right above the creek, next to the crumbling rock wall. She said they have moved it a couple of times, partly when they realized that the animals like to run on the rock wall, and they wanted to get a different vantage. She said it is at a crossroads, essentially a trail that forks and goes down to the creek in two places. Councilmember Derwin asked if they had received their Backyard Habitat sign. Ms. Chiariello said not yet. Town Manager Dennis said the signs are at Town Center, and they will make sure that one is delivered to the Chiariello's soon.

Mayor Hughes invited public comment.

Caroline Vertongen said thank you to Ms. Chiariello and she feels their video represents their values. She hoped the Council would put it on the webpage, because it is because what they represent. They encourage every resident to embrace these initiatives.

Judith Murphy said she hoped Ms. Chiariello's wonderful video will inspire others in town to look at their own yards and apply for this award. She said they have a stash of the physical awards in one of their garages and will take care of getting one to the recipients.

(2) **Recognition of Service** – Steve Hedlund for his Volunteer Services to the Town

Mayor Hughes said Ms. Hedlund has been a town volunteer for the Public Works Committee for longer than he could remember. He turned the presentation over Mr. Young, who wanted to give him a special message of thanks.

Howard Young, Public Works Director, thanked Mr. Hedlund for his 27 years of service on the Public Works Committee. Some of the work he helped with when called upon included responding and assisting at sites of flooding, fallen trees, blocked roads, mudslides, accidents, fallen power lines – sometimes at night or on weekends, performing the Committee's annual field survey on assigned areas along the roadways, and providing the Town staff feedback. He said it has been a great way for a group of residents to provide the Town feedback on the roads and infrastructure. He said Mr. Hedlund was also Chair of the Committee for many years, serving as a role model for new members. He has worked with Mr. Hedlund for many years, which have been great. He very much appreciated him answering the phone when called and being available at odd times at night, on weekends and holidays. His calm and cool personality was needed when arriving at emergencies, and his good judgment, because every incident is different. Mr. Young said that such a personality stands out among the many things they have seen. Mr. Hedlund's common sense and economic approach to situations and his consistency through the years, through his efforts, saved the Town time and money. He sought and valued Mr. Hedlund's opinion. He was easy to work with, a great volunteer and team player and would be missed by the Public Works Committee and Town staff. He thanked him as well as his family for accepting all the inconveniences when Mr. Hedlund was called out at all hours, and for picking up his phone calls when needed during his 27 years on the Committee.

Mr. Hedlund thanked Mr. Young and said he would like to say he enjoyed every minute of it, although most of it was a lot of fun. He said it was fun meeting a lot of the old original guys that were on the committee that contributed a lot to form the town into what it is. He said he really enjoyed it and hoped Mr. Young would keep the legacy going, and that he was doing a good job.

Mayor Hughes said he knew a lot of the work was at the most inconvenient times when staff WAS unavailable to do things, not just nights and weekends, but almost always in the middle of a windy, rainy, cold storm, when stuff tends to happen. He thanked Mr. Hedlund for all his work for the town over the years and said his contribution would not be forgotten.

Mayor Hughes invited comments from the Commissioners.

Councilmember Aalfs said for those who might not know, the Public Works is the group that answers the call anytime something goes wrong, usually in the middle of the night. He has heard many stories about them being out in all kinds of weather and conditions, and none more so than Mr. Hedlund. He thanked him for all he did for the committee and the leadership he provided, being there when someone needed to be out on a downed power line, on a flooding creek, or clearing out a culvert.

Mayor Hughes invited public comments.

Kristi Corley shared a secret about Mr. Hedlund that few know, going beyond Public Works. She shared that Mr. Hedlund was Santa Claus to her kids when the Woodside Highlands Santa retired. She thanked him for everything he gave her family and congratulated him on the award.

Brad Bowan said thank you and congratulations to Mr. Hedlund.

Bob Boyle, current Chair of the Public Works Committee, said he wanted to personally thank Mr. Hedlund for his 27 years for everything he has done in that time and that he will do for the next eight months while still on the committee. He said what was great about having Mr. Hedlund and his knowledge on the Committee was that they could call on him when they were unfamiliar with an issue – a downed power line or something going on at the Town center – because he has probably handled it at some point in his 27 years. He said it is great to still have him onboard for a while and thanked him for all of his service.

CONSENT AGENDA

- (3) **Approval of Minutes**- Action and Detailed Summary for December 8, 2021
- (4) **Ratification of Warrant List** – December 22, 2021
- (5) **Approval of Warrant List** – January 12, 2022
- (6) **Recommendation by Town Manager** - Staff Flexible Work Schedule
- (7) **Recommendation by Town Manager** – Letter of Congratulations to Roberta Zarea as Superintendent of the Year
- (8) **Appointment by Mayor** – Member to the Wildfire Preparedness Committee
- (9) **Appointment by Mayor** – Member to the Emergency Preparedness Committee

Mayor Hughes invited public comment on the Consent Agenda.

Caroline Vertongen was concerned about the letter the Mayor posted to congratulate the Superintendent of their area. She understood that the Mayor wanted to congratulate her for being named the Association of California School Administration Superintendent of the Year. She said while the Mayor may personally congratulate her, she wanted him to make sure the students in the town and the professionals serving the school district agree with him. She thought as a public official he should give an objective comment, substantiated by supporting data. She said she has addressed the issue of communication with superintendents many times and, just like the Town Council, she hears promises but there have really been no efforts to make improvements. She said in December they were not even invited to speak, because the process had been changed. She said that she has communicated that she wishes to talk at the upcoming meeting, and she would, but it will be for two minutes only. Ms. Vertongen felt when the Mayor congratulated someone for achievements, she wanted to make sure the comments were representing, not just ten percent and not just the accomplishments of his own or his children's experience, but those of everyone in the town. She was disappointed also because she has addressed systemic problems with the schools in town for more than ten years, and every time the Town Council would say that they don't have purview; yet she sees that they work very closely with them at certain events, especially when it comes to collecting taxpayers' money and making sure that elections go well to achieve their goals. If they wish to have excellence in school, she said this must be a collaborative effort and they need to see that the data is there, because above average is not equal to excellence.

Rita Comes wanted to know how many people were in the meeting and said although the live transcript was indicating it was available, it was not working and had been disabled. She asked that it be enabled and to know how many people were in the meeting. Mayor Hughes said he currently saw 38 attendees. Ms. Comes said they are not seeing either Ms. Hanlon or Town Manager Dennis, so they cannot see how people were there. Ms. Comes repeated they were still not seeing the number of attendees, but she appreciated them turning the transcript back on.

Mayor Hughes invited further comments on the Consent Agenda.

Vice Chair Wernikoff moved to approve the Consent Agenda. Seconded by Councilmember Aalfs, the motion passed, 5-0, by roll call vote.

REGULAR AGENDA

(10) Presentation – Portola Valley Annual Library Report

Garrett Kuramoto, Portola Valley Library Manager, presented the annual report. He began by saying that although last year was obviously a little different, he comes at least once a year to present some good news about things going on in and around the Portola Valley Library and San Mateo County Libraries. He said the published Annual Report will be available through the Town Hall once it reopens, with a letter from him and Anne-Marie Despain, the San Mateo County Libraries Director. A video presentation was shared of the history of the Library Joint Powers Authority, formed in 1999. He said today each of their 13 libraries is part of a larger family, offering transformative experiences, an inclusive sense of place, and an environment for learning. The diversity and complexity of those served, about 284,000 who live in their service area, inspire and drive their services. He said they continually assess the needs of their users to respond with thoughtfully designed programs and services that enrich and uplift their communities.

Despite challenges this year, Mr. Kuramoto said they had proved to be a nimble organization with a flexible strategic plan which allowed them to pivot, innovate and quickly respond to provide much-needed services to the public. He said San Mateo County Libraries continues to be a high-performing organization, with benchmarks including an increasing population of registered library cardholders and a 93 percent favorability rating. Locally, Portola Valley had 7,424 curbside visits and circulated 62,283 items in the past fiscal year. Staff ingenuity and thoughtful mobilization resulted in many new and reimagined services.

Mr. Kuramoto said there are many accomplishments to be proud of, and he highlighted a few of them. Staff innovated ways to educate and entertain kids, teens and adults through high-quality virtual experiences. Many programs were offered in a language other than English, or in multiple languages, making them warm and welcoming to more of the community. This included 1,075 virtual events hosted and 25,313 views of programs on their YouTube channel. When schools closed, they immediately increased the number of Wi-Fi hotspots to keep the community connected and learning and worked closely with schools and community learners to ensure those most in need had distance learning support. They also invested digital literacy efforts, with staff providing 1-on-1 tech support through Zoom. Their workforce development programs reached hundreds of people to provide vital support, given the job losses following the COVID-19 outbreak.

Mr. Kuramoto said the commitment to making the libraries equitable for all was strengthened through staff equity training and a new equity author series. Additional author visits throughout the year supported community growth, understanding and dialogue. The author visits became wildly popular for all ages in addition to their adult events, and they hosted 17 youth authors in schools throughout the county and gave away over 55,000 books. Though they were unable to welcome visitors into their buildings through most of the year, they connected with communities through more than 186,000 curbside and walk-up interactions. They also offered free printing and 3D printing services and continued meal programs during the pandemic as a to-go service.

Library staff also spent many months preparing to safely re-open. In April, they opened doors to lines of library enthusiasts. Mr. Kuramoto showed a video which captured the excitement of the day at the front doors of the Foster City location. He noted that there was a lot of excitement, while remaining respectful and socially distanced. In March, the family of libraries grew as the North Fair Oaks Library was welcomed into the San Mateo County Library system. The beautiful new Brisbane Library was completed and opened to the public in April and has been enthusiastically embraced by the community.

Mr. Kuramoto noted that COVID-19 exacerbated inequities in youth learning, disproportionately affecting youth of color. He said with their history as leaders during the summer and the encouragement of their governing board to think big, they developed and succeeded in a robust set of positive interventions, including Library Explorers, an in-library camp experience during the summer. They offered the Families Create program to bring engaging experiences home, and they expanded their award-winning Big Lift summer program to five weeks, serving close to 1,000 youth. Mr. Kuramoto shared a short video featuring staff and families from the Big Lift Program. He said they look forward to accomplishing new and exciting priorities this year, including the new Atherton Library this spring and continuing to work towards new libraries in East Palo Alto and Pacifica, refreshing library interiors and constructing new maker spaces, including locations in Foster City, Millbrae, Belmont and the brand new Makermobile, which will be a mobile maker space on wheels. The Library will be continuing to increase digital equity, supporting critical out-of-school hours and returning to pre-pandemic hours potentially as early as February. He thanked the Library staff for their work and creativity during this time, the Friends of Portola Valley for their dedication and advocacy, City staff and the Council for their ongoing support, particularly Councilmember Derwin and Town Manager Dennis for their work on the Library JPA Governing Board and Operations Committee.

Mayor Hughes invited questions from the Councilmembers.

Councilmember Derwin commented that whenever she sees a Library presentation at the JPA meetings, it is always joyful. She loves the videos and would encourage her colleagues and attendees to visit the other libraries. She went to the Brisbane opening and noted that the architect is the same one that did Portola Valley's Town Center, but it is in an urban space, and she said the design is remarkable. She said the Half Moon Bay Library is one of the jewels in the system. East Palo Alto has great energy, and they are trying to build a new library. They are all amazing in their own way. She said she loved being on the Board because she could see the essential work that libraries do in the world today. She said one member asked if libraries are relevant anymore and if people really read. Councilmember Derwin said yes, they are relevant more than ever. They are a gathering place, a place where kids go in the summer to learn and keep up their skills, such as the Big Lift, which she also recommended visiting in the summer. She said she has had the pleasure of visiting some of the school sites and meeting the teachers and kids. She said families depend on libraries, and theirs has received many awards. She asked what the latest one was the JPA got, where they were number one. Mr. Kuramoto replied that the *Library Journal*, which is a major publication in the library field, named them a five-star library, which they have been named before. The designation is relative to size and service area, so they can safely be considered one of the top libraries, rating-wise, in California and throughout the nation.

Councilmember Aalfs pointed out in 2020 as the pandemic was going on, the Library stepped up with their online courses. He was happy to be touting everything they were doing in the weekly messages. It was a great community effort at the time. He thanked them for that and said it was good to see them gradually opening up and allowing people in again. He added that he did find the overdue book that he had gotten a message about.

Mr. Kuramoto advised that he would be forwarding a copy of the annual report to any member of the public. It is published on their website, smcl.org, and he would invite anyone to look through it. There are many more positive statistics, data and stories beyond what he was able to share.

Mayor Hughes invited comments from the public.

Rita Comes said it was a wonderful presentation, and libraries have made a huge difference throughout her life. She and her daughter love the Portola Valley Library. Also, the Portola Valley Women's Group does their book club there on the last Thursday of every month. The staff is helpful and all the things that can be done there – the 3D printing, seeing the kids and the baby groups she brought her daughter to – make it a wonderful resource for the community. She appreciated them keeping it up.

Lori Muffly commented that they love the Library as well. She loves libraries and bookstores and wanted to say that over the past two years during the pandemic she has heard many, many talks, both for her job as well as her personal life, and Mr. Kuramoto's presentation was one of the most excellent ones she has heard during the pandemic – incredibly uplifting, concise, delivered with excellence and well done. She congratulated him and said she wished more town members could hear his presentation, because it put a huge smile on her face.

Hearing no further public comments, Mayor Hughes thanked Mr. Kuramoto and the Library staff for their work, especially during the pandemic. He said when his kids were younger, they spent a lot of time at the Library, and anytime he passes by there it is clear that it is a great resource for the town.

(11) **Presentation – Len Materman, CEO of the San Mateo County Flood & Sea Level Rise Resiliency District (OneShoreline)**

Mr. Len Materman gave a special thank you to Councilmember Derwin who was on their Board for the past two years and also was instrumental for many years prior to their formation in January of 2020, spending many hours working with people around the county to advocate and plea for the value of multiple jurisdictions getting together to address climate change. He commented that there is unique vulnerability in that area in the state, and it was important that they got together, and Councilmember Derwin was instrumental in that.

Mr. Materman provided a presentation on the San Mateo County Flood and Sea Level Rise District. The Council received a presentation a couple years ago before the formation of the District, and there have been many studies looking at vulnerability to multiple climate risks in San Mateo County. Sea Level Rise stood out as an important risk in terms of many metrics. A study from last July from Stanford University looked at the number of homes at risk for sea level rise. San Mateo has more than others, and they are below median income. Cal Trans did a study that came out at the end of 2020 which looked at Hwy 101 as well as other roads, and 80 percent of Hwy 101 is vulnerable to sea level rise. There was a report last summer from the Civil Grand Jury that came before the Council, which looked at multiple risks related to the issue. He summarized that San Mateo is the most vulnerable county in California to the first three feet of sea level rise in terms of number of unrepresented populations, number of homes, number of contaminated sites and property value.

Mr. Materman said he is often asked, "How does it relate to my interests?" In response, he put together a summary of why it matters to everyone. He said it matters to anyone in San Mateo County who drives on Highway 101 between East Palo Alto and San Francisco. It matters to anyone east of Skyline Boulevard who flushes their toilet, because the water treatment plants are along the Bay, and none of those are built at an elevation to accommodate for a higher Bay level, or sea level rise. It matters for anyone who receives water from the Hetch Hetchy system, because the large pipeline that comes under the Bay and into Menlo Park with infrastructure right along the Bay, and it is not protected from sea level rise. It matters to anybody who gets their electricity or natural gas from PG&E's transmission system. It matters for anybody who works, lives or goes to school east of the Cal Train tracks. Lastly, he said it matters to anyone who values the marshes and coastal beaches, which are probably the assets that are at risk first. These things are what sea level rise means, and it is not a far off or hypothetical issue.

Mr. Materman shared pictures of the King tides in South San Francisco. At the Oyster Point Marina, he showed a building about half underwater, which is the Harbormaster's office, as well as other photos of flooding of tidal water west of Highway 101. He offered comments about what can be done about the sea level rise, describing past projects. There was a flood control district established in 1959, which only worked in 10 percent of the county and did not work on the Pacific Coast side. He said the County has 11 cities along the Bay side and three along the Coast, and none of them are well-positioned to deal with the issue other than working on their own frontage, and water would go around that. He said state legislation was signed in 2019 to form the San Mateo County Flood & Sea Level Rise Resiliency District, which is now called One Shoreline. It is the first independent government agency established to deal with the water-related impacts of climate change. He said they take a holistic approach to the geography and

multiple jurisdictions; a holistic view of the threats, including larger storms and substantial sea level rise; and a holistic view of the objectives, looking at how to turn waterways and shorelines into asset rather than liabilities and looking for opportunities for natural solutions including using private lands.

Mr. Materman presented the priorities of the District for this year and next year. They include completing their first construction project which is near Marsh Road and Highway 84 at the intersection of Menlo Park and Redwood City, a project to protect five mobile home parks. They plan to advance new jurisdictional projects and work with cities and developers so that public and private infrastructure and new development can function for a long time as climate change impacts grow. Another priority is to develop a source of long-term stable funding to build resilience to climate risk. Mr. Materman said they are looking for long-term stable funding for projects related to water – sea level rise flooding, erosion, stormwater capture, as well as drought. In addition, priorities include working with the wildfire community on issues such as vegetation and forest management, detection, alert and evacuation systems, funding planning, education, outreach and funding home hardening. He added that, although they are independent of the County, they are looking at a county-wide parcel tax with the County of San Mateo. The parcel tax would address the water and wildfire related issues long into the future.

Mr. Materman offered an overview of the Districts projects. One is in Redwood Shores, where the wastewater treatment plant for the town of Portola Valley is located, at Silicon Valley Clean Water. One Shoreline is also the lead agency in a project at Burlingame & Millbrae in a countywide early warning system. They also partner on projects by others, including those at Foster City and San Francisco International Airport. The project under construction near the Bay at Marsh Road involves frequent flooding in five mobile home parks. It is a relatively small project, about \$10 million, but very complicated in a jurisdictional sense. Funding is an agreement between One Shoreline along with the cities of Redwood City and Menlo Park, the Town of Atherton, and San Mateo County. They received the designs for this project in early 2020. In about one year and three months, they took the project through CEQA funding, obtained the land rights and environmental permits, and it is currently under construction, to be completed in about a month. This is their first construction project.

Bay Front canal flows into the Bay, and they will take water underground and deposit it into the U.S. Fish and Wildlife Service ponds. This has been in planning since 2009, so they are glad it is finally in process.

Another emerging project was highlighted because of the nexus with Portola Valley. Mr. Materman said FEMA has notified cities of Redwood City, San Carlos and Belmont, and the County airport that they must raise and certify the levees to remain out of the FEMA flood zone. That would have implications for development and flood insurance requirements. A similar message happened 12 years ago, and there was a project to raise the levees, but it was obviously a short-term project, so they have been asked to lead the effort and would plan to look at a long-term resilience strategy for substantial sea level rise. He showed the area of Redwood Shores involved. At the very end of it is the Silicon Valley Clean Water treatment plant which, through West Bay Sanitary Sewer District, serves the town of Portola Valley, as well as many other communities. This project would protect their facilities. It would also enable some water recycling activity.

Another multi-jurisdictional project relates to San Francisco International Airport, which is sticking out in the Bay and has significant vulnerability to sea level rise. On the western edge of the airport is the longest reach of their project, along Highway 101. It is an important part of their project, because if nothing is done in Millbrae to the south or South San Francisco to the north, then water would come around and keep them vulnerable. However, they don't have to do that reach if projects are done to the south and north. Studies were done regarding sea level rise vulnerabilities for the cities of Burlingame and Millbrae to the south, both independently in 2019 and 2020, and OneShoreline was asked, after its creation in 2020, to lead a multi-jurisdictional project. Mr. Materman described the project and said the footprint is established. It is about all of Burlingame and Millbrae shoreline, plus the creeks that feed into it east of the Cal Train tracks. The project ties into SFO where Millbrae and SFO meet. The project partners would share information, environmental negotiations costs and lands.

Mr. Materman said tied to that is the work that they have done in Burlingame in 2020 regarding their zoning ordinance. It requires developers to build sea level rise resilience if they are on the Bay shoreline. The work on planning and zoning along San Francisco Bay is intended to build resilience to future conditions brought about by climate change. He shared photos of housing in locations vulnerable to sea level rise with no current protection measures for sea level rise and said their goal is to avoid situations like these. Their thinking is that new development would be expected to function for decades, during which time climate change will continue. He said planning now is easier and cheaper than retrofitting later. To enable development to function under foreseeable future conditions, OneShoreline worked with the City of Burlingame and developers to create sea level rise-related requirements such as buffer zones, first floor elevations, levee infrastructure, trails, et cetera. This makes Burlingame the first city in the Bay area to use a key planning document – general plan, specific plan or zoning ordinance – to build long-term climate resilience. They did this in the context of sea level rise, although there are other ways to do this as well. He said other cities have expressed an interest in doing this as well, and they are working with East Palo Alto, South San Francisco, Millbrae and other cities who have expressed an interest.

Mayor Hughes invited questions from the Council. Hearing none, he invited comments from the public. Hearing none, he brought it back to the Council for discussion.

Councilmember Derwin complimented Mr. Materman on the presentation and commented that this was one of the highlights of her 16 years in politics, to be a part of this Board. She said she was actually in the room in a bar in Foster City at a Council of Cities meeting, with only women at the table when this organization launched. She remembered it clearly and said the first mention of it was on the Resource Climate Protection Committee, which is a C/CAG subcommittee that she chairs. She watched it grow and become enabled through legislation. Members were chosen, elected by C/CAG. The staff is top-notch, a well-run, democratically run, board and organization. She said Portola Valley, of course, has wildfire threat, but sea level rise is going to happen. While there may be a wildfire in Portola Valley, though not certain, there absolutely will be sea level rise, which makes it an existential problem in San Mateo County that this agency is working on. Councilmember Derwin thought the fact that they have now rolled in wildfire was brilliant. She hoped they would work on the ballot measure with her.

Councilmember Aalfs appreciated the presentation and the great work FSLR is doing. He highlighted that some things really require the regional, multi-jurisdictional approach. Councilmember Derwin and colleagues across the county have been key players in pulling this together, and it is doing things collectively that single communities simply could not do before.

Mayor Hughes said it was clear in the presentation how complex many of these projects are can't just end the wall at the city boundary. They have to be done in a unified way, and OneShoreline's ability to take that on and do the interjurisdictional work to get these projects moving and get them to completion has been remarkable in the short time that it has been in existence. He agreed that many projects have been out there for a long time, but it has been hard to really get them going and get all of the agencies involved to coordinate with each other and get everything needed to make them actually happened. Time is getting shorter and shorter on it, and he said he was appreciative of their work on making these projects move forward.

Mr. Materman responded that he has found that different jurisdictions next to each other have a common interest, but it really takes a lead agency that thinks about it 24/7 to be focused on it. He said he is not as familiar with the wildfire space as the water side of things, but he has seen many times when there is a water issue of commonality, not necessarily even related to climate change, but a common issue and they are both interested, both devote staff time to it, political energy to it, but unless there is someone really focused on it and leading it, it does not move along, especially when it's a complex problem. He thought it was great that they did this on the water side for climate. On the wildfire side, he said they are looking with the County at the funding streams for that, but there is also room for thinking through the issue of how communities next to each other can work together. Mayor Hughes agreed that will be very important.

(12) **Discussion and Council Action** – Request by Willow Commons Assisted Living Project for Use of Town's Inclusionary Housing Funds to Provide Seven Very Low-Income Units

Town Attorney Silver addressed this item and shared that Vice Mayor Wernikoff would be recusing herself. When this occurs, she said they look to whether there is a piece of the discussion that can be bifurcated that the recusing member can nevertheless participate in. She said they have determined that Vice Chair Wernikoff can participate in a piece of the policy discussion about how to allocate funds. They would suggest that under the conflict rules, the item that causes the recusal would be discussed first, and then Vice Chair Wernikoff will come back to discuss the item which she can participate in, the higher-level policy discussion.

Vice Mayor Wernikoff said she has a daughter who has special needs, who would be a prospective candidate at Willow Commons. She said the "in lieu" fund was discussed earlier in the fall. She noted during that discussion that she had thoughts about the overall policy, and she wanted to make sure that in a general policy way she had the opportunity to make some comments. She therefore affirmed that she would recuse herself on the funding request discussion.

Town Attorney Silver explained that this item is a follow-up to a discussion that the Council conducted on September 22 regarding whether the Council wanted to adopt formal guidelines for using the accumulated fund balance in the housing in lieu fund. She explained for the benefit of attendees that the in-lieu fund is collected from housing developers who are subdividing their property. The money collected must be used for affordable housing. At the September study session there was one project in the pipeline that planned on requesting funds to use in connection with their project. Since then, they have received a formal request from the project known as Willow Commons Supportive Housing Project. The request is for a loan or grant of \$3.5 million, as well as a waiver of project application fees and development fees.

Town Attorney Silver advised that the staff report described the Willow Commons project in detail. Generally, it is a project consisting of 11 units. The units will be dedicated to adults with developmental or intellectual delays. Town Attorney Silver noted that this is a population that is extremely difficult to house, and they have not had a dedicated housing project like this in the town at any point. The project will also consist of two ADU units which are expected to be for the project managers. They will also bring workforce housing. It will contain a suite of supportive services and will have a coffee shop staffed by residents. The residents will not have cars, but there will be paratransit service provided. The project is primarily self-funded by Portola Valley residents, Jim and Patty White. It will be required to deed restrict 11 units to low-income residents, which is to take advantage of the ministerial approval process under the supportive housing law as well as the density bonus law. The deed restriction that is required would only cover low-income residents. The request is for the loan or the grant of approximately \$3.6 million and in exchange for that funding, the applicant is offering to deed restrict seven of the 11 units to very low. Even though the project has been approved, it will be constructed in a manner that will provide RHNA credit for the sixth cycle Housing Element process.

Town Attorney Silver shared a slide showing the current balance of \$4.6 million. When reporting to the Council at the last study session, the amount was a little lower. A new project recently came in and paid a significant amount to the Housing Fund, so the balance is currently a little over \$4.6 million. Deducting the \$3.6 million loan and also deducting the application fees of approximately \$23,000 excluding the engineering and geological fees still outstanding, if they were to deduct those items it would leave a remaining balance of \$1,085,000.

Town Attorney Silver showed the RHNA allocation for the upcoming cycle. In the current 5th cycle, the Town has a need for low income, as opposed to very low-income housing units. Because of the way the ADUs were allocated, most were credited towards the very low. In discussions within the Housing Element Committee and with 21 Elements, they do not think the same allocation method will be acceptable to HCD and it is unlikely that many of the Town's ADUs will be counted towards very low-

income units, so it really is the 73 very low-income category that will be the most difficult to achieve in the 6th Housing Element cycle.

Town Attorney Silver noted questions for the Council to consider, stating it is a policy discussion. It is a decision that need not be made immediately, and the project is not dependent on the Council's immediate decision. The applicant was present to make their request and explain the significance of the funding to the actual project. She said the staff report contained some questions for the Council to consider, including whether the Town should issue a Notice of Funding Availability (NOFA) in the affordable housing context before releasing any funds. Also, consideration of other projects potentially in the pipeline or in the future that could benefit from the funds, or whether the request should be postponed until the Council develops formal guidelines for use of the funds. Finally, the Council should consider how HCD might react to the accumulation of housing funds.

Town Attorney Silver turned the discussion over to the Town Manager Dennis. He said due to the nature of how the project was processed under certain state law, the Council had not had an opportunity to have a conversation about this. He thanked the Whites for the quality project. As a planner, he felt this was the kind of project they hope to work on during their career, and they very much appreciate what they are bringing to it to the community through their own efforts. He said staff wanted to remain neutral in any recommendation to allow the best Council conversation possible, since it is a complicated topic; however, he wanted to acknowledge and thank the Whites for the remarkable thing they are doing.

Mayor Hughes invited Mr. White to make comments or a presentation.

Mr. White said he did not have a presentation as he felt many people were familiar with the project. He said he would be happy to have a discussion. As high-level information, he shared that the project on a capital cost basis will be close to the \$12 million, and he said that is the tiny part of the project. Over the life of the project, the service costs – salaries paid to staff – will probably be in the range of \$90 million. This is about eight to ten times the capital cost of the project. He said what they are bringing to the town is something that will not show up. He said they are doing this out of a passion for something that is missing across the whole Peninsula. He said they feel it is a great opportunity for Portola Valley to not only receive the benefits of it but is for all residents. It is not only affiliate housing or something benefitting a specific operator, but this is for every family in Portola Valley that has a family member or person close to them, a potential solution, if they have an intellectual or developmental delay, of a permanent supportive housing.

Mr. White said the project it will be of high quality. It will be done right. It will not bring traffic or put more load on their schools, and it will be some of the first real at-scale truly 55-year deed-restricted low-income housing. The challenges as heard earlier in the comments, with the restrictions that potentially will be putting on lots in all sorts of building codes it will become extremely hard to add anything with scale, so having a shovel-ready project that doesn't just start off the affordable housing but also brings in supportive housing, they think is very special and an opportunity for Portola Valley as a whole to be a partner in. Mr. White said this request is not a contingency of whether they would do the project, but that they have been clear from day one that they would go ahead. He said the capitalized cost of just changing the rent restrictions from low income to very low income is about \$180,000 per unit. He said if you talk to any of the affordable housing folks, the typical town will contribute about \$125,000 to \$150,000 per door. Those projects will also take state funding and other credits, while the Whites decided not to do that so that they could keep local control and run this as a curated Portola Valley local asset. They turned away from resources that could have benefitted the project but are probably not in the long-term best interests of Portola Valley.

Mr. White said when the fund was originally created a little over ten years ago, primarily from Blue Oaks, the average cost which was for moderate unit was about \$350,000, eight lots, and \$2.7 million that came out of that project. That was monetized in 2012, and obviously costs have gone up with both land and building. He thought they could not find an affordable housing developer that would come here, and if they did, they would request much more than they are asking on a per-unit basis. He said one resident

who is a neighbor is the Chairman of Mid-Peninsula Housing, one of the largest affordable housing builders. There was not a chance they would do a project in Portola Valley. It would not be competitive with other areas. A dollar will get them more units elsewhere.

Mr. White commented that he realizes it is a large portion of the Inclusionary Housing Fund, and that they are just trying to be realistic about how to do this. His point was he thought the Town will get a big return in the sense that they are getting 11 truly deed-restricted units. And they are willing to take two-thirds of those and make 7 of them very low income, which will be very hard to find ways to do that otherwise, realistically. The challenge is they need to deed-restrict them before they get their building permit. That will probably be in late March or early April. He said they would love for the Town to be a partner and support the project. The number they are using was using roughly the \$350,000 per unit back in 2012.

Mayor Hughes invited questions for staff of the applicant from the Councilmembers.

Councilmember Richards asked about the notion of deed restriction and the difference between low verses very low. He understood how that affects the RHNA numbers, but he wondered how it affected the reality of selecting residents for the units and what the practical outcome of that would be. Mr. White said it will not have anything to do with the process for selecting residents. It will be quite different than what people think of about affordable housing, where in essence it is a lottery and whoever meets the criteria, it's a formulaic process. He said to be selected as a resident there one would go through a deliberate process of mutually matching. This project is permanent supportive housing, so they have to make sure it's the right thing for both sides. They will have to qualify every resident, that they meet the income and asset needs around it. They have had discussions with the Town and are in agreement on how that would work. It is just a lower income threshold that they would have to validate through tax filings, et cetera.

Councilmember Aalfs asked about alternative of a grant or a forgivable loan. He understood the grant but assumed the forgivable loan would be something they would essentially tear up at some point, provided the project or the applicant has met certain condition, or performed certain things, and they state that the loan does not have to be repaid. Town Attorney Silver said that is correct and that what has been occurring more recently in the affordable housing field is that as the longer-term loans start to come due, agencies are looking at extending the affordability requirements and then the loan is extended as well, so the term of the loan can be extended if the deed restrictions are continued for a period of time. It would be one benefit of a loan as opposed to a grant. Mayor Hughes asked her to clarify whether it would be a loan for some term in which the term runs concurrently with the deed restriction, so that when the deed restriction expires the loan would be repayable unless the deed restriction is extended, in which case the loan automatically extends. Town Attorney Silver verified that was correct. She said the terms of the loan have not been discussed with the applicant, but that is one model that agencies are starting to use.

Councilmember Aalfs asked regarding the matching process, if they could also have some type of preference for local residents, or if the matching process was entirely outside of their control. Town Attorney Silver replied that there is a slight wrinkle with that. Her understanding was when the project was originally proposed there would be a preference for local residents and people who worked in Portola Valley. If City funds are put into the project, however, they would have to go through a Fair Housing analysis, and she was not sure that a preference for local residents would withstand a Fair Housing claim. She felt if City funds were put into the project, there would have to be a requirement that the residents for those particular units live or work in Portola Valley. Councilmember Aalfs clarified whether it would be people from local families. Town Attorney Silver said if that was the only requirement she didn't think that would pass muster. The City could not grant the money to an applicant who was providing local housing for just Portola Valley residents. There are different ways of looking at it, but if the City were to lend money, they would typically put those fair housing requirements in the loan documents themselves, to clarify that if the funds were improperly used, they would have to be paid back.

Mr. White added that from day one their approach was that a committee or an executive director will drive the admissions process, which has multiple steps and multi-factored. What they've said is if someone is a resident or is the family of a resident that are going to be able to provide additional support or help along

the way, which is a big part of making this community work on a long-term basis. Everything he has been told legally is that putting restrictions on it puts them in a dicey range in fair housing, and they have always wanted to stay away from that. He felt the more they do something and tie it up, it makes it less attractive. The whole point of why they haven't touched other money is because it ties their hands and ultimately the capital costs for the project are tiny compared to the service costs.

Mayor Hughes asked if they are deed restricted with an income restriction on the residents, whether that was calculated as income and assets of the residents themselves, or of their families. Also, regarding the low verses very low, what would that mix look like, even if they are not restricted? He asked if they would anticipate many people being disqualified by the income restrictions.

Mr. White said if the question is if someone is in a Portola Valley family, are they going to almost by definition be excluded he thought the answer to that was no, because most families who have someone with special needs or a long-term supportive housing need put a special needs trust in place so that they are not disqualified from public services. It is a very standard way that people do that from a financial planning standpoint. He thought all of the folks there would have jobs that are outside services. The reason they are only moving seven is because they do think there will be a number that will fall just over that with their earnings. He said he believed anyone in Portola Valley that has a child or relative will be able live there if they've done the estate planning that keeps assets that can support them, but they're not necessarily in their control, so those don't count towards that. If they had asset stock that a grandma gave them, then essentially ten percent of that value gets included as income in the calculation.

With no further questions from the Council, Mayor Hughes invited questions and comments from the public.

David Cardinal thought it was an amazing project and one that they should welcome. He said when he first read the notice that it would use their low-income housing fund, he was a little taken aback. When he thought about it, in over a decade they have made essentially zero progress in spending the funds on anything that he could tell. He said if there was an alternative plan it might be different, but they don't, so he thought this was a great way to spend the funds. He was very supportive, especially if the new development could be something that is helpful for the community and the people in our community who need help.

Bev Lipman said she and her husband have lived in the town for over 30 years. She pointed out something she saw in the 21 Elements report from the consultant, which said, "It appears that this funding, Willow Commons, is before the Town has formally adopted any funding guidelines and procedures for deploying HDF resources, putting the Town in a somewhat awkward position," which she assumed they felt right now. She said it starts out asking who the trustees are for the funds and where is the instrument of trust as to how the money can be used. Also, she found a background information sheet from Portola Valley. In 2018 it says nearly the same thing, "Affordable housing funds, funds of money to be determined after housing strategic planning is fully implemented." She said they have just established a Housing Element committee, a very important committee, and she wondered what the rush was on this and why they weren't waiting for the new committee to take a look at it. She said she thinks the project sounds great, and she has always thought the Nathorst Triangle and even Linwood Realities would be good place for housing, but she wondered if they are being a little too hasty in this in terms of the whole town and using so much of the fund.

Caroline Vertongen said this is a great project. Like Ms. Lipman, she was a little surprised that it was approved when so many things are not approved, and then to find out that Councilmembers are involved. She said it is a project that many residents have actually proposed to the Town, such as the lot next to Roberts to purchase with Town money, and it did not go through. She asked if there could be more information on the capital cost of \$12 million and how they are going to get this grant or loan, and how it will be funded. She also had questions about the \$90 million in proceeds that will come through the project. She asked for more detail about how this is working. She commented that if it is a restricted deed

of 55 years, she wondered who will manage it after the Whites, whether it will stay in their family or if it will be the Town's responsibility.

Ron Eastman said he had no doubt about the worthiness of the project. He noted that he is concerned that the project is not being built to the safest fire safety standards. At the last ASCC meeting Carter Warr explained that the reason the buildings will be sided with cedar shingles is because it is the lowest cost option. He said he would be very much in favor of the Town helping the Whites bring their project up to the standards that were adopted in the most recent update to the Building Code, including nonflammable siding and sprinklering every unit. The residents who will live there with cognitive disabilities, in his mind represent a higher fire risk, and he was in favor of the Town using money from the fund to help the applicants make sure all of the units are hardened to the greatest extent possible.

Bob Turcott thought Mr. Eastman had made a good comment. He echoed Ms. Lipman's comment from a slightly different perspective. He encouraged the Council to go slowly on this. While he appreciated the Vice Mayor recusing herself from a portion of the discussion, he was concerned that the recusal does not address all of the potential ethical issues and that a rapid approval of this proposal will mar the Council with ethics complaints. He said in medicine it is critical to avoid not only conflicts of interest but even the appearance of potential conflicts. He said he is a member of the Housing Element Committee and on two separate occasions he asked to hear from various representatives of the non-profit sector who develop affordable housing, specifically the CEO of Habitat for Humanity, whose presentation about their creative approach to affordable equity he had recently heard and found inspirational and relevant to Portola Valley. He was told by the leadership of the Committee that staff would be compiling all of the information they would need and would present it to them. There was no need for them to hear from outside practitioners. Beyond the handful of models that Portola Valley has traditionally used, they still have not heard about practical approaches to producing affordable housing for low- and moderate-income employees of Portola Valley or for families of diverse social, racial and economic backgrounds who wish to live there. He wondered what Habitat for Humanity would be able to accomplish in Portola Valley with over \$3 million. He remembered hearing at the September meeting when these funds were discussed that there was a significant lack of opportunities to use them. Yet, his request as a Housing Element Committee member to hear from affordable housing developers that might be able to leverage the funds was declined. He said Councilmember Aalfs and Vice Chair Wernikoff are members of the leadership of the Housing Element Committee, and while he has no evidence to suggest the decision to exclude presentations by non-profits was influenced by potential of a member of Council to personally benefit from this project, and he would bet that it was not, he felt a reasonable person could look at the situation and wonder whether there was a conflict of interest. Mr. Turcott felt that should be avoided, and the Council should delay committing these funds until the residents of Portola Valley have had an opportunity to hear from multiple representatives of the non-profit community – not consultants, not 21 Elements, not reports delivered by Town staff, but actual practitioners who do real practical work of producing affordable housing. He said then they and the Council will be in a position to make an informed decision about the best use of the funds.

Judith Murphy remarked that she had a disabled brother, and it would have been a godsend to have something like this to her family. She felt it was an extraordinary project and said kudos to the Whites and Carter Warr. She felt it was appropriate to give a waiver of fees, although if it is being paid out of the fund makes it would be a withdrawal rather than a waiver. She did not think it appropriate to grant any dollars to anyone at this point, because they have no formal funding guidelines, and it seems foolish to start paying out money when there is no objective set of guidelines to fall back on to use in their decision-making. Her view was that formal funding guidelines consistently applied need to be developed before giving any money to anyone, and they should consider making them only as supplemental to other accessible state and federal funds, so that the Town's money would go farther. She said although there has been a problem with lack of other projects coming forward, she thinks now that the laws have changed so dramatically in the last year or two, it is much more likely that there will be projects coming forward which might benefit from some of this money. She thought it unwise to ever give the whole pot, or most of it, to any one project. She would consider always using the money in these long-term, low-cost,

extendable kinds of loans, so that the money continues to have potentially rolling availability to projects in the future, because there will be future needs as well.

Rusty Day thanked Mr. White for saying he wanted to engage in a conversation. He feels that is what is needed, to start a conversation about it, not act on it right now. He said there is no question this is a very, very worthy, laudable and beneficial project. He felt the questions in his mind, which he has heard resonated in other comments, are, first, whether they should really be devoting 80 percent of the available affordable funding budget available to one project. Secondly, if they are going to devote Town funding to support this project, what the admissions criteria are, who will benefit from this, and who will make the decision who benefits. He also wondered how the program is going to be administered and echoed Ms. Vertongen's question about what mechanism is in place to administer the project into the future, and by what criteria, subject to what controls? He said maybe all of that has been elaborated to the Town staff, but he does see that addressed anywhere. He advocated having the conversation in the town and developing the policy Ms. Murphy spoke of, and the need to open up to other affordable housing advocates and proponents, as Mr. Turcott mentioned. He agreed that they need to see what the alternatives are and to cautiously invest the funds into the best programs. He felt this is a very high candidate, but not for 80 percent of the available budget.

Rita Comes concurred that the White's project is a wonderful and much-needed project in the community, along with many other projects for different groups and needs. She noted on red page 104 there are bulleted items that she did not hear being discussed but that are part of the packet, very important items. She said this money has been sitting. She attended the meeting in September when this was first talked about and remembers David Cardinal mentioning that this came from the Blue Oaks project. She has been reading more about it, and there was some discussion that was put off to another day with no information ever relayed back to the public. She said this is the first set of information where it is all in one place. She has not heard any of this in the Housing Element meetings. There was a meeting the previous day in which the Committee of Committees talked about the potential of over 300 units to be able to meet the 253 RHNA numbers needed by the designated date. She wondered if they use all of the money, with no guidelines in place, even the Finance Committee, if it was premature. She thought the bulleted items in the packet should be looked at, items that have already been paid for to research, and think about what other projects the money could seed, being over \$4 million. She said it sounds like they will keep getting more money for this, but it has been sitting there for a long time with nothing being done. With all of the different committees they have, the Finance Committee is not there. She hears nothing about the Housing Element group talking about this. The Committee of Committees did not talk about it the previous day and she felt it needed to be talked about and a plan put together before money is either granted or loaned out, before the criteria and guidelines are established. She said Portola Valley is a very smart community. She affirmed the Whites, and said she likes the project, but they need to use their skills and do this fairly.

Bruce Roberts agreed with prior speakers about the value of the project. He also was concerned about using so much of the fund for a single project. He agreed that there should be a plan before they grant or loan any money. He was concerned about fire safety. One of the reasons was, if the plan goes ahead as proposed, the building is closer than 30 feet, and if they eventually come up with a 30-foot separation they will have lost an opportunity. He felt in that regard it behooved the Town Council to enact the National Fire Standards now, and if they need to be liberalized later, they can be. His final concern was regarding exit. He felt they all are concerned about any type of emergency, especially a fire, with exiting the town. If potential residents don't have their own transportation, it would mean providing some form of transportation into their facilities, and as town residents are trying to leave, something will be trying to come in, which will limit the ability of Alpine Road to be one-way as opposed to two-way.

Greg Franklin agreed with many points of the prior speakers and the concerns expressed, as well as the appreciation for this wonderful project that will serve a hopelessly underserved community. He said he made an observation during the ASCC meeting which had not been brought forward by the previous speakers. In thinking about the development of this project in the context of the whole Nathorst Triangle and the collision course they are witnessing with respect to fire safety and their RHNA obligations under

the state mandates, the Town Council, or at least the staff, has already proposed in October for consideration by the Housing Element Committee that almost 50 percent of the 253 RHNA quota be satisfied as high density housing, meaning two and three stories. He said Planning and Building Director Russell gave this presentation, where 50 percent of the RHNA obligation of the Town is proposed to be satisfied by the Nathorst Triangle, and the lots alongside the Ladera Church. So, the project should not be considered in isolation from other development being proposed for the Nathorst Triangle. Regarding observations about building separation within the project, particularly two buildings which he observes to be less than 10 feet apart, as Mr. Roberts pointed out, these buildings will be in place for at least 55 years according to the project goals. He suggested that if any Town funds are allocated to this project that they be used to enable the project to meet the home hardening ordinance that became effective on the first of January, as well as trying to find ways to separate the buildings that are less than 30 feet apart if, in fact, such a recommendation is made from fire experts.

Kristi Corley remarked that it is a worthy project, and she has known the Whites' daughter, Amy, for a very long time. She said she was trying to look at it from a business standpoint and the standpoint of starting a precedent. She said future projects could want developer fees waived as well. Residents pay these fees as well, so they need to ask themselves that question. She said she would like to see this go to the Finance Committee, as that is what the Committee is developed for – to discuss financial issues. She liked the idea of formal funding guidelines. She asked what the plans are for the lot that they own next door as well. Also, if the Town is giving concessions, what can be given in return? These would be some things to explore.

Mayor Hughes commented on Vice Chair Wernikoff's ability to participate in discussion of the questions raised around general policy and suggested starting off by thinking about how to separate the two issues inasmuch as they could be separable. He thought having general conversation after the specific conversation seemed a bit backwards. Town Attorney Silver agreed and said with conflict rules they oftentimes are hard to work with. She informed them that she had just had an offline conversation with the Vice Mayor, and she suggested that she actually would like to recuse herself from the second part as well, given the interrelationship demonstrated as the conversation has progressed, so Vice Mayor Wernikoff would not be participating at all on this item.

Planning and Building Director Russell responded to a couple of the previous comments. Related to fire safety, she said the project would be required to have fire sprinklers, which is a Building Code requirement. The sprinklers would actually go beyond what is typically associated with a single-family home. There would be interior sprinklers and also some exterior sprinklers on overhangs and canopies. These are already included in the project cost. She advised that it is accurate to say that the project right now would comply with the Building Code requirements that were in effect prior to December 8th, so they would be what was in effect last year. The project would be grandfathered into last year's Building Code requirements. The biggest difference for this project is related to exterior building materials. The project currently includes ignition-resistant materials, which are the Chapter 7A WUI standards in effect in all of the other places that have Chapter 7A WUI requirements. It meets a very high standard of fire safety already. She relayed that the ASCC had strongly encouraged the project architects to consider non-combustible materials as required in the most recent Building Code updates. They were going to look at that to see if that was possible while maintaining the aesthetic and budget considerations that they were trying to meet, although non-combustible materials may, in fact, be more expensive.

Planning and Building Director Russell responded to the comments related to the Housing Element Update Committee and the Nathorst Triangle area. She said it is true that staff has presented some different scenarios for the Committee to consider. They have lightly talked about the Willow Commons project in that context as something that is a forthcoming pipeline project. Now that it has been approved by the ASCC, they will be providing additional information to the Committee so that they can make it part of their decision-making. She said there are scenarios that could potentially concentrate units in that area, but they are very early in terms of consideration by the Committee, and they have not made any recommendations on that point as yet. Those will be upcoming over the next couple of meetings, and people can track that issue separately with the Ad Hoc Housing Element Committee process.

Councilmember Richards said he agreed with previous speakers that this is a fabulous project. He would love to find a way for the Town to assist if they can. He said his understanding of the Inclusion and Housing Fund when it was established was that it was intended to be used for projects that would not be possible without the Town's financial support or would be unlikely to take place. He said he did have some qualms about committing the funds to a project that clearly is going to progress regardless and seems to be very well-supported as it is. The additional financial issues raised were ones that he did not realize came into play and make it more difficult to make that decision. His inclination was to try to hold on to as much of the funds as possible, anticipating projects that hopefully will come through in the future since there is a long way to go in the next RHNA cycle, and it is going to take a lot more than just seven or eight units to meet the goal for the next eight years. He expressed that he would like to look at any other potential opportunities for alternate methods of finance, or maybe smaller amounts that might be possible. He noted that they are all in agreement about needing to come up with a comprehensive method for allocating these funds going forward.

Councilmember Aalfs agreed with Councilmember Richards and several commentators that they do need an overarching policy for how they spend this money. They have been sitting on the money for the better part of a decade, and this is the first time there has been even a possibility of spending some of it. He felt the project is completely appropriate to receive some portion of the funds, although 80 percent, or the amount requested, he was not sure of. Regarding the question raised of doing a NOFA and basically seeing if anyone else out there is ready to respond, he said his strong suspicion is that there will not be anyone else out there that is ready to jump into a project anytime in the near future. However, he thought they could maybe quickly put something together just to verify that. He thought it would be interesting to see if the money could be used to enhance some of the home hardening around the project. Since they have passed the ordinance, it would be great to see all of the projects going forward conform to it if possible. He reiterated his agreement that they do need to have the conversation about general guidelines for the Inclusionary Housing Fund, both the legal constraints and whatever else they want it to reflect, and then see if this project or some portion of it fits within them.

Councilmember Derwin said it's been established that they all love the project. It is stunning and fills a critical need. It is very difficult for people who need supportive housing to get it, and she was sure something of this level is unprecedented. So, while it's a fantastic project, she felt they were putting the cart before the horse. While it is obviously worthy, she felt they must have policy objectives, criteria, and must establish whether they want to fund the very low and low projects, because they are the hardest ones to build. She said she didn't think they wanted to give most of their relatively small pot of money to one project. She said she doesn't think the pot money of is going to grow very fast, but as they all know the bulk of their inclusionary housing funds came from the sale of the Blue Oaks lots. She went back in history to explain that the Blue Oaks developer was supposed to build eight units. The Council at the time said, "Just give us the land. You don't need to build the units." They could not build the units because the residents there did not want eight affordable housing units with the people who would be eligible to live there. They tried moving it to near Los Trancos. That neighborhood rose up. They thought about putting it across the street and went through all sorts of iterations. Finally, some years later, they decided to sell it and try to do a project at was formerly Al's Nursery. Councilmember Derwin described that as insanity and a new word she made up – cluster fudge. She stressed that it was not that the Council has not tried to spend the money and that they did go through all of the town-owned properties and found one place that was a possibility for building some units. She said they have tried, but they have withdrawn after much battling and needing to rest.

Councilmember Derwin said she believed with the laws changing, there will be folks coming forward. She was aware that Ladera Church wants to do a project. They have some huge obstacles, but they want to build low and very low, and there are probably other people out there. Therefore, she did not think they could fulfill the request at the meeting. She said the previous night at the Equity Committee meeting it was included in their conversation, and the committee members felt very strongly about it, even wanting to have their committee decide how the money would be spent, Councilmember Derwin advocated maybe sending it through Finance or Equity, but she was not ready to make a decision as to how to

spend the money that night. She added that the project is fantastic and perhaps after they have established criteria, they will be awarded some money.

Mayor Hughes said his views are similar to what had been expressed. He supported a fee waiver for the dollar amount listed, given how everyone agrees it is a fantastic project, to be paid now or reimbursed later. This seemed to him to be fairly straightforward, since it is not a huge amount of money, and any guidelines they might come up with for how to spend this money would likely include fee waivers for applicants. To the question of whether they want to deploy \$3.5 million to convert seven low incomes into seven very low-income units he felt needs more thought. Although \$4 million isn't a huge pot of money in the scheme of Portola Valley construction, it is a tool that they need to make available to the Housing Element Committee to figure out how to best deploy it for the coming RHNA cycle. He felt it was great that this project is coming. The coincidence of the timing has been very unfortunate for the project. He recalled the program related to the housing funds for this current RHNA cycle was that their goal for this eight-year cycle was to figure out how to spend the money, not necessarily to actually spend it, but to come up with the plan they have all been talking about, and the guidelines. They have not really completed that element of the program yet, which is why the current conversation is difficult, because they don't have the grounds to decide the best way to deploy the money to do what needs to be done. He said the project is undeniably worthy. However, as pointed out it is clear that there is a lot of support both from the Whites and the broader community, and it sounded like they are able to access funding sources to make the project that was approved happen. He said one thing he heard earlier from Councilmember Richards was if this project were not on the table, what the timeline would have been under the current cycle housing element to come up with the plan for how to spend the money. He asked Director Russell if this was something that was programmed and if so, there were a number of committees mentioned who might have input, including the Council, consultants and various other housing developers, such as Habitat for Humanity or others who might respond to a NOFA. He wondered what kind of timeline they would be on if looking to put guidelines or a plan into place for how to spend the funds, on this project or any other. He questioned how long it would take to develop a plan, and his guess was not before March.

Town Manager Dennis said that would be a good guess. He said certainly the notion that something needed to be in place before they start to see significant numbers of projects was accurate. Beyond that there is not a specific timeframe they have worked out. Director Russell said they have not outlined a specific timeline for this. Certain aspects of it are important to the Housing Element Committee's discussion in terms of their program's discussion. Many of the policy questions probably rest with the Council in terms of decision-making, but they have not thought through if there are other parties or committees who should be making recommendations on those. Right now, they only have it outlined as a light- to medium-touch by the Housing Element Committee when they talk about programs.

Mayor Hughes wondered if the Council wanted staff to direct the Housing Element Committee to fully develop a plan for how they would spend these funds in the coming cycle, and make that part of the Housing Element they are working on now, so that essentially it would likely mean this project would largely miss out on the opportunity because of the timing, but he would not want to be in the situation where the next project that is this worthy comes along and they still don't have the plan in place. He wanted to get an understanding as to the best path to make sure they do have the plan in place so that the next applicant isn't facing this situation with a great project, but they haven't set up the rules for how they can actually get the money available that they would love to spend on them.

Planning and Building Director Russell agreed that it is a great project and also a unique project, in that, as a supportive project it is using a supportive housing law, and the state density bonus law in addition to the Town's existing zoning to be able to permit their project as a ministerial project. Other future affordable housing projects would be unlikely to qualify for the laws or similar ones because they are not specifically supportive housing projects. That law is the one that helped create the pathway for this project. Future project would probably be allowed after the Housing Element is adopted and presumably the associated zoning code amendments are put into place to allow those types of projects in the future. Director Russell said she would expect that after the Housing Element is adopted and certified by the State, they would have the right tools in place and would want the funding criteria to be timed with that in

terms of speaking to future projects. Regarding the timing of this project, if they wanted the Housing Element Committee to deal with those policy issues, which would probably be in the timeframe of March, April, May timeframe, certainly not sooner because of the schedule laid out and the critical path for it. She felt it would not be feasible for the Housing Element Committee to do significant policy discussion or make recommendations on this issue in order to be able to make that timeline Mr. White has laid out for the building permit. She said they have not talked through all the details of the timing of the building permit and the affordable housing agreement, but generally she agreed with Mr. White that those things need to be linked together, and she understood from them that their timeline is very important.

Councilmember Aalfs asked if guidelines like this exist in other communities or organizations, or if there was a template, they could work off of to speed up the process as much as possible in terms of establishing guidelines. Director Russell said there are strong best practices in other communities, although some are different because of the types of housing projects that they allow and what they are permitting and what they are funding. Councilmember Aalfs said just because he likes this project and would love to do at least something to help them, such as the fee waiver, and wondered if they could fast-track something that they are comfortable with to be able to at least offer the fee waiver as an appropriate use of the money. He asked if it is something they could do legally and if so, is it something people would be comfortable thinking about. Mayor Hughes asked Town Attorney Silver for her response on this.

Town Attorney Silver responded that it was certainly something they could do before March. However, even with that, they do need to look into the Fair Housing issues a little bit more. Secondly, she said thought it would be possible to enter into a low-income deed restriction for purposes of receiving the building permit, but then if the Council were to develop guidelines through the Housing Element Committee process, she thought the applicant could then reapply for a loan or a grant, and the deed restriction could be amended to include very low. Mayor Hughes added it wouldn't impact the construction, potentially, so they could proceed and then a year from now when the plan is in place, they could potentially apply at that point essentially to apply a deed restriction in exchange for the funds, if that were allowed under the future plan. Town Attorney Silver responded that was correct. From the City's perspective and the requirements, they have in their Conditions of Approval, she said it would be fine, although there may be some other financing issues that they are not privy to that could be impacted, but from a town level there is no impediment.

Mayor Hughes invited Mr. White to respond to the discussion as it might impact his project, especially if the path described by the Town Attorney was something he would be comfortable contemplating in terms of potentially getting their building permit first and then reapplying in the future once they have a plan established. Mr. White replied that he would be and said the schedule has always been the most important to them, as their people who are in really bad situations and they feel they just have to get this housing built and get it open. He said they are not going to slow down. He offered that as they are developing the policies, his two cents would be to look at the real cost. They are getting real bids and building in Portola Valley right now is probably about \$750 per square foot. He felt they may end up with is very little units and none that are probably in a deed-restricted status, which are the legitimate units, being used. He felt that they would not see another shovel-ready project like this. The numbers don't make sense in Portola Valley. The land is too expensive. The building costs are too high, so \$20,000 or even \$100,000 per unit doesn't work. He said they should think about if they are going have a story when they miss the number, possibly, at the end of the RHNA cycle, and if HCD would say, "What did you do?" and they have a really good strategy. He thought they could actually say that something special was done and meaningfully supported. Other strategies they take may not produce as much while with this they will have a proven success case. He they will go ahead with what they are doing, keep it as low income, and as this issue gets developed and discussed, they are open to other ideas, but it sounded like it was going to take awhile to get figured out. He said that they must put the deed restrictions on the property to get the building permit, so the timing is tied to the building permit, which is probably late March or early April.

Mayor Hughes said with Mr. White's experience in actually concretely put together this project he is sure he has a lot of information that he has that would be very helpful to the Council as they put together this plan. Bringing his experience to the Housing Element Committee and anybody else that may be involved

in putting together this plan and policy for spending these funds would be helpful. As Mr. Turcott pointed out he thought they should bring in Habitat for Humanity and hear what they might do in Portola Valley. While Mr. White is actually doing a project and knows what is involved, they may have a slightly different approach and may have other creative alternatives as well. He said hearing what the options are in putting the plan together is an important element in deciding how to spend the money. He agreed with Mr. White that they don't want to get to the end of the next Housing Element and still have \$4 million sitting in the bank and HCD wondering what they did.

Mayor Hughes asked for discussion from the Council on how to proceed, whether having staff figure out how to do a fee waiver or how to schedule putting the plan together.

Councilmember Aalfs thought they should start on an overall guideline for spending the Inclusionary Housing Fund, and it should go through Finance. The Housing Element should weigh in on it and probably other committees who want to weigh in. He said it would be good to get it back to the Council by the first half of this year, perhaps May or June. Mayor Hughes thought the primary committee that would be helpful in figuring this out would be the Housing Element Committee, because he views the money as a tool in the toolbox to achieve whatever the goals of the Housing Element will be. He said he already knows more or less what the Finance Committee will say, which is that it is better to spend this money than to keep it in the bank earning one percent. Councilmember Aalfs thought Finance might have thoughts on best practices in addition to what they find from other communities. They know they will be spending this particular pot of money, but the Housing Element is probably the group that could think about other good uses of it.

Councilmember Derwin said Race and Equity Committee would really like to have a look at it. Mayor Hughes thought that made sense.

Councilmember Richards said he thought they were heading in the right direction. It would be great when they get to the point where they can do a request for other people to apply for use of the money at some point.

Mayor Hughes asked if there was support from the Councilmembers for having staff come back with a fee waiver for this project. The Council was in agreement on this. Town Attorney Silver and Town Manager Dennis indicated understanding of the direction of the Council. Mayor Hughes thanked Mr. White for all of his work on this project and that it is going to be something to point at in Portola Valley as a great success story.

[The Council took a five-minute break]

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

Councilmember Richards attended the EPC meeting where there was a short presentation from the consultant on the evacuation study. There was a lot of public comment, which was fairly positive overall. They elected new officers, with Dale Pfau being the new Chair. Chief Linder went over hiring and promotion issues. Apparently, they are fully staffed, even though it is very tough to get people all over the state right now. Town Manager Dennis went over the Safety Element Update, including the Emergency Preparedness Committee, and they talked about the Hazard Mitigation Plan. He said he had a great conversation at the Sequoias, which is always a very positive thing to do, as there is great support from them for what the Council does. He attended the Race and Equity Committee meeting. Updates on some of their subcommittee activities include reaching out to local realtors to try to figure out how to make Portola Valley a more sought-after place for people of color. They talked about looking at the Inclusionary Housing Fund as Councilmember Derwin had mentioned. He said the Town Seal subcommittee is developing a program to engage residents in consideration of the Town seal, but really more of a process to involve the whole town in the conversation about this type of thing, not necessarily being the main

focus. He said it could be an interesting set of discussions, with taking it to the school, maybe the Sequoias, and trying to involve a lot of the town in the process.

Councilmember Aalfs attended the Housing Element's Committee of Committees meeting yesterday morning, approximately a one-and-a-half-long meeting. Judy Murphy from the Conservation Committee chaired the meeting. He thought it was a good discussion, because it brought people together who don't talk with each other regularly. Several things came up that they didn't know about. Several committees had not had a chance to discuss it yet, but they talked about fire safety, something several committees share concerns about. Trails and Paths talked about a recent development that has been close to trail lines which is something that he had been familiar with but not following as closely as he would have liked. He thought it was a good discussion with several things coming out of it. There are some concerns and comments to work through and hopefully they will be able to talk more about those topics going forward.

Councilmember Derwin attended a number of meetings. The C/CAG meeting was on December 9, where there was a presentation by San Mateo County Energy Watch, and a presentation by the San Francisco Estuary Institute, a fantastic organization, who asked, "How healthy is the Bay?" She said it is not all that healthy and there are some fish they really shouldn't be eating.

There was a report from the Leg Committee. The bills they are following have to do with transportation. AB377 is a water quality bill. Another one is in regard to voting thresholds. They are all still alive, and the two-year bills need to move from one house to the other at the end of January. Both parties released their priorities for the budget surplus. The Committee went over the Leg policies for the year. There was an election for three seats on the OneShoreline Board. Councilmember Derwin said she stepped down and did not run for re-election, so the people who were elected were Diane Papan for the central seat; Debbie Ruddock for the coastal seat; and Marie Chuang for the at-large seat. There was an item on the Smart Corridor that is being worked on in South San Francisco. There was a draft update to the Congestion Management Program. There were notes, including on Berman and Gonzales' bill phasing out gas-powered lawn equipment. She said people in town should be happy about that.

Councilmember Derwin said ExpressLanes had a meeting on the 10th and received an update on the Southern Segment opening, regarding public education and marketing. They are now looking at February. They talked about a revised budget. They approved a resolution authorizing the Board to execute an agreement with Samaritan House to oversee and operate their equity program, which she thought was a brilliant idea. They had a closed session having to do with negotiations with CalTrans.

Councilmember Derwin said her last OneShoreline meeting was bittersweet. There was an update on Bayfront Canal, the status and plan for the state budget appropriation to OneShoreline. They are getting an appropriation of \$8 million via the State Coastal Conservancy. There was an update on other projects which Mr. Materman went over with the Council earlier in the evening. Debbie Ruddock announced there is going to be more money for climate work in the state surplus, so they hope to receive more. Councilmember Derwin gave a short speech at the meeting and was thanked for her work on the Board. She noted that she enjoyed being on the Board.

Councilmember Derwin said Race and Equity met twice. Councilmember Richards had covered the most recent one. She said that their meeting in December was notable because they went over the Manzanita Works Proposal. She asked if anyone knew about this proposal or if the Council had ever seen it. Town Manager Dennis said it went directly to the Committee. Mayor Hughes said he saw a draft of it at some point.

Councilmember Derwin said the Sustainability Committee met on the 16th and were missing their two new members. Rebecca did a webinar with Josie Gaillard and Tom Kabat from Menlo Park Environmental Quality Commission, who have become the gurus on electrifying. She said she would reach out and see if they want to come and do a meeting, because they have a lot of practical advice for how to electrify

without having to upgrade your panel. Some members attended a “Let’s Talk Housing San Mateo” committee meeting. They need to work on the website’s Sustainability page. Brandi de Garneau discussed how she was leaving fulltime staff and becoming a consultant and talked about SB 1383, the onerous recyclables law. She said they need to check on Smart Water Meters, and she will bring a report in January. They will ask Melvin to come to the meeting next week as well. She said the book group has not gotten together, but everyone did have book suggestions. She said Rebecca is talking about getting Nature and Science, Sustainability and Cultural Arts together to do events, which sounded like a great idea.

Returning to the Race and Equity meeting of December 14, Councilmember Derwin said there is a Housing Subcommittee, a Safe Space Subcommittee, and another one. The Housing Subcommittee met and discussed things similar to Councilmember Richards’ report. Regarding the Safe Space idea, they would like the Committee to be a Safe Space for people, not just people who feel marginalized, but those who just have issues of various kinds. They had interesting ideas of how to do that. Unfortunately, Gwen [Stritter] had to resign from the Committee due to family issues, and Councilmember Derwin wasn’t sure Pat [Baenen] would keep it going so they will wait to see what happens. The Town Seal was discussed as reported by Councilmember Richards.

The Manzanita Works Project was a proposal brought forth by a group called Manzanita Works. The objectives are to build a relationship with the Town of Portola Valley, become a point of contact for the Town’s COVID 19 beliefs in social equity efforts that integrate public and private workforce operations, help identify and propose concrete relief programming for the urgent and pressing needs of Portola Valley’s workforce, informed and led by the lived experience of the workforce itself. The Committee read the proposal and said the fee of \$115,00 was problematic. One member felt that if the Town gave the Committee a third of the budget, they could use the funds in a more targeted way. Another member said this is assessment work which is very intensive, so she understood the fee, but felt the proposal was vague. Several people remarked that it is geared toward cities with much larger populations. One member felt it was overkill, just too much for their small community and too early in the process to determine if it is the right approach and whether they want to do this work. The COVID focus was of concern, but one person suggested using them as a consultant if the Committee decides to go down that road. They thanked staff for sharing the proposal but right now do not see a compelling reason to hire them. If they decide to do this kind of work, they will consider them. Councilmember Derwin asked Town Manager Dennis if the Council should weigh in on this. Town Manager Dennis responded that he did not think it necessary at this time.

Councilmember Derwin attended the Council of Cities dinner on Friday, December 17th at the Fire Station. It was a small crowd, probably because of COVID. She said it was nice, with great food as usual. She did not think any of the positions were contested. They elected a new Chair, Rico from San Bruno, and Vice Chair, Eddie Flores from South San Francisco. They had a special closed session on the 23rd for ExpressLanes again, negotiating with CalTrans over a couple of points. There were no reportable actions. On the 14th, she met with Lenny Roberts and Winn [phonetic] White who lives at Ladera regarding roundabouts at Ladera, La Mesa, La Questa and Alpine, because the traffic backs up there. When the traffic study was done in 2017 the roundabouts were one of the preferred options, so they wanted to talk to her about getting this on the County’s radar and asked how to get in the queue for this project and maybe get some money from Stanford, too. She said she was asked to talk to Don Horsley. She had a meeting with him and his Chief of Staff, Chris Hunter. She asked where to get the money and how to get the projects in the queue. She thought it could be tied to wildfire because it is shown that it would help in an evacuation and speed the traffic up. Mr. Horsley said it takes too long to get that money and suggested putting in a member request to Assemblyman Berman and see if they could get maybe \$4 million of a \$6 million job, and then the County could pay part, and Stanford. So, they are trying to get a meeting together to see about putting in the member request and get some money from the State surplus.

Councilmember Derwin said she completely spaced out on the ASCC meeting Monday night as the new Liaison. She talked to Director Russell afterwards, and the Commission had reviewed one item for a barn

and corral on Mapache. It was forwarded to the Planning Commission with the staff's recommendation, with some concerns about the seasonal dirt road but otherwise recommending the project. The other two items discussed were possibly changing their meeting time, which is currently 4:00. They also discussed the ASCC rep on the Wildfire Preparedness Committee. She said Megan Koch is the rep, and she would like to step down. Councilmember Derwin was not sure that anyone else wishes to take her place; also, they don't feel they need to have an ongoing presence on that Committee, so that discussion will be continued.

Mayor Hughes reported that there was a Trails meeting on December 15th, mostly end-of-year wrap-up items. There was discussion of trail conditions, maintenance issues, et cetera. They have formed a subcommittee to work on an updated trail map and are reaching out to a couple other committees who have recently done work with mapping and are familiar with the latest tools and techniques available. He said the Open Space Committee and the Ranch recently re-did their trail map. There was some discussion of the Willow Commons project because there is a trail that crosses the front of that piece of land.

Mayor Hughes attended the BPTS meeting, but there was not a quorum present, so they had to cancel the meeting. He said actually a quorum showed up just after they cancelled the meeting, but one member of the public had dropped off, so he advised them that even though they did have a quorum, they were late and probably should just carry it over to the next time.

Mayor Hughes mentioned that Senator Josh Becker has set up what he is calling Mayor office hours, and if the Council ever has anything that they need to reach out to him about for the Town, he has made an hour or two available every week or every other week for Mayors to drop in and talk about whatever they want to talk about, so that is available if needed.

Mayor Hughes invited public comment on the item.

Rita Comes said she was able to participate a little yesterday in the Race and Equity meeting and was glad to see them looking into the seal issue and having discussions with the community. She had also brought up Pioneer Day, Heritage Day, that the schools in Portola Valley are doing. A lot of schools across the country have stopped this particular day where the kids dress up. She said her daughter would probably dress up and be considered a position in the kitchen, not in the household. She said this is the reason why a lot of schools across the country have ended this particular practice. She said the School Board is having a meeting tomorrow, and she will comment on it there, but she hoped the Race and Equity Committee is able to follow through on that issue, because it is something that is being reinforced to the children in their town, and it is not okay. Mayor Hughes recalled, in regard to that issue, a few years ago when his daughter was in the grade that did Pioneer Day, and they wanted to have all the girls make a meal and all of the boys pick a flower and give it to the girls. He appreciated Ms. Comes' concern and would support her in talking to the School Board about that.

Kristi Corley wondered about an in-depth legislative update since they now have a legislative person reporting to the City. She asked how the public will get that information. Town Manager Dennis responded that he talked with the Town lobbyist about setting up a series of regular meetings with the Council when prior to their first meeting with the Council in November. Once the period for bill introduction closes out and the budget information settles, they intend to have the lobbyist come back at the March 23rd meeting for that discussion. He suspected it will be three meetings a year with the Council, one post bill introduction and budget introduction, one mid bill session to give an update, and one at the end of the year that would be a roundup and a study session. Mayor Hughes asked Town Manager Dennis about the email from the lobbyist which listed out a bunch of bills they were watching. He asked that these be put in the digest when they are received in the future. Town Manager Dennis said he would check with the lobbyist to see if they could put that in a format that would be appropriate for the digest.

Mr. Greg Franklin said he was one of only five participants in the previous day's Ad Hoc Committee of Committees. He thought it was an excellent forum, to listen to all of the town committee chiefs talking to one another. He thought Judy Murphy did a terrific job chairing the meeting. He thought the most interesting thing was the dilemma and the collision course about meeting the RHNA quota and trying to take care of fire safety at the same time, particularly in the absence of contemporary and up-to-date fire maps. The biggest take-away he got from it was that the Housing Element Committee really could not proceed effectively without first having the Safety Element of the Housing Element plan in place. He wondered if there is a mechanism or anything the Town could do either through representatives at the state level – the senator or assemblyman – to accelerate the production of the Cal Fire maps.

(14) **TOWN MANAGER REPORT**

(a) Fire Safety Update

Town Manager Dennis said the year started with a significant rise in COVID infections, recognizing that there had been a series of potential exposures over the break that either staff was aware of or was not aware of. He made a decision in consultation with the Mayor and Assistant Town Manager, Melvin Gaines, to close the offices to public interface and ask staff to work from home. He said in practice Public Works has been in town, and they have typically had a member of staff in the office. He extended that again this week, in consultation with the Mayor and Assistant Town Manager. The approach has been that way due to the rapidly changing environment that they are in. He didn't not want to make a longer commitment. He thought it was an important thing to do, because testing has not been as available as they all want it to be, and the last thing anyone wants to see is staff infecting one another, particularly in a small office such as theirs, where it only takes one or two people to be absent before they start having significant issues with providing service to the public. Staff has been working at home pretty regularly. Over the course of this week as they were able to access tests and be tested, they are introducing more staff members into the building, but are continuing to restrict public access. He said continuing to do this in a flexible is about the only strategy at this point, and he appreciated the comments from the public thanking them for doing so.

He reported that he had lunch with the new Chair of PV Ranch Board and the Ranch manager, which was delightful, and those relationships have always been very positive and fruitful. He appreciated hearing from him the variety of issues at the Ranch right now.

He has been trying to plan a "senior scam" information event with the Department of Insurance for some time, aimed primarily at the population at the Sequoias, or at least co-sponsored by them. They have not been able to find a date that works. It is an opportunity for any member of the public but particularly seniors to learn about how to protect themselves from a variety of scams through electronic media and otherwise.

He said SB 1383 is a bill that has radically changed the way they need to categorize and track a variety of organic waste purchases. He said it shouldn't affect residents significantly. It is something the staff is dealing with. He spent some time working with the staff on how to implement that. He said the bill wasn't written particularly well and many cities are struggling with it. Cal Recycle has given the Town some exceptions in the short term on the reporting scheme, and that is true for all cities in order to get that settled.

Town Manager Dennis reported he has asked that Brandi de Garneau, who was serving as the Assistant to the Town Manager, to stick around a little bit longer as a part time employee. She continues to work closely with Melvin Gaines as he trains on the variety of tasks that she is working on, particularly in the last month as he has been working on a variety of software-related issues and items. He was delighted to continue to have Ms. De Garneau's assistance.

Town Manager Dennis gave a fire update to try to make sure residents are getting the best information about what the Town is doing, built off of the update provided to the community on November 17th that he assumed many people saw, starting with some of the things that happened after that. First, the home hardening and SB 9 ordinances passed as an urgency ordinance by the Council on December 8th. The home hardening ordinance that is in place is among the most strict they have seen on the West Coast. In its preparation he spoke to the Fire Marshal who was instrumental in putting some of the more specific elements together based on the work that the Wildfire Preparedness Committee had done and engaging with some remarkable people through Community Partner Assistance for Wildfire and the folks that they use. He said Steve Quarles, who some may know as the godfather on wildfire in WUIs and was co-author of recent reports that people are familiar with. He was especially useful in that discussion. Town Manager Dennis said he was happy to bring something to the Council that they are very proud of and unfortunately has lost some of the ability for everyone to collectively celebrate the amazing achievement that it is. He said the SB 9 ordinance that the Council passed includes very significant fire safety measures that were worked on in conjunction with the Woodside Fire and others, and a lot of the element in it were based off of the ADU ordinance that was constructed earlier this year, with the checklist. He said in the end the locations and ability for people to build significant projects in town is fairly limited. There is an FAQ that was sent to the community on these matters shortly after its adoption.

Town Manager Dennis said another item they have started to discuss in the community, as mentioned earlier, related to the Housing Element and the Safety Element. The Safety Element update has begun. The primary portions of it that are underway are associated with the Housing Element. The Housing Element and Safety Element are on the same eight-year cycle. The State has passed laws that compel the Town to run those concurrently, which they agree makes sense. They are using the same consultant for the Housing Element and Safety Element – Urban Planning Partners. They have brought in a number of sub consultants who have been doing their due diligence over the last few months. The initial work will be previewed at the Housing Element Committee on January 18th. He encouraged people to come to hear that. They will have a few folks there of note. One, the Community Development Director of Paradise. The Town's consultant for both Element updates is also the Housing Element consultant for Paradise, and she will present what they are doing there, and lessons learned. They will also have Zeke Lunder, whom people may have become familiar with over the summer and fall as he tracked the various fires in California. His blog is called *The Outlook*, and he also has a consulting firm called Deer Creek Consultants. He calls himself pyro-geographer and has worked on a variety of wildfire adaptation and resiliency plans throughout the state over the last ten years. Town Manager Dennis said one of the things he hopes to bring to Council soon regarding frustration over Cal Fire maps not being available, is that there are other maps being made available that they could access, including lidar data being produced throughout the county. He has inquired of Zeke Lunder based on Council approval to work up some very detailed fire mapping for the town, that, based on a series of assumptions, would track the course of a fire through the community. He commented that it is cutting edge stuff. They saw a version of it that he is producing for another client, and he has never seen anything like it. He previewed it with the Fire Marshal and they were all impressed. He hoped to bring it to the Council in the next 60 days or so as a new element to add to the town's fire adaptation plan.

Town Manager Dennis referenced the November 17th report about the evacuation study which was approved by the Council early in the year. They did a status update with Emergency Preparedness Committee. He said he speaks to the consultant on a weekly basis to get updates. They had initially thought their report might be available by the end of February for the Council to review. Based on the last couple weeks of conversation associated with continued data collection they want to do the date will likely be pushed back a bit. He felt the meeting was positive with good feedback from the residents who participated. He clarified an issue that came up during that discussion. One of the purposes of this study is to stress test the roads in town. The proxy by which they are doing that consists of them talking about "this road is on, and this road is off." If a fire starts in a certain spot that is a proxy for this road may be operating or may not be operating, so under different scenarios they determine potentially different timeframes associated with being able to evacuate. He said he feels an equally important component of the study is related to potential mitigations that could be brought to bear, both small-scale that they can do in their own town relating to the plan to evacuate, working with the Department of Emergency

Management, the County, the Sheriff's Office, Woodside Fire, as well as infrastructure structure improvements that they could make either in their town or even looking at communities outside the town. He felt it was a fantastic product and an example of how the Town is on the front edge of these discussions, as there are very few of these studies that have ever been performed and it is a discipline that has been pursued on the East Coast, related to hurricanes, particularly in Florida. There are some data presumptions that are harder to do because there is not enough information from recent events that has been studied by the academic community and traffic professional to understand what that might look like. That product will be coming, and he anticipates the consultant providing him with an update for the community in the next couple weeks. They will send this out, highlighting what he has described.

Town Manager Dennis gave an update on the Community Partners Assistance for Wildfire (CPAW), a nationally recognized organization that works with communities to develop a whole series of policies, communication tools around wildfire adaptation issues. That resource grant, they are party to it. It is a grant to the Woodside Fire Protection District. He understands from recent conversations with Don Bullard and there is a variety of deliverable materials that the District is going to start putting out around community tools, hopefully in the next 60 to 90 days. They have had some discussions about, once the work of CPAW has concluded is the District to develop a district-wide community wildfire protection plan in lieu of each of the cities and jurisdictions within the District doing that? There is some validity to that approach because their communities are small, the District shares the space, and fire doesn't stop at geographic boundaries.

He said the right-of-way clearance continues with some significant changes to the community. He appreciated the comments received from people who have noticed it. He dialogued with a number of committees about how they can add on to that program associated with open space, tree removal, et cetera, and those will be coming.

Town Manager Dennis spoke of a meeting that he has been trying to plan with all of their local partners, a community meeting, ideally in late winter or sooner if they can get the right people there, to provide updates, answer questions, et cetera. There is a mailer/postcard that staff has developed that is being vetted that they would send out to the community. It would have a QR scan which would link to a webpage with updates on a variety of issues. They hope to get that out.

Town Manager Dennis concluded his comments and offered to answer any questions.

Mayor Hughes asked in regard to the community meeting whether that includes Woodside Fire and other safety agencies that would be involved in dealing with any issues that would arise. He assumed the Sheriff's Office, Emergency Services from the County and wondered who all would be available to be at such a meeting and answer questions. He felt this would tie into residents' concerns relative to the petition, to have such a forum where everyone is there to be able to be able to answer questions broadly across whatever subjects may arise around fire safety and evacuation, planning, building density, et cetera. Town Manager Dennis said the goal is to have Woodside Fire Protection District, the Sheriff's Office, Office of Emergency Services, the primary group that would have some responsibility of overseeing evacuation, planning, land use issues and so forth. He said the evacuation piece is very important with some commentary around whether the Sheriff's Office will be available and what their plan is. There is information that DEM and the Sheriff's Office have been developing and has been given to the consultant. He thought it would be a good opportunity to share some of that and try to alleviate some of those concerns. He said evacuation is a challenge and trying to plan for worst case scenario events is extremely challenging. He said this is something he tried to put together mid-winter and unfortunately it was not getting the right mix of people, but he felt it would be an opportunity for the community to hear from everyone and ask the questions they want to ask about all these important matters.

Mayor Hughes invited further questions from the Council.

Town Manager Dennis added that for the last four years the Council has made wildfire issues a priority. He felt it fair to say that he bristles at times when he hears that the Town is not prioritizing fire safety, because he looks at what they are doing and what other communities are doing, and he feels it is significant. While people may disagree on certain elements, he feels the framing is unfortunate, because it is clear to him that compared to any other city in San Mateo County, the Bay Area or other places, they are doing a very good job, and the Council has been super clear on its direction to staff on these matters.

Vice Mayor Wernikoff asked Town Manager Dennis to elaborate on the format being considered for the meeting. She felt it was good to hear the list of attendees but noted that one of the things regarding spending time on wildfire, for the last six to eight weeks of her time on the Council she has spent 95 percent of her 20 hours a week volunteering as a Councilmember on fire issues. It has certainly been a priority. Her questions have been a lot about the format for a meeting like this and the reasons why. What she has had in her one-on-one conversations with residents that were at the meeting that night is that the Council meetings are not a great forum because the public is really looking for more of a dialogue. She said she appreciates that, and that is why they have been trying to pursue an opportunity with the right people and the right format. She wondered how Town Manager Dennis' thoughts were coming together in terms of the format for this.

Town Manager Dennis clarified that part of the format will be influenced by the people who are there and what they can provide. There has been some thought put into it. The balance they try to find, particularly in large community meetings, is the ability for there to be maximum participation and for it also to be a productive set of conversations not necessarily dominated by the loudest voice in the room that allow people who don't normally feel comfortable participating to participate in such a meeting. They are not intended to be debates but a sharing of information. He imagined that there would be questions that would require people to go back and consider and answer at a later point, but the desire would be to provide maximum conversation as possible. He reinforced the notion that in order for it to be productive for everybody it does have to have some parameters around it, and they are still working through that to some extent. It is early related to knowing who is going to be there and then having a better sense of how it gets formatted. He said he will be working with the Mayor and Vice Mayor on what is appropriate.

Vice Mayor Wernikoff said she and Mayor Hughes had been talking about a variety of approaches to communication. Mayor Hughes said he put together something in which that they would send out a weekly newsletter, and in his Mayor's message he will be putting out some details about another communication channel they are trying to set up this year, which he has mentioned briefly in the past. He said he will always be thankful to Councilmember Derwin for coining the phrase PV Donuts, which is something she said in her summary at the end of her term talking about the PV Donates program and she misspoke, saying PV Donuts. He picked up on this and thought PV Donuts would be great. He is thinking of trying to establish something he would call PV Donuts, where individual Councilmembers who are willing and able to do so can get together with small groups of residents to be able to have some of these more detailed, in-person conversations. He said he pictures half a dozen people, hopefully in person, sitting around on someone's deck or kitchen, or whatever COVID allows, with a box of donuts and some coffee talking about these issues and discussing them. It would be a different path to having some conversations that may work better than the large-scale meeting described by Town Manager Dennis, where if you have 100 people in a room and everyone has something to say, you don't have time to get through it all, unless you want an exceedingly-long meeting. He felt the multi-pronged approach to having discussion, rather than one magic, silver bullet meeting to solve everyone's problems and answer all questions, hopefully PV Donuts will also provide a forum for discussion to take place.

Mayor Hughes invited comments from the public.

Rita Comes said it was nice to hear the Town Manager's report. One of the things she was looking forward to hearing about was the hazard mitigation plan that was presented by the Town Council at the meeting on December 8th. There was a question of whether there was going to have to be a rushed meeting before the deadline of December 20th and so on. She said it was such a substantial document and had such gross errors representing their town and their liabilities that she hoped to hear an update on

the status of that and if the updates are done, including whether the public will be able to see what the updates are before they are sent on to the County and signed. Town Manager Dennis responded, explaining that there are two volumes. Volume One is a countywide volume, prepared by County consultants and not prepared with the Town's particular input at that time. Volume Two is developed by the staff. Regarding Volume One, he said there is use of the datasets that the County chooses to utilize, and there is data that either should be changed, corrected, updated, or at least framed as intended, identifying the data source and why they used it. He said in talking to counterparts in other cities, they were aware of a variety of issues on that front. In Volume Two, his concern was that there is a very intricate scoring system that the County asked them to use in order to rank hazards in the town. After doing that work, he was not happy with the fire ranking being put in a moderate place. He said that is not a concern from the perspective of being able to get grants. If the hazard is identified as high or moderate that is what makes the grants available. He was not happy, however, with the perception of what that would mean, as fire is a major hazard for the town, so it needed to be ranked at a higher place.

Town Manager Dennis said that he inquired with the County on how they wished him to approach this. The County had given him a very tight timeframe in order to adopt it. They were informed in late September that everything had been completed and they asked multiple times to have it completed by December 20th, so when he inquired as to how they would like him to do that, they said they could make it a staff level decision. He was not entirely comfortable with that, just taking that to Council and being very transparent about what he was doing, but said it is a relatively uncomplicated fix. He does not anticipate the County correcting a lot of the issues or identifying the issues in that particular way in a very short timeframe. It is a living document and is intended to be updated on a regular basis. Through conversations he has had subsequently the County said they are happy to take any input from them. However, he did not expect Volume One to be amended as such. He said the challenge is if they don't amend Volume One and Volume Two, they don't have the grants associated with them. He said he understood that they are one of only two jurisdictions in all of San Mateo County that has not adopted the plan, including Woodside Fire Protection District. They approved Volume One and their own Volume Two, which makes him uncomfortable from the perspective of being able to pursue grants that right now he cannot pursue on behalf of the Town. The commitment he made to the Council through the staff report was that they would be making those updates and having that dialogue with partners at the County where appropriate and where it made sense, and Volume Two would be a relatively easy correction to make. He said he is nervous about holding it up.

Ms. Comes asked if it is already signed by the Town with the inaccuracies in it. She understood that it was being updated. Mayor Hughes advised her that they will follow up offline on her concerns.

Dale Pfau commented that the evacuation consultant did appear at the previous Emergency Preparedness Committee meeting, and it was the most attendees they had ever had at an EPC meeting, which shows the level of interest. He thought the commentary from the public was very good, with many points brought up that the consultant had not considered and did not have answers for. Because of a tight timeframe on EPC meetings, they had to cut off the discussion fairly early, so he has suggested to Town Manager Dennis that they do need another broadly-advertised meeting for the consultant to meet with the community, listen to the input and understand their concerns, and also to point out some things that even he was not aware of and the consultant hadn't considered. Secondly, he remarked that it is in his opinion a dereliction of duty to not have the Safety Element vetted by the Council and by the EPC and Wildfire Committees before the Housing Element Committee has to begin making decisions. He said according to the timeline presented the previous day the Housing Committee will start making zoning decisions in about three or four months, and the Safety Element will probably not even be presentable at that point. He said that is incorrect, and the Safety Element needs to be done. He said if Town Manager Dennis needs a fire map, they can use the pre-2008 fire map, which is better than the one that the Town did not adopt. There is also the Moritz map as well as the Woodside Fire 2007 map which could be used, at least preliminarily, because it is important to get the Safety Element done. He said it is a situation where the community has better input than the consultants do on the issues. He felt it needs to be brought up for public comment before going to the Ad Hoc Housing Element to make zoning decisions.

Robert Young reinforced some of the things Mr. Pfau said about the evacuation study. There are a number of residents who have been trying to get an evacuation study done for a long time. He worked with Town Manager Dennis for a while last year. He said it was a very good meeting, but many of the people were shocked, he felt, that they had been working so long on this and had not been able to include what they felt were critical aspects to be included in the study. He said if they want people to believe in the study, then they must include the information that the residents have. He referenced the comment that staff works with this consultant every week, but that was the first meeting in which residents had any idea of what was happening with the consultant. Mr. Young implored the Council to not let that happen again. He said they need to come up with a forum in such of way that they can include more of the residents' input and have a more frequent dialogue with them. He said the schedule shown by the consultant implied that he had not gotten very far, but if it needs to be done by February, then they have already made some assumptions, and he did not feel the residents understand what the assumptions are. He felt there are a number of people who have talked to them, that would like to help in this. He said that various scenarios were discussed that he is using in his analysis. He said it brought up that these scenarios are largely best-case scenarios, and it was not clear what the final scenarios would be.

Town Manager Dennis clarified that the contract with the evacuation consultant was not signed until the end of September, so they have been doing work for just a few months. It is still somewhat early in the phase of finalizing all of the inputs so that they can run series of scenarios. That is the part that doesn't take as long. He said people need to understand that the Town has not been meeting with the consultant for eight months. Secondly, he remarked that the study is looking at turning roads on and off. Where a fire may come from or not come from is a proxy to that. He said what they are trying to ascertain is if all the roads are open, how long will it take to get everyone out? If there are some of them open, how long will it take?

Bruce Roberts commented that, looking at the way the ADU process was done, it is just the reverse of what they are doing now, on something that is much more important than ADUs. He said with ADUs they started at least four to six years ago with public meetings, and they had at least two or three public meetings, most of which he attended. Then there was a long, dark period while town staff were doing their studies and so forth, and then there were several hearings. He said now it feels like the "eyes" of the Town Council, the at least 3,000 extra sets of eyes who live in little pockets all over town from where the Council lives and from where the consultants live, have ideas that are not being considered until it's almost too late. He encouraged staff to move up the public meeting and try to get something done in the spring as opposed to next winter. He feels the issues are too important, and the townspeople are being put last, it will end up as a riot in the Town Council meeting, because many people are very upset for not being involved in the conversation. As Town Manager Dennis said, the Council has been having these conversations among themselves and doing a lot of work in the last several years, but most of the residents don't have a clue. He said he feels this is a huge mistake and if they want to be re-elected, they must change their attitude and put the town population first instead of last.

Mayor Hughes asked Town Manager Dennis to clarify that he was talking about this winter, and not a year from now for this meeting. Town Manager Dennis affirmed this is the case.

Bob Adams said he appreciated thinking about the donuts meeting and it was a very good idea, but not satisfactory for where they are on the fire discussion. He hoped that they do have a town meeting. He thought if they announced it would be a two-hour or three-hour meeting that would be fine. They've said what it is going to be, and he thought it would be useful to the Council to be able to talk to some of the people on the other side and understand how the meeting will be managed, which topics will be covered, and to make sure there was agreement on the agenda, as well as having an independent moderator who is neither a Councilmember nor a resident. He felt they could make a meeting very productive, though they will not get all of the questions answered and will not get every item discussed. Opening up the chance for dialogue between the Council and the residents, having all five Councilmembers responding, the Sheriff and the fire personnel will be invaluable by letting the public have a chance to speak to the Town in the way that they have not had a chance to do. He said he has learned through this process that there is an incredible process that starts from the bottom and works its way up and takes a long time. One

of the things he had shared with Vice Chair Wernikoff that is frustrating to him was that part of the reason the petition was never discussed in a petition sense was that it died for lack of a second in the Wildfire Committee. The fact that the Council knows that it died for lack of a second in that committee indicates that they know how big of an issue it is, and to let that happen and not have some way to follow up seems to him to be unproductive from a town standpoint and its citizens. He said stiff-arming the citizens is not a productive way for the Council to operate, and though he doesn't feel they intend to do that, it is the feeling they have. He reiterated having a town meeting is useful, with a moderator, with it online in order to manage peoples' speech, as it works well all the way around to avoid a loud screaming session which they don't need.

Mayor Hughes said hopefully from the discussion tonight and the Town Manager's report, they will understand that the Council is working towards putting all of these things together but getting all of the relevant people together and figuring out the scheduling and organizing, hiring a host and other details takes some time. He assured the attendees that the Town is working on that as quickly as possible.

Rusty Day said he didn't think the Town needs to hire anyone. He thought they could get someone from the Fire District to run the meeting, which would probably be beneficial if it were their fire professionals that were running the meeting. Mr. Day referred to comments made by Rob Young, Bruce Roberts and Dale Pfau. He said they are talking about their evacuation and their safety, not the Town Manager's evacuation, his safety. He said Town Manager Dennis talking with the consultant every day, does not make for transparency for the residents and does not give them confidence that the issues they know they will confront in a wildfire evacuation from the town of the safety policies that they will have to address and confront are being addressed. He said then, when they are given exposure to the consultants Town Manager Dennis talks with weekly and they get to see and hear what they are doing, they find that they are not addressing the problems at all. He said when they met with the evacuation consultant at the EPC meeting, he was shocked to learn that he had not even heard of the report on the Paradise fire. He said this is a critical, earth-shaking report about the most disastrous fire in their state, which came out over a year ago, and serves as the foundation of much of the current discussions about transforming thinking about wildfire, and the consultant had not heard it and wasn't aware of it. He said generating confidence in the residents that they know what they are doing and are addressing the problems appropriately and correctly but withholding information from the public access to the people they are working with and telling residents to accept it, does not breed confidence. He said this applies also to the Safety Element. There is not transparency on what is going on with the Safety Element and no exposure to the consultant, no committee like the Ad Hoc Housing Committee to examine the Safety Element and address the safety policy in town, and no inclusion of the residents in doing that. He said they are making a big mistake.

Mayor Hughes reiterated that the number of meetings, the amount of time, the amount of public interaction they have had on fire safety over the last several years has been enormous, probably the majority of what the town, both volunteers and staff, have spent their time on. That will continue. He hoped they will continue to have a number of different paths to discuss all of the issues. He said it was clear from the message they are hearing that people want the Council to move as quickly as possible on all of these matters, and also take their time on all of these things. They want them to put plans in place, and also want them to spend a lot of time discussing all the plans. He said they are doing the best job they can to thread that needle, as is the staff. He said it is not an easy challenge and sometimes that means, in the interest of expediency, staff tries to move quickly on things and sometimes in the interest of participation it takes longer than people would like to get things done. Overall, he said they have a timeline from staff for completing the Safety Element and the Housing Element on the schedule that the State requires by law, trying to allow for maximum possible participation.

Karen Vahtra commented that her experience as an entrepreneur is that the best ideas are collaborative. Usually there is somebody that is the leader who is spearheading it, but that's maybe 70 to 80 percent of the ideas. She said some of her frustration in volunteering 20 hours a week with the government has been that it has not always been a good collaboration and information flow. She said while it is a pain to have lots of meetings, sometimes they can be just a few people on the side, and that is why she likes subcommittees, because it doesn't always have to everybody in the public. She felt they needed a little

more participation, a little more information flow, a little more back and forth, more answering of emails, having conversations, and having more public participation. She felt that is when the best ideas get formalized and get more agreement.

David Cardinal commented about the Paradise issue. He was also a little surprised when Bob Grandy from Fehr and Peers said he hadn't heard about the referenced study. Mr. Cardinal said he was suspicious that he might have, and just didn't recognize the question, as Fehr and Peers actually was hired by Butte County to do a transportation study of that fire amid their own study commissioned by the County, so they are certainly not unaware of the situation and the fire and transportation issues. His guess was that since then they have probably read the report which came to after theirs. He felt people were reading too much into the fact that he did not recognize what was referred to in the question he was asked.

WRITTEN COMMUNICATIONS

(15) **Town Council Digest** – December 10, 2021

Councilmember Derwin commented on item 14, the request of the League of Women Voters asking for a Town representative to attend the League of Women Voters anniversary event. Councilmember Derwin thought it was a great request, and they should send someone. Town Manager Dennis said he was free and would follow up with Ms. Comes on this.

(16) **Town Council Digest** - December 16, 2021

Councilmember Derwin commented on item 2, that they were all very sad that Gwen Stritter had to resign. She said Mr. Stritter was a great committee member and they hoped that she could still take part in some of the projects, or one day come back.

(17) **Town Council Digest** - December 23, 2021

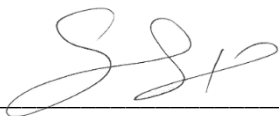
(18) **Town Council Digest** – January 6, 2022

Mayor Hughes invited public comment on items 15 through 18. Hearing none, he invited a motion to adjourn.

ADJOURNMENT [11:26 p.m.]

Councilmember Aalfs moved to adjourn the meeting. Seconded by Vice Mayor Wernikoff, the motion passed unanimously .

Mayor Hughes adjourned the meeting.



Mayor



Town Clerk