

TOWN OF PORTOLA VALLEY
Regular Meeting of the Town Council
Wednesday, May 11, 2022
7:00 P.M.

Craig Hughes, Mayor
Sarah Wernikoff, Vice Mayor
Jeff Aalfs, Councilmember
Maryann Derwin, Councilmember
John Richards, Councilmember

HYBRID MEETING

HISTORIC SCHOOLHOUSE - 765 Portola Road, Portola Valley, CA 94028

Remote Meeting Covid-19 Advisory: On September 16, 2021, the Governor signed AB 361, amending the Ralph M. Brown Act (Brown Act) to allow legislative bodies to continue to meet virtually during the present public health emergency. AB 361 is an urgency bill which goes into effect on October 1, 2021. The bill extends the teleconference procedures authorized in Executive Order N-29-20, which expired on September 30, 2021, during the current COVID-19 pandemic and allows future teleconference procedures under limited circumstances defined in the bill. Portola Valley Town Council and commission and committee public meetings are being conducted electronically to prevent imminent risks to the health or safety of attendees. COVID-19 is still a major health concern and virtual attendance to the Town Council meeting is encouraged, particularly during case increases.

Remote Public Comments: Meeting participants are encouraged to submit public comments in writing in advance of the meeting. Please submit your comments using this [online form](#) by 1:00 PM on the day of the meeting. Time permitting, your correspondence will be uploaded to the website. All received questions will be forwarded to Council, Commission, or Committee members for consideration during the meeting and included in the public record. Additionally, the public body will take questions using the Raise Hand button for those who attend the meeting online or by phone. Phone callers may provide comments by pressing *9 on your phone to "raise your hand" and *6 to mute/unmute yourself. The meeting Chair will call on people to speak by the phone number calling in.

We encourage anyone who has the ability to join the meeting online to do so. You will have access to any presentations that will be shown on your screen and can easily ask questions using the "raise your hand" feature when the Chair calls for them.

VIRTUAL PARTICIPATION VIA ZOOM

To access the meeting by computer:

<https://us06web.zoom.us/j/85322146339?pwd=YTNsUEZudXBqWjJTRldJOXBUDlIZQT09>

Webinar ID: 853 2214 6339

Passcode: 132254

To access the meeting by phone:

1-669-900-6833 or

1-888-788-0099 (toll-free)

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

1. CALL TO ORDER

2. REPORT OUT OF CLOSED SESSION

- a. **Town Attorney** - Report Out on the April 27, 2022 Closed Session Items

3. ORAL COMMUNICATIONS

Persons wishing to address the Town Council on any subject may do so now. Please note, however, that the Council is not able to undertake extended discussion or action tonight on items, not on the agenda. *Speakers' time is limited to three minutes.*

4. PRESENTATIONS

- a. Resource Conservation District – Update on Sphere of Influence

5. CONSENT AGENDA

The following items are voted on at once by the body, unless a member of the body requests an item be considered separately. Members of the public are permitted to comment on any item on the consent calendar before the body votes on the consent agenda.

- a. **Approval of Minutes** – Action and Detailed Summary Minutes for the Regular and Meetings of April 27, 2022
- b. **Approval of Warrant List** – May 5, 2022
- c. **Recommendation from the Part time Assistant to the Town Manager** - Agreement with Recyclist for SB 1383 Recordkeeping Software
- d. **Recommendation by Town Attorney** – Adoption of a Resolution Confirming the State of Emergency and Need to Continue Conducting Town Public Meetings Remotely (a) A Resolution of the Town Council of the Town of Portola Valley Confirming Existing State of Emergency and Authorizing Continued Remote Public Meetings Under AB 361 (Resolution No. _)
- e. **Recommendation from Town Manager** - Lease of Town Property to Ladera Oaks

6. REGULAR AGENDA - PUBLIC HEARING

- a. **Recommendation from the Town Attorney** - Adoption of Resolution approving Amendment No. 6 to Town Manager Employment Agreement
- b. **Update** - Green Building Ordinance Update

7. COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS

Oral reports arising out of liaison appointments to both in-town and regional committees and initiatives. *There are no written materials and the Town Council does not take action under this agenda item.*

8. TOWN MANAGER REPORT

There are no written materials and the Town Council does not take action under this agenda item.

9. WRITTEN COMMUNICATIONS

- a. **Town Council Digest** – April 28 and May 5, 2022

10. ADJOURN TO CLOSED SESSION

- a. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Government Code Section §54957(b)(1)
Title – Town Attorney

11. ADJOURNMENT

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley Library located adjacent to Town Hall. In accordance with SB343, Town Council agenda materials

released less than 72 hours prior to the meeting, are available to the public at Town Hall, 765 Portola Road, Portola Valley, CA 94028.

SUBMITTAL OF AGENDA ITEMS

The deadline for submittal of agenda items is 12:00 Noon WEDNESDAY of the week prior to the meeting. By law no action can be taken on matters not listed on the printed agenda unless the Town Council determines that emergency action is required. Non-emergency matters brought up by the public under Communications may be referred to the administrative staff for appropriate action.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only issues you or someone else raised at the Public Hearing(s) described in this agenda, or in written correspondence delivered to the Town Council at, or prior to, the Public Hearing(s).

No written materials for this item

No written materials for this item

No written materials for this item



TOWN OF PORTOLA VALLEY

7:00 PM – Special Meeting of the Town Council
Wednesday, April 13, 2022

**THIS SPECIAL MEETING WAS HELD VIA
VIDEOCONFERENCE ONLY**

MINUTES WEDNESDAY, APRIL 13, 2022, 7:00 P.M.

Remote Meeting Covid-19 Advisory: On March 17, 2020, the Governor of California issued Executive Order N-29-20, suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Pursuant to the statewide Shelter-In-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the CDC's social distancing guidelines that discourage large public gatherings, Portola Valley Town Council meetings are conducted electronically via ZOOM.

Convene Special Meeting

Mayor Hughes called the meeting to order at 6:00 P.M.

Call to Order and Roll Call

Present: Councilmembers Aalfs and Derwin, Vice Mayor Wernikoff, and Mayor Hughes

Absent: Councilmember Richards

Adjourn to Closed Session

1. Public Employee Performance Evaluation Government Code Section §54957(b)(1)
Title – Town Manager

Report out of Closed Session Report

Open Communications

The following members of the public addressed the Town Council:

- Caroline Vertongen
- Jim Lawrence
- Rita Comes
- Serra Simbeck

- Bob Turcott
- Kristi Corley
- Nan Shostak
- Betsy Morgenthaler
- Danna Breen
- Judith Murphy

Consent Agenda

2. Approval of Minutes – March 23, 2022 Action and Detailed Summary minutes
3. Approval of Warrant List – April 13, 2022
4. Report by Town Manager – 2nd Quarter Budget Report
5. Appointment by Mayor – Member to the Emergency Preparedness Committee
6. Recommendation by Town Manager – Town Permit Modifications to Support Wildfire Resiliency
7. Recommendation by Town Attorney – Adoption of a Resolution Confirming the State of Emergency and Need to Continue Conducting Town Public Meetings Remotely
 - (a) A Resolution of the Town Council of the Town of Portola Valley Confirming Existing State of Emergency and Authorizing Continued Remote Public Meetings Under AB 361 (Resolution **No.**____)
8. Recommendation by Part Time Assistant to the Town Manager – Second Reading of Ordinance and Waive Further Reading Repealing Old Chapter 8.08 of the Portola Valley Municipal Code and Adding New Chapter 8.08 [Refuse Disposal and Collection and Mandatory Organic Waste Disposal Reduction] to Implement SB 13839.
 - (a) Second Reading of Title, Waive Further Reading, and Adopt and Ordinance of the Town Council of the Town of Portola Valley, Repealing Old Chapter 8.08 [Garbage] and Adding New Chapter 8.08 [Refuse Disposal and Collection and Mandatory Organic Waste Disposal Reduction] to Title 8 [Health and Safety] of the Portola Valley Municipal Code (Ordinance **No.**__)
9. Recommendation by Public Works Director - Annual Street Resurfacing Project FY 2022/2023 – Surface Seals Project No. 2022-PW01
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the 2022/2023 Street Resurfacing Project Surface Seals No. 2022-PW01 (Resolution **No.** __)
10. Recommendation by Town Attorney - Approval of Two Affordable Housing Agreements between the Town and Benedictine Fathers Priory Inc. governing (1)

two of six apartments and (2) Gambetta Lane

Mayor Hughes invited public comments.

Caroline Vertongen asked for clarification on item 10.

Motion

Councilmember Alfs moved and Councilmember Derwin seconded a motion to approve the Consent Agenda. The question was called and the motion was passed unanimously.

Regular Agenda

11. Update from Fire Marshal Don Bullard

The Council received an update on the Community Partner Assistance for Wildfire (CPAW) resource grant led by Woodside Fire Protection District in partnership with Portola Valley, Woodside and San Mateo County.

12. Farmer's Market Annual Report The Council approved an ordinance updating the Town's organic recycling process, per state law.

The Council received an update from the operator of the Farmer's Market.

13. Request from Race and Equity Committee – Community-Based Town Seal Project

The Council approved a community based project of the Race & Equity Committee exploring Portola Valley's town seal.

14. Public Works Director – Presentation and Public Works Department Overview

The Council heard a presentation from the Public Works Director on the Department's many projects and responsibilities.

15. Public Works Director – Public Works Director Future Staffing Needs Discussion

The Council authorized the Public Works Department to augment staffing, in a phased approach, to accommodate increased duties and activities.

16. Council Liaison Committee and Regional Agencies Report

All five Council members provided reports on the last two week's regional meetings, local committee meetings, subcommittee meetings, and other items of note.

17. Town Manager Report

The Town Manager provided his regular report.

Written Communications

The Council reviewed written communications for the body over the last two weeks.

Adjourn to Closed Session

21. Conference with Legal Counsel – Anticipated Litigation

Pursuant to Government Code §54956.9(d)(2) conference with legal counsel regarding significant exposure to litigation. Written communication concerning litigation (a Brown Act “cease and desist” letter from Lloyd (Rusty) Day, Kristin Day, Ron Eastman, Bruce Roberts, James Rooney, Jim Vernazza and Ellen Vernazza dated March 30, 2022)

Adjournment

The meeting was adjourned at ____ A.M.

PORTOLA VALLEY TOWN COUNCIL SPECIAL MEETING NO. xxx, April 13, 2021

CALL TO ORDER AND ROLL CALL

Mayor Derwin called the Town Council's Special Teleconference-only meeting and advised that the Council would adjourn to closed session until around 7:00 p.m. and would return and continue with the public meeting. Ms. Kari Chinn called the roll.

Present: Councilmembers Jeff Aalfs and Maryann Derwin; Vice Mayor Sarah Wernikoff; Mayor Craig Hughes

Absent: Councilmember John Richards

Others: Jeremy Dennis, Town Manager
Cara Silver, Town Attorney
Howard Young, Public Works Director
Kari Chinn, Communications & Community Engagement Analyst

Attendees: Caroline Vertongen
Jim Lawrence
Rita Comes
Serra Simbeck
Bob Turcott
Kristi Corley
Nan Shostak
Betsy Morgenthaler
Danna Breen
Judith Murphy
Rita Comes

ADJOURN TO CLOSED SESSION

(1) Public Employee Performance Evaluation Government Code Section §54957(b)(1) Title – Town Manager

REPORT OUT OF CLOSED SESSION REPORT

Mayor Hughes advised there was nothing to report out of the closed session.

ORAL COMMUNICATIONS

Caroline Vertongen mentioned that her records are not being recorded for the public and she wondered why. She submitted letters to the Town Council and Planning staff members on March 22, and she did not see them posted. She sent information regarding parking issues and traffic on Woodside Priory. She said Mr. Krupka did a study that is now reported on the project, back in June, and none of the studies have been discussed in the BPTS meeting. She didn't understand the continued disconnect between allowing residents to participate in solving problems when none of their comments are being appreciated or even being taken into consideration.

Jim Lawrence, Chairman of the Board, Fixin' San Mateo County, said he formerly served as Mayor of Foster City. He shared that Fixin' San Mateo County is a 501(c)(4) nonprofit whose mission to elect a civilian oversight board and inspector general's office for the San Mateo County Sheriff's Office. Also they strongly recommend that the Board of Supervisors use their legislative authority via AB 1185 to install this civilian oversight board for the San Mateo County Sheriff's Office. He stated that they live in a democracy, and all elected leaders have checks and balances, including President Biden, the Senate, Congress and

the Supreme Court, Governor Newsome, the Senate and the California Supreme Court, and even local Police Chief Avelar of Foster City, the City Manager and City Council. He said their County Sheriff has no checks and balances, answers to and reports to no one. Although elected every four years, he said other elected officials are elected as well. He said 220 cities and counties nationwide, including 25 cities and counties in California, now have civilian oversight boards and inspector general offices, including, San Francisco, Sonoma, Sacramento and Santa Clara. With installation of the oversight board, the general public would gain transparency into this vital county governmental office in which they invest annually \$300 million of taxpayer funds. More importantly, it would begin to build community trust in those who are given the right to enforce their laws and issue fair and impartial treatment for all San Mateo County residents. He said it is common sense, good government and fiscally responsible to have transparency and accountability for their tax dollars. He requested, on behalf of all of San Mateo County, the Council's endorsement and support for Fixin' San Mateo County's efforts and that they join them in requesting that the Board of Supervisors use their legislative authority to enact the civilian oversight board and inspector general office of the San Mateo County Sheriff.

Rita Comes said she attended many of the Town meetings and noted that some have been cancelled and technically not started due to not having a quorum, such as the Bicycle Traffic group and Wildfire group and others who were not able to have meetings due to the quorum issue. She said there was a Race and Equity meeting the previous evening which did not have a quorum but proceeded as an unofficial meeting, going through the agenda for over an hour. There were two discussions about the quorum issue during the meeting, one at the beginning and one at the end, regarding a committee member's status. She wanted to know where she could find clarification on what constitutes a quorum for Portola Valley. She said many town meetings have been cancelled recently, or are not on the schedule for some time. She sent an email last month and another this week to the Finance Committee to ask about the 2020 and 2021 audits that have not been done and has not heard back from anyone, and the minutes for that committee have not been updated for some time, similar to other committees. With the COVID monies, the PPE monies and other funds, she said there have been issues caught in recent audits, so she was concerned about this. She asked who to contact in regard to these issues. She also asked for clarification on quorum question, stating that at the wildfire meeting on the 5th she heard something about the number of people on the committee counting against how many people make a quorum, even with empty slots on the committee. She wondered if the Handbooks addresses this information. What she heard at the wildfire committee meeting was for Mayor Hughes and Town Attorney Silver.

Town Manager Dennis responded to Ms. Comes' comment, stating he was made aware that the meeting for the Race and Equity Committee did go on without a quorum. He noted that the practice of the Town is, when a quorum is not reached, for the meeting to end. He said he asked the Town Attorney to send a reminder to Councilmembers and Committee members of this and that he has responded a few times related to the audit, and explained that the 19-20 audit was delayed for a variety of reasons, partially due to the ability of the auditing firm to be available at the times staff was available. The Town had also had basically one staff member operating the Finance Department for some time, They have had multiple conversations with the auditor and are expecting them to be in the office in about two weeks for the '19-'20 audit. The '20-'21 audit will likely be completed in the summer months. This is consistent with messaging he sent out earlier.

Councilmember Derwin mentioned that she was at the Race and Equity Committee meeting the previous evening, and said she would take responsibility for allowing them to go on without a quorum, because in the many years she has been on the Council, they have conducted meetings without quorums, and no action is taken. The discussions followed the agenda. She said she is happy to follow whatever the current practice is and thought it would be helpful for Town Attorney Silver to write this out and send it to the committees, and she will be happy to follow it.

Town Attorney Silver commented that they have adopted the Committee Handbook, and there are some guidelines in it with respect to the quorum. The current practice in the Handbook is that if there is not a quorum, then the committee should not be meeting. However, she said, there are many committees in the town, and they have not had a training recently. They are trying to get the word out, as Town Manager

Dennis had mentioned. She said they will send out a memo to refresh everyone's memory on quorum rules.

Mayor Hughes invited further comments from the public.

Serra Simbeck commented it was her first time participating in a town meeting. She wanted to express her profound gratitude to all of the Town staff, the Town Council and all the committee members who have been dedicating so much time to all of the complex issues the town is facing currently, particularly, the state mandate for affordable housing and the housing element work. She has read the entire March 23rd staff report regarding the Housing Element discussion, which she found well-done and informative. She wished every community member had the document so they could begin to understand the complexity and the urgency of the situation before the town. Clearly, not complying with the mandates is not an option, and she did not think Portola Valley wants to be known as the town that couldn't find a place for affordable housing. She said she has read the articles in *The Almanac* and learned about the personal and legal attacks launched against the volunteer members of the Council and Housing Element Committee. She was dismayed at what seems like a lot of negative pushback on staff and the Council and committee volunteers with very little appreciation for the complexity of the situation. She was appalled by the vitriol and lack of civility expressed by some community members and does not think this is representative of the community as a whole. As a 17-year resident, she said it is certainly not the Portola Valley she knows and loves. As a person in long-time public service, she is worried about the negative discourse and multiple requests for public records and that it may be creating a toxic environment for staff and volunteers, which is stressful and distracting. She felt it was probably taking valuable time away from the real work that needs to get done to meet the deadline and keep the Town functioning in general. She was concerned about being able to attract qualified, reasonable people to run for office in the community if this is what they face. Her plea to community members was for civility and reason going through the process, adding that Portola Valley is made up of wonderful people who elected them and have faith in them to make good decisions, and that the residents want to be helpful. She encouraged the Town Council, staff and volunteers to get the information, especially regarding the Housing Element topic, to the entire community as much as possible so that reasonable minds can prevail and they can work together to find acceptable solutions.

Bob Turcott thanked Councilmember Richards for sharing his memories of life in Portola Valley as a child and young adult. He said he hoped going forward, to the extent there are opportunities, that Councilmembers will similarly share their experiences and perspectives beyond the details of the particular agenda items. He shared a concern that the agenda packet for the last Council meeting included a letter from the chairs of three safety committees asking the Council to approve the formation of a subcommittee staffed by members from each committee to participate in the revision of the Safety Element, which has been underway for eight months. He had advocated for resident participation, especially after residents were excluded from the preparation of the FEMA Hazard Mitigation Plan, which he said grossly understated the town's wildfire risk. After speaking at the last meeting, he said the Mayor indicated that although the issue was not on the agenda, the letter was included in *The Council Digest*, the last agenda item of the evening, and he asked the resident to hold their comments about the letter until then. Mr. Turcott said that Dale Pfau, Chair of the Emergency Preparedness Committee, was called on after him and, in deference to the Mayor's request, indicated that he would hold his comments until the item came up. Mr. Turcott said he remained on the call in order to hear the discussion on the item, which was reached close to midnight. The Chair of the Emergency Preparedness Committee tried to speak at that time, but was not allowed to, and there was silence from the Council regarding the request in the letter. Mr. Turcott said his understanding is the Brown Act mandates that residents be given an opportunity to address each item on the agenda. The fact that the Chair of the Emergency Preparedness Committee was prevented from speaking seemed to him to be a violation of the Brown Act. He said he felt there were also potential First Amendment issues with this as well. He asked if this was a one-time fluke, or if it was felt to be a valid and reasonable approach by the Council. He asked if there is a mechanism by which residents can get clarification of Council policy regarding such questions, and also how the process for the Hazard Mitigation Plan will be revised and approved, and how the requests of the chairs of the safety committee will be addressed. He felt these important questions deserved answers but it wasn't obvious to him how they could get them.

Kristi Corley shared concern that many meetings are being cancelled due to lack of quorums, which means they cannot approve minutes, and the public cannot read minutes from many meetings ago. She said if they are to prepare as a town with a DEIR – Draft Environmental Report – for the Stanford Wedge and they can't attend meetings such as the Bicycle Pedestrian and Traffic committee meeting where they can discuss things, then she felt it is not good for the residents. It affects information to the residents to prepare any comments they want to make for future applications. Also, she said the calendar does not show that the meetings have been cancelled for the current and previous weeks, which is a concern as well, that the calendar is not updated so residents know what's happening.

Mayor Hughes pointed out that the calendar is specifically maintained as a calendar of upcoming events, so if the time for a meeting comes and a quorum is not present, the calendar is not retroactively modified to reflect that. Town Manager Dennis said for any committee meeting where there is not a quorum, the packet is still posted with the minutes. While they are not approved minutes, they are available for the public to review.

CONSENT AGENDA

- (2) **Approval of Minutes** – Action and Detailed Summary Minutes for March 23, 2022
- (3) **Approval of Warrant List** – April 13, 2022
- (4) **Report by Town Manager** – 2nd Quarter Budget Report
- (5) **Appointment by Mayor** – Member to the Emergency Preparedness Committee
- (6) **Recommendation by Town Manager** – Town Permit Modifications to Support Wildfire Resiliency
- (7) **Recommendation by Town Attorney** – Adoption of a Resolution Confirming the State of Emergency and Need to Continue Conducting Town Public Meetings Remotely
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- (8) **Recommendation by Part Time Assistant to the Town Manager** – Second Reading of Ordinance and Waive Further Reading Repealing Old Chapter 8.08 of the Portola Valley Municipal Code and Adding New Chapter 8.08 [Refuse Disposal and Collection and Mandatory Organic Waste Disposal Reduction] to Implement SB 1383
 - (a) Second Reading of Title, Waive Further Reading, and Adopt and Ordinance of the Town Council of the Town of Portola Valley, Repealing Old Chapter 8.08 [Garbage] and Adding New Chapter 8.08 [Refuse Disposal and Collection and Mandatory Organic Waste Disposal Reduction] to Title 8 [Health and Safety] of the Portola Valley Municipal Code (Ordinance No. ___)
- (9) **Recommendation by Public Works Director** - Annual Street Resurfacing Project FY 2022/2023 – Surface Seals Project No. 2022-PW01
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the 2022/2023 Street Resurfacing Project Surface Seals No. 2022-PW01 (Resolution No. ___)
- (10) **Recommendation by Town Attorney** - Approval of Two Affordable Housing Agreements between the Town and Benedictine Fathers Priory Inc. governing (1) two of six apartments and (2) Gambetta Lane

Mayor Hughes invited public comment on Consent Agenda items.

Caroline Vertongen questioned item 10, stating she only got notification about this item the day before, and she is usually on the list to get all notices. She was looking through the documents that were attached, starting at 113, and said it looks like the map does not indicate the address that is presented – 104 and 102 Gambetta Lane. Regarding parcel number three, she said it is accessed via Nathorst, so she didn't understand how this map would be relevant to the proposed agreement for the two of six apartments and 102 Gambetta Lane. She said they still have an amended CUP from December 15th that was approved, but with conditions, so they cannot appeal a project if they don't know what the conditions are. She said in the emails she sent it is frustrating when they have a Bicycle, Pedestrian and Traffic Safety Committee that is not even involved in this. She said they need to be able to research the information about the deed restriction. She believed the whole community above the Priory is part of the Martina [phonetic] branch built in the 1800's. She hoped they would pull the item and give more clarification and assurance to the neighbors in the area, because if affordable housing units are built on that parcel, then it will affect several people.

Councilmember Aalfs moved to approve Consent Agenda. Seconded by Councilmember Derwin, the motion carried 4-0, by roll call vote.

REGULAR AGENDA

(11) Update from Fire Marshal Don Bullard – Community Planning Assistance for Wildfire (CPAW) Work

Town Manager Dennis thanked Fire Marshal Bullard and the Fire Chief and Woodside Fire Protection District for getting this resource grant for the community that the Town of Woodside and the County of San Mateo is partnering in. He introduced Doug Green of Headwaters Economics and CPAW.

Fire Marshal Bullard explained that the District has partnered with the CPAW Group, out of Headwaters Economics in Bozeman, Montana and introduced Doug Green, who would be giving a background on what Headwaters Economics does and how the CPAW group relates to that group, and also what they have done thus far through the grant and what the future plans are moving forward toward the end of the year.

Mr. Doug Green shared that he is from Bend, Oregon. He spent 25 years with the Bend Fire Department working on the line and doing wildfire mitigation for the City of Bend. Before that he was a land use planner with the City of Bend. He said his background fits in perfectly with the CPAW program is doing. Mr. Green explained that the CPAW program is a program of Headwaters Economics which is a think tank, non-profit, non-partisan organization out of Bozeman, Montana. Headwaters tackles big, high-level community issues around the country, such as flooding, vulnerable populations, economic impacts of open space and a diverse group of topics. One of the things they started taking on in the early 2010's was wildfire. The Executive Director at the time realized that getting ahead of wildfire on the front end makes it much more effective than dumping billions of dollars in on the back end, under suppression efforts. His goal was to come up with a program to look at wildfire issue through the lens of land use planning and community documents, versus the suppression side of things. The first year of the CPAW program was 2015. In the program, the organization looks at the wildfire issue through the lens of land use planning and other things. Historically, they have done things in four different buckets, and now a fifth one that has become more important recently, but their bread and butter is land use planning. Having heard comments earlier in the evening regarding what Portola Valley is facing, he said they will go into communities, dive into their hazard mitigation plans, their subdivision ordinances, their comp plans, CWPPs, general plans, and anything and everything to do with wildfire. They make sure that everything within their plans aligns with wildfire mitigation, and they look for opportunities to tie those things together, maybe bringing in updated language from the current best science, making sure plans do not contradict other plans, which they tend to find in a lot of communities, and making sure everything aligns with the goal of wildfire mitigation.

Mr. Green said they also offer hazard assessments, partnering with organizations to help communities do the assessments they need in order to move the needle forward regarding wildfire adaptation. The organization offers capacity building, whether in presentations, education for land use planners and/or policymakers. Their goal is to help implement anything they can to help the community become more wildfire resilient. Research and science is another thing they do, working closely with IBHS and a number of different organizations to come up with science-based education that the community needs to make valid and implementable decisions in that community. They also find communication to be very important so that their recommendations, assessments, research and science can be shared with the policy-makers and decision-makers who are going to make things happen. Coming up with new and effective communication tools for the community over the past years, especially with social media becoming more and more relevant, is a priority.

Mr. Green explained that CPAW's contract is with Woodside Fire Protection District, and also with the Town of Portola Valley and the Town of Woodside. They realized that with the leverage they could gain with this overlap it made sense to take on all three communities at once. He said this is very exciting for them, because not only do the entities' leadership have a tremendous amount of education, passion and drive to get things done, but the community is also amazingly educated and passionate about the wildfire issue. He said he understands why, and having worked in many communities around the country, it is exciting to work in this area because they find things that they can take to other communities which will make a huge difference there. The MOU for the project was signed last year Woodside Fire Protection District and both towns. He said they have worked with over 80 communities throughout the country, most in the West Coast and Rockies, but some in the Midwest and East Coast. He pointed out that they are free of charge to the community and are funded through the Forest Service, which is starting to understand the importance of working on the front end instead of solely on the suppression side and understanding the importance of trying to make a difference in the built environment, not necessarily just forest treatment. The Forest Service funds their organization one hundred percent so that they can work in communities such as Portola Valley and even tiny communities in Eastern Colorado, free of charge. Mr. Green explained that the CPAW Program was contacted by all three communities applying together, and they decided it would be an exciting opportunity to take on all three communities, looking at Woodside Fire Protection District as the umbrella. Although there are more restrictions in the communities than there are in the District, it all works together.

Mr. Green gave an overview of what they are doing in the community, diving into this extremely complicated issue, including all of the regulations the town is aware of. He said it will take a while longer before they come up with recommendations and suggestions, and they won't have a magic, silver bullet that will fix everything, but they will end up coming up with recommendations to offer the community. These will not be requirements, but recommendations that the community can take and that CPAW can help implement. He said their biggest push is coming up with a broad community wildfire resiliency strategy, something to blend and support everything that Woodside Fire Protection District and the Towns of Portola Valley and Woodside are already doing, into a single resiliency strategy that holds everything underneath it. This includes an inventory of best practices already happening on the ground, what the group is already doing, and what is successful and what is not, giving them a foundation on which to start. They are also looking at best practices from other comparable communities around the country to explore if there are other things they can implement that may be effective in the community. The broad strategy is to come up with something that works for the entire community, that supports the whole and that they know is not working against other parts of the community, providing the land use recommendation language and broadening the network that can support the community.

The communication strategy includes making sure there is cohesion and coordination between all the different departments – the towns and the District – making sure there are no loopholes and that they can find opportunities to help the departments work more closely together. He said it is amazing how many times they go into communities and find that someone is not talking to someone else, and should be. They come up with flow charts, et cetera, to help communities work better with each other. He shared some of their outreach materials to bolster communitywide awareness, from department leaders, to homeowners, all the way up to the policymakers.

In regard to land use planning, which can be complicated, Mr. Green said they provide model language and code templates to support community plans, including the Safety Element of the General Plan, making sure that not only do have language that makes sense, but is based on the most current scientific studies and also supports language within other plans in the community. They will assist in the goals of the local community, including the Portola Valley Wildfire Preparedness Committee. They will look at design guidelines and do general updates to community plans and zoning code language. They will come up with recommendations, determine what will be palatable in the community and what will not, and hopefully help to implement them.

Mr. Green said that their organization will also help with risk and assessment in Portola Valley and the Woodside Fire Protection District. A part of that will be supporting updated hazard risk mapping, which Chief Bullard is currently working on, taking a supportive role in any way they can. He said they work with external partners in evacuation modeling. They work closely with IBHS on scientific papers, academic fields and other programs around the country that they can bring into the community as partners to help bolster programs that they find to be the most effective in the wildfire adaptation of the community. Their whole goal is understanding that it is not a wildfire issue. It is a structural ignition issue, and if they can find ways to keep homes from burning down, then they don't lose communities. He said the wildfire issue itself is not ever going away, so if they can keep communities from burning down, that is their goal. They look at the built environment only and find ways to mitigate that.

Mr. Green shared his contact information and invited questions or comments/suggestions from the community, which will help them to move forward. He said it is a process they are just getting into, with many moving parts. He hoped that now that things have loosened up with COVID they will get to the community a couple times this year and get a feel for what the community feels at ground level, and finding out what is important to make a difference, and how they can support the community wherever they can.

Chief Bullard noted that he is working on the hazard and risk assessment to identify the very high, high and moderate fire severity zones within the District. He said the previous day they had their bi-weekly update with Town Manager Dennis and Planning and Building Director Russell. Being on the tight timeline with the Safety Element and Housing Element, he said it would be nice to at least get that map out sooner rather than later. He asked Director Russell to provide him with some criteria on that to bring back to the advisory committee and at least get started on getting the linear maps out, identifying those areas within the District, so that they can be useful for those processes. He hoped to speed the process up and to get at least that portion out, and then develop the platform so that later on they can add other layers on top of it to improve and provide future updates.

Mayor Hughes invited questions from the Council.

Vice Mayor Wernikoff asked if there was anything Mr. Green could share about the timeline for the overall CPAW recommendations, or whether they have a sense of how long it might take. Mr. Green responded that historically the CPAW program has taken about a year to get everything finished up to a point where they are comfortable. He commented that there are so many things moving so fast in their location that they are going to try to get their major work done by around July. It may not be complete, as it will be more than a year-long process with Woodside, helping with the implementation and everything going on with SB 9 and other considerations. They will be around to help Chief Bullard and Town Manager Dennis with anything they can in the future, but he said they hope to have the major piece to the resiliency plan as well as much of the communication pieces and some of the bigger recommendation pieces out by mid-summer.

Vice Mayor Wernikoff asked regarding Woodside Fire if they will be doing some staggered delivery of mapping and if there was an idea of when the complete project may be done. Mr. Green responded that since they won't be able to do the work themselves, much of it will depend upon the consultants that do the work, how busy they are and how much ground-truthing they will need to do for the maps. He hoped for perhaps August to get the first version of the maps out. Vice Mayor Wernikoff asked if they had

selected a consulting partner yet. Mr. Green said the RFP will for that will be out in the next couple of weeks.

Mayor Hughes invited public comment.

Nan Shostak stated that their approach sounded very comprehensive, top-down, and coordinated with the concerns of the community. She noted the double whammy of both earthquake and wildfire threats. She wondered if they had worked anywhere where they looked at earthquakes, or wildfire following earthquakes, especially in terms of evacuation and land use.

Mr. Green said yes and no. They don't in most cases, although when they look at hazard mitigation plans in general, the overall hazard piece always comes into play. There is language that they try to get adopted in many of those plans. If they can't get at wildfire-specific language, then they get just hazard language in general, to make sure there is a bookmark, so that in the future if they need to bring in more comprehensive language, the bookmark is in there. They also do some work with post hazard assessments and post hazard evaluations, which is where the earthquake piece comes into play. The community, not only with wildfire, but with earthquake and potential climate change and sea level rise, et cetera, has many pieces to consider, so although their focus is wildfire, they are trying to get input from other stakeholders where they can support that as well in anything they do in their recommendations and language.

Caroline Vertongen referred to the General Plan adopted in 2016. They have several components that are crucial, and it was her understanding that any housing or building constructed in the town would consult that General Plan, so she hoped that they were given access to it. It has a safety plan from 2010. She was curious to know what maps were given, because they found out that Fire Chief Bullard didn't know that they had the Moritz maps, which were established in 2009. She had questions for staff and Councilmembers. She said in December of 2008, they signed a multi-district, San Mateo County Local Hazard Mitigation Plan with Tetra Tech, who was supposed to get all their information. They also had another plan with Zonehaven. She said they spent all this money and they would like to find out how this is going to be used altogether to arrive at a solution. She said, according to the Governor, the wildfire safety guidelines have existed since 2015 and they assumed the Town Council and staff were following the safety plan from 2010, and then found out that nothing was done. She wondered how it would all fit in together because they keep spending money on consultants and consultants, and they don't seem to collaborate. She said the Chief was on her property two years ago and found out that the map he was using was not even reflecting the actual parcel map recorded in San Mateo County, so it is very frustrating that taxpayer money is paying for these programs, even though it is said that they are free. She said they want to make sure that their town is safe, and she hoped they would find collaborative engagement with all the parties involved.

Mr. Green responded that their purpose tonight was to give an update on the CPAW program, so those questions would have to be answered at a later date.

Mayor Hughes thanked Mr. Green and Chief Bullard for their informative update and looked forward to the products coming in the coming months.

(12) **Farmer's Market Annual Report**

Nile Estep addressed the Council, sharing that they love the Portola Valley community and have been operating the market since September of 2018. He said through 2020 they had to come up with some tricky fixes. As events are opening up, they have some fun ideas. He said on average the market has 18 vendors, and also a food truck added this year – Culinario, with Chef Alberto – whom the community loves, as well as Roli Roti. They are trying to grow their agricultural vendors, but it is tough right now as the seasons change, but they are looking to add a fruit vendor as well as another organic vegetable vendor. They managed the Carmel-by-the-Sea Farmer's Market, and have started doing ceramics and testing out some blacksmithing at the market. After they get a pilot of that they would love to propose doing that every third Thursday, or some kind of interactive arts. Another idea is a trivia night for families.

Their goal in the month of June is to grow about seven vendors on average, to total of 25. Mr. Estep invited any questions, comments or concerns.

Town Manager Dennis offered a reminder of how important the partnership with the Farmer's Market was in the first year of COVID. They were able to provide extraordinary service to the town through their extra efforts. Mr. Estep said they just finished their program which they piloted with Portola Valley, called Safe Market, the sanitary allocation of food essentials. They did drive-through farmers markets. He said they just finished their COVID Relief Program with Meta, formerly known as Facebook. Since March of 2020, they were able to give out over 200,000 boxes in San Mateo County of organic food and meal essentials. They worked with San Mateo County Hospital as well as various organizations. They are proud of that and are continuing their community mobile market, which serves East Palo Alto, the East Palo Alto Senior Center, the Community Center at the YMCA, as well as a church, to make locally sourced food more affordable and accessible to underserved communities. He reiterated that they love the Portola Valley community and are honored and privileged to host the market there as well.

Mayor Hughes invited comments or questions from the Council.

Councilmember Aalfs thanked Mr. Estep for continued great work with the Market. He said he sees good traffic there every week and trusted the vendors are getting traffic to keep them above water.

Councilmember Derwin agreed with Councilmember Aalfs and very much looked forward to the "meaty market" in June.

Mayor Hughes said the interactive arts projects sound exciting, and he looked forward to kids sticking things in the blacksmith forge. Mr. Estep suggested perhaps painting some ceramics would be fun for the kids.

Councilmember Derwin asked if a portable wheel is brought in for the ceramics in Carmel. Mr. Estep yes they do, and they also have revitalized the hay and feed store in Carmel Valley, called Hacienda Hay and Feed. They have taken on ownership and are revitalizing it, as well as Walters Farm, which is one of the first certified organic farms when CCOF was created, so they now have a three-and-a-half-acre farm, on which they sowed seeds a couple weeks ago, for a cover crop. He said eventually they may be able to be a vendor at the Portola Valley Farmer's Market. This would be a goal down the road. He explained that they do bring a wheel and sometimes have a kiln at the market.

Mayor Hughes invited public comments. Hearing none, he closed the item.

(13) Request from Race and Equity Committee – Community-Based Town Seal Project

Kim Marinucci shared the highlights of the letter she submitted to the Town Council regarding the town seal. She relayed that at the Town Picnic when the Race and Equity Committee had their table, they set up a poster of the current town seal and engaged the community in what the town seal represented for them and how that fit with what they saw as the values of Portola Valley today. She said they got a lot of great feedback, and it was a chance to dialog with people about a concrete issue related to race and equity. They committee decided to take on this project, which is not intended to focus on a recommendation to change the town seal, although they will have a recommendation at the end of the project. They felt it would be a good opportunity to engage the community in a dialogue about what to do about these problematic historical symbols, whether they just cancel them, and how to talk to each other about these political conversations that can be polarizing. She said the Committee would like to engage the community in a process to improve their ability to talk with one another about differences. They would be compiling data they collect from people about what they see in the current town seal, what they think about it in terms of values of the town today, and what other symbols might better represent the town today. It would end in a recommendation to the Town Council for the Town to take forward. Ms. Marinucci said they also see an opportunity to combine this with educational opportunities around perhaps bringing in people to talk about dealing with this kind of symbols. Another opportunity would be to explore the

history of the town, including who Portola was and what the is relationship with the town. Some have mentioned that some street names in the town are problematic, but they are starting with this, and they think in some way it is a low-stakes sort of project to begin to engage people. She said she feels it is better to practice skills when not dealing the most polarizing topic to begin with. She thought there would be enough there to engage people, and what the committee is asking for is approval from the Town Council to move forward on the project.

Mayor Hughes invited questions from Councilmembers. He asked if the work the committee would be doing would be at the Race and Equity Committee meetings, or if they would have special meetings on this topic specifically, and what the time period the project would span. Ms. Marinucci replied that they imagine going to intact groups. For example, starting with Town staff, asking for time in their meeting. They have put together two formats. One is an hour-long format to practice dialog skills within this context. The other is a 30-minute format, which consists entirely of giving feedback. They would also like to stand in front of Roberts, for example, and catch people individually. She said one of the people on the subcommittee goes to Woodside Priory and is on the committee because he wants to engage people his age, in high school. Going to the Sequoias and engaging other Town committees would be other possibilities. In terms of timeline, once they get started, she imagined two to three months, depending on scheduling. The project is envisioned as approximately a year-long project between education and dialogue groups, and putting findings together and delivering them.

Councilmember Derwin asked what resources they needed from the Town, in terms of staff help or actual funding. Ms. Marinucci said she felt time is what they need, explaining that they are going to do this with the people on the committee and within their resources, and they are not engaging any outside consultants. She said one thing they had thought was getting some t-shirts made that have the town seal on them, since many people are not even aware of the town seal. She said one of the Committee members was unsure about the project, but the next month reported in that he had coffee with somebody wearing a sweatshirt with the town seal on it and saying, "Hey, when are you guys going to deal with this?" so maybe something small like that, to make it more visible. She thought the most visible place would be on the car. She said in order to bring in educational resources they would need funds; however, they have not identified that yet. They were hoping in the process of gathering feedback and engaging people, is that they will hear from people about what they are interested in learning about. They hope that the process of engaging people will create interest in learning more about the town's history and when they have the offerings, they will be connected. They don't know yet what that slate of offerings would be, but it would be a place she could imagine they would need some funding.

Mayor Hughes invited public comment on the item. Hearing none, he invited comment from Town Manager Dennis.

Town Manager Dennis said the staff stands by to assist in any way, shape or form to ensure the success of the project, and they look forward to working with Ms. Marinucci.

Councilmember Derwin moved to support the recommendation from the Race and Equity to go forward. Seconded by Vice Mayor Wernikoff, the motion carried, 4-0, by roll call vote.

(14) **Public Works Director** – Presentation and Public Works Department Overview

Mr. Young gave a detailed overview of the Public Works Department, describing the many activities of the Department, including building, maintaining and operating all of the town's infrastructure and land and providing engineering and review services for building, site development and right-of-way. He noted that this is the first time in 20 years that he has done this, and there are many duties for him to try to summarize, but he wanted to share information on what they do, what they work on, many of which are things the public may not be aware of.

Mr. Young spoke of the Public Works team and introduced Scott Weber, Maintenance Worker II, and Justin Bixby, Recreational Facilities Coordinator, as those who maintain the town for them. The team maintains the infrastructure, land and engineering services in the town, and are the folks interacting with

the entire population and its visitors, consisting of 1,500 homes, 4,500 residents and all the bicyclists and people that come to use Town Center. He said these are the folks who continued services through the COVID pandemic. The Public Works staff is made up of only four people. They also use an engineering consultant and construction contractors because the staff is so small.

Services provided by the Public Works Department include maintaining all of the public right-of-way and infrastructure, maintaining 36 miles of roadway, over 109 streets, the storm drain system, which has over 400 catch basins, and 36 miles of trails. Parks and recreation facilities are also maintained, the two soccer fields, two baseball fields, a park, a playground and rental areas. Their biggest addition is the Town Center, which includes 11 acres of building and landscape that the Public Works Department maintains. There is open space and 30 lots that the Town owns. They provide engineering services in private site development; encroachment permits and capital improvement programs. They work with all the committees, interact with visitors, utilities, applicants, internal staff and deal with one hundred percent of the population and more, and try to do a good job in all of it. Whenever there is physical labor involved, no matter how big or small, the Public Works team is involved.

Mr. Young reviewed the Divisions and Duties of the Department. They handle Public Works right-of-way requests and questions, 24/7 emergencies. He said in order to do the work they do with their minimal staff, they work with the Public Works Committee, they have vegetation management which is a combination of staff and maintenance agreements. They have a storm drain maintenance team, also a combination of staff and maintenance agreements; road resurfacing and road surface maintenance; encroachment permits, and coordination with utility companies. On Public Works infrastructure and facilities maintenance, they work with the Conservation Committee and Public Works Committee and Park and Rec Committee. They have 70 percent of a maintenance worker dedicated to fields, parks and open space. There are two maintenance workers who deal with trails and roadways. For the Town Center there have 30 percent of a maintenance worker and 20 percent of a maintenance II worker and maintenance contract agreements for HVAC, solar, plumbing and structural items.

Mr. Young went over the Public Works Capital Improvement Program, including things like the Annual Street Resurfacing Program which is something that benefits many residents. They also do road widening for bikes and retaining walls for bikes, as well as traffic safety improvements, part of which also goes into construction management. Either he, staff or the consultant does this. They have a geo-tech review and materials testing and inspection.

Engineering Services include site development and encroachment permits. He said many people don't know that the Public Works Department also is involved in building permits, specifically the site development permit. They review and inspect the grading and drainage of home and businesses being built. This entails plan review, the Engineering Consultant, Inspection Consultant, and the Legal team whom they depend on for legal input. Everything done in Public Works is a liability, and they are there to protect the town from liability. Mr. Young said that the town was very small a long time ago, and they shared permit techs. Right now, Public Works has 20 percent of a permit tech. There are committees as assigned, Trails, Traffic, Cable, Conservation, Public Works, Parks and Rec. Mr. Young attends some of their meetings, and some he works with actively.

At a high level, Mr. Young explained what they do for the town right-of-way. He said they maintain their roadways to state standards using the Cal Trans manuals. They have infrastructure responsibilities weekly, monthly, quarterly, annually for five years and ten years. Some of the things they do include right-of-way tree and brush clearing of the 109 streets in the town, including sight visibility at corners. They annually check each catch basin every year for silt and garbage. They check roadway signs and traffic devices to see if they need to be changed or not. They do emergency response during winter storms, risk assessment, street sweeping and all maintenance requests on PV Connect.

Mr. Young shared pictures of things the Public Works Department does on a daily basis, including repairing a cracked roadway and fixing potholes, which they do on a daily basis. The Public Works trucks are seen around town, bringing silt back from roadsides, and debris hauled back from the roadsides. The crew is out working on roads every day. When they can't handle it during storms, they hire contractors to

take mud off of the side of the roads and assess landslides and boulders landing on the road. A picture of a standard crew doing road right-of-way tree trimming showed Scott taking a look at roots and trail condition after winter. Much of their work goes unseen on the sides of the town's roads and trails. In maintaining their culverts, they look inside to analyze their life, when and how to replace it. They offer services for street sweeping, which they do twice a month on the main arterials, and every quarter they sweep all the residential streets. Street conditions are quite favorable and clean because of the pelotons coming through that enjoy use of the town's roads. Public Works also inspects all the culverts in the town.

Regarding annual facilities work, Public Works maintains all properties that the Town owns, including the 11-acre Town Center, its buildings, playgrounds and fields, to very high standards. Many things, such as electrical, gas, plumbing are dealt with on a daily basis when there is a need. Janitorial, litter pickup, event setup and support, Library building support, support of Town staff, emergency response, maintenance requests and risk assessment – all are included in the operations of the Public Works Department. Mr. Young highlighted more of their operations including the Styrofoam program in which Public Works bags up all of the Styrofoam collected in the program. Changing of the lights in the Library, which requires a lift in order to reach them. Tree work which requires a boom lift. The Community Hall floor is kept spotlessly clean for yoga and exercise classes. Concerts in the Town Center are attended by many, and with Town Center being a model of community involvement and resiliency, many people come to enjoy the facility. Mr. Young said it is good to see that, but pointed out that there is a lot of background work involved for these things to happen.

Public Works staff also takes care of accidents – trees falling on benches, people crashing into fences, dump trucks crashing into property, many events that people don't see, but Public Works takes care of them. Mr. Young noted that they have the finest wood chips coming into their playground and very high-end sand that goes into the playground box. Within town facilities, there is a crew picking invasive weeds. The Conservation Committee provides guidance, but on the eleven-plus acres, Public Works has crews coming in to pick weeds and do landscaping. Other work that people don't generally see includes storm damage, repairing vandalism damage, broken toilets, items dumped on the roadside, et cetera. Many people never see the air handlers and boilers and solar equipment which are in every town building and which must be maintained on a weekly basis. During COVID even more filtering was added.

Mr. Young described some of Public Works' activities dealing with sports facilities, in which they handle maintenance of two soccer fields, two baseball fields and all associated surrounding landscaping, including addition of skate ramps, pickleball, horseshoe pits, and essentially everything around the fields. They also do annual field renovations in which they aerate, reseed, top dress and place a new infield mix. The mix is very high-quality, the same that is used at AT&T Park. Public Works also performs rodent control by mechanical means, water audits, water conservation, organic fertilizing programs, and maintenance and support for recreational classes used in town leagues. They have received many positive responses from field users. Mr. Young said Justin does a great job of making the fields look great, and other schools in other towns ask what Portola Valley does to their fields. During the playing season fields are mowed twice a week, which makes balls travel faster, according to the leagues. Mr. Young showed photos, including the mechanical means by which Public Works performs rodent control instead of using rodenticide, which requires more time and effort. Also, the seeder by which fields are re-seeded, a piece of equipment which punches holes in the field and deposits seed into the hole to ensure a better germination rate. Fields are renovated during the winter in order to have nature water them, whereas many agencies renovate during the summer. In order to save water, Portola Valley Public Works does this during the winter, which is a risk that they take and additionally requires that turf blankets be applied to help the seed germinate during the winter.

Mr. Young shared photos of people enjoying town facilities. Within the hardscape areas, Public Works blows them down twice a week; the pickleball courts are cleaned and maintained; playgrounds and lawn areas are clipped, clean and in good condition for people to use and enjoy. Mr. Young mentioned the organic fertilizer program used on the fields, maintenance of surrounding landscapes, doing risk assessments so that these areas are safe. Rossotti Field parking lot is also being used extremely well.

Mr. Young discussed Public Works operations within Open Space and Town land. There is annual mowing and fire break, upkeep and inspection of the open spaces and Town land, even before the Conservation Committee was involved. Recently, the Conservation Committee began analyzing each open space and coming up with a program for Council approval to restore open spaces. Council has approved certain tree removals, budget for weeding of open spaces and restoring natural habitat with wildflowers. Other areas of work have included Spring Down, the new Frog Pond, the Road Remnant, the Ford Field Open Space, Triangle Park.

Mr. Young shared slides of the Public Works team at work. Sean, with Go Native; weed whackers working on the selectively weed-whacked six acres of land next to Spring Down. They team picks weeds, builds ponds, coordinating with the Conservation Committee. The results of their work are on display in the picturesque scenes of the open spaces, where many people go to enjoy the poppies, the lupine, the pond, et cetera. A map illustrated the scope of the 30 or so parcels of land that the Town owns and Public Works maintains.

Regarding Wildfire Mitigation, Mr. Young shared that a program started a couple years ago has been a very positive program and a big hit for the community. Staff manages the program and coordinates with the Fire Department on evaluating which streets to do. They are in the second year of the program, which involves having the Fire Marshal and Town staff evaluate the right-of-way and raising the canopy in the right-of-way, which can extend 5 to 20 feet on either side of the road. This is work that has not been done in decades, cleaning up the right-of-way, and because of the wildfire concerns, they have been very proactive. They have cleared Portola and Alpine Roads, and besides a handful of inquiries, there have been no complaints, which he says is amazing. The crew sizes that work for Public Works involve between three and six workers – one chipper, two trucks – every Thursday and Friday, working for the Town on this. Not only does their work include physical work, but communication and coordination with property owners, who must be notified through either their website or social media, door hangers, et cetera, trying to coordinate with everyone who has concerns. The response from the community has been very positive with this program.

Before-and-after pictures illustrated work done by Public Works on public rights-of-way, working with the Conservation Committee, looking at what things will look like in the future and what needs to be done in the future. Mr. Young thought it could potentially take eight years to clear all 109 of the town's streets. Signs are posted where work is being done to let the public know that fire mitigation work is being done. Messages are posted on their website to let the public know how much progress has been made. After the end of this fiscal year they will be moving their work to Golden Oaks, which is a much denser area which will involve a lot of communication because a lot of people planted in the right-of-way.

Mr. Young presented a high level look at Engineering Services work and said many people probably don't know what they do in the background. All the roads, facilities and buildings are going through the same process with the Planning and Building Department for the things that they build. A recent example are the pedestrian safety improvements, retaining walls, and site development permit engineering review is big, and is something they do inspections on. All projects that the Planning and Building Department are doing for new homes, they review and inspect for grading and drainage, and also the erosion control. There are also encroachment permits for work done in the Town's right-of-way or road, which requires a permit, reviewed by Engineering Services. One type of encroachment permit is needed when people build a new home and want to connect utilities, a new driveway, et cetera. They review for those. Another type of encroachment permits include Cal Water or PG&E doing trenching or sanitary sewers in the roadway. There is a Stormwater Pollution Prevention Program which is required by the State. They also do Code Enforcement for such things as encroachment into private rights-of-way, or people building on trails. They look at grants and attend committee meetings and get their consensus on engineering work. Mr. Young said this is a combination of him and the consultant staff, depending on the project size.

A group of photos illustrated some of the many things Engineering does, including building the Town Center. He noted that the Town did not hire a general contractor for this work. The Town essentially became the general contractor and subbed all of the 30 contracts out. It was a lot of work, but ultimately saved the Town money. Mr. Young shared photos of the old Town Center as well as construction of the

new buildings and said he has many of these photos if anyone is ever interested. He commented that they went from a very old school that was waiting to have something done with it to something very much more than what they had. Other capital improvement projects included a significant amount of road resurfacing. Crews are bid out to do road resurfacing. Street signs were installed at the nine locations identified in the pedestrian safety study. Trenching is done routinely when they need to take out a storm drain, by opening up the street. Some old culverts are corrugated metal. New ones are plastic which will last many years, versus the corrugated metal, which has a lifespan of about 50 years, after which rust is evident. For the new Zoom Rooms, cameras were installed for the new hybrid meeting system in the Council Chambers.

More photos showed more projects, including retaining walls, striping, paving, putting in the pond. In everything they do, Mr. Young said they interact with community members who are very helpful to talk to as they try to build these things while keeping the rural character of the town in mind, so he often talks to committee members and chairs and asks what they think about this or that, or how it will look. He said the feedback is important to him. When putting in ALPRs, he said they went with wood poles instead of concrete or steel, a fine, small detail to help match the rural character of the town, which takes time and effort to think through. Mr. Young showed the old pond at Spring Down, with the cyclone fence and pump station. Other capital improvement items handled by Public Works include trail-building, road-widening for bicyclists, some funded by grants or by Stanford, but built by Public Works so that they can control the look and feel of how they turn out. The C1 trail includes a retaining wall made up of rocks and logs inserted on the side of the creek.

Other engineering and CIP items include the library at Corte Madera School. When the Town Center was being built they needed a temporary location for the library and the library let them use their building, so they gutted it and improved their building to make a place for the temporary library. The Farmer's Market parking and other parking, when they were asked, they put it in. Ford Field renovation is also something Public Works worked on when the leagues asked for it.

On the Engineering side on the sites, they inspect the grading and drainage, look at sites before they are developed, inspect driveways and all other grading and drainage items on the plans. Some of the Code enforcement items include finding things in the right-of-way, when people have cleared things up too much, fences that have been put in the right-of-way and they get complaints about it, they address those things, which takes time. They always work with committee members in addressing Code enforcement or CIP items as well.

Other duties include developing the annual budget, CIP budget, performing contract management, accounting duties, department support to other departments, interacting with many other Town departments to deal with many facets of the town – building and planning, code enforcement, finance, administration, parks and recreation. Another big one is risk management. Photos illustrated building plexiglass protection for front desk staff during COVID, maintenance of the ALPRs, leaf blower exchanges, sponsorship of Eagle Scout projects, or finding elderly community members lost on the side of the road that just need a ride back to the Sequoias. Mr. Young's photos included one of Marilyn Walters, long-time member of the Conservation Committee.

Mr. Young shared some of the random accomplishments of Public Works in the past year. Miles of road resurfaced – 4.34, which could be done because they do a slurry seal instead of overlays. Curb miles of tree trimming – 35 miles, mainly with two people. Number of culverts and pipes checked and cleaned – 509, done by two or three people. Cubic yards of silt removed – 23, which is two-and-a-half dump trucks loads of silt. Garbage removed from the catch basin – 65 gallons. Ditches cleared – 2,000 feet. Litter pickers on Portola and Alpine Roads main corridors picked up 720 gallons. Linear feet of wildfire fuel mitigation – 19,000. Acres of open space maintained – six. Encroachment permits processed – 107. Site development permits reviewed – 37. Inspections performed – 160. Processing of service requests – 291. Mr. Young said with PV Connect it is easier for people to submit service requests. Traffic improvements were installed at nine intersections. Two used vehicles were replaced. With COVID response they continued work and operations offering services to the public throughout the pandemic. Interfaces with

other departments are on a routine basis, including Finance, Budget, Sheriff, Fire, and they also deal with 100 percent of the community, plus visitors.

Mr. Young mentioned some of the changes in the Public Works Department. The new Town Center is a big change, with an expanded footprint for all the buildings, landscaping and creek, recreational programs, events, rentals, library programs. He said in his 20 years with the Town, there is a big difference between how it was then and how it is now and that it is a regional attraction where the community can come and meet each other. The traffic has increased 100 percent in some areas. Parks and Recreation demographics have changed and the expectations going from volunteer-maintained fields to a more formal program. Traffic improvements were made. Citizen engagement, social media and getting more information out was needed. The Fire Mitigation Program and Open Space Programs were added. Many other things were added, but Mr. Young said what they didn't do was any add resources. The staff of Public Works has consisted of him and three people, or less, for about 20 years. Mr. Young said he has been saying "yes" for many years, and that is something that they need to explore.

Mr. Young concluded his presentation with a plug for National Public Works Week coming up May 15th. They will be out at the Farmer's Market with a table for community interaction, for the public to meet them. He shared that there is a lot of detailed work that goes on behind the scenes, and they get to work with many residents in the community that don't interact with the Town as an applicant or other interest. He said one thing he finds very rewarding is when he walks out and sees hundreds of residents enjoying the town's facilities, hundreds of thousands of people enjoying their roads and what they have to offer with their roads, trails, buildings and fields to a high standard, while in keeping with their rural values. Mr. Young said he sees many people enjoying the town's facilities and feels that what the the town offers compared to many similar small towns is a lot. He has seen a lot of happy people, which is a joy to see.

Mayor Hughes thanked Mr. Young for his presentation and for giving the community a great reminder about all the things the Public Works Department takes on and how much responsibility they have for the enjoyment of so many elements of the town.

Councilmember Derwin was completely in awe of Mr. Young's presentation. She said it took her back through her years in the town. This is her 17th and she remembered the Town Center being built and much of Mr. Young's photos. She said the fact that they do all of this work with so few people is unbelievable, so she was looking forward to the next agenda item, so that they could start hiring some more people for him. She thought Mr. Young should make his presentation into a little book to display in the offices. Mr. Young responded that once he did a little cleanup he could upload it to the website. He said this is the first time they have done this in 20 years, and he felt the community would like to see it. Councilmember Derwin agreed.

Councilmember Aalfs echoed Councilmember Derwin's comments. He said over the years he has gotten a feel for everything Public Works does for the residents, but to see it all laid out in this one presentation was mind-blowing. He hoped that that many more people would have a chance to watch the presentation, to see and know how much the Department is doing. He extended his thanks to all of them for everything. He said he sees the guys in the trucks all the time and waves when he can, and reiterated his appreciation of everything they do. He also wanted to hear what else the Town could be doing to support the Public Works Department.

Vice Mayor Wernikoff echoed previous comments as well. She hoped it was rewarding for Mr. Young to go through and create all of the slides to see the incredible amount of work the guys have accomplished. She was also in disbelief of how much has been done with such a small staff and looked forward, also, to the next agenda item to see how the Town can support the department. She offered her thanked and also suggested the presentation should go on the website.

Mayor Hughes invited public comments.

Betsy Morgenthaler echoed the comments of the Councilmembers and said she attends the Town Council meetings for the connection to the Town, and told Mr. Young that he is "over the top" and

“fabulous.” She said she is a proud member of the community and more so for hearing his presentation. She appreciated the Council and staff for affording Mr. Young the time.

Danna Breen exclaimed over the picture of Marilyn Walters, who was one of her mentors. She said Howard, Scott and Justin were all amazing. She has seen them in the pouring rain, checking out culverts and roads, always responsive, and she knows they care. She said she fully supports any needs they have going forward. She observed that Mr. Young understands the town and the people, and she can tell his head is bursting sometimes. He has helped her with the launch of her remote control helium shark, and she commented that he was also her partner in the opening day of pickleball when staff and residents played together. She said Mr. Young is so appreciated and thanked him for all the help with the broom pull and the Frog Pond and said she is there for him.

Judith Murphy added her enthusiastic support of Mr. Young and his Public Works Department, Scott and Justin, and said they are very hard-working. She commented on the many hats Mr. Young wears. He understands and shares the values of the town, especially the maintenance of the rural appearance. She is impressed with his efforts to do a certain job in a unique way to fit the town, answering to many constituents with differing needs and points of viewing and remains cheerful, helpful, friendly and a pleasure to work with. She said with her Conservation work over the last eight to ten years, it has been a great pleasure to work with Mr. Young. She said they ask a lot of him, and he is super busy, but he always tries to be accommodating and has produced remarkable results, so she supports whatever additional help he could use.

Kristi Corley thought it was a wonderful presentation and noted that in spite of everything they do in the photos, he always answers the phone and takes time to chat with residents. She said they have enjoyed the softball fields, and their children have enjoyed the play areas. She thanked him for his care of the green spaces and the cement.

Caroline Vertongen said she represents the people who use the soccer field and thanked Mr. Young, whom she has known for all of the 20 years. She said many things have changed and she feels he is actually overburdened with tasks. She said they have taken on any volunteer work where they can, and they appreciate all his help. Maintaining all of the sports fields is one of the big values that they have supported in the community for the young people and the older generation as well. She thanked him for all his work for the community.

Rita Comes also thanked Mr. Young for everything he does. She said when she was picking up cigarette butts along Westridge and complaining about it, he actually did something and she very much appreciated the sign that he put on Cervantes, and making sure the drains were open all along Westridge. Especially during COVID, when there were so many people because the other parks were all shut down, and people were spending their time doing their hiking up and down Westridge, parking wherever, leaving their garbage. She appreciated all the pickup the team did, knowing it was a burden on the town during that time to try to keep it clean and safe. The restrooms, when they opened back up were all clean and safe. She appreciates his extra effort and hopes that with all of the consultants in town, that somebody finds money in his budget. She encouraged him to ask if he needs help and said there are volunteers to help. She asked him not to spend 19 hours a day working, but to get some help.

Town Manager Dennis noted there is nothing he could say that hadn't already been said, other than when Mr. Young and he first talked about this opportunity, seeing the excitement in his eyes to be able to share the story about his department. He said it is an unsung group of folks and that there is not a more ethical guy in government, and it has been great to work with him and see all the love for him.

Councilmember Aalfs wanted to extend his thanks, also, to Scott and Justin for everything they do as well. Mayor Hughes agreed.

(15) **Public Works Director** – Public Works Director Future Staffing Needs Discussion

Mayor Hughes invited Mr. Young to talk about the future and where Public Works should go.

Mr. Young said his next report was a recommendation that the Council receive a report and provide direction and a request to consider future staffing needs in the Public Works Department. He began by stating that what they are asking for was to really to re-establish proper structure and staffing in the Public Works Department. They wish to consider what is needed in the future as well. He said when they finished building the Town Center, and as changes happened, they just said “yes.” More events, more plantings, weeding, and they said yes to everything. Mr. Young suggested that what they should have done was say, “Yes, but where are the resources? Where is the funding coming from?” They did not ask for that, and after looking at 20 years of data, they realize that something needs to happen. He said they even had things taken away from them, like the traffic road impact fee. He said he had a building official working for him who helped him maintain the buildings, and that went to a different department as well. To re-establish proper structure and look at trends and what the community expects is what he wanted to look at.

Mr. Young said over the years the expectations have been more than what they had at the old town center, and he wonders how to fulfill that going into the future. Currently, the staff consists of him and three direct reports, using consultants, construction managers and contractors to help with the work. Current staffing is based on the needs back in 2002, and they never really accounted for the things that have been added. Growth has increased. Demographics have changed, yet the staffing mix was never adjusted to accommodate growth. Much of it was just them saying, “Let’s see what we can do.” The thought was to just get the work done without creating a big to-do about it. Mr. Young said there’s not a lot of glamour in what they do, but over the last 20 years they have added many things. One of the things they want to do is re-establish proper structure and staffing in alignment with the increased services that enables them to maintain that level of service, to provide staffing equitable with the size required to support similar-sized surrounding communities, and to proactively prepare for further growth and capital improvement services.

Mr. Young noted that both Woodside and Los Altos Hills have more staff members in their Public Works Departments, Los Altos Hills has around 11 and Woodside around five-and-a-half, although it is difficult to compare apples-to-apples, but it gives a feel for what they are dealing with. Mr. Young said they need some full time engineering staff, whether an engineering tech, a project manager, a maintenance supervisor for all the facilities added, a half-time customer service or permit tech. He said going back 20 years, staff shared all of the permit techs between Public Works, Engineering and Building and Planning. All of the departments grew, so now Public Works has approximately 20 percent of a permit tech shared, and he is told by Planning, that, due to their need for resources, may not be available, leaving no front desk staff for Public Works and Engineering.

Mr. Young listed some of the things that have been added including Town Center’s increased footprint; summer concert series; year-round Farmer’s Market; various classes offered; Library support, including their activities with their 200-percent increase in visitors. Soon they will have the new Zoom Room in the Old Schoolhouse and Community Hall. He said he looks around at what neighboring cities have, and said they don’t have what Portola Valley has. In fact an 11-acre Town Center and Civic Center is nearly comparable to what a lot of bigger cities have. Incoming vehicle trips to Town Center in 2004 versus 2019, before the pandemic, were presented, Monday through Sunday. On Mondays, there are 122 percent more trips. On Farmer’s Market days there are 1,100 incoming trips where there were 494 before. The trend of trips has almost doubled as Town Center has gotten more popular and more people are using it, but they still have the same amount of staff as back in 2002. Mr. Young presented data showing the increase in visits for Library and their programs, including 105,000 visits and 16,000 in program attendance during 2018-19. This is a huge benefit for the Town, but again, there were no staff increases.

Mr. Young commented on citizen engagement in communications. Public Works has added things to their website and has more communications through social media, newsletters, et cetera. In prior years a notice was sent out and a sign posted regarding street resurfacing. Now it must also be posted on social

media every phase of the project, i.e., crack sealing, base repairs, striping, slurry seal, et cetera. While the technology now allows them to update the public on every phase of a construction project, this takes time. Additionally, in 2021, there were 291 service requests submitted, which they took care of. PV Connect has made it easy to submit requests and Code Enforcement items.

The Fire Mitigation is making a huge difference as well and involves managing work on the streets with a huge crew working for the Town on the rights-of-way, so they now are looking at Open Space and all of the Town-owned parcels that need fire mitigation, too, per the requirements of the Fire Marshal. Open Space management and restoration is another new responsibility which takes a lot of time, coming up with cost estimates, planning, coordination of crews coming in, scheduling and coordinating with the Conservation Committee.

Another big item, similar to what Council has heard from Planning and Building Director Russell, since Public Works does the Engineering, Site Development and Code reviews there are more permits, more complexity, more communications with applicants. Mr. Young said there is a direct connect between the Public Works and Engineering Department and that. As more complicated permits have increased, Public Works is also part of the review of those projects. He works with Director Russell to come up with more data and funding and research into how to pass on applicant charges. A portion of his time is devoted to working with applicants on temporary occupancies, final occupancies, trouble-shooting. This often requires thinking outside of the box on how to help residents accomplish what they want but still follow town policy and the rural character of the town. All of this takes time. Encroachment permits have increased as shown in the report. Mr. Young felt there is a lot of pent up demand due to COVID, but it is something that is increasing that they must allocate resources for.

Mr. Young submitted that what they need is to bring on staff or a consultant to provide service and permits to the public and applicants. With the maintenance supervisor, they ask because of all the added items they handle in conservation and at Town Center that were not allocated for. Also needed is a part time front desk person to have a presence in Public Works and Engineering. Mr. Young request Council's feedback and consideration on these requests. He said alternatively, they could have a consultant come in and analyze the Department as other agencies have done, to determine what the correct staffing levels are. For the Town Center building maintenance, they did hire someone to come in and analyze things, and they were told they needed a full time person just to keep up with just the buildings, not landscaping. At present Public Works has 30 percent of one person allocated to this. He hoped to look at an opportunity to phase this in to meet demands of the future and backfill things they've said yes to, or alternatively, hire a consultant to do so. He noted that his summary reflects what he thinks the costs would be compared to other agencies on some of the engineering items, on recouping funds through applicants, but he hoped to start a dialogue with the Council regarding resources, expectations and the quality desired for the functioning of the town.

Town Manager Dennis appreciated the data-rich presentations offered by Mr. Young. He said the management team often discusses how to continue to balance all of the wonderful things about Portola Valley and also work within the realism of what it means to be in government in the 21st century, with its demands on communication, information, speedy service delivery, and doing more. One thing he said has become a theme for the managers is that they are moving from a more tactical, hands-on approach into more of a full-blown, traditional director role, overseeing and managing a staff that can do more. He sees this as part of the experience that it is necessary for the Council to consider moving forward. He shared that this is not an easy presentation for staff. The Public Works Department, since before he came to the town and for his past six years, has taken an enormous amount of pride in the amount of work done with the small numbers of people doing it. They wish to remain true to the Town Founders and what the Council believes is the right balance for staffing, but it is difficult for a department that has taken such pride in their efforts to come before the Council with the message that they need assistance.

Town Manager Dennis explained that the proposal before the Council, stating that the positions they would be asking for weren't necessarily specified, and they want to phase in some of it. The budget they are preparing is the most difficult budget he has worked on in six years with the Town because of the resource needs. He appreciated the time to discuss the subject with the Council.

Mayor Hughes asked about the three positions listed, wondering what kind of timeline Mr. Young was thinking of and what was the most pressing need, as well as how quickly he envisioned transitioning from the current position to where they need to be. He asked if some of the needs were more pressing as opposed to others that could be added along the way. Mr. Young said an immediate need would be a front desk presence due to the Planning Department's need for the current one. They may need to bring in someone to help with those tasks. He said he currently has a small percentage of CheyAnne's time. She coordinates the plan reviews back and forth from the consultant to him, involving things ranging from the Stanford EIR to housing developments, processing encroachment permits, bringing them in and pushing them out for approvals, coordinating phases of inspections. He said if her help goes away, it will be tough for Public Works to handle.

On the maintenance side, a maintenance supervisor would help get some of the things they handle at Town Center, the roads, et cetera, done in a more systematic way. Regarding how he sees this phasing it, he suggested one to two years. His department is three people, and he hoped to progress with this in a way that makes sense and is efficient and saves time and costs. He mentioned looking at things that could be done in-house that are currently consulted out. If an extra person was hired, they could trim more instead of farming out the tree maintenance. He reiterated that he wanted these changes to be made thoughtfully. Before putting a detailed plan together, they wanted to check with the Council to hear what the feeling is regarding where they should be in two, three, four, five years.

Mayor Hughes followed up, asking if they are looking a few years ahead, when they will be getting into the next Housing Element cycle, and there will likely be a big increase in the number of housing applications, with that many more engineering permits to review as well as all of the infrastructure behind it, such as sewers, power supply issues, et cetera. He felt Mr. Young's description was to some degree catching up with where they should have been years ago, but then there will also be new growth coming, so he suggested as they are going through the process over the next one to two years of working out the timing and how to pay for it, thinking ahead to the future as well. The workload will only be increasing in some areas.

Mr. Young responded that he and Town Manager Dennis were also talking about resources, such as the traffic impact fee that they used to have, which went away. When the Conservation Committee was added, it added \$100,000 worth of work with no plan for where that was to come from. Also added was \$230,000 of fuel mitigation work, without a plan for where it would come from. Higher PCI roads are desirable, but where does that come from? The Town Center was built but where do the funds and resources to maintain it come from? Those things have not been talked about. He said most agencies will decide where the funding will come from when they decide to do something. He said these things need to be explored.

Town Manager Dennis added that, based on observations and conversations with some of the folks they serve – given that newer people moving in have differing expectations of government – one thing they do hear is something like, “Just tell me how much I owe,” which is a very different take than what they've experienced in the past. So, they feel there is opportunity relating to permit applications, et cetera, to augment and enhance revenue on that side. For example, a permit tech could potentially be funded in particular ways, or passed through in different ways than they've seen before. He felt Mr. Young did a good job of talking about the opportunity to create additional institutional knowledge and succession planning efforts. The way the department is currently designed, there is less of an opportunity for that. He said he feels it is about giving the current team opportunities to expand their roles and “move up the chain,” and also add in places where it makes sense. Some of the positions may well be pass-through, some might be through enhanced revenue, some may have to be general fund supported. For the short term, there will be some things included in the budget to get them there. He appreciated the Mayor's comment about looking beyond one or two years and said all of the departments are thinking in those terms now. He described it as a conversation that never ends, and this is a relatively new concept to the Town.

Mayor Hughes invited public comments.

Kristi Corley was curious about other cities and towns. She looked up Truckee and found they have a nine-person engineering division, six licensed professional engineers, two technicians and one admin. They do development review, encroachment issues, management, turnkey execution of capital projects within the town, inspection services. She found it interesting, and although they are a town of 17,470, it gives a perspective.

Town Manager Dennis added a comment that right before COVID he and Mr. Young had a conversation with the public works team of a large city about assisting with maintenance of vehicles. They came out to visit Town Center. He was struck by their comments regarding the quality of the town's facilities and how few staff they have. He said he loves bringing his peers to Town Center to show off, saying it's like they have some "magic sauce," but what they have is a bunch of hard-working people who do good work. While not bragging, it is a fact that Portola Valley offers an amenity that is second to none, with very little.

Danna Breen thought Mr. Young needed to keep the residents involved. She wondered how much money they have saved the Town over the years. She added that she will always come out and mow and so will many other people, and that is what makes this town different. The public is engaged, and when people come and talk about how wonderful the town is, it is also the residents.

Mayor Hughes invited further public comments. Hearing none, he brought it back to the Council and asked what staff is looking for in terms of action, whether it was general direction on the suggestions and expectation that they will bring it back with the budget. He said it sounded like they were already looking at potential revenue opportunities and ways to offset any increase in costs. He wondered if there was anything else they were looking for from the Council. Town Manager Dennis said no, but it was a reality check for staff, and they were looking for Council to tell them that they are either on the right track or the wrong track. Also, to provide any guidance one way or another related to that. He said if the Council believes they are on the right track, that would be sufficient for them to continue to move forward in any particular direction that the Council would like, such as regular updates. If the Council is generally supportive of the notion of the staffing needs identified, they could come back as they bring people on and share how it's going and what they see as it relates to workload. Mr. Young thought this was a good summary and that to move forward to the next step, they were just looking for a show of support from the Council in their initial planning and potential future planning so that they can start doing work on the details and incorporate it into the budget.

Councilmember Aalfs said yes, it is obvious that they are on the right track. This kind of expansion, for better or worse, is inevitable. The demands on the staff, both technically and sheer quantity, are only going to get larger, and they all recognize that. For this budget and future budgets, the question will simply be how to pay for it and what other revenue sources can be developed. He assumed they would revisit the subject frequently as they continue on through the upcoming budget. He felt Town Manager Dennis and the Finance Department have done a lot of work in terms of forecasting and he was thankful for their work in laying the groundwork so that they can start looking at the years ahead to plan for future needs and opportunities to fund them. He said this makes absolute sense to him and they all see that they are becoming more and more like a larger city in every aspect. Their jobs as Councilmembers has changed, as have theirs.

Councilmember Derwin said yes, they are on the right track, and yes on staffing needs, and no on a consultant. She asked that they please bring regular updates to the Council and start thinking now about where the new revenue streams might come from.

Vice Mayor Wernikoff totally agreed and was fully supportive. She said she definitely did not think a consultant is needed. She agreed with the comments that they need to start looking at revenue sources across town for the variety of needs across town. She appreciated the great presentation.

Town Manager Dennis added that one area Town Attorney Silver and he have been talking about that would be an equivalent replacement of the road impact fee, which was recommended for phase-out due to court cases, the way that they are thinking about it internally is that they have a considerable impact on the community relating to new construction, which is not solely a road-based impact, but a quality of life

impact for those particular residents. He thought of streets that have had a construction project going on for ten years. They are thinking hard about these things and he didn't know if the budget would have a complete answer, but Town Attorney Silver and he have committed to putting some thought into it and getting to a place where they can bring something to Council that would be reasonable, potentially supporting not only the roads, but also code enforcement relating to construction impacts, which tends to be an area where there are a lot of complaints. He said there are opportunities, but certainly not things the general public would have to pay for.

Mayor Hughes echoed what his colleagues had said, that it is definitely the right direction and overdue, just because they haven't taken time to reflect on it. He was glad that they have had an opportunity to think about the challenges currently, the challenges ahead and what the team should look like in order to maintain the level of service that Public Works has very successfully provided. He said the point about continuing to see all the citizen participation depicted in Mr. Young's photos and hoped it will continue through the coming years, but it is also clear that for some of these positions, yes, there can be volunteers helping pick weeds, but it is harder to have a volunteer reviewing construction plans and engineering drawings and code compliance, inspections, et cetera. He is supportive of the direction and said they will have to figure out through the budget process how to pay for it. He appreciated the presentation and said it will be helpful for Public Works, the Council and the town in general. He said they should put such a presentation on the calendar again for 20 years from now.

Mr. Young said even 20 years ago, being all working managers, they did things in the field and things in the office, too. He said it's been an adventure for him and the crew as well, who started with a scope and now have a bigger scope. He said in a small town they just do everything from A to Z, whether in the field or in the office. He expressed appreciation for the Council listening.

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

Vice Mayor Wernikoff attended a meeting with the Sequoias about a week ago. They have requested that they come and speak with them in person and do a presentation about the Housing Element that will align with updates from Sequoias Living corporate people, to update the residents there about their Master Plan. That is scheduled for April 27.

Councilmember Aalfs attended the Peninsula Community Board meeting last month. There was nothing in particular to report currently. They have a plan to be the first load-serving entity that they know of in the world to deliver greenhouse gas-free renewable power on a 24/7 basis by 2025. They have been moving forward with contracting for both generation and storage to meet that goal. It is an ambitious goal and something they have been pursuing for some time and is ongoing. People will hear more about it going forward. When people talk about meeting climate goals, as a society they talk about de-carbonizing the grid and electrifying everything, and PCE is focused on both of those components, providing clean power around the clock, even at 4 a.m. when there's no sunlight, which people ask about. He said it is a good question and one they are working to address. Another question is, once they have the clean grid, how does everything get plugged into it? Councilmember Aalfs said all the work they've done with all-electric buildings and electric vehicles is moving forward, and he would be happy to talk more about it at some time.

Councilmember Derwin put in a plug for Councilmember Aalfs because he has been on the ground floor of PCE, and it is amazing what the organization has done. She said these are the sort of regional opportunities obtained when serving on a City Council. She said knew Councilmember Aalfs feels it has been very worthwhile. Councilmember Aalfs responded that he tells people that his tiny contribution to the formation of PCE dwarfs anything he has done professional in terms of making the world a better place for his kids. Councilmember Derwin agreed.

Councilmember Derwin reported on a 12-minute Express Lanes Board meeting. There was an update on what is happening with the 101 Express Lanes. The tolls are up. People are using more transponders. There are good travel speeds in general lanes, and there are higher travel speeds in the express lanes. Don Horsley asked when they will start enforcement. Violation notices are starting to be mailed out now.

Councilmember Derwin had a meeting with Stanford to say goodbye to Jean [phonetic] and be introduced to Swietta [phonetic] who will be on the project. John Donahoe was also there. He emphasized that they have updated their website and if people have questions, he asked that they are sent to Stanford and they are happy to answer questions from the community.

Councilmember Derwin commented on the Race and Equity meeting the previous night. There were discussions about the Housing Element Committee update, which they love to talk about. There was discussion of the presentation tonight from Kim and the upcoming anniversary of the murder of George Floyd and supporting people on the corner, who are still there. There was discussion of the issue of having a quorum. She announced that on April 21, the Sustainability Committee meeting, Tom Kabet and Josie Gaillard will share their presentation on best practices in home electrification. It is a very practical presentation for homeowners. Even with a 100-amp panel, there is still a lot of electrification possible. They will have trouble making a quorum, but she thought they will make it, but it would be nice to have more people in the audience. She has seen their presentations, and they are very good.

Mayor Hughes reported that he sat in on the Emergency Preparedness Committee meeting for Councilmember Richards. There were WPV-CERT items from Rob Lindner and Selena Brown. They discussed budget items moving forward, as well as other discussions on radio locations and subcommittee reports.

Woodside Highlands Road Maintenance District Residents Advisory Committee the previous night was in the middle of planning a paving project which is up in the air because Cal Water is doing a big water main installation, so they will wait until Cal Water has torn everything up. There was also an issue with one of the neighbors up the hill who has done a lot of plant and ivy removal on a fairly steep slope, and they were somewhat concerned about erosion.

BPTS met on April 6th, and the new Sheriff's Sargent came and did the report for a number of citations. There have been very few citations for moving violations, but they have written numerous traffic tickets recently. They have started ticketing Windy Hill overflow parking, where people are parked inappropriately. There were close to 100 traffic tickets written last month since they have started stepping up enforcement there heading into the hiking season.

The Wildfire Preparedness Committee was one shy of a quorum. Subsequent to the meeting, Jennifer Youstra was one of the members that was absent, and she subsequently has resigned. So now there are only a quorum of members actually currently appointed to the committee. If one more resigns before anyone else is appointed, then the committee would not actually be able to meet. Mayor Hughes said they need to recruit people or figure out what to do with the committee to stabilize it as a number members have left recently.

Mayor Hughes invited public comments on this item.

Hearing no more public comments, Mayor Hughes closed the item.

(17) **TOWN MANAGER REPORT**

Town Manager Dennis reported that training for the hybrid meetings will be the next week for the Old Schoolhouse. If all goes well, the next Council meeting will be a hybrid meeting.

Town Manager Dennis thanked the Department of Emergency Management at San Mateo County, formerly Office of Emergency Services. He asked them to get more involved in overall evacuation planning efforts in town, particularly related to any institution that has a number of cars. They have started meetings every other week for the next six months, with attendance from the schools, and have asked anyone to come who represents an institution in town that would have vehicles. Particularly, in the short term they want to identify the schools and preschools, what their specific plans are, around what they are telling parents, what their needs are in moving kids out, et cetera. Depending on the institution, different

places in that process. They expanded this out to the churches and some of the larger businesses. The Sheriff's Office and Fire Department are helping with this, and he thanked them for their efforts.

He had announced a new Town Clerk at the last Council meeting, and said it will be a different clerk that will be starting, as the previous person made a different decision. Town Manager Dennis welcomed Melissa Thurman, who would be starting the following Monday. Ms. Thurman left her position as City Clerk of San Bruno and he was delighted that they continue to attract quality, high-performing staff to the organization.

Town Manager Dennis said the next month will be all about budget and it will be his entire focus, as it may be the most complicated budget that he has had the opportunity to work on, given the resource allocations that the Council is directing. He said they hope to bring a product that they are proud of. He said the evacuation study partners at Fehr and Peers Consulting Firm will be making a presentation at the American Planning Association event in a few weeks generally about the work that they are doing in Portola Valley, not on the findings, but since this is a such an early effort and only a few cities have done this, staff was excited to hear that they were invited to participate.

Town Manager Dennis offered a reminder that the Town Council will be holding a special listening session on April 28th on wildfire issues, including presentations from staff, Department of Emergency Management, Fire and Sheriff, but for the most part they will be there to answer questions. They hoped people will register so that they know what questions to anticipate. They will start posting the questions they are receiving online shortly.

Mayor Hughes asked where people should go to sign up or post questions. Town Manager Dennis directed people to go to the Town Calendar on April 28th. The registration form and the place to post questions.

Town Manager Dennis said in recent years they had the opportunity to do some classic Portola Valley resident volunteer work, such as the Bay Laurel Trail, which was recently worked on by a volunteer group by folks from the Ranch and also an organization called The Trail Center. He shared a couple photos of their efforts, including a before/after of their work. They continue to hope that there will be a volunteer base that will do these types of things in the community. They find that they are very popular, and they appreciate everyone's participation.

Councilmember Derwin commented that there are three PRAs (Public Records Act) in process currently, and she wondered if Town Manager Dennis was keeping track of how much staff time this was taking, since staff time equals taxpayer dollars. She felt it was important for the community to know that PRAs are expensive. Town Manager Dennis replied that it is primarily the focus of the Town Attorney, Town Manager, and the Assistant Town Manager will be more involved as they continue the effort. His estimate is that they are already in the thousands of dollars of Town monies essentially spent, and it will reach tens of thousands by the end of this process.

Mayor Hughes invited public comments.

Rita Comes said for the meeting on April 28th, it is asking people to sign in for the meeting, and she wondered why they would have to sign in for the meeting. She did not see why they would have to sign in. She thought there would be many more participants if there was not a sign-in required prior to the meeting, because people are very interested in the topic, but there is confusion as to why they have to pre-register for it. She hoped it would be changed, if possible.

Town Manager Dennis commented that, first, it helps them with resource allocation that they need to bring to the meeting and, more importantly, it is an opportunity for people to send in their questions so they can be prepared in advance of the meeting. They find that it is a useful additional tool to know what they are getting into as it relates to how many people would be there. He said in the past when he has set

up past meetings, they try to anticipate what it will look like, who needs to be there, et cetera, and this helps.

WRITTEN COMMUNICATIONS

(18) **Town Council Digest** – March 24, 2022

(19) **Town Council Digest** – April 1, 2022

(20) **Town Council Digest** – April 7, 2022

Councilmember Derwin said, regarding the Council of Cities meeting, which is in person in Redwood City, that she did RSVP. If anyone else would like to go with her, she asked them to join her.

Mayor Hughes invited public comments.

Caroline Vertongen stated in Oral Communications that she didn't understand why her comments providing documents informing the public of a history on several topics, including Housing Element, how Portola Valley had a senior planner who lowered the RHNA numbers and other comments on government policies that the Town was supposed to follow and did not follow. She did understand why those have not been publicized.

Adjourn to Closed Session

(21) Conference with Legal Counsel – Anticipated Litigation

Pursuant to Government Code §54956.9(d)(2) conference with legal counsel regarding significant exposure to litigation. Written communication concerning litigation (a Brown Act “cease and desist” letter from Lloyd (Rusty) Day, Kristin Day, Ron Eastman, Bruce Roberts, James Rooney, Jim Vernazza and Ellen Vernazza dated March 30, 2022)

ADJOURNMENT [**p.m.**]

Mayor Craig Hughes

Town Clerk

Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
Checks for Cash		Account: 910-11011-000				
2124	48	BARTLETT TREE EXPERTS	12,050.00	05/11/22		
2125	78	CALIFORNIA WATER SERVICE CO	6,797.67	05/11/22		
2126	108	CITY OF BRISBANE	850.00	05/11/22		
2127	124	COMCAST	188.16	05/11/22		
2128	125	CONNIE STACK	1,427.20	05/11/22		
2129	129	COTTON SHIRES & ASSOC. INC.	15,863.46	05/11/22		
2130	167	ECS IMAGING	4,818.20	05/11/22		
2131	176	EXCEL LD	32.97	05/11/22		
2132	193	GO NATIVE INC	24,342.50	05/11/22		
2133	195	GOOD CITY COMPANY	30,818.75	05/11/22		
2134	213	HILLYARD INC	470.62	05/11/22		
2135	218	MISSIONSQUARE RETIREMENT	9,765.14	05/11/22		
2136	236	JACKSON MILLS CONSTRUCTION	1,000.00	05/11/22		
2137	276	KUTZMANN & ASSOCIATES	20,618.34	05/11/22		
2138	278	LAMPHIER GREGORY	3,044.41	05/11/22		
2139	334	NOLTE ASSOCIATES INC	16,375.50	05/11/22		
2140	337	O. NELSON & SON INC.	4,872.00	05/11/22		
2141	364	PERS HEALTH	12,438.59	05/11/22		
2142	375	PLATINUM FACILITY SERVICES	4,936.68	05/11/22		
2143	390	REYNOLDS CONSTRUCTION	245.50	05/11/22		
2144	403	RON RAMIES AUTOMOTIVE INC.	2,147.50	05/11/22		
2145	421	SCOTT WEBER	78.67	05/11/22		
2146	428	SHARP BUSINESS SYSTEMS	79.50	05/11/22		
2147	445	STANDARD INSURANCE CO.	572.52	05/11/22		
2148	446	STANFORD UNIVERSITY	888.00	05/11/22		
2149	452	STUART RENTAL COMPANY	3,850.62	05/11/22		
2150	478	TRACY TAMASI	2,050.80	05/11/22		
2151	507	WOODSIDE PRIORY	1,635.57	05/11/22		
2152	513	CAROL BORCK	5.85	05/11/22		
2153	518	GOT GOPHERS?	1,050.00	05/11/22		
2154	558	RICHARD CREVELT	655.45	05/11/22		
2155	606	NORMAN CHEN	1,316.56	05/11/22		
2156	624	LENCIONI CONSTRUCTION	346.16	05/11/22		
2157	670	THE CHUARD-RANSOM REVOCABLE TR	3,278.92	05/11/22		
2158	716	JAMES ASHFORD	358.00	05/11/22		
2159	730	URBAN PLANNING PARTNERS INC	21,624.45	05/11/22		
2160	752	FEHR & PEERS	10,824.25	05/11/22		
2161	803	CODA TECHNOLOGY GROUP	6,000.00	05/11/22		
2162	819	DEPT OF INDUSTRIAL RELATIONS	225.00	05/11/22		
2163	820	URBAN LAND INSTITUTE	240.00	05/11/22		
2164	821	IRISH CONSTRUCTION	256.00	05/11/22		
2165	822	LASSITER EXCAVATING INC	59.50	05/11/22		
2166	823	PAUL RYAN ASSOCIATES	1,000.00	05/11/22		
2167	824	PENINSULA CONCRETE CONTRACTORS	474.26	05/11/22		
2168	825	QUANTEN ELECTRICAL CONTRACTOR	546.13	05/11/22		

Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
2169	826	REBECCA LYNN	203.00	05/11/22		
2170	827	REMICK ASSOCIATES	55.46	05/11/22		
2171	828	STUDIO VARA INC	186.00	05/11/22		
2172	829	SILVERCREEK DEVELOPMENT CO	3,504.70	05/11/22		
2173	830	ROYAL POOLS OF SANTA CLARA INC	901.96	05/11/22		
2174	831	WATER SOLUTIONS INC	500.00	05/11/22		
2175	832	WEBB BUILDERS INC	1,608.00	05/11/22		
Check totals:			237,478.52			
ACH totals:						
EFTPS totals:						
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			237,478.52			
Check totals:			237,478.52			
ACH totals:						
EFTPS totals:						
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			237,478.52			

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor: 05/11/22	48 2124	BARTLETT TREE EXPERTS ROW Tree Removal	12,050.00	12,050.00	40217570-0
Vendor:	78 2125	CALIFORNIA WATER SERVICE CO Water Service 03/11/22 - 04/12/22	6,797.67	6,797.67	MAR-2022
Vendor:	108 2126	CITY OF BRISBANE 2022 Spring Academy Fees	850.00	850.00	INV00369
Vendor:	124 2127	COMCAST WIFI 04.21.22 - 05.20.22	188.16	188.16	1945-MAY22
Vendor:	125 2128	CONNIE STACK Spring 2022 Classes	1,427.20	1,427.20	SPRING-2022
Vendor:	129 2129	COTTON SHIRES & ASSOC. INC. December Applicant Charges	15,863.46	15,863.46	2021-DEC
Vendor:	167 2130	ECS IMAGING Permits & Plans Scanning Svcs	4,818.20	4,818.20	16797
Vendor:	176 2131	EXCEL LD April Telephone LD Service	32.97	32.97	1192352955
Vendor:	193 2132	GO NATIVE INC Open Space Vegetation/Landscape Vegetation Mgmt Town Center, May	24,342.50	10,646.50 13,696.00	3630 3629
Vendor:	195 2133	GOOD CITY COMPANY Planning Consultant Svcs - March	30,818.75	30,818.75	2657
Vendor:	213 2134	HILLYARD INC Janitorial Supplies Janitorial Supplies	470.62	297.04 173.58	604717211 604720637
Vendor:	218 2135	MISSIONSQUARE RETIREMENT Defer Comp, April 2022	9,765.14	9,765.14	APR2022_DEFCOMP
Vendor:	236 2136	JACKSON MILLS CONSTRUCTION Deposit Refund, 838 Portola	1,000.00	1,000.00	FW0021-2018
Vendor:	276 2137	KUTZMANN & ASSOCIATES March Plan Checks	20,618.34	20,618.34	77652

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	278	LAMPHIER GREGORY			
	2138	Planning Consultant 03/19/22 - 04/15/22, Stanford Wedge	3,044.41	3,044.41	2022-1223
Vendor:	334	NOLTE ASSOCIATES INC			
	2139	March Applicant Charges & PW Support	16,375.50	16,375.50	MAR_2022
Vendor:	337	O. NELSON & SON INC.			
	2140	Gutter Cleaning	4,872.00	4,872.00	231
Vendor:	364	PERS HEALTH			
	2141	May Health	12,438.59	12,438.59	100000016777165
Vendor:	375	PLATINUM FACILITY SERVICES			
	2142	April Friday Disinfection Svcs - COVID19	4,936.68	448.01	43625
		April Janitorial Svcs		4,488.67	43624
Vendor:	390	REYNOLDS CONSTRUCTION			
	2143	Deposit Refund, 480 Westridge	245.50	245.50	PW0001-2021
Vendor:	403	RON RAMIES AUTOMOTIVE INC.			
	2144	2014 Ford Repairs	2,147.50	895.77	71126
		2001 Chevy Repairs		361.44	71066
		2013 Ford Repairs		890.29	71113
Vendor:	421	SCOTT WEBER			
	2145	Reimbursement - Work Pants	78.67	78.67	FRRS-22-4
Vendor:	428	SHARP BUSINESS SYSTEMS			
	2146	March Copies	79.50	79.50	9003781598
Vendor:	445	STANDARD INSURANCE CO.			
	2147	LTD/Life Premium	572.52	572.52	2022-APR
Vendor:	446	STANFORD UNIVERSITY			
	2148	Deposit Refund, 3530 Alpine	888.00	888.00	PW0039-2020
Vendor:	452	STUART RENTAL COMPANY			
	2149		3,850.62	3,850.62	RES# 112850
Vendor:	478	TRACY TAMASI			
	2150	Deposit Refund, 3 Buck Meadow	2,050.80	2,050.80	PERMIT_15823
Vendor:	507	WOODSIDE PRIORITY			
	2151	Deposit Refund, 302 Portola	1,635.57	1,635.57	PLN_ARCH008-201

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	513	CAROL BORCK			
	2152	Mileage Reimbursement - 17 Redberry	05.85	05.85	FRMR-22-2
Vendor:	518	GOT GOPHERS?			
	2153	Town Fields Gopher Trapping - April 2022	1,050.00	1,050.00	27192
Vendor:	558	RICHARD CREVELT			
	2154	Deposit Refund, 29 Valley Oak	655.45	655.45	BLDR0028-2019-3
Vendor:	606	NORMAN CHEN			
	2155	Deposit Refund, 480 Westridge	1,316.56	500.00	BLDR0166-2017-2
		Deposit Refund, 480 Westridge		816.56	BLDR0166-2017-3
Vendor:	624	LENCIONI CONSTRUCTION			
	2156	Deposit Refund, 200 Goya	346.16	346.16	PW0020-2019
Vendor:	670	THE CHUARD-RANSOM REVOCABLE TR			
	2157	Deposit Refund, 345 Golden Oak	3,278.92	3,278.92	BLDR0303-2017
Vendor:	716	JAMES ASHFORD			
	2158	Deposit Refund, 1330 Westridge	358.00	358.00	PW0035-2021
Vendor:	730	URBAN PLANNING PARTNERS INC			
	2159	PV Housing Element Update - March	21,624.45	9,851.73	21029-220331
		PV Safety Element Update - March		11,772.72	21031-220331
Vendor:	752	FEHR & PEERS			
	2160	PV Evacuation Study 02/26/22 - 03/25/22	10,824.25	10,824.25	153986
Vendor:	803	CODA TECHNOLOGY GROUP			
	2161	Zoom Room Hybrid Upgrade - Final Balance	6,000.00	6,000.00	6691F
Vendor:	819	DEPT OF INDUSTRIAL RELATIONS			
	2162	Town Hall Dumbwaiter/Elevator Annual Inspection	225.00	225.00	E1875089SJ
Vendor:	820	URBAN LAND INSTITUTE			
	2163	Membership Renewal, Smith	240.00	240.00	4219042
Vendor:	821	IRISH CONSTRUCTION			
	2164	Deposit Refund, 120 South Westridge	256.00	256.00	PW0016-2020
Vendor:	822	LASSITER EXCAVATING INC			
	2165	Deposit Refund, 880 Westridge	59.50	59.50	PLN_SITE0005-20

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	823	PAUL RYAN ASSOCIATES			
	2166	Deposit Refund, 177 Goya	1,000.00	1,000.00	PW0032-2017
Vendor:	824	PENINSULA CONCRETE CONTRACTORS			
	2167	Deposit Refund, 315 Grove	474.26	474.26	PW0011-2019
Vendor:	825	QUANTEN ELECTRICAL CONTRACTOR			
	2168	Deposit Refund, 225 Golden Oak	546.13	546.13	PW0039-2018
Vendor:	826	REBECCA LYNN			
	2169	Deposit Refund	203.00	203.00	PLN_PAR0012-202
Vendor:	827	REMICK ASSOCIATES			
	2170	Deposit Refund, 35 Sioux Way	55.46	55.46	BLDR0111-2019
Vendor:	828	STUDIO VARA INC			
	2171	Deposit Refund, 385 Westridge	186.00	186.00	PLN_PAR0008-202
Vendor:	829	SILVERCREEK DEVELOPMENT CO			
	2172	Deposit Refund, 480 Westridge	3,504.70	1,993.78	BPLR0011-2019
		Deposit Refund, 200 Goya		1,510.92	BPLR0008-2018
Vendor:	830	ROYAL POOLS OF SANTA CLARA INC			
	2173	Deposit Refund, 20 Minoca	901.96	901.96	BPLR0027-2019
Vendor:	831	WATER SOLUTIONS INC			
	2174	Deposit Refund, 5050 Alpine	500.00	500.00	BLDR0053-2020
Vendor:	832	WEBB BUILDERS INC			
	2175	Deposit Refund, 155 Cherokee	1,608.00	500.00	BLDR0227-2018
		Deposit Refund, 155 Cherokee		500.00	BLDR0227-2018-2
		Deposit Refund, 155 Cherokee		608.00	PW0046-2020
Check Date Totals			237,478.52		
Grand Total			237,478.52		

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
May 11, 2022

Claims totaling \$237,478.52 having been duly examined by me and found to be correct are hereby approved and verified by me as due bills against the Town of Portola Valley.

Date _____

Jeremy Dennis, Treasurer

Motion having been duly made and seconded, the above claims are hereby approved and allowed for payment.

Signed and sealed this (Date) _____

Sharon Hanlon, Town Clerk

Mayor



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Brandi de Garneau, Part-Time Assistant to the Town Manager

DATE: May 11, 2022

RE: Agreement with Recyclist for SB 1383 Recordkeeping Software

A handwritten signature in black ink, appearing to read "Brandi de Garneau".

RECOMMENDATION

Staff recommends that the Town Council authorize the Town Manager to:

1. Work with the Town Attorney to finalize and enter into an agreement with Recyclist for implementation and use of their Recyclist Program Tracker software (Attachment 1).
2. Work with the Town Attorney, Woodside and Los Altos Hills to execute a Memorandum of Understanding to divide the cost of the Recyclist Program Tracker equally amongst the three jurisdictions.

BACKGROUND

Over the last year, staff has been working to understand the implications of SB 1383. As a result of attending numerous countywide meetings, staff became aware of the Recyclist Program Tracker (Program Tracker) - a cloud-based software program - and the opportunity to utilize it for the extensive recordkeeping and reporting requirements mandated by SB 1383. As the initial quote for the Program Tracker was prohibitively high for a small jurisdiction like Portola Valley, staff reached out to Recyclist to explore the possibility of allowing multiple jurisdictions to purchase one subscription to the software.

Recyclist agreed to allow this collaboration with the following conditions: 1) the jurisdictions had the same franchised hauler; 2) no more than three jurisdictions shared the same subscription; and 3) one jurisdiction agreed to be the lead on the agreement. Staff worked with the Town of Woodside (Woodside) and the Town of Los Altos Hills (Los Altos Hills) to collaborate and develop a cost effective proposal with Recyclist for the three jurisdictions.

In addition, in January 2022 CalRecycle released a one-time grant to provide funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB 1383. Upon learning of the grant opportunity, staff worked with Recyclist, Woodside and Los Altos Hills to ensure that all three jurisdictions applied for the grant funds and set aside a portion to help cover the cost of the Recyclist Program Tracker in the first two years (as allowed by the grant).

At the April 13, 2022, Council Meeting, the Town Council adopted an Ordinance repealing old Chapter 8.08 of the Portola Valley Municipal Code and adding new Chapter 8.08 [Refuse Disposal and Collection and Mandatory Organic Waste Disposal Reduction] to implement SB 1383. At that meeting staff reviewed the extensive recordkeeping and reporting requirements mandated by SB 1383 and the Town's application to use a portion of the grant funding to purchase a subscription to the Program Tracker.

DISCUSSION

The Program Tracker will enable required data tracking, including internal recycled paper and recovered organic waste product procurement and compliance requirements for individual generators (including for AB 341 and 1826). In addition, the County is already utilizing the Program Tracker for its Edible Food Recovery program. The Program Tracker allows importing and centralization of these required records from the County on the Edible Food Recovery program as well as from GreenWaste Recovery, Inc. on generators. The Program Tracker fulfills all the SB 1383 jurisdictional implementation recordkeeping requirements and will automatically generate mandated reports for SB 1383 as well as the CalRecycle Electronic Annual Report. The full feature scope of the Program Tracker is included as Attachment 2.

As with all new software, staff evaluates the purchase against the "Guiding Philosophy on Software Purchases," presented to the Council at the January 23, 2019, meeting:

- Providing a better user experience for residents, town businesses and contractors
- Providing staff members with the tools they need to efficiently and accurately perform their job duties
- Moving from desktop software to cloud-based to avoid fees for major upgrades
- Moving from one-time purchases to subscription-based
- Reducing or shifting staff time to more efficient or higher-purpose tasks

The subscription to the Program Tracker is in line with this guiding philosophy:

- It will allow regulated entities to review and submit compliance documents and waiver requests online
- It will allow data to be imported from the franchise hauler and County, providing staff with needed information on what entities are regulated, how they are complying, as well as automatically generating required reports for CalRecycle
- The Program Tracker is cloud-based, and subscription based, so there are no issues with upgrades and backups
- Utilizing the Program Tracker will focus limited staff time on compliance rather than compiling information for recordkeeping/reporting

The three jurisdictions agreed that because Portola Valley Town staff had the most familiarity with the Program Tracker, our staff would be the lead on the agreement. As Council is aware, the Town Manager's spending authority is \$25,000. A breakdown of the fiscal impact to the Town is outlined below. In the first year, the fiscal impact will be minimal

if the grant funds are received, and in successive years, the cost to the Town will be under the Town Manager’s spending authority. However, since the Town has agreed to be the lead agency, the full amount of the agreement is over the \$25,000 limit; and as required staff is bringing it to the Town Council for approval.

Staff is recommending that the Town Council authorize the Town Manager to work with the Town Attorney to finalize and enter into the agreement with Recyclist for implementation and use of their Program Tracker software. In addition, staff is recommending that the Council authorize the Town Manager to work with the Town Attorney, Woodside and Los Altos Hills to execute a formal Memorandum of Understanding to divide the cost of the Recyclist Program Tracker equally amongst the three jurisdictions.

FISCAL IMPACT

As mentioned above, staff has negotiated the sharing of the Recyclist Program Tracker between the three jurisdictions to considerably reduce the price and fiscal impact. The full agreement and breakdown of costs to each jurisdiction are as follows:

SERVICE	AGREEMENT	COST TO EACH JURISDICTION
Initial, One-time Cost for Implementation:	\$5,000	\$1,666
Recurring Costs:		
Program Tracker, Base Subscription	\$22,410	\$7,470
Add-On: Additional Reporting Jurisdictions (2)	\$3,600	\$1,200
Projected Annual Data Set Import Charges	\$3,600	\$1,200
Total Annual Cost:	\$29,610	\$9,870

In FY 2021-22, the fiscal impact to the Town will be \$1,666 of the \$8,000 budgeted for SB 1383 recordkeeping software. In FY 2022-23, the fiscal impact will be \$0, as the \$12,000 of the \$20,000 in grant funds from CalRecycle allocated to the Program Tracker will cover the entire \$9,870 cost. The remaining \$3,000 of the grant funds will cover a portion of the Program Tracker cost in FY 2023-24.

ATTACHMENTS

1. Recyclist SAAS Services Order Form and Statement of Work
2. Program Tracker Grant Language and Feature Scope

Attachment 1



SAAS SERVICES ORDER FORM

Customer: Town of Portola Valley	Contact: Brandi de Garneau
Address: 765 Portola Road	Phone: 650-851-1700
Portola Valley, CA 94028	Email: bdegarmeaux@portolavalley.net
Services: Recyclist Program Tracker (the "Service(s)").	Initial Service Term: 36 months, commencing upon completion of implementation.
Service Capacity: Management of regulatory compliance and outreach for commercial and multi-family waste generators within the Town of Portola Valley, Town of Woodside, and Town of Los Altos Hills service area.	Implementation Services: Company will use commercially reasonable efforts to provide Customer the services described in the Statement of Work ("SOW") attached as Exhibit A hereto ("Implementation Services"), and Customer shall pay Company the Implementation Fee in accordance with the terms herein.
Service Fees: Base Annual Subscription Fee billed upon completion of Implementation Services, subject to the terms of Section 4 herein. Data Import Fees billed upon receipt of each data set, subject to the terms of Section 4 herein.	Implementation Fees (one-time): Payable upon execution of the Agreement, subject to the terms of Section 4 herein.

SERVICE FEES	PRICE	QTY	3-YEAR DISCOUNT	SUBTOTAL
Program Tracker - Base Subscription (standard)	\$24,900.00	1	-\$2,490.00	\$22,410.00
Add-On: Additional Reporting Jurisdictions (per jurisdiction)	\$2,000.00	2	-\$400.00	\$3,600.00
Projected Data Set Imports (per data set)	\$1,000.00	4	-\$400.00	\$3,600.00

Total Projected Annual Fees **\$29,610.00**

ONE-TIME FEES	PRICE	QTY	SUBTOTAL
Program Tracker - Implementation Fee	\$5,000.00	1	\$5,000.00

Total One-Time Fees **\$5,000.00**

Attachment A

List of Jurisdictions in Installation

Feb. 2022

1. Town of Woodside
2. Town of Portola Valley
3. Town of Los Altos Hills

EXHIBIT A
Statement of Work

Implementation of the Recyclist Program Tracker includes:

- Configuring data import process to align with Customer's data and programmatic objectives
- Importing initial compliance records
- Setting up user accounts and permissions
- Customizing database fields to meet reasonable customer needs
- Customizing reports to meet reasonable customer needs

Base subscription includes:

- Commercial and multi-family generator database for tracking:
 - Service levels
 - Contact information
 - AB 1826 & AB 341 compliance
 - SB 1383 compliance (rolling out in phases)
- Log of all outreach activities
- CRM features to schedule and track outreach to commercial generators, including:
 - Site Visits
 - Phone Calls
 - Emails
 - Photos taken
 - Task lists and calendars
 - Task reminders and summaries
- Customization of standard forms and reports to meet reasonable customer needs, such as:
 - Tracking local programs and pilot projects
 - Tracking compliance with state, regional and/or local ordinances
 - Complex customization projects necessitating new forms and/or reports may require additional professional services. Any additional consulting, training, development, configuration, development and/or integration services may be out of scope and subject to Company agreeing to provide such services pursuant to a change order to this SOW.
- Reports in list and/or graph format, with ability to search, sort and filter, and to export to Excel, PDF, or image file
- Cloud-based database that syncs data across all users in real time
- Web-based application, with mobile app for iOS and Android (requires internet connection)
- Secure web hosting with weekly backups
- Support via email, Monday-Friday 9am-5pm PT
- Support via phone by appointment
- Unlimited users

Data Import includes:

- Processing and importing a single-tab Excel worksheet or CSV file
- For service record data imports:
 - Importing new accounts, identifying possibly closed accounts and service-level changes
 - Updating generator compliance statuses to align with new data
- Custom Data Template Surcharge applicable to any Data Imports not delivered in the standard Recyclist Service Record Template

13090458_v7



SB 1383 Local Assistance Grant Language for Utilizing Recyclist

Project Summary

Eligible project: Record Keeping

Statement of use:

The grant funding will be used for a two-year subscription (April 1, 2022 to April 2, 2024) to the Recyclist Program Tracker, a cloud-based software program. The software enables a wide variety of data tracking, including organics collection service compliance, collection waivers, paper and ROWP procurement, edible food recovery and enforcement. The integrated mobile app, compatible with Tablets and Electronic Devices (seven inches or more measured diagonally), includes fieldwork functionality for logging inspections, route reviews, and other education and outreach activities with the purpose of tracking participation in recycling and organics programs. The Program Tracker fulfills all of the SB 1383 jurisdictional implementation record and recordkeeping requirements as detailed in 14 CCR Section 18995.2.

Full Recyclist Program Tracker SB 1383 Feature Scope:

- SB 1383 Jurisdiction Annual Report
- SB 1383 Organic Waste Collection Service Compliance
- Edible Food Recovery
 - Edible Food Generators (Including Tier Identification)
 - Food Recovery Organizations & Services
- Waiver Issuance & Verification
 - De Minimis Waivers
 - Physical Space Waivers
 - Collection Frequency Waivers
 - Low-Population Census Tract Waivers
 - High-Elevation Census Tract Waivers
 - Rural Exemptions
- General Education & Outreach (Print/Electronic Media, Events, etc.)
- Direct Education & Outreach (Site Visits, Phone Calls, etc.)
- Procurement of Paper & ROWP
- Enforcement
 - Inspections
 - Complaints
 - Notices of Violation
 - Penalty Orders
- Container Contamination Minimization
 - Route Reviews
 - Waste Evaluations
- Self-Reporting Forms For Businesses To Report Directly to Jurisdiction
 - Organics Collection Waiver Requests
 - Edible Food Recovery
 - Alternative Compliance Methods
- Performance-Based Source Separated Organic Waste Collection Services



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Cara Silver, Town Attorney

DATE: May 11, 2022

RE: Adoption of Resolution Confirming the State of Emergency and Need to Continue Conducting Town Public Meetings Remotely

RECOMMENDATION

Staff recommends that the Town Council adopt the attached Resolution Confirming the State of Emergency and Need to Continue Conducting Town Public Meetings Remotely.

BACKGROUND

On September 16, the Governor signed AB 361, amending the Ralph M. Brown Act (Brown Act) to allow legislative bodies to continue to meet virtually during the present public health emergency. AB 361 is an urgency bill which goes into effect on October 1, 2021 and expires on January 1, 2024 (portions of the bill applying to the State legislature and school districts expire earlier). The bill extends the teleconference procedures authorized in Executive Order N-29-20 (set to expire September 30, 2021) during the current COVID-19 pandemic and allows future teleconference procedures under limited circumstances defined in the bill. Effective October 1, 2021, cities must comply with AB 361 if they want to conduct remote meetings.

AB 361 applies to meetings during a proclaimed state of emergency and the legislative body has made a finding that meeting in person would "present an imminent risk to the health or safety of attendees". "State of emergency" is defined as a state of emergency declared by the Governor under Government Code Section 8625.

AB 361 requires several procedural safeguards, such as giving the public ability to address the legislative body directly, providing information on how to address the body, providing either a call-in or internet-based service option, requirement to stop meeting if call-in or internet-based option fails due to measures under the control of the Town, comments may not be required to be submitted in advance, and pre-registrations (except as required by call-in or internet platform) are prohibited.

Public members must be given a reasonable time to register to provide public comment and agencies that provide a timed public comment period shall not close the public comment period until that timed period has expired.

If the legislative body desires to continue using the teleconference exception, it must confirm the circumstances of the state of emergency 30 days after the first teleconference meeting and every 30 days thereafter.

DISCUSSION

Town staff has installed a new system in the Schoolhouse to accommodate hybrid remote meetings. This system has also been installed in the Community Hall. On April 27, 2022, the Council conducted its first hybrid meeting and plans to continue meeting this way. However, some members of the Council, its commissions/committees, staff and the public may want to continue attending remotely. Given the continued presence of COVID-19 in the community, in person meetings would present an imminent risk to the health or safety of certain attendees.

AB 361 requires the Council to make a regular finding confirming the state of emergency and the need for continued remote meetings. Staff will therefore be agendaizing this finding on every Council meeting agenda until a decision to transition to completely in person meetings has been made. Council will also be requested to make these findings on behalf of its commissions and committees as well, so there is a uniform policy on public meetings.

FISCAL IMPACT

There is no fiscal impact associated with continued remote meetings.

ATTACHMENT

1. Resolution

Attachment 1

RESOLUTION NO. ____

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY CONFIRMING EXISTING STATE EMERGENCY AND AUTHORIZING CONTINUED REMOTE PUBLIC MEETINGS UNDER AB 361

The Town Council of the Town of Portola Valley does RESOLVE as follows:

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency, as defined under the California Emergency Services Act, due to the COVID-19 pandemic and the State of Emergency remains in effect;

WHEREAS, beginning in March 2020, the Governor's Executive Order N-29-20 suspended Brown Act requirements related to teleconferencing during the COVID-19 pandemic provided that notice, accessibility, and other requirements were met, and the public was allowed to observe and address the legislative body at the meeting;

WHEREAS, Executive Order N-08-21 extended the previous order until September 30, 2021;

WHEREAS, the Town Council and the Town's boards, commissions, and committees have conducted their meetings virtually, as authorized by the Executive Order, since March 17, 2020;

WHEREAS, on September 16, 2021, Governor Newsom signed into law Assembly Bill 361 ("AB 361"), which provides that a local agency legislative body may continue to meet remotely without complying with otherwise-applicable requirements in the Brown Act related to remote/teleconference meetings by local agency legislative bodies, provided that a state of emergency has been declared and the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and provided that the legislative body continues to make such findings at least every 30 days during the term of the declared state of emergency;

WHEREAS, Cal/OSHA COVID-19 Emergency Temporary Standards ("ETS") require certain employers to implement social distancing requirements in the work place during the current COVID-19 pandemic; and effective February 14, 2022, the Town Manager issued updated work place guidelines imposing safety protocols on persons attending Town Hall facilities;

WHEREAS, in the last few months, while hospitalizations and severe illnesses have gone down, new COVID-19 variants have emerged and continued to impact the County's hospital capacity;

WHEREAS, these variants are believed by medical experts to be even more contagious as previous variants, and data has shown the variant has increased transmissibility even among some vaccinated people;

WHEREAS, due to uncertainty and concerns about the continuing presence of COVID-19 variants, many workplaces that had announced a return to regular in-person operations have pushed back the full return date until later in the year or next year;

WHEREAS, virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities; and

WHEREAS, given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space would pose an unnecessary and immediate risk to the attendees.

WHEREAS, the Council has again reconsidered the circumstances of the state of emergency and finds that the state of emergency continues to impact the ability of members of the Town Council, commissions and committees and public to meet in person because there is a continuing threat of COVID19 to the community, and because Town meetings have characteristics that give rise to risks to health and safety of meeting participants (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to participate fully in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings);

WHEREAS, persons experiencing any potential symptoms of COVID-19, or who test positive but are asymptomatic, or who are exposed to someone with COVID19, should follow medical advice regarding self-isolation or self-quarantine, avoiding public gatherings such as in-person meetings of public agencies, and should be able to do so without sacrificing their right to participate in public business during periods of self-isolation or self-quarantine;

WHEREAS, the onset of symptoms of COVID-19 or a positive test may occur too close to the start of a meeting for alternative arrangements for attendance to be made consistently with the Brown Act, such that a remote attendance option for public meetings should be maintained for as long as COVID transmission remains a potential risk of in-person meetings;

WHEREAS, the Town Council has an important interest in protecting the health and safety of those who participate in public Town meetings; and

WHEREAS, the Town Council finds that this state of emergency continues to directly impact the ability of members of the Town Council and its commissions and committees to meet safely in person and that meeting in person would present imminent risks to the health or safety of attendees, and the Council will therefore continue to invoke the provisions of AB 361 related to teleconferencing for meetings of the Town Council and its commissions and committees in order to provide its members as well as staff and members of the public with

the option of participating in its meetings remotely whenever necessary or advisable for them to do so.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Portola Valley that:

1. The Town Council adopts the recitals set forth above as findings of fact.
2. The Town Council finds that meeting in person would present imminent risks to the health or safety of attendees.
3. In accordance with AB 361, based on the findings and determinations herein, meetings of the Town Council and Town commissions and committees will be held virtually, either completely or partially, with Brown Act teleconferencing rules suspended.
4. Staff is directed to return no later than thirty (30) days after the adoption of this resolution to consider making the findings required by AB 361 in order to continue meeting under its provisions.

PASSED AND ADOPTED this 11th day of May 2022.

By: _____
Craig Hughes, Mayor

ATTEST:


Melissa Thurman, Town Clerk



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Jeremy Dennis, Town Manager 

DATE: April 27, 2022

RE: Ladera Oaks Swim and Tennis Club Lease

RECOMMENDATION

Staff recommends that the Town Council approve a lease for town-owned property currently utilized by the Ladera Oaks Swim and Tennis Club.

BACKGROUND

The Town has leased the small parcel to Ladera Oaks since 1986. The lease has either been renewed or updated since that time. The parcel is utilized by Ladera Oaks for a variety of recreational activities offered by the club.

The current lease was agreed to in 2012, and a five-year extension was agreed to in 2017. The current extension expires on June 30, 2022.

DISCUSSION

Staff supports the continued relationship between the Town and the Club. Because the new Surplus Property regulations place limitations on the Town's ability to lease properties for five or more years, the new lease period is four years and eleven months. Staff supports the request, as this allows for longer-term planning for the use of the parcel by the Club.

FISCAL IMPACT

None

ATTACHMENTS

1. Lease
2. Resolution

Attachment 1

LEASE

THIS LEASE ("Lease" is made and executed on the ___ day of _____, 2022, by and between the TOWN OF PORTOLA VALLEY, a municipal corporation ("Town"), and LADERA OAKS SWIM AND TENNIS CLUB ("Tenant").

WHEREAS, the Town and Tenant wish to lease the premises ("Premises") described below on the terms and conditions set forth below.

NOW, THEREFORE, the parties agree as follows:

1. **PREMISES.** The Premises consists of land in the Town of Portola Valley, County of San Mateo, State of California, which is shown on Exhibit A.
2. **TERM.** The term of this Lease shall be for a period of 4 years, 11 months commencing on July 1, 2022, and ending on May 31, 2027 ("Term").
3. **MONTHLY RENT.** During the Term of this Lease, Tenant shall pay to the Town an annual rent of Five Thousand Dollars (\$5,000) due and payable on the 1st day in July throughout the period of this Lease. Each year this base amount shall be increased by the Annual adjustments based on the May 1 U.S. Bureau of Labor Statistics, Consumer Price Index, San Francisco Bay Region or successor index.
4. **USE.** The Premises are to be used by the Tenant for the following purposes only:

For purposes of a temporary nature that can be removed, at the cost of the Tenant, should the Town utilize the property after the end of the lease. Previously-agreed to uses include a volleyball/badminton court in a location consistent with oak tree preservation as recommend in a report of S.P McClenahan dates March 6, 1995, general play area, overflow space in connection with swim meets, storage facility for gardening tools and equipment, service access to swimming pool facilities (with access road of a material approved by the Town, and other uses generally associated with these designated uses, and for no other uses."

5. **ALTERATIONS.** Lessee shall not make any additions, alterations, or changes to the Premises without the written consent of the Lessor first had and obtained. Lessor agrees not to unreasonably withhold its consent. Any additions or alterations to the Premises shall become a part of the realty and shall revert to Lessor unless Lessor requires removal of such additions and alterations and restoration of the Premises, which shall be performed at Lessee's sole cost and expense.

6. MAINTENANCE AND UTILITIES.

6.1 Lessee shall be responsible for all utility costs, including gas, electricity, water and telephone, and all deposits for these services.

6.2 Lessee shall be responsible for all janitorial services for the Premises.

6.3 Except damage caused by the negligence of Lessee, Lessor will keep and maintain the Premises and fixtures, in good condition and repair.

6.4 Lessor shall be responsible for the payment of all property taxes and association dues.

6.5 Lessee shall use the Premises in a careful, safe, and proper manner. Lessee agrees to pay Lessor on demand for any damages to the Premises by misuse or abuse of the Premises.

7. ASSIGNMENT AND SUBLETTING. Lessee may not sublet any portion of the Premises.

8. ATTORNEYS' FEES. Should either party bring an action for breach under any of the conditions and terms of this Lease, the losing party agrees to pay to the prevailing party all reasonable attorneys' fees and cost, as fixed by the court.

9. ABANDONMENT. Should the Lessee abandon, be dispossessed, surrender or otherwise vacate the Premises, the Lessor, at Lessor's option, may immediately terminate this Lease and enter the Premises and remove all persons and property.

10. DEFAULT. In the event of a non-monetary default, Lessor shall give written notice thereof to Lessee. In the event that Lessee shall not have cured the default within ten (10) days of the notice, or if the default is of a monetary nature or of a nature which cannot reasonably be cured within ten (10) days and Lessee shall not have commenced to cure the default and be diligently pursuing such cure to completion, then Lessor, besides any other right or remedies that Lessor may have, shall have the right to terminate this Lease.

Should Lessor at any time terminate this Lease for any breach, in addition to any other remedy it may have, it may recover from Lessee all damages it may incur by reason of such breach, including the cost of recovering the Premises, and including (a) all rent due and unpaid as of the date of such termination, plus interest on said sum at the rate of ten percent (10%) per annum; (b) amounts that would have fallen due as rent between the time of termination of this Lease and the time of the judgment, or other award, less the avails of all relettings and attornments, plus interest on the balance at ten percent (10%) per year; and (c) the worth at the time of the judgment or other award, of the amount by which the unpaid rent for the balance of the term exceeds the amount of

such rental loss that Lessee proves could be reasonably avoided; and (d) any other amount necessary to compensate Lessor for all the detriment proximately caused by Lessee's failure to perform Lessee's obligations under this Lease or which in the ordinary course of things would be likely to result therefrom.

11. DESTRUCTION: In the event the Premises are partially destroyed from any cause, Lessor shall repair the property--provided the cost of such repairs are covered at least ninety percent (90%) by insurance and such repairs can be made within one hundred eighty (180) days. Such partial destruction shall not void this Lease, except that Lessee shall be entitled to a proportionate reduction of rent while the repairs are being made--such reduction shall be in proportion to the interference with the Lessee's business at the Premises.

If the repairs cannot be made within one hundred eighty (180) days, this Lease may be terminated at the option of either party. In the event the Premises suffer the destruction of more than twenty-five percent (25%) of the replacement cost or in the event insurance proceeds are not sufficient to cover at least ninety percent (90%) of the cost of repairs, Lessor may elect to terminate this Lease.

Lessor shall not be obligated to replace any of the Lessee's personal property which may be damaged or destroyed.

12. INSURANCE AND INDEMNIFICATION. Lessee, at its own expense, shall provide and keep in force public liability insurance for the benefit of Lessor and Lessee jointly against liability for bodily injury and property damage in an amount of not less than One Million Dollars (\$1,000,000.00) for injury to, or death of one person in any one accident or occurrence, and in an amount of not less than One Million Dollars (\$1,000,000.00) for injury to, or death of more than one person in any one accident or occurrence, and in the amount of not less than One Million Dollars (\$1,000,000.00) per occurrence in respect to damage to property, such limits to be for any greater amounts as may be reasonably indicated by circumstances from time to time existing. Lessor shall be named as an additional insured on Lessee's insurance policy.

Lessee, during the continuance of this Lease, covenants and agrees to indemnify and save harmless the Lessor, its agents and employees from each and every loss, cost, damage and expense arising out of any accident or other occurrence on the Premises causing injury to or death of persons or damage to property by reason of the use or neglect of the Premises by Lessee or any subtenant of Lessee if permitted. Lessee further agrees during the continuance of this Lease also to indemnify and hold harmless the Lessor from all damages and penalties arising out of any claims of Lessee's negligence or failure of the Lessee to comply with any of Lessee's obligations hereunder.

Lessee shall indemnify and hold Lessor harmless from and against any and all costs, attorneys' fees, expenses and liabilities incurred in or about any of the foregoing claims or any action or proceeding brought thereon. In case any action or proceeding

be brought against the Lessor by reason of any such claim, Lessee upon notice from Lessor shall defend the same at Lessee's expense by counsel reasonably satisfactory to Lessor. Lessee, as a material part of the consideration to Lessor, hereby assumes all risk of damages to property or injury to persons in or about the Premises from any cause whatsoever except that which is caused by the failure of the Lessor to observe any of the terms and conditions of this Lease. The obligations of Lessee under this section arising by reason of any occurrence taking place during the term of this Lease shall survive any termination of this Lease.

13. EXEMPTION FROM LIABILITY. Lessor shall not be liable for damages to Lessee's property arising from the failure of the supply of water, gas, electricity, or power, nor for the stoppage of any machinery and equipment, if any, in the Building, for necessary repairs or otherwise, nor for the stoppage, leakage, or bursting of any gas, water, steam, sewer, or other pipe, tank, water closet, or other fixtures, or for any annoyance, inconvenience or damage caused by any electric or other wire, whether upon the said leased Premises, or in other parts of the Building, and Lessee shall indemnify and hold harmless Lessor from all liability, damage, or expenses by reason of the negligence of Lessee, its agents, employees, patrons, or invitees, and from any liability, damage, or expense by anything brought upon the leased Premises by Lessee.

14. HAZARDOUS SUBSTANCES. Lessee shall not keep or maintain any Hazardous Substance, other than ordinary cleaning supplies and waste, on or in the Premises without Lessor's prior written approval. Lessee shall indemnify and hold Lessor harmless from any and all claims, costs, damages, penalties, or liabilities arising out of the use or release of any Hazardous Substance at, in, or on the Premises. The term "Hazardous Substance" as used in this Lease shall mean any products, substances, chemical, material, or waste whose presence, nature, quantity, and/or intensity of existence, use, manufacture, disposal, transportation, spill, release, or effect, either by itself or in combination with other materials expected to be on the Premises, is either (a) potentially injurious to the public health, safety, or welfare, the environmental, or the Premises, (b) regulated or monitored by any governmental authority, or (c) a basis for liability of Lessor to any governmental agency or third party under any applicable statute or common law theory. Hazardous Substance shall include, but not be limited to, hydrocarbons, petroleum, gasoline, crude oil, or any products, by-products, or fractions thereof.

15. HOLDING OVER. Any holding over after the expiration of this Lease shall be a month-to-month tenancy under all the other agreements of this Lease. The rent shall be one hundred twenty-five percent (125%) of the monthly rental paid during the last month of the Lease.

16. INSPECTION. Lessor may enter the Premises at all reasonable times to inspect, maintain and repair the property. Lessor shall provide not less than one business day's notice to Lessee prior to such entry.

17. LIENS. Lessee shall keep the Premises free from any and all liens arising out of any work performed, materials furnished, or obligations incurred by or for Lessee; and Lessee agrees to defend Lessor at his sole cost and expense against any and all lawsuits arising from such lien upon receipt of notice of opportunity to defend from Lessor.

18. NOTICES. All notices between the parties shall be in writing and may be hand delivered, sent by U.S. Certified Mail - Return Receipt Requested, transmitted by facsimile machine with confirmation of transmission, or delivered by signature verified courier/delivery service. Notice shall be addressed to:

Lessor: Jeremy Dennis
Town Manager
765 Portola Road
Portola Valley, CA 94028
Facsimile:

Lessee: _____

Facsimile #: _____

Notice shall be effective upon actual receipt of the notice.

19. WAIVER. The waiver by Lessor of a breach by Lessee of any agreement herein, shall not be deemed to be a waiver on a part of Lessor of any covenant of this Lease. Such waiver by Lessor shall not constitute a waiver of any future breach by Lessee of the same or other covenants of this Lease.

20. MISCELLANEOUS. This Lease shall be binding on the administrators, assigns, executors, heirs and successors of Lessor and Lessee.

Section headings are for reference only and shall have no effect upon the interpretations of this Lease.

Time is of the essence of each provision of this Lease.

The unenforceability, invalidity or illegality of any provision shall not render the other provisions unenforceable, invalid or illegal.

LESSOR

LESSEE

By: _____
(Signature)

By: _____
(Signature)

(Print Name and Title)

(Print Name and Title)

Attachment 2

RESOLUTION NO. _____-2022

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY APPROVING A LEASE WITH LADERA OAKS

WHEREAS, the Town of Portola Valley and Ladera Oaks entered into a Lease on July 1, 1986, an Extension of Lease on July 1, 1992, and an Extension and Amendment of Lease on April 30, 1995, which provided Ladera Oaks with two five-year options to extend the term until June 30, 2022.

WHEREAS, the Town of Portola Valley and Ladera Oaks have agreed to a new lease governing the use of the parcel

NOW, THEREFORE BE IT RESOLVED, the Town Council of the Town of Portola Valley hereby approved the new lease agreement with Ladera Oaks for a ten-Year term with a five year extension.

Passed and adopted by the Town Council of the Town of Portola Valley, California, at a meeting thereof held on the 27th day of April, 2022, by the following vote of the members thereof:

REGULARLY PASSED AND ADOPTED this 27th day of April, 2022.

Mayor

ATTEST:

SECOND EXTENSION AND AMENDMENT OF LEASE

THIS SECOND EXTENSION AND AMENDMENT OF LEASE ("Second Extension and Amendment") is entered into by and between the TOWN OF PORTOLA VALLEY, a California Municipal Corporation ("Lessor") and LADERA OAKS, a California Corporation ("Lessee") and is effective as of the .22_ day of February, 2012. Lessor and Lessee are herein collectively referred to as "Parties."

RECITALS

This Second Extension and Amendment is made and entered into on the basis of the following facts, understandings and intentions of the Parties:

- A. The Parties entered into a Lease on July 1, 1986. On July 1, 1992, the Parties entered into an Extension of Lease. On April 30, 1995, the Parties entered into an Extension and Amendment of Lease, which provided the Lessee with two five-year options to extend the term until June 30, 2017.
- B. Lessee is exercising the second option to extend the Lease term until June 30, 2017 and has requested an amendment to the Lease to allow Lessee the opportunity for an additional (third) five-year extension until June 30, 2022.
- C. Lessor has agreed to an extension of the term and third option to extend the Lease term for an additional five years.

NOW, THEREFORE, for good and valuable consideration, the Parties agree as follows:

1. Section 2 relating to the term is modified as follows:

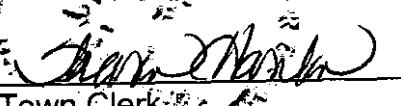
"The term of this Second Extension and Amendment of Lease shall commence July 1, 2012 and end on June 30, 2017, unless earlier terminated as provided in the Lease effective the 1st day of July, 1986. The term may be extended by at the election of the Lessee for one additional five-year period, commencing on July 1, 2017, provided that Lessee (1) shall at the time of election not be in default in its performance of the terms of the Lease and (2) shall, within a period not less than 90 or more than 180 days before the end of the then remaining term, give written notice to Lessor pursuant to Section 25 of the Lease of Lessee's election to extend the term for an additional five years. The lease term shall in all events, unless further extended by mutual agreement in writing, end on June 30, 2022.

IN WITNESS WHEREOF, the Parties have executed this Second Extension and Amendment as of the ...22... day of February, 2012.

Lessor:

TOWN OF PORTOLA VALLEY

y: _____
Mayor

Attest: 
Town Clerk

Lessee:

LADERAOAKS

By: 71VA Loc. I. wcd
President

Attest: _____
Secretary



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Cara Silver, Town Attorney

DATE: May 11, 2022

RE: Resolution Adopting Amendment 6 to the Town Manager Employment Agreement

RECOMMENDATION

Adopt Resolution Authorizing Mayor to Sign Amendment 6 to Town Manager's Employment Agreement (Attachment 1 and 3).

DISCUSSION

On March 7, 2016, the Town of Portola Valley ("Town") and Jeremy Dennis ("Manager") entered into the Town Manager Employment Agreement ("Agreement") to set forth the terms and conditions of Manager's employment. (Attachment 2.) On January 25, 2017, the Town Council approved Amendment No. 1 to the Agreement. On January 24, 2018, the Town Council approved Amendment No. 2 to the Agreement. On March 1, 2020, the Town Council approved Amendment No.3. On June 24, 2020, the Town Council approved Amendment No. 4. On April 14, 2021, the Town Council approved Amendment No. 5.

The Town retained MRG Consulting to survey other town manager's compensation packages. The Town desires to renew the Manager's contract for two additional years and provide the Manager with (1) an additional compensation increase of 7.5 % (representing a cost of living increase of 5.2% and a performance increase of 2.3% for a total salary of \$241,566 per year); (2) one additional week of vacation (resulting in a total of 4 weeks); and (3) a one-time bonus of \$10,000 based on his efforts in retention of Town personnel and continuity of operations during the COVID-19 pandemic. The bonus shall not be counted towards the Manager's base salary for the purpose of CalPERS and shall be paid with Coronavirus Aid, Relief, and Economic Security (CARES) Act funds received by the Town.

FISCAL IMPACT

The Town Manager is directed to adjust the upcoming budget to reflect these changes.

ATTACHMENT

1. Resolution of the Town Council of the Town of Portola Valley Approving Amendment 6 to The Town Manager Employment Agreement
2. Town Manager's Employment Agreement
3. Amendment 6 to Town Manager Employment Agreement

Cc: Jeremy Dennis, Town Manager

Attachment 1

RESOLUTION NO. xxxx-2022

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY APPROVING AMENDMENT 6 TO THE TOWN MANAGER EMPLOYMENT AGREEMENT

WHEREAS, on March 7, 2016, the Town of Portola Valley (“Town”) and Jeremy Dennis (“Manager”) entered into the Town Manager Employment Agreement (“Agreement”) to set forth the terms and conditions of Manager’s employment;

WHEREAS, on January 25, 2017, the Town Council approved Amendment No. 1 to the Agreement;

WHEREAS, on January 24, 2018, the Town Council approved Amendment No. 2 to the Agreement;

WHEREAS, on March 27, 2019, the Town Council approved Amendment No.3 to the Agreement;

WHEREAS, on June 24, 2020, the Town Council approved Amendment No. 4 to the Agreement;

WHEREAS, on April 14, 2021, the Town Council approved Amendment No. 5 to the Agreement; and

WHEREAS, the Town Council has read and considered that certain Amendment 6 to Town Manager Employment Agreement (“Amendment”).

NOW, THEREFORE, the Town Council of the Town of Portola Valley does hereby **RESOLVE** as follows:

1. Public interest and convenience require the Town to enter into the Amendment described above.
2. The Amendment is approved and the Mayor is authorized on behalf of the Town to execute the Amendment.

PASSED AND ADOPTED this 11th day of May, 2022.

BY:

Craig Hughes, Mayor

ATTEST:

Town Clerk

TOWN MANAGER EMPLOYMENT AGREEMENT

This Town Manager Employment Agreement ("Agreement") is made and entered into effective the 7th day of March, 2016, by and between the Town of Portola Valley ("Town") and Jeremy Dennis ("Manager").

1. Employment and Duties. The Town by its Town Council hereby employs Manager to serve as the Town Manager and Manager hereby accepts such employment. Manager's employment shall be as an at-will employee and Manager serves at the pleasure of the Town Council in accordance with Government Code Section 36506. Manager shall perform the duties and obligations and exercise the authority of the Town Manager, as stated in the Town Manager Job Description, attached hereto as Exhibit A (which may be amended by the Town Council in its discretion), and as may be assigned by the Town Council from time to time.

2. Term. The term of this Agreement shall commence on the effective date set forth above and shall continue until December 31, 2017, or the date of earlier termination in accordance with provisions in this Agreement. This Agreement shall be automatically extended for one (1) year, unless at least sixty (60) days prior to the end of the term the Town Council notifies Manager of its intent not to extend the Agreement. The Town Council's decision not to extend this Agreement shall not entitle Manager to Severance, pursuant to Paragraph 5 of this Agreement. Notwithstanding the foregoing, the Town retains the right to terminate Manager pursuant to the terms of this Agreement at any time.

3. Evaluations. The Town Council shall evaluate Manager's performance at least once annually during the term of this Agreement during the month of November or December ("Annual Evaluation"). Prior to the Annual Evaluation date, the Town Council, with the Manager, will develop an Annual Evaluation process that may include, but not be limited to a 360-degree multi-source assessment, including direct feedback from Manager's subordinates, peers and supervisors, as well as a self-evaluation. If necessary, the Town Council and Manager will utilize the services of a facilitator either in developing or implementing the Annual Evaluation process. Such facilitator will be selected by the Town Council, subject to the Manager's consent, which shall not be unreasonably withheld. Furthermore, as part of the Annual Evaluation, the Town Council, in consultation with the Manager, shall define such goals and performance objectives that they determine to be necessary for the proper operation of the Town and shall further establish a relative priority among the various goals and objectives.

4. Salary and Benefits.

4.1 Base Salary. The Town shall pay Manager a salary of One Hundred Ninety Thousand Dollars (\$190,000) per year ("Base Salary"). The Base Salary shall be payable in installments at the same time as other employees of the Town receive their salaries. The Base Salary may be increased from time to time in the discretion of and

as approved by the Town Council. The Base Salary shall be prorated on a daily basis for the first and last months during which Manager is employed as Town Manager.

4.2 Car Allowance. The Manager's duties require him to attend to Town business both inside and outside of the Town. In lieu of a vehicle provided and maintained by the Town, Town shall pay Manager Three Thousand Dollars (\$3,000) per year as a car allowance, payable in installments at the same time as Manager receives his salary.

4.3 Retirement. Manager is enrolled in the California Public Employees' Retirement System (CalPERS) as a "classic member". The Town's contribution to CalPERS on behalf of Manager shall be the same as provided to other Town employees also considered classic members by CalPERS.

4.4 Other Benefits. In addition to the benefits described in Paragraphs 4.1-4.3, above, benefits allowed to Manager in the course of his employment under this Agreement shall be as follows:

4.4.1 IRS Section 125 Cafeteria Plan. Town shall provide Manager with the same cafeteria plan flex-dollar allowance that is provided to other Town employees for his level of coverage, and shall disburse the flex-dollars for eligible benefits in accordance with the Town's adopted IRS Section 125 cafeteria plan document.

4.4.2 Life Insurance. The Town agrees to pay for a term life insurance policy in the face amount of One-Hundred Fifty Thousand Dollars (\$150,000) on Manager's life with a carrier selected by the Town in addition to the amount provided all employees to bring the total value of life insurance provided to Manager up to Two Hundred Thousand Dollars (\$200,000). Manager shall designate the beneficiaries of the policy.

4.4.3 All Other Insurances. Manager shall receive the same dental, vision, long term disability, accidental death and dismemberment insurance, and any other insurance added in the future that are provided to other Town employees.

4.5 Paid Time Off.

4.5.1 Vacation Leave. Manager shall accrue vacation leave at the rate of fifteen (15) paid days per year, in addition to recognized Town holidays. Upon termination or resignation from employment or the non-renewal of this Agreement, Manager shall be paid for all accrued and unused vacation time. However, at no time may Manager accrue more than thirty (30) days of vacation time. Furthermore, in accordance with the Town's Personnel Policies

Manual, once per calendar year, Manager may elect to sell back to the Town accrued, but unused vacation.

- 4.5.2 Sick Leave. Manager shall receive the same days of sick leave as accorded to other Town employees.
- 4.5.3 Administrative Leave. Manager shall receive seven (7) days of administrative leave per year of this Agreement, which leave shall be awarded in a lump sum on the effective date of this Agreement and on January 1st of each year thereafter. Any administrative leave not taken by Manager shall not be accrued from year to year, nor shall the value of such administrative leave be paid to Manager upon termination of his employment. Use of administrative leave is allowed at the discretion of the Mayor or the Vice Mayor in the event the Mayor is unavailable.
- 4.5.4 Other Leaves. Manager shall receive the same benefit of leaves not specified in this Agreement but provided to other Town employees.
- 4.5.5 Holidays. Manager shall receive the same paid holidays as accorded to other Town employees.
- 4.5.6 Professional Growth. Manager is encouraged to attend professional courses and conferences in California during the term of his employment with the Town, including the Progress Seminar. The Town shall pay reasonable expenses of such attendance, including course fees, travel, food and lodging expenses (if reasonably necessary) up to a maximum of Five Thousand Dollars (\$5,000) per calendar year. Paid time off to attend such courses and conferences shall not exceed six (6) days per year. The Town shall also pay Manager's yearly dues for full membership in the International City Management Association (ICMA) and the California City Management Foundation (CCMF).

5. Termination; Severance.

5.1 Termination Without Cause. If the Town terminates this Agreement and Manager's employment without Cause as determined by the affirmative votes of a majority of the members of the Town Council at a regular meeting of the Town Council, and if Manager signs and delivers to the Town Council, the General Release Agreement ("Release Agreement") substantially in the form attached hereto as Exhibit B, Town shall pay Manager a lump sum benefit equal to six (6) months of his then Base Salary, and shall provide six months of cafeteria plan allowance (the cash payment and continuing benefits, collectively "Severance").

5.2 Termination with Cause. If Town terminates this Agreement and Manager's employment with Cause (as defined below), as determined by the affirmative votes of a majority of the members of the Town Council at a regular meeting of the Town Council, Manager shall not be entitled to any additional compensation or payment, including Severance, but shall only be entitled to accrued Base Salary, accrued vacation pay, and any other accrued and unused benefit allowances according to their terms as provided in Paragraph 4 of this Agreement ("Accrued Salary and Benefits"). As used in this Agreement, "Cause" shall only mean any of the following:

5.2.1 Conviction of, or plea of guilty or nolo contendere to, any crime or offense (other than minor traffic violations or similar offenses) which is likely to have a material adverse impact on the Town or on the Manager's reputation;

5.2.2 Failure of the Manager to observe or perform any of the duties and obligations as detailed in the job description attached hereto as Exhibit A or as otherwise directed by Council, if that failure continues for a period of thirty (30) days from the date of the notice from the Town Council specifying the acts or omissions deemed to amount to that failure;

5.2.3 Conviction of any crime involving an "abuse of office or position," as that term is defined in Government Code Section 53243.4;

5.2.4 Any negligent action or inaction by Manager that materially and adversely: (a) impedes or disrupts the operations of Town or its organizational units; (b) is detrimental to employees or public safety; or (c) violates Town's properly-established rules or procedures.

5.3 After Municipal Election. In no event may Manager be terminated without Cause ninety (90) days after any municipal election for the selection or recall of one or more of the members of the Town Council.

5.4 Manager's Death. If, during the term or any extended term of this Agreement, Manager dies, Manager's estate shall receive Accrued Salary and Benefits, but shall not be entitled to any additional compensation or payment, including Severance.

5.5 Permanent Disability or Unable to Perform Duties. In the event Manager is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, or mental incapacity for a period of four (4) consecutive months beyond any provided sick leave, Manager agrees that this would be an undue hardship to the Town and the Town may terminate Manager's employment and this Agreement without payment of Severance.

5.6 Resignation. Manager may resign from his employment at any time, upon giving sixty (60) days written notice to the Town Council. Manager is entitled to payment of Accrued Salary and Benefits, but is not entitled to Severance.

6. Personnel Manual. The Town's personnel ordinances, resolutions, rules and policies shall apply to the Manager. Manager acknowledges receipt and review of a copy of the Town's Personnel Policies Manual. Manager acknowledges and agrees that if the Town becomes aware of a complaint relative to the Manager, the Town Council may place Manager on paid or unpaid leave during any review and consideration of the matter.

7. Normal Work Hours. The parties agree that the Manager shall normally be present at Town Hall during business hours. It is further recognized that the Manager must devote a great deal of time to the business of the Town outside of the Town's customary office hours, and to that end the Manager's schedule of work each day and week shall vary in accordance with the work required to be performed. It is further recognized by both parties that there is no provision for additional compensation of any form under this Agreement for Manager's hours worked outside of customary office hours.

8. Abuse of Office or Position. If Manager is convicted of a crime involving an abuse of his office or position all the following shall apply: (a) if Manager is provided with pay while on leave pending an investigation, Manager shall be required to fully reimburse the Town such amounts paid; and (b) if this Agreement is terminated, any Severance related to the termination that Manager may receive from the Town shall be fully reimbursed or shall be void if not yet paid to Manager. For purposes of this paragraph, abuse of office or position means either an abuse of public authority including waste, fraud and violation of the law under color of authority or a crime against public justice.

9. Indemnification. Consistent with the California Government Code, Town shall defend, hold harmless, and indemnify Manager using legal counsel of Town's choosing, against expense or legal liability for acts or omissions by Manager occurring within the course and scope of Manager's employment under this Agreement.

10. Conflict of Interest. Manager warrants that he presently does not have and agrees that he will not acquire any direct or indirect financial interest which would conflict with his performance of this Agreement.

11. Documents. All documents provided to Manager by the Town and all reports and supporting data prepared by Manager for the Town are the sole property of the Town and shall be delivered to the Town upon termination of this Agreement or at the Town's written request. All reports, information, data and exhibits prepared or assembled by Manager during his employment are confidential until released by the Town to the public, and Manager shall not make any of these unreleased documents or information

available to any individual or organization not employed by the Town without the prior written consent of the Town Council.

12. Arbitration. Any controversy involving the construction or application of any terms or conditions of the Agreement, or any dispute between the parties, including, without limitation, whether Manager's federal or state statutory rights regarding discrimination and/or harassment have been violated, shall be submitted by the parties to arbitration with the American Arbitration Association ("AAA"). Arbitration shall be governed by the rules and regulations of the AAA. Any arbitration award shall be subject to the laws of the State of California governing such awards. The arbitration process shall be commenced and concluded within one-hundred twenty (120) days of either party's written request for arbitration being delivered to the other. Said request must be delivered within ten (10) calendar days of the event giving rise to the arbitration. Prior to the arbitration hearing, the parties shall submit the dispute to at least one mediation session before a retired trial court judge or other mediator jointly selected by the parties. Both parties shall endeavor to select and agree upon a mediator in a good-faith, timely manner. All arbitration and mediation costs shall be shared equally between the parties; however, each party shall bear the costs of its/his own attorneys and witnesses. The result of the arbitration shall be final and binding on both parties.

13. Entire Agreement; Amendment. This Agreement supersedes any and all other agreements, either oral or in writing, between the parties. Each party to this Agreement acknowledges that no representation, inducement, promise, or agreement, orally or otherwise, has been made by any party, or anyone acting on behalf of any party, which is not embodied herein, and that no other agreement, statement, or promise not contained in this Agreement shall be valid or binding on either party. Any modification of this Agreement will be effective only if it is in writing and signed by both the Town and the Manager. The parties agree that the Town's personnel policies except as superseded by the terms of this Agreement, either explicitly or implicitly, apply to Manager.

14. Effect of Waiver. The failure of either party to insist on strict compliance with any of the terms, covenants, or conditions of this Agreement by the other party shall not be deemed a waiver of that term, covenant, or condition, and no waiver or relinquishment of any right or power on any given occasion shall be deemed a waiver or relinquishment of that right or power on any subsequent occasions.

15. Partial Invalidity. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, the remaining provisions shall continue in full force without being impaired or invalidated in any way.

16. Law. This Agreement shall be governed by the laws of the State of California.

17. Notices. Any notice or communication permitted or required by this Agreement shall be in writing and shall become effective on personal delivery or three (3) days after

the mailing thereof by certified mail, return receipt requested; postage prepaid, to either party at Town Hall, 765 Portola Road, Portola Valley, California 94028.

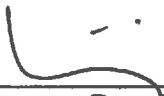
18. Successors. This Agreement shall be binding on the heirs, beneficiaries, and successors in interest of the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates written below.


ATTEST:



Town Clerk



Maryann Derwin
Mayor of the Town of Portola Valley
Date: 1/27/16



Jeremy Dennis
Date: 1-23-16

Exhibit A
JOB DESCRIPTION - TOWN MANAGER

**TOWN OF PORTOLA VALLEY
TOWN MANAGER**

Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are not intended to reflect all duties performed within the job.

DUTIES AND OBLIGATIONS

The Town Manager shall be the administrative head of the Town government under the direction and control of the Town Council. The Town Manager shall be responsible for the efficient administration of all affairs of the Town and shall assume full management responsibility for all Town operations. The Town Manager shall work with the Town Council to direct the development and implementation of the Town's goals, objectives, policies and priorities. In consultation with the Town Council, the Town Manager shall develop strategic planning processes to guide the future of the Town. The Town Manager shall perform functions directed and assigned by the Town Council.

- A. Performance of Duties. To perform such duties and obligations and exercise such powers as may be delegated to him/her from time to time by ordinance, resolution, or other action of the Town Council. To perform the functions identified in the Portola Valley Municipal Code, including but not limited to the functions of Town Treasurer and Director of Emergency Services.

- B. Attendance at Meetings. To attend all meetings of the Town Council, unless excused therefrom, except when his/her removal is under consideration. To attend, when appropriate, the meetings of Town commissions and committees. To attend and represent the Town at meetings of outside agencies and organizations.

- C. Administration. To provide highly responsible and complex administrative support to the Town Council, including, but not limited to staffing assistance, preparing and presenting staff reports and other necessary documents. To provide staff support to Town commissions and committees. To coordinate Town activities with those of other cities, counties and outside agencies and organizations.

- D. Authority. To control, order and give direction to all department heads, subordinate officers, and employees of the Town, including those appointed by contract or agreement, except elected officers and the Town Attorney. To appoint, remove, promote, and demote employees of the Town, except the Town Attorney. To recommend to the Town Council such organization of offices, positions and departments as may be indicated in the interests of the efficient, effective, and economical conduct of the business of the Town.

To assess and monitor workload, administrative support systems and internal reporting relationships and identify opportunities for improvement. To select, motivate and evaluate personnel and consultants. To resolve personnel concerns and issues unrelated to the Town Manager in accordance with Town policy and to cooperate in the resolution of any concerns and issues related to the Town Manager.

- E. Service Delivery. To monitor and evaluate the efficiency and effectiveness of service delivery methods and procedures and to allocate staffing resources accordingly. To plan direct and coordinate, through staff and consultants, the work plan for the Town. To meet with appropriate staff and consultants to identify and resolve problems. To assess the need for, select and evaluate contract services. To work with, promote and encourage the use of volunteers.
- F. Law Enforcement. To enforce any of the provisions of the Portola Valley Municipal Code or any other ordinance of the Town, or any rule, regulation or order promulgated or issued pursuant to the Portola Valley Municipal Code, and to ascertain that all contracts, permits and privileges granted by the Town are faithfully observed.
- G. Recommendation of Legislation. To recommend to the Town Council for adoption such measures and ordinances as he/she deems necessary or expedient. To monitor State and Federal legislation and recommend appropriate action to the Town Council as needed. To attend and participate in professional group meetings and stay abreast of new trends and innovations in the field of public administration and management.
- H. Finances. To keep the Town Council at all times fully advised as to the financial conditions and needs of the Town. To prepare and submit to the Town Council for its approval the proposed annual budget and the proposed compensation plan. To approve expenditures and implement budgetary adjustments as appropriate and necessary.
- I. Purchases and Expenditures. To purchase all supplies for all the departments or divisions of the Town. No expenditure shall be submitted to the Town Council, except with the report and approval of the Town Manager.
- J. Conduct. To conduct him or herself with due regard to public conventions and morals. To refrain from engaging in any conduct that would reasonably tend to degrade him or herself or bring the Town into public hatred, contempt or ridicule, or tend to offend the community.
- K. Communication. To respond to media inquiries, Town Council

concerns, issues and community needs. To respond to and resolve difficult and sensitive citizen inquiries and complaints.

QUALIFICATIONS

Knowledge of current:

- Operations, services and activities of a municipality.
- Advanced principles and practices of public administration.
- Principles and practices of program development and administration.
- Principles and practices of municipal budget preparation and administration.
- Principles and practices of personnel administration.
- Principles of supervision, training and performance evaluation.
- Principles of business letter writing and report preparation.
- Rules and regulations governing public meetings.
- Pertinent Federal, State and local laws, codes and regulations.

Ability to:

- Plan, organize and direct the work of lower level staff and consultants.
- Select, supervise, train and evaluate staff.
- Delegate authority and responsibility.
- Direct and manage the operations, services and activities of a municipality.
- Identify and respond to community and Town Council issues, concerns and needs.
- In consultation with the Town Council, develop and administer departmental goals, objectives and procedures.
- Prepare clear and concise administrative and financial reports.
- Prepare and administer large and complex budgets.
- Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.
- Research, analyze and evaluate new service delivery methods and techniques.
- Interpret and apply Federal, State and local policies, laws and regulations.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work.
- Maintain physical condition appropriate to the performance of assigned duties and responsibilities.
- Work in a political environment.

Experience and Training Guidelines

Any combination of experience and training that would likely provide the required knowledge and abilities is desirable. A typical way to obtain the knowledge and abilities would be:

Town Manager
Position Description

Experience:

At least five (5) years of experience with increasing responsibility in municipal government, including significant administrative and supervisory responsibility.

Training:

Equivalent to a Bachelor's degree from an accredited college or university with major course work in public administration, business administration or a related field. An MPA or equivalent additional experience is desirable.

Exhibit B

GENERAL RELEASE AGREEMENT

This General Release Agreement ("Release Agreement") is entered into by and between Jeremy Dennis ("Manager") and the Town of Portola Valley ("Town"), in light of the following facts:

- A. Manager's employment with the Town concluded on _____.
- B. Certain disputes have arisen between the Town and the Manager and both parties desire to fully and finally resolve any and all such disputes.
- C. Nothing in this Release Agreement is intended as an acknowledgement or acceptance of liability by either party.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Manager has had the opportunity to consult with independent legal counsel of his selection prior to entering into this Release Agreement.

2. Manager acknowledges payment by the Town of all amounts owed to Manager pursuant to the Town Manager Employment Agreement dated _____ ("Employment Agreement"), through the date of identified in Recital A, above ("Salary Payment"). Manager also acknowledges that Town has made this Salary Payment without regard to whether he signs this Release Agreement. The Salary Payment does not constitute consideration for this Agreement.

3. Severance. To receive the Severance identified in Paragraph 5 of the Employment Agreement, Manager must sign this Release Agreement on or before twenty-one (21) days from the date employment with the Town concluded identified in Recital A, above. Within five (5) days following Manager's execution and delivery of this Release Agreement to the Town, the Town shall pay Manager the Severance. Manager acknowledges that the Severance is in excess of all amounts due and owing him as a result of his employment by Town.

4. General Release. In consideration of the Severance to be paid and provided to Manager, and other good and valuable consideration, Manager hereby releases and discharges Town and its past and present Town Council Members, employees, representatives and agents, from all rights, claims, causes of action, and damages, both known and unknown, in law or in equity, concerning and/or arising out of his employment by Town which he now has, or ever had, including but not limited to any rights, claims, causes of action or damages arising under Title VII of the Civil Rights Act of 1964, the Vocational Rehabilitation Act of 1973, the Employee Retirement Income Security Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Older Workers Benefits Protection Act, the Family and Medical Leave Act of 1993, the Domestic Partners Act of 2003, the California Labor Code, the Private Attorneys General Act of 2004, the California Moore-Brown-Roberti Family Rights Act,

the California Unruh Civil Rights Act, the California Fair Employment and Housing Act, any other federal, state, or local employment practice legislation, or any federal or state common law, including wrongful discharge, breach of express or implied contract, or breach of public policy.

Manager hereby waives and relinquishes all rights and benefits afforded by Section 1542 of the Civil Code of California. Manager understands and acknowledges the significance and consequences of this specific waiver of Section 1542. Section 1542 of the Civil Code of California states as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

Notwithstanding the provisions of Section 1542, and for the purpose of implementing a full and complete release and discharge of the Town and its past and present Town Council Members, employees, representatives and agents, Manager expressly acknowledges that this General Release is intended to include in its effect, without limitation, all claims which he does not know or suspect to exist in his favor.

Manager further acknowledges that he has read this General Release and that he understands that this is a general release, and that he intends to be legally bound by the same.

5. Fees and Costs. Manager and Town agree that in the event of litigation relating to this Release Agreement, the prevailing party shall be entitled to recover his/its reasonable attorneys' fees and costs.

Dated: _____

TOWN OF PORTOLA VALLEY

Mayor

MANAGER

Dated: _____

Jeremy Dennis

APPROVED AS TO FORM:

By: _____
Town Attorney

Date: _____

ATTEST:

By: _____
Town Clerk

Date: _____

AMENDMENT 6
TOWN MANAGER
EMPLOYMENT AGREEMENT

This Amendment 6 (“Amendment”) is made as of May __, 2022, with respect to that certain Town Manager Employment Agreement (“Agreement”) by and between the Town of Portola Valley (“Town”) and Jeremy Dennis (“Manager”).

RECITALS

A. The Town and Manager entered into the Town Manager Employment Agreement on March 7, 2016 to set forth the terms and conditions of Manager’s employment.

B. On January 25, 2017, the Town and Manager entered into Amendment No. 1 to provide for an increase to Manager’s Base Salary to reflect a three percent cost of living increase after one year of employment.

C. On January 24, 2018, the Town and Manager entered into Amendment No. 2 to increase Manager’s Base Salary to Two Hundred and Three Thousand One Hundred Thirty-Seven Dollars (\$203,137.00) per year, effective on the pay period that included March 8, 2018.

D. On March 1, 2019, the Town and Manager entered into Amendment No.3 to increase Manager’s Base Salary to Two Hundred and Fifteen Thousand Three Hundred Twenty-Five Dollars (\$215,325) per year to reflect both a cost of living and merit increase.


E. On June 4, 2020, the Town and Manager entered into Amendment No.4 to renew the term of the Agreement for an additional two years to the date of June 30, 2022, or the date of earlier termination in accordance with provisions in this Agreement.

F. On April 7, 2021, the Town and Manager entered into Amendment No. 5 to increase Manager’s Base Salary to Two Hundred Twenty Four Thousand Seven Hundred Thirteen Dollars (\$224,713) per year, effective on the pay period beginning May 1, 2021.

G. The Town desires to provide Manager with an additional cost of living increase, a merit increase, and to renew the term of Agreement for an additional two years.

NOW, THEREFORE, in consideration of the mutual covenants, the Town and Manager do hereby agree as follows:

1. Term. The Term set out in Section 2 of the Agreement is hereby amended to read: The term of this Agreement shall commence on the effective date set forth above and shall continue until June 30, 2024, or the date of earlier termination in accordance with provisions in this Agreement. Effective July 1, 2024, this agreement shall be automatically extended on a month to month basis, unless upon at least sixty (60) days prior notice, the Town Council notifies Manager of its intent not to extend the

agreement. Notwithstanding the foregoing, the Town retains the right to terminate Manager pursuant to the terms of this Agreement at any time. 

2. Base Salary. The Base Salary set out in Section 4.1 of the Agreement is hereby amended to be Two Hundred Forty One Thousand Five Hundred Sixty Six Dollars (\$241,566) per year, effective on July 1, 2022.

3. Other Benefits. On or before July 1, 2022, the Manager shall receive a one-time non-PERSable bonus of Ten Thousand Dollars (\$10,000) based on his efforts in retention of Town personnel and continuity of operations during the COVID-19 pandemic. This bonus shall be paid with Coronavirus Aid, Relief, and Economic Security (CARES) Act funds received by the Town.

4. Vacation Leave. For the fiscal year ending June 30, 2022, Manager shall receive one additional week of paid vacation. Effective July 1, 2022, the Vacation Leave set out in Section 4.5.1 of the Agreement is hereby amended to provide that Manager shall accrue vacation leave at the rate of four (4) weeks per year, in addition to recognized Town holidays. Upon termination or resignation from employment or the non-renewal of this Agreement, Manager shall be paid for all accrued and unused vacation time. Furthermore, in accordance with the Town's Personnel Policies Manual, once per calendar year, Manager may elect to sell back to the Town accrued, but unused vacation.

5. Other than the amendments set forth above, no other provisions of the Agreement are amended, and all other provisions of the Agreement are in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date set forth above.

TOWN OF PORTOLA VALLEY:

JEREMY DENNIS:

Craig Hughes, Mayor

Town Manager

ATTEST:

Town Clerk

#6b

No written materials for this item

No written materials for this item

No written materials for this item

TOWN COUNCIL WEEKLY DIGEST

Thursday – April 28, 2022

1. Agenda – Ad Hoc Housing Element Committee - Monday, May 2, 2022
2. Agenda – Wildfire Preparedness Committee - Tuesday, May 3, 2022
3. Agenda – Bicycle Pedestrian & Traffic Safety Committee - Wednesday, May 4, 2022
4. Agenda - Planning Commission- Wednesday, May 4, 2022
5. Agenda – Emergency Preparedness Committee- Thursday, May 5, 2022
6. Communication – Audit Update
7. Brown Act Memo from Cara Silver April 20, 2022
8. Letter Regarding Decks from Portola Ranch Association March 22, 2022
9. Letter to Congresswoman Eshoo Re: Support for the C/CAG Laundry to Landscape Pilot Project April 19, 2022

Attached Separates (Council Only)

(placed in your Town Hall mailbox)

1. None



TOWN OF PORTOLA VALLEY

4:30 PM – Ad Hoc Housing Element Committee Meeting
Monday, May 2, 2022

**THIS MEETING IS BEING HELD
VIA TELECONFERENCE ONLY**

MEETING AGENDA

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

Below are instructions on how to join and participate in a Zoom meeting.

Join Zoom Meeting Online:

Please select this link to join the meeting:

<https://us06web.zoom.us/j/86984276464?pwd=WjlzdmduQzFIR3VMNzN3ekZaYWxhBQT09>

Or: Go to Zoom.com – Click Join a Meeting – Enter the Meeting ID

Meeting ID: 869 8427 6464 **Passcode:** 644998

Or Telephone:

1.669.900.6833

1.888.788.0099 (toll-free) Enter same Meeting ID and Passcode

*6 - Toggle mute/unmute.

*9 - Raise hand.

Remote Public Comments: Meeting participants are encouraged to submit public comments in writing in advance of the meeting. Please send an email to housing@portolavalley.net by 12:00 PM on the day of the meeting. All comments received by that time will be distributed to Committee Members prior to the meeting. All comments received are included in the public record.

We encourage anyone who has the ability to join the meeting online to do so. You will have access to any presentations that will be shown on your screen and can easily provide comments using the “raise your hand” feature when the Chair calls for them.

Approximate timeframes are provided for agenda items as a guide for the Chair, Committee Members, and the public. Actual times may vary.

Committee Members:

Jeff Aalfs - Town Council Subcommittee	Al Sill - ASCC Representative and Vice-Chair
Aimee Armsby	Jocelyn Swisher - Chair
Sarah Dorahy	Nicholas Targ - Planning Commission Representative
Erik Doyle	Bob Turcott
William Kelly	Janey Ward
Anne Kopf-Sill - Planning Commission Representative	Sarah Wernikoff - Town Council Subcommittee
Andrew Pierce - Race and Equity Committee Representative	Helen Wolter

Staff Contacts:

Laura Russell - Planning & Building Director
Dylan Parker – Assistant Planner

4:30 PM - CALL TO ORDER AND ROLL CALL

ORAL COMMUNICATIONS

Persons wishing to address the Ad Hoc Housing Element Committee on any subject not on the agenda may do so now. Please note however, that the Ad Hoc Housing Element Committee is not able to undertake extended discussion or action tonight on items not on the agenda. Comments will be limited to two minutes per person.

COMMITTEE DISCUSSION

1. Housing Sites Inventory Update and Discussion
 - a. New work product generated by staff and consultants since April 18th meeting in response to Committee feedback
 - i. Maps and Analysis
 - ii. Update on ADU Focus Group and “Opt In” to Upzoning Meeting
 - b. Committee Discussion and Recommendation On Sites Inventory

STAFF UPDATE

1. Staff updates to Committee (5 Minutes)
 - a. Upcoming Meetings:
 - i. May 9th at 7 pm - Community Meeting
 - ii. May 24th at 4:30 pm – Special Committee Meeting

APPROVAL OF MINUTES

1. Minutes of March 21, 2022 meeting

ADJOURNMENT

COMMUNICATIONS DIGEST

Public comments received since the last meeting will be distributed to the Committee at the end of each agenda packet.

AVAILABILITY OF INFORMATION

For more information on the items to be considered by the Committee, please email housing@portolavalley.net. Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours. Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall.

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only issues you or someone else raised at the Public Hearing(s) described in this agenda, or in written correspondence delivered to the Committee at, or prior to, the Public Hearing(s).



TOWN OF PORTOLA VALLEY
Wildfire Preparedness Committee
Tuesday, May 3, 2022, 4:00 PM
Virtual Meeting

SPECIAL VIDEOCONFERENCE MEETING AGENDA

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

Join Zoom Meeting:

<https://us06web.zoom.us/j/86977775360?pwd=NmM4Z2lrTm1FYncvQlpFRHNCamUvQT09>

To access the meeting by phone, dial:

1-699-900-6833

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

*Mute/Unmute - press *6 / Raise Hand - press *9*

Meeting ID: 869 7777 5360

Password: 075649

MEETING AGENDA

1. Call to Order
2. Election of new Chair
3. Oral Communications
4. Town Attorney Update on Brown Act Cease and Desist Notice and Public Records Act Request Directed to Wildland Preparedness Committee
5. Approval of Minutes of the March 1, 2022, Meeting
6. Subcommittee Updates
 - a. Vegetation Management / Home Hardening
 - * Wildfire Preparedness Fair
 - * Ready for Wildfire Sprint pilot project update
 - b. Finance / Insurance
 - c. Evacuation
7. Safety Element Update (J. Dennis)
8. Presentation and Discussion of the NIST 2205 Paper
9. Standing Items – As Needed
 - * Fire Marshal Update
 - * Staff Updates
 - * Review of Committee Correspondence / Items of Note
 - * Announce that May-7-2022 is NFPA Community Wildfire Preparedness Day
10. Next Meeting June 7, 2022
11. Adjourn



TOWN OF PORTOLA VALLEY
Bicycle, Pedestrian and Traffic Safety
Committee Meeting
Wednesday, May 4, 2022 – 8:15 AM
Zoom Teleconference

VIDEOCONFERENCE MEETING AGENDA

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

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

<https://us06web.zoom.us/j/88561294439?pwd=MnpGUkNBYnpPZ2xiVVBDWDRtM2UrUT09>

To access the meeting by phone, dial:

1-699-900-6833

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

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

Meeting ID: 885 6129 4439

Password: 195279

1. Roll Call.
2. Review/Approval of the Minutes of the April 6, 2022 Meeting
3. Resident and Committee Open Comments
4. Sheriff's report:
 - a. Accidents and Citations
 - i. Request for statistical details of tickets issued.
 - b. Request for Monitoring:
 - i. Speeding
 - ii. Stop sign violations.
5. Public Works Update:
 - a. General update
 - b. Request for progress on Design and Engineering of Recommended new pedestrian safety facilities
6. Ongoing Committee Business
 - a. Discussion of Committee Charter and Town rules pertaining to definition of a committee Quorum. "This Committee Seeks clarification and possible amendment of the Town Rules defining Committee Quorum as a majority of the Committee size defined by its charter. A majority relative to the active membership would seem more appropriate"
 - b. Portola Valley Housing Element (HE) update Discussion of Committee Priorities and concerns.
7. Events:
 - a. Bike to work Month, May 2022
 - b. Zots to Tots 2022
8. Matters Arising
9. Next meeting scheduled June 1st 2022. Default time 8:15 AM, Via Zoom

Adjournment



TOWN OF PORTOLA VALLEY

7:00 PM – Special Meeting of the Planning Commission
Wednesday, May 4, 2022

**THIS SPECIAL MEETING IS BEING HELD
VIA TELECONFERENCE ONLY**

SPECIAL MEETING AGENDA

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

Below are instructions on how to join and participate in a Zoom meeting.

Join Zoom Meeting Online:

Please select this link to join the meeting:

<https://us06web.zoom.us/j/89057722849?pwd=d3dmbG50UXBhcGZNSTBPVnlvZmpTUT09>

Or: Go to Zoom.com – Click Join a Meeting – Enter the Meeting ID

Meeting ID: 890 5772 2849 **Passcode:** 407307

Or Telephone:

1.669.900.6833

1.888.788.0099 (toll-free) Enter same Meeting ID

*6 - Toggle mute/unmute.

*9 - Raise hand.

The Draft EIR and all documents incorporated by reference in the Draft EIR are available for public review at Portola Valley Town Hall (765 Portola Road, Portola Valley, CA 04028) and may be viewed on the Town's website at www.portolavalley.net/projects. Interested persons are invited to appear before the Planning Commission to be heard at the time and place mentioned above. Written comments on the Draft EIR may be sent by email to stanfordeir@portolavalley.net. All comments received are included in the public record.

We encourage anyone who has the ability to join the meeting online to do so. You will have access to any presentations that will be shown on your screen and can easily provide comments using the "raise your hand" feature when the Chair calls for them.

7:00 PM - CALL TO ORDER AND ROLL CALL

Commissioners Hasko, Targ, Taylor, Vice-Chair Goulden, Chair Kopf-Sill

ORAL COMMUNICATIONS

Persons wishing to address the Planning Commission on any subject not on the agenda may do so now. Please note, however, that the Planning Commission is not able to undertake extended discussion or action tonight on items not on the agenda. Comments will be limited to three minutes.

PUBLIC HEARING

1. **Draft Environmental Impact Report (Draft EIR) for the Stanford Wedge Housing Project** located at 3530 Alpine Road, APN 077-281-020. The Draft EIR is available for public review and comment through May 13, 2022. Verbal comments may be presented at the public hearing.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

2. Commission Reports
3. Staff Reports
 - a. Housing Element Update
 - b. Safety Element Update

APPROVAL OF MINUTES

4. Planning Commission Meeting of February 2, 2022

ADJOURNMENT

ASSISTANCE FOR PEOPLE WITH DISABILITIES

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PUBLIC HEARINGS

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TOWN OF PORTOLA VALLEY
Regular Meeting of the
Emergency Preparedness Committee
Thursday, May 5, 2022 - 8:00 AM
Via Zoom
765 Portola Road, Portola Valley, CA 94028

MEETING AGENDA

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

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To access the meeting by phone, dial:

1-699-900-6833

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

*Mute/Unmute – press *6*

*Raise Hand – press *9*

Webinar ID: 884 9883 4078

Password: 176324

1. 8:00 Call to order
 - Members: Dave Howes, Dale Pfau/Chair, Chris Raanes, Ray Rothrock, Jerry Shefren, Craig Taylor, Bud Trapp, Vic Schachter, Marianne Plunder, Rob Younge, Lynn Eisberg
 - Guests: John Richards/Town Council, Rob Lindner and Selena Brown WFPD
2. 8:01 Roll Call
3. 8:03 Oral Communications
 - Note that issues brought up under oral communications that are not on the agenda will be limited to 2 minutes
4. 8:05 Review and approval of minutes;
 - Motion; Approve minutes of March 3, 2022
 - Appointment of Secretary
5. 8:06 Welcome New Member

- Lynn Eisberg
- 6. 8:07 Election of Vice-Chair
- 7. 8:10 WPV-CERT/WFPD Report (Brown/Lindner)
- 8. 8:17 Town Report (Dennis)
 - Ray Rothrock agreement
 - Update on AM Radio Signs
 - Update on Backup for Town Internet
 - Update on Cal Water site – AM Radio relocation
- 9. 8:25 AM Radio Sign Discussion (Pfau)
 - Approval by EPC in October 2021
 - Do we need a subcommittee?
- 10.8:37 Update – Town medical supplies and CERT medical supplies (Shefren/Brown/Taylor)
- 11.8:40 Update on VEOCi CERT Demo on 22 April (Taylor/Rothrock/Brown)
- 12.8:45 Update on CERT Command Post Exercise held on 30 April (Raanes/Shefren)
- 13.8:45 Subcommittee Reports
 - Communications (Rothrock)
 - Evacuation (Younge)
 - Neighborhood Outreach (Schachter)
 - CERT/Town/Woodside Integration Committee (Raanes)
 - WPV-Ready Liaison (TBD)
- 14.9:00 Next regular meeting is June 2, 2022
 - Quorum Check
 - Second Special Meeting for review of Safety Element
 - Call for Agenda Items for next meeting
 - Upcoming Activities
 - May 17 – Special EPC Meeting 4-6 pm Safety Element
 - June 25 – Annual Communications and Safety Day
- 15.9:00 Adjourn

Audit Update

FY 2019-20 Audit

The FY 2019-20 Town fiscal audit has been delayed from its normal completion approximately seven to nine months after the completion of the previous fiscal year (typically accepted by the Town Council in January-March). Reasons for the delay include impacts from COVID (inability to have audit staff visit during closure of facilities), changes to the process for submitting materials to the auditors due to COVID (scanning documents), managing two fiscal systems during a transition from a legacy product to OpenGov, scheduling challenges, and staffing challenges.

The FY 2019-20 audit is expected to be completed for review by the end of June.

FY 2020-21 Audit

The FY 2020-21 Town fiscal audit has been delayed by a few months completion. It is expected to be completed by September of this year.

FY 2021-22 Audit

The FY 2021-22 Town fiscal audit is expected to be completed during the typical January-March 2023 timeframe.

COVID Funds Audit

Federal auditing for American Rescue Plan Act funds are not included in the above audits as they are audited by the Federal Government. The first-round audit is underway and expected to be submitted to the Federal Government in the next week.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Town Council, Commission and Committee Chairs and Staff Liaisons

FROM: Cara Silver, Town Attorney

DATE: April 20, 2022

RE: Brown Act, Meeting Procedures and Quorum Issues

Recently there have been some questions regarding the Brown Act, meeting procedures and quorum issues. This memorandum addresses those questions.

Brown Act

The Brown Act is California's sunshine law and covers members of virtually every type of local government body, elected or appointed, decision-making or advisory. The Brown Act provides in relevant part: "All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter."¹ The express purpose of the Brown Act is to assure that local government agencies conduct the public's business openly and publicly. The Brown Act also gives the public the right to participate in meetings. Residents and other individuals have the right to attend and participate in public meetings. To facilitate public participation, the Brown Act requires an agenda be posted in advance of meetings, limits discussion and action to matters listed on the agenda, and requires meeting materials be made available. Legislative bodies may, however, adopt reasonable regulations on public testimony and the conduct of public meetings. In order to facilitate a robust and comprehensive discussion by the legislative body, virtually every town and city limits speaker time for members of the public.

Meetings subject to the Brown Act are not limited to face-to-face gatherings. They also include any communication medium or device through which a majority of a legislative body discusses, deliberates or takes action on an item of business outside of a noticed meeting. Remote meetings and new communication technologies present new Brown Act challenges. For example, common email practices of forwarding or replying to messages can easily lead to a serial meeting prohibited by the Brown Act, as can participation by members of a legislative body in an internet chatroom or blog dialogue. Communicating during meetings using electronic technology (such as laptop computers, tablets, or smart phones) may create the perception that private communications are influencing the outcome of decisions; some state legislatures have

¹ Government Code § 54953(a).

banned the practice although it is currently not prohibited under the Brown Act. On the other hand, widespread cablecasting and web streaming of meetings has greatly expanded public access to the decision-making process.

The Brown Act applies to the Town Council, the Planning Commission, the Architectural Site Control Commission (ASCC) and all committees created by formal action of the Town Council. It does not apply to the Town Manager and his staff. I am attaching two Brown Act resources to this memorandum. Chairs of all committees should be familiar with the Brown Act and help ensure that your committee complies with its provisions. If your committee would like additional Brown Act training, please contact the Town Manager and we will try to arrange it.

Meeting Procedures

The Town Council has adopted a [Policies and Procedures Handbook](#) for Commission and Advisory Committees (Handbook). The Handbook incorporates the Brown Act and contains additional meeting procedures. The Town Council also follows the procedures in the Handbook. While Town committees oftentimes operate more informally than Council, having consistent meeting procedures helps commissions and committees comply with the Brown Act and assures open meetings and public participation. Chairs and committee members should also be familiar with the procedures in the Handbook.

The Council has also adopted two policies governing public participation. The [Council Public Speaking Rules](#) is tailored to Town Council meetings and the [Decorum Policy](#) applies to all public meetings. To participate in a public meeting subject to the Brown Act, a member of the public is no longer required to disclose their name or address.²

The Town Council updates the Handbook and the Decorse policies from time to time.

Quorum

A quorum is defined as the minimum number of members of a group or committee required to be in attendance to convene a meeting and take official action. State law specifies a quorum is at least three members for a five-member Town Council.³ A quorum of members necessary to convene a meeting is distinguishable from the number of votes needed to pass a motion or take action. In the absence of a contrary statutory provision, the number of votes required to take action is a majority of a quorum (i.e. 2-1 vote). For Town Council, the number of votes needed to take certain actions (such as adopt a resolution or order payment of money) requires a majority of the membership (i.e. 3 affirmative votes needed).⁴ And an urgency ordinance requires a super-majority (i.e. 4 affirmative votes).⁵

State law does not contain a definition of quorum for town commissions or committees. Instead, the quorum definition is contained in the Handbook: "Definition of a quorum: A quorum is a majority in attendance of all committee members as listed on the committee roster."⁶ In the past, we have interpreted this definition consistent with the definition applicable to the Town Council under State law. In other words, a quorum is a majority of the committee members as

² There are special Brown Act rules authorizing and regulating remote meetings which were necessitated by the COVID 19 state of emergency. If a Brown Act public meeting is conducted entirely by remote access, members of the public cannot be required to register in advance to access the meeting. This particular requirement does not apply to standard remote platform sign-ins (i.e. zoom registration). Nor does it apply to non-Brown Act meetings, such as community outreach meetings.

³ Government Code § 36810.

⁴ Government Code § 36936.

⁵ Government Code § 36937(b).

⁶ Handbook, p. 11.

established by the committee charter, whether the positions are filled or vacant.⁷ Thus, if a town committee has 9 members according to its charter, a quorum would be 5 members, even if three positions were vacant.⁸

As committees may not take any action unless there is a quorum present, the Handbook advises the members to “disband and the meeting should not be held.”⁹ In order to avoid unintentional Brown Act violations, our advice is to disband the meeting when there is not a quorum.

* * *

If you have further questions regarding these issues, please contact the Town Manager or me. I can be reached at ces@jsmf.com.

Enclosures:

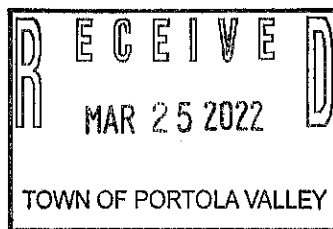
[League of Cities, Brown Act Basics 2021](#)

[Open & Public V, Brown Act, 2016](#)

⁷ The Council is free to change the definition of quorum. Given the large number of committees and recent difficulties in obtaining quorums, the Council may want to revisit this definition during the next Handbook update.

⁸ If a committee is having difficult filling its quorum, we suggest the committee request their charter be amended to reduce the number of committee members. In addition, the Handbook has regulations regarding chronic absences by committee members.

⁹ Handbook, p. 11.



March 22, 2022

Dear Members of the Portola Valley Town Council and Town Staff,

In response to the Urgency Ordinance on Home Hardening passed by Council on December 8, 2021, the Portola Ranch Association and its Fire Risk Management Committee respectfully request the following:

That Council act promptly to reverse or waive the provision of the Urgency Ordinance requiring only noncombustible materials be used to repair or replace decks of existing structures.

Reasoning:

- The benefit/cost equation is upside down. The purported benefit of this prohibition, intended to reduce the likelihood of decks igniting and spreading fire to attached structures, is far outweighed by the likelihood that residents will postpone repair or replacement of existing decks to avoid the cost and complications of using only noncombustible materials. And it's not just materials, the additional engineering and costs to properly support these structures will be a disincentive to making improvements. This does not contribute to safety.
- Good alternatives exist, and are approved for other applications (roofs). Many decks are well above ground and unlikely to be ignited by a ground fire. Firebrands or flying embers may ignite a combustible deck, but less costly methods and materials (for example, Azek) are available with robust fire ratings that would greatly reduce ignition potential for decks of any height. Homeowners should be encouraged, not prevented, to perform deck replacements and upgrades with such materials.
- Increased seismic risk. Placing large amounts of heavy and inflexible materials such as tile, stone, or concrete in deck structures increases the risk of collapse and damage both to the structures on which they are attached and to neighboring structures on which they may fall. Homeowners will be rightfully reluctant to enable such a dangerous outcome.

In summary, the Urgency Ordinance provisions as they relate to decks and deck materials, including the cladding requirement for the underside of low decks, are a textbook example of unintended consequences and perfect-as-the-enemy-of-good. Good fuel reduction practices and the use of highly rated materials will do much more to improve our safety.

Respectfully submitted,

Jon Keller, President Portola Ranch Association

Mac Irvin, Chair Fire Risk Management Committee



TOWN of PORTOLA VALLEY

Town Hall: 765 Portola Road, Portola Valley, CA 94028 - Tel: (650) 851-1700 Fax: (650) 851-4677

April 19, 2020

Honorable Anna G. Eschoo
272 Cannon House Office Building
Washington, DC 20515

RE: Support for the C/CAG Laundry to Landscape Pilot Project

Dear Congresswoman Eshoo,

I write in support of the City and County Association of Governments (C/CAG) of San Mateo County's Community Project Funding Request of \$420,000 for the San Mateo County Laundry-to-Landscape Pilot Project. The project will conserve clean drinking water and promote community resiliency by piloting permitless Laundry to Landscape (L2L) graywater systems on ten homes and launching an educational campaign to encourage widespread adoption of L2L systems.

As you know, the Town of Portola Valley is a leader in sustainability efforts and appreciates any opportunity to support new programs and projects. While the Town has adopted a successful water efficient landscape ordinance (WELO) that has reduced irrigated lands, this Pilot Project will further reduce water consumption with little maintenance and relatively low installation costs for the Town's residents.

Other important aspects of the Town's commitment to such resiliency efforts:

- During the last drought, the PV Sustainability Committee promoted water conservation programs and even published a Greywater Recycle Manual for the community. Consequently, our town of mostly large landscaped properties reduced their water use by 35%.
- Portola Valley will be the first municipality in the Cal Water Bear Gulch District to have AMI (Advanced Metering Infrastructure) installed. These are smart water meters that can tell a homeowner exactly how much water is being used in real time, critically important in a community with large irrigated properties where massive leaks can go undetected for a month. Town staff and Council worked closely with Cal Water and the CPUC for eight years to be granted the opportunity to have AMI installed in our town.
- Councilmember Maryann Derwin is Chair of the CCAG Resource Management Climate Protection Committee where the L2L program was vetted over multiple meetings to committee members and the public, a group representing BAWSCA, Sustainable San Mateo County, PG&E and the Loma Prieta Chapter of the Sierra Club, among others. The program received wide support.

As you know, San Mateo County currently falls within the “D2: Severe Drought” category and conservation action is needed to mitigate the impacts of the growing drought. With outdoor water use accounts of about half of residential water use in San Mateo County, and graywater systems can lower clean drinking water consumption by 16-40%; water conservation is critical to the resilience of our region, and this educational campaign will promote cost-effective actions that help to conserve water without reducing indoor consumption.

Portola Valley is ready to be an active partner in the L2L project, and is committed to publicizing the L2L pilot program, informing our constituents or members about the benefits of L2L systems, working to increase adoption of L2L systems beyond the project period.

Thank you for your consideration of this important project.

Sincerely,



Jeremy Dennis
Town Manager, Portola Valley

cc: Town Council
Portola Valley Sustainability Committee

TOWN COUNCIL WEEKLY DIGEST

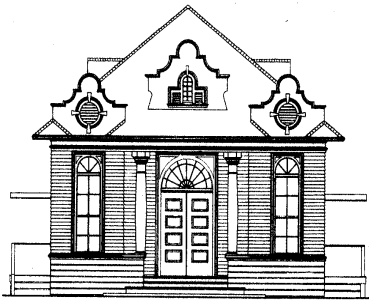
Thursday – May 5, 2022

1. Agenda (Cancellation) – Architectural & Site Control Commission Monday May 9, 2022
2. Agenda – Race and Equity Committee Tuesday, May 10, 2022
3. Agenda – Geologic Safety Committee Wednesday, May 11, 2022
4. Agenda – Cultural Arts Committee Thursday, May 12, 2022
5. Agenda (Cancellation) – Nature and Science Committee Thursday, May 12, 2022
6. Flyer - Housing Element Community Meeting Monday May 9, 2022
7. Flyer - San Mateo County Civil Grand Jury Applications
8. Portola Valley Bill Report – April 29, 2022

Attached Separates (Council Only)

(placed in your Town Hall mailbox)

1. None



TOWN OF PORTOLA VALLEY

**4:00 PM – Special Meeting of the Architectural and Site Control
Commission (ASCC)**

Monday, May 9, 2022

Historic Schoolhouse

765 Portola Road, Portola Valley, CA 94028

NOTICE OF MEETING CANCELLATION

**ARCHITECTURAL AND SITE CONTROL COMMISSION
MEETING REGULARLY SCHEDULED FOR**

Monday, May 9, 2022

Notice is hereby given that the Portola Valley Architectural and Site Control Commission meeting regularly scheduled for May 9, 2022 has been cancelled.

The next meeting of the Portola Valley Architectural and Site Control Commission is scheduled for Monday, May 23, 2022 at 4:00 PM.



**Town of Portola Valley
Race & Equity Committee
Tuesday, May 10, 2022 – 7:00 PM**

Special Videoconference Meeting via Zoom

VIDEOCONFERENCE MEETING AGENDA

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

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

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Phone into Zoom Meeting:

1-669-900-6833

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

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

Meeting ID: 861 1643 5371

Password: 034036

1. Call to Order
2. Roll Call
3. Oral Communications for items not on the agenda
4. Approve Meeting Minutes for March 8, 2022
5. Old Business:
 - 1) Changing meeting time; quorum requirements
 - 2) Subcommittee updates (Housing element, Housing subcommittee, Town seal, Town policies, etc.)
 - 3) Year-long calendar proposal (Patt Baenen)
 - 4) Supporting monthly demonstration (update from Judy Murphy)
 - 5) Commemorating George Floyd anniversary of murder: May 25 (update from Judy Murphy)
6. New Business:
 - 1) Inclusionary Housing Fund
7. Next Scheduled Meeting, June 14, 2022, 7 PM
8. Adjournment



Town of Portola Valley
Special Geologic Safety Committee
Wednesday, May 11, 2022 – 10:00 AM

Special Videoconference Meeting via Zoom

VIDEOCONFERENCE MEETING AGENDA

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1-669-900-6833

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

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

Meeting ID: 869 3757 3357

Password: 016483

1. Call to Order
2. Oral Communications (Anyone wanting to address the Committee on an item not on the agenda)
3. New Business
 - a. Portola Valley Safety Element - Draft Geologic/Seismic/Flooding Memo
4. Adjournment:



TOWN OF PORTOLA VALLEY
Cultural Arts Committee Meeting
May 12, 2022
1:00 PM via Zoom

CULTURAL ARTS COMMITTEE MEETING AGENDA

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

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

Join Zoom Meeting

<https://us06web.zoom.us/j/88378368947?pwd=bVpUQStuSUEwUTJBa2kvU25sVVhyd09>

Phone into Zoom:

1-669-900-6833

1-877-853-5247 (toll free)

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

Meeting ID: 883 7836 8947

Password: 619752

- 1. Call to Order & Roll Call**
- 2. Oral Communications (anything not currently on the agenda)**
- 3. Approval of prior meeting minutes:**
 - Thursday April 21, 2022, via Zoom
- 4. New May 2022 Business:**
 - Update from Phil Barth on Leslie Field's proposed pre-recorded audio for her fundraising online event
 - Budget Update
 - Kids Movie Night – Update from Heidi
 - PV PALOOZA Planning & Fundraising
 - Summer Concert Series 2022 Updates
 - Local artists collection and photography / archives – Sue Chaput

- Update from Subcommittee (Sue, Phil, Mimi, Jerrie)

Other Business: None

Announcements: None

Date & Time of Next Meeting: June 9, 2022 (normally scheduled date)

Adjournment: 2:00 PM



Town of Portola Valley
Nature and Science Committee Special Meeting

Notice of Cancellation

NOTICE OF MEETING CANCELLATION

NATURE & SCIENCE COMMITTEE MEETING

Scheduled for Thursday, May 12, 2022

The next regular meeting of the Nature and Science Committee
is scheduled for Thursday, June 9, 2022.



HOUSING ELEMENT UPDATE: COMMUNITY MEETING

The Town of Portola Valley is updating its Housing Element for the years 2023 to 2031. This Housing Element update will create a plan for all the policies and programs related to housing.

Join your friends and neighbors to hear about the progress of the Ad Hoc Housing Element Committee and provide feedback on potential sites for new housing. The meeting will include a presentation followed by break out rooms where smaller groups of residents will have a chance to provide feedback.

**Please pre-register so that staff can plan the meeting;
we are expecting a big turnout!**

MONDAY, MAY 9, 2022
7:00 TO 8:30 PM, on Zoom



Join online:

Pre-register at bit.ly/PortolaHE2*

Join by phone:

+1 (669) 900-6833

Meeting ID 833-7958-5161

*After registering, you will receive an email with your meeting link. Attendees will still be able to register and join the meeting after 7:00 pm on 5/9.



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Do you want to improve local
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Spend up to 15-20 hours
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SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO
400 COUNTY CENTER
REDWOOD CITY, CA 94063

NANCY L. FINEMAN
JUDGE

April 22, 2022

NEWS RELEASE

The Honorable Nancy L. Fineman of the San Mateo County Superior Court announced that the application deadline to serve on the 2022-2023 Civil Grand Jury has been extended to May 31, 2022. Judge Fineman made the announcement as the appointed Civil Grand Jury Advisor for the next grand jury term, which will commence on July 1, 2022, and end on June 30, 2023.

“Any U.S. citizen and San Mateo County resident, 18 years of age or older, of ordinary intelligence, sound judgment and good character, with sufficient knowledge of the English language” is eligible for selection by Judge Fineman. Elected public officials are not eligible.

This is a terrific opportunity to get involved with other citizens in San Mateo County as the Grand Jury investigates issues in the County, cities, special districts, school districts and public health care organizations. Previous reports the Grand Jury has issued are available on the San Mateo County Superior Court website. We need citizens who want to give back to the community. Come be a part of it!

The Court encourages all interested individuals to apply. The Court strives to obtain a cross section of the county population. After the completion of an interview process by Judge Fineman, jurors will be selected through a random draw.

Application forms can be obtained on-line at:
http://sanmateocourt.org/court_divisions/grand_jury/ or by e-mailing
grandjury@sanmateocourt.org.

###

Portola Valley Lobbyist Bill Tracker

Friday, April 29, 2022

Code Enforcement

[AB 2560](#) (Bonta, Mia D) Housing: blighted and tax defaulted property.

Introduced: 2/17/2022

Status: 4/28/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (April 27).

Summary: The Planning and Zoning Law, sets forth various requirements relating to the development of property in local jurisdictions. This bill would require every city, including a charter city, every county, and every city and county that has blighted property, as defined, in its jurisdiction to develop and execute a plan to, among other things, identify blighted properties through code enforcement, nuisance abatement, and tax delinquency.

[AB 2597](#) (Bloom D) Dwelling unit standards.

Introduced: 2/18/2022

Status: 4/28/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (April 27).

Summary: Current law requires that any building with a dwelling unit maintain certain characteristics in order to be tenantable, including the maintenance of adequate heating that conforms to the standard of quality set by applicable law. This bill would require that any building with a dwelling unit also maintain adequate cooling, as specified.

[SB 1194](#) (Allen D) Public restrooms: building standards.

Introduced: 2/17/2022

Status: 4/28/2022-Read second time. Ordered to third reading.

Summary: Would authorize a city, county, or city and county to require, by ordinance or resolution, that public restrooms constructed within its jurisdiction comply with specified requirements instead of complying with the plumbing standards set forth in the California Building Standards Code. This bill would, except as specified, require public restroom facilities to be designed to serve all genders, as specified. The bill would give a city, county, or city and county discretion to exclude certain occupancies from the bill's requirements.

COVID-19

[AB 2693](#) (Reyes D) COVID-19: exposure.

Introduced: 2/18/2022

Status: 4/28/2022-Read second time. Ordered to third reading.

Summary: The California Occupational Safety and Health Act of 1973 authorizes the Division of Occupational Safety and Health to prohibit the performance of an operation or process, or entry into that place of employment when, in its opinion, a place of employment, operation, or process, or any part thereof, exposes workers to the risk of infection with COVID-19, so as to constitute an imminent hazard to employees. Current law requires a notice of the prohibition to be posted in a conspicuous location at the place of employment and makes violating the prohibition or removing the notice, except as specified, a crime. Current law requires that the prohibition be issued in a manner so as not to materially interrupt the performance of critical governmental functions essential to ensuring public health and safety functions or the delivery of electrical power, renewable natural gas, or water. Current law requires that these provisions not prevent the entry or use, with the division's knowledge and permission, for the sole purpose of eliminating the dangerous conditions. This bill would extend those provisions until January 1, 2025.

[SB 871](#) (Pan D) Public health: immunizations.

Introduced: 1/24/2022

Status: 2/24/2022-Referral to Com. on JUD. rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.

Summary: Current law prohibits the governing authority of a school or other institution from unconditionally admitting any person as a pupil of any public or private elementary or secondary school, childcare center, day nursery, nursery school, family day care home, or development center, unless prior to their admission to that institution they have been fully immunized against various diseases, including measles, mumps, pertussis, hepatitis B, and any other disease deemed appropriate by the State Department of Public Health, as specified. Current law authorizes an exemption from those provisions for medical reasons. Under existing law, notwithstanding the above-

described prohibition, full immunization against hepatitis B is not a condition by which the governing authority admits or advances a pupil to the 7th grade level of a public or private elementary or secondary school. This bill would remove the above-described exception relating to hepatitis B. The bill would additionally prohibit the governing authority of a school or other institution from unconditionally admitting any person as a pupil of any public or private elementary or secondary school, childcare center, day nursery, nursery school, family day care home, or development center, unless prior to their admission to that institution they have been fully immunized against COVID-19.

Economic Development

[AB 1864](#) ([Gipson D](#)) **Income taxation: credits: small business employers.**

Introduced: 2/8/2022

Status: 4/19/2022-Re-referred to Com. on REV. & TAX.

Summary: The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill, under both laws, for taxable years beginning on or after January 1, 2023, and before January 1, 2028, would allow a credit against those taxes to qualified small business employers in an amount equal to \$434 for each newly hired employee, as specified, whose permanent place of residence is within a 5-mile radius of the employee's primary worksite.

Elections

[AB 2582](#) ([Bennett D](#)) **Recall elections: local offices.**

Introduced: 2/18/2022

Status: 4/28/2022-From committee: Amend, and do pass as amended. (Ayes 5. Noes 1.) (April 27).

Summary: Current law requires a recall election to include the question of whether the officer sought to be recalled shall be removed from office and an election for the officer's successor in the event the officer is removed from office. This bill would instead require a recall election for a local officer to include only the question of whether the officer sought to be recalled shall be removed from office. If a local officer is successfully removed from office in a recall election, the bill would provide that the office becomes vacant and would require it to be filled according to law.

[SCA 6](#) ([Newman D](#)) **Elections: recall of state officers.**

Introduced: 1/3/2022

Status: 3/23/2022-Re-referred to Com. on E. & C.A.

Summary: Would provide, in the event an officer is removed in a recall election, for the office to remain vacant until a successor candidate to hold the unexpired term of the office receives a majority of votes at a special election, or for the office to remain vacant for the remainder of the term if the nomination period for the subsequent term of that office has closed. The measure would allow an officer who was the subject of the recall election to be a candidate in the special election. The measure would require the Legislature to enact laws providing for the election of a successor. This bill contains other existing laws.

Emergency Services

[AB 1721](#) ([Rodriguez D](#)) **California Emergency Services Act: emergency preparedness: mutual aid: seismic retrofitting soft story multifamily housing.**

Introduced: 1/27/2022

Status: 4/5/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 4). Re-referred to Com. on APPR.

Summary: Would establish the Emergency Medical Services Mutual Aid Program, to be administered by the Office of Emergency Services (OES), to support local government efforts in responding to surges in demand for emergency medical services and provide effective mutual aid during disasters, as defined. The bill would, upon appropriation by the Legislature, require OES to provide noncompetitive grant funding to local governments, special districts, and tribes for the purpose of acquiring emergency medical services, as specified. The bill would also require OES to provide an annual report to the Legislature regarding the program, as specified. The bill would, upon appropriation by the Legislature, require the Controller to transfer \$50,000,000 to the Director of Emergency Services to effectuate these provisions.

[AB 2238](#) ([Rivas, Luz D](#)) **Extreme heat: statewide extreme heat ranking system.**

Introduced: 2/16/2022

Status: 3/30/2022-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes

10. Noes 0.) (March 30). Re-referred to Com. on APPR.

Summary: Would require the California Environmental Protection Agency, by January 1, 2024, to develop a statewide extreme heat ranking system in coordination with Integrated Climate Adaptation and Resiliency Program (ICARP) and the Department of Insurance, as provided. The bill would also require the department, by January 1, 2024, to submit a study of the insured and uninsured costs related to past extreme heat events to the appropriate legislative policy and budget committees, the agency, and ICARP. The bill would require ICARP to develop a public communication plan for the statewide extreme heat ranking system, recommend partnerships with, and develop statewide guidance for, local and tribal governments in the preparation and planning for extreme heat events, and recommend heat adaptation measures, as specified.

[AB 2477](#) ([Rodriguez D](#)) Emergency alert and warning service providers: minimum operating standards.

Introduced: 2/17/2022

Status: 4/26/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (April 25). Re-referred to Com. on APPR.

Summary: The California Emergency Services Act establishes the Office of Emergency Services (OES) in the office of the Governor and makes the OES responsible for the state's emergency and disaster response services, as specified. Current law, on or before July 1, 2022, requires the OES, in consultation with specified entities, to develop voluntary guidelines for alerting and warning the public of an emergency, and requires the OES to provide each city, county, and city and county with a copy of the guidelines. This bill, on or before July 1, 2023, would require the OES, by regulation, to adopt minimum operating standards for private sector companies that provide alert and warning services to local entities and determine the appropriate thresholds for the provider of alert and warning services to report disruptions in service. Upon adoption of those regulations, the bill would require all providers of alert and warning services to notify the OES if a disruption in service or cybersecurity incident occurs. The bill would make the OES responsible for notifying any applicable county office of emergency services, the sheriff of any county, and any public safety answering point affected by the disruption of service.

Finance/Tax

[AB 1610](#) ([Lackey R](#)) State mandates: claims.

Introduced: 1/5/2022

Status: 1/14/2022-Referred to Com. on L. GOV.

Summary: The California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, requires the state to provide a subvention of funds to reimburse the local government, unless an exception applies. Statutory provisions that establish procedures for making that reimbursement include a requirement that no claim shall be made or paid unless it exceeds \$1,000. This bill would change the minimum claim amount to \$800.

Health & Human Services

[ACA 11](#) ([Kalra D](#)) Taxes to fund health care coverage and cost control.

Introduced: 1/5/2022

Status: 1/6/2022-From printer. May be heard in committee February 5.

Summary: Would impose an excise tax, payroll taxes, and a State Personal Income CalCare Tax at specified rates to fund comprehensive universal single-payer health care coverage and a health care cost control system for the benefit of every resident of the state, as well as reserves deemed necessary to ensure payment, to be established in statute. The measure would authorize the Legislature, upon an economic analysis determining insufficient amounts to fund these purposes, to increase any or all of these tax rates by a statute passed by majority vote of both houses of the Legislature.

Homelessness

[AB 2211](#) ([Ting D](#)) Shelter crisis: homeless shelters.

Introduced: 2/15/2022

Status: 4/28/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (April 27).

Summary: Current law, among other things, exempts from the California Environmental Quality Act specified actions by a state agency or a city, county, or city and county relating to land owned by a

local government to be used for, or to provide financial assistance to, a homeless shelter constructed pursuant to these provisions, and provides that homeless shelters constructed or allowed pursuant to these shelter crisis declarations are not subject to specified laws, including the Special Occupancy Parks Act. Current law defines a "homeless shelter" as a facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless that is not in existence after the declared shelter crisis. Current law provides that a temporary homeless shelter community may include supportive and self-sufficiency development services and that a homeless shelter includes a parking lot owned or leased by a city, county, or city and county specifically identified as one allowed for safe parking by homeless and unstably housed individuals. Current law repeals these provisions as of January 1, 2026. This bill would remove the repeal date from these provisions. This bill would provide that a city, county, or city and county is in a shelter crisis if the number of unsheltered homeless persons that comprises the total homeless population within the jurisdiction of the city, county, or city and county is greater, as a percentage, than the combined average of the 49 states in the United States not including California, as determined by the Department of Housing and Community Development, as specified.

AB 2325 (Rivas, Luz D) Coordinated homelessness response: Office of the Interagency Council on Homelessness.

Introduced: 2/16/2022

Status: 4/26/2022-Re-referred to Com. on APPR.

Summary: Current law requires the Governor to establish the California Interagency Council on Homelessness, formerly known as the Homeless Coordinating and Financing Council, and to appoint specified members of that coordinating council. Current law requires agencies and departments administering state programs created on or after July 1, 2017, to collaborate with the council to adopt guidelines and regulations to incorporate core components of Housing First, as defined. Current law establishes the goals of the council, which include identifying mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California. Current law requires that the coordinating council be under the direction of an executive director, who is under the direction of the Business, Consumer Services, and Housing Agency, and staffed by employees of that agency. This bill would place the California Interagency Council on Homelessness under the jurisdiction of the Office of the Interagency Council on Homelessness, which the bill would establish within the Governor's office, under the control of a director, on or before September 30, 2023.

AB 2339 (Bloom D) Housing element: emergency shelters: regional housing need.

Introduced: 2/16/2022

Status: 4/28/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (April 27).

Summary: The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city that includes a housing element. Current law requires that the housing element identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and make adequate provision for the existing and projected needs of all economic segments of a community. Current law also requires that the housing element include an analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels. This bill would revise the requirements of the housing element, as described above, in connection with zoning designations that allow residential use, including mixed use, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The bill would prohibit a city or county from establishing overlay districts to comply with these provisions.

AB 2483 (Maienschein D) Housing for individuals experiencing homelessness.

Introduced: 2/17/2022

Status: 4/27/2022-In committee: Set, first hearing. Referred to suspense file.

Summary: Would require the Department of Housing and Community Development, by December 31, 2023, to award incentives, as specified, to Multifamily Housing Program project applicants that agree to set aside at least 25% of the project's units for individuals that are either experiencing homelessness or eligible to receive specified services, including, among others, those received under the Program of All-Inclusive Care for the Elderly. The bill would also require the department to partner with the State Department of Health Care Services to determine the most effective way to align qualifying services in housing projects funded by the Multifamily Housing Program. The bill would require the department to assess tenant outcomes and engage with an evaluator to identify specified information with respect to projects receiving incentives under these provisions, including the number and demographics, including age, race, or ethnicity, and presubsidy housing status, of people being served.

AB 2485 (Choi R) California Environmental Quality Act: exemption: emergency shelters and supportive housing.

Introduced: 2/17/2022

Status: 3/10/2022-Referred to Coms. on NAT. RES. and H. & C.D.

Summary: CEQA includes exemptions from its environmental review requirements for numerous categories of projects. This bill would exempt from the requirements of CEQA emergency shelters and supportive housing, as defined.

[AB 2547](#) ([Nazarian D](#)) **Housing Stabilization to Prevent and End Homelessness Among Older Adults and People with Disabilities Act.**

Introduced: 2/17/2022

Status: 4/20/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (April 19). Re-referred to Com. on APPR.

Summary: Would, upon appropriation by the Legislature, require the California Department of Aging, by December 31, 2023, to create and administer the Housing Stabilization to Prevent and End Homelessness Among Older Adults and People with Disabilities Program. The bill would require the department, in administering the program, to offer competitive grants to nonprofit community-based organizations, continuums of care, and public housing authorities to administer a housing subsidy program for older adults and persons with a disability that are experiencing homelessness or at risk of homelessness, as those terms are as defined. The bill would require the department, in establishing program guidelines, to prioritize communities where renters face high rates of poverty, displacement, gentrification, and homelessness.

[AB 2569](#) ([Nguyen R](#)) **Department of Homelessness Prevention, Outreach, and Support.**

Introduced: 2/18/2022

Status: 4/27/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (April 26). Re-referred to Com. on APPR.

Summary: Would require the California Health and Human Services Agency to convene a working group that includes representatives from all departments and agencies that currently receive funding relating to services for homeless individuals. The bill would require the working group to determine the best approach to creating a Department of Homelessness Prevention, Outreach, and Support and to submit its findings and recommendations to the Legislature no later than January 1, 2024. The bill would repeal these provisions on January 1, 2024.

[AB 2630](#) ([O'Donnell D](#)) **Housing: California Interagency Council on Homelessness: report.**

Introduced: 2/18/2022

Status: 4/28/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (April 27). Re-referred to Com. on APPR.

Summary: Current law establishes various programs to assist local governments in addressing homelessness, such as the Homeless Emergency Aid Program and the Homeless Housing, Assistance, and Prevention program. Current law requires applicants to that program to submit specified information to the council, including a local landscape analysis that assesses the current number of people experiencing homelessness and existing programs and funding that address homelessness within the jurisdiction, utilizing any relevant and available data from the Homeless Data Integration System, the United States Department of Housing and Urban Development's homeless point-in-time count, continuum of care housing inventory count, longitudinal systems analysis, and Stella tools, as well as any recently conducted local needs assessments. This bill would require each city, county, and city and county that has used funds from any state funding source to assist in addressing homelessness to complete a report and publish the report on its internet website providing specified information, or, alternatively, publishing a local landscape analysis on its internet website, thereby imposing a state-mandated local program.

[AB 2631](#) ([O'Donnell D](#)) **Government Claims Act.**

Introduced: 2/18/2022

Status: 3/10/2022-Referred to Coms. on L. GOV. and JUD.

Summary: The Government Claims Act establishes the liability and immunity of a public entity for its acts or omissions that cause harm to persons. This bill would provide that a public entity is liable for injury relating to the effects of that public entity's homelessness policies on another public entity.

[SB 914](#) ([Rubio D](#)) **HELP Act.**

Introduced: 2/2/2022

Status: 4/27/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (April 27). Re-referred to Com. on APPR.

Summary: Would enact the HELP (Homeless Equity for Left Behind Populations) Act. The bill would require cities, counties, and continuums of care receiving state funding to address homelessness on or after January 1, 2023, to take specific steps to ensure that the needs of victim service providers and survivors of violence, and a gendered analysis of the causes and consequences of homelessness, are incorporated into homelessness planning and responses. The bill would also impose other homelessness planning and data analysis requirements on these cities, counties, and continuums of care. The bill would prohibit victim service providers, as defined, from being required or expected to enter client-level data into specified homeless data systems and would permit any funding provided to cities, counties, and continuums of care to be used to support the development of these data systems and the maintenance of comparable databases, as specified.

[SB 1201](#) (Melendez R) Clean California Local Grant Program of 2021: Clean California State Beautification Program of 2021: homeless encampments.

Introduced: 2/17/2022

Status: 4/19/2022-April 26 hearing postponed by committee.

Summary: Under current law, the Department of Transportation administers the Clean California Local Grant Program of 2021 to provide funding for grants to specified local entities for purposes of beautifying and cleaning up local streets and roads, tribal lands, parks, pathways, transit centers, and other public spaces, and administers the Clean California State Beautification Program of 2021 to provide funding for purposes of beautifying and cleaning up state highways. This bill would authorize local governments to use funding received under those programs to clean up homeless encampments on or around highway rights-of-way, within one mile of the freeway or flood channels under and surrounding the highways.

Housing

[AB 1695](#) (Santiago D) Affordable housing loan and grant programs: adaptive reuse.

Introduced: 1/25/2022

Status: 4/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (April 27). Re-referred to Com. on APPR.

Summary: Current law establishes various programs and funding sources administered by the Department of Housing and Community Development to enable the development of affordable housing, including, among others, the Building Homes and Jobs Act, the Multifamily Housing Program, and the Housing for a Healthy California Program. This bill would provide that any notice of funding availability issued by the department for an affordable multifamily housing loan and grant program shall state that adaptive reuse of a property for affordable housing purposes is an eligible activity. The bill would define "adaptive reuse" for these purposes to mean the retrofitting and repurposing of an existing building to create new residential units.

[AB 1748](#) (Seyarto R) Exempt surplus land: regional housing need.

Introduced: 2/1/2022

Status: 4/27/2022-In committee: Set, first hearing. Failed passage.

Summary: Current law prescribes requirements for the disposal of surplus land by a local agency. Current law provides that an agency is not required to follow the requirements for disposal of surplus land for "exempt surplus land," except as provided. Current law categorizes as "exempt surplus land," surplus land that a local agency is transferring to another local, state, or federal agency for the agency's use. This bill would add to the definition of "exempt surplus land," surplus land that is zoned for a density of up to 30 residential units, if residential properties within a radius of 500 feet of the site are zoned to have an allowable density of fewer than 30 dwelling units per acre and the most recent annual progress report, as described, submitted by the city or county that owns the surplus land shows that the total number of low-income and very low income housing units built within the city or county meets or exceeds proportionate annual progress toward the number of those housing units needed to meet the city's or county's share of regional housing need for the 6th cycle of its housing element, as described.

[AB 1816](#) (Bryan D) Reentry Housing and Workforce Development Program.

Introduced: 2/7/2022

Status: 4/6/2022-In committee: Set, first hearing. Referred to suspense file.

Summary: Current law establishes the Department of Housing and Community Development in the Business, Consumer Services, and Housing Agency and makes the department responsible for administering various housing programs throughout the state, including, among others, the Multifamily Housing Program, the Housing for a Healthy California Program, and the California Emergency Solutions Grants Program. Upon appropriation by the Legislature for this express purpose, this bill would require the department to create the Reentry Housing and Workforce Development Program, and would require the department to take specified actions to provide grants to applicants, as defined, for innovative or evidence-based housing, housing-based services, and employment interventions to allow people with recent histories of incarceration to exit homelessness and remain stably housed.

[AB 1850](#) (Ward D) Public housing: unrestricted multifamily housing.

Introduced: 2/8/2022

Status: 4/26/2022-Read second time. Ordered to third reading.

Summary: Would prohibit a city, county, city and county, joint powers authority, or any other political subdivision of a state or local government from acquiring unrestricted multifamily housing, as defined, unless each unit in the development meets specified criteria, including that the aggregate initial rent for all units postconversion is at least 10% less than the average aggregate monthly rent charged for all units over the 12-month period prior to conversion and at least 20% less than the small area fair

market rent for at least half of the units. The bill would specify that those provisions do not apply to a development that is or will be subject to a regulatory agreement with the California Tax Credit Allocation Committee or the Department of Housing and Community Development.

[AB 1910](#) (Garcia, Cristina D) Publicly owned golf courses: conversion: affordable housing.

Introduced: 2/9/2022

Status: 4/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (April 27). Re-referred to Com. on APPR.

Summary: Would, upon appropriation by the Legislature, require the Department of Housing and Community Development to administer a program to provide incentives in the form of grants to local agencies that enter into a development agreement to convert a golf course owned by the local agency into housing and publicly accessible open space, as specified. This bill would require the department to award funding in accordance with the number of affordable units a local agency proposes to construct.

[AB 1943](#) (Bigelow R) Housing: the Tiny Homes of California Act.

Introduced: 2/10/2022

Status: 3/28/2022-Re-referred to Com. on H. & C.D.

Summary: Would enact the Tiny Homes of California Act and would require the Department of Housing and Community Development, in consultation with the Department of Forestry and Fire Protection, to develop and administer a pilot program, within 5 counties selected by the department, for the construction of tiny homes from lumber harvested from public utilities, landowners, cities, counties, cities and counties, or other local governing bodies. By requiring select counties to participate in the pilot program, this bill would impose a state-mandated local program. The bill would define various terms for these purposes and would repeal the Tiny Homes of California Act on January 1, 2028.

[AB 1967](#) (Daly D) Housing Accountability Act: transitional and supportive housing.

Introduced: 2/10/2022

Status: 3/28/2022-Re-referred to Com. on H. & C.D.

Summary: The Housing Accountability Act prohibits a local agency from disapproving, or from conditioning approval in a manner that renders infeasible, a housing development project for very low, low-, or moderate-income households or an emergency shelter unless the local agency makes written findings, based on the preponderance of the evidence, that one or more specified conditions exist. The act defines the term "housing development project" for these purposes to mean a use consisting of, among other things, transitional housing or supportive housing. This bill would authorize a local agency to require a conditional use permit for transitional or supportive housing that would have 7 or more residents. This bill would also authorize a local agency to require a distance of _____ feet between two or more housing development projects for transitional or supportive housing, or between housing development projects for transitional or supportive housing and a residential care facility or sober living home.

[AB 2006](#) (Berman D) Regulatory agreements: compliance monitoring.

Introduced: 2/14/2022

Status: 4/27/2022-In committee: Set, first hearing. Referred to suspense file.

Summary: Would, on or before January 1, 2024, require the Department of Housing and Community Development, the California Housing Finance Agency, and the California Tax Credit Allocation Committee to enter into a memorandum of understanding to streamline the compliance monitoring of affordable housing developments that are subject to a regulatory agreement with more than one of these entities. The bill would require the memorandum of understanding to ensure that only one entity conducts physical inspections for a particular project, eliminate the submission of duplicate information, and to provide for a single process to obtain specified approvals.

[AB 2013](#) (Quirk-Silva D) California Statewide Housing Plan.

Introduced: 2/14/2022

Status: 3/10/2022-Re-referred to Com. on H. & C.D.

Summary: Current law requires that the California Statewide Housing Plan incorporate, among other things, a statement of housing goals, policies, and objectives and that the Department of Housing and Community Development update and provide a revision of the plan to the Legislature every 4 years. Current law requires each update and revision to the plan occurring on or after January 1, 2023, to incorporate specified elements, including an inventory of the number of affordable units needed to meet the state's affordable housing needs for the plan period. The bill would additionally require the plan to include a goal to increase home ownership among people of color in the state of California, as specified.

[AB 2063](#) (Berman D) Density bonuses: affordable housing impact fees.

Introduced: 2/14/2022

Status: 4/25/2022-Re-referred to Com. on APPR.

Summary: Current law prohibits affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, from being imposed on a housing development's affordable units. This bill would prohibit

affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, from being imposed on a housing development's density bonus units, unless the city, county, or city and county has adopted a local density bonus ordinance or established a local housing program on or before January 1, 2022, that allows for a density bonus of at least 50% for any for-sale or rental housing development containing restricted affordable units that dedicates a specified percentage of units for extremely low, very low, low-, or moderate-income households. By imposing new restrictions on the ability of a local government to impose affordable housing impact fees, the bill would impose a state-mandated local program.

[AB 2094](#) (Rivas, Robert D) General plan: annual report: extremely low-income housing.

Introduced: 2/14/2022

Status: 4/20/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (April 20). Re-referred to Com. on APPR.

Summary: The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Current law requires the planning agency of a city or county to provide an annual report to certain specified entities by April 1 of each year that includes, among other information, the city or county's progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing, as specified. This bill would additionally require a city or county's annual report to include the locality's progress in meeting the housing needs of extremely low income households, as specified.

[AB 2097](#) (Friedman D) Residential and commercial development: remodeling, renovations, and additions: parking requirements.

Introduced: 2/14/2022

Status: 4/28/2022-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (April 27). Re-referred to Com. on APPR.

Summary: Would prohibit a public agency from imposing a minimum automobile parking requirement, or enforcing a minimum automobile parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile of public transit, as defined. When a project provides parking voluntarily, the bill would authorize a public agency to impose specified requirements on the voluntary parking. The bill would prohibit these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a new multifamily or nonresidential development to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities. The bill would exempt certain commercial parking requirements from these provisions if the requirements of the bill conflict with an existing contractual agreement of the public agency that was executed before January 1, 2023.

[AB 2166](#) (Mayes I) Federal funding: promoting homeownership.

Introduced: 2/15/2022

Status: 4/21/2022-Re-referred to Com. on H. & C.D.

Summary: Under current law governing the Community Development Block Grant Program, the Department of Housing and Community Development is required to distribute federal funds in the form of grants to eligible cities and counties to provide housing and economic development, principally for persons and families of low or moderate income. Current law requires all funds made available under the program to be utilized to provide decent housing, a suitable living environment, and expanding economic opportunities, consistent with federal requirements. This bill would authorize the Department of Housing and Community Development to prioritize 10% of program funds for down payment assistance.

[AB 2186](#) (Grayson D) Housing Cost Reduction Incentive Program.

Introduced: 2/15/2022

Status: 4/28/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (April 27).

Summary: Would establish the Housing Cost Reduction Incentive Program, to be administered by the Department of Housing and Community Development, for the purpose of reimbursing cities, counties, and cities and counties for development impact fee reductions provided to qualified housing developments, as defined, and for the reasonable interest costs associated with impact fee deferrals. Upon appropriation, the bill would require the department to provide grants to applicants in an amount equal to 50% of the amount of development impact fee reduced for a qualified housing development and grants to applicants in an amount equal to the accrued interest on a deferred development impact fee, as provided. This bill would require the department to administer these grants by issuing a Notice of Funding Availability before December 31 of the year that the program receives funding, as specified, and accepting grant applications after the subsequent year. The bill would require an applicant that receives a grant under the program to use those funds solely for those purposes for which the development impact fee that was reduced or deferred would have been used. The bill would require the department to adopt guidelines to implement the program and exempt those guidelines from the rulemaking provisions of the Administrative Procedure Act.

- [AB 2218](#) (Quirk-Silva D) California Environmental Quality Act: standing: proposed infill housing projects.**
Introduced: 2/15/2022
Status: 3/17/2022-Re-referred to Com. on RLS. pursuant to Assembly Rule 96.
Summary: The California Environmental Quality Act (CEQA) establishes procedures applicable to an action or proceeding brought to challenge a public agency's action on the grounds of noncompliance with CEQA. This bill would provide that a person does not have standing to bring an action or proceeding to attack, review, set aside, void, or annul acts or decisions of a public agency undertaken to implement a project involving the development of housing at an infill site, unless the person resides within 20 miles of the project.
- [AB 2221](#) (Quirk-Silva D) Accessory dwelling units.**
Introduced: 2/15/2022
Status: 4/28/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 27).
Summary: The Planning and Zoning Law, among other things, provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Current law requires a permitting agency to act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within specified timeframes. This bill would provide that the requirement for an agency to act on an application means either to return in writing a full set of comments to the applicant with a comprehensive request for revisions or to return the approved permit application. The bill would define "permitting agency" for its purposes.
- [AB 2234](#) (Rivas, Robert D) Planning and zoning: housing: postentitlement phase permits.**
Introduced: 2/15/2022
Status: 4/28/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 27).
Summary: Would require a public agency to compile a list of information needed to approve or deny a postentitlement phase permit, as defined, to post an example of an ideal application and an example of an ideal complete set of postentitlement phase permits for the ___ most common housing development projects in the jurisdiction, and to make those items available to all applicants for these permits no later than January 1, 2024. The bill would define "public agency" for these purposes to mean a city, county, or city and county. No later than January 1, 2024, except as specified, the bill would require a public agency to require permits to be applied for, completed, and stored through a process on its internet website, and to accept applications and related documentation by electronic mail until that internet website is established. The bill would require the internet website or electronic mail to list the current processing status of the applicant's permit by the public agency, and would require that status to note whether it is being reviewed by the agency or action is required from the applicant.
- [AB 2334](#) (Wicks D) Density Bonus Law: affordability: incentives or concessions in very low vehicle travel areas: parking standards: definitions.**
Introduced: 2/16/2022
Status: 4/28/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 3.) (April 27).
Summary: The Density Bonus Law requires a city or county to provide a developer that proposes a housing development within the city or county with a density bonus and other incentives or concessions, as specified, if the developer agrees to construct specified percentages of units for lower income, very low income, or senior citizen housing, among other things, and meets other requirements. Current law requires that an applicant agree to, and the city, county, or city and county ensure, the continued affordability of all very low and low-income rental units that qualified the applicant for a density bonus, as provided. Current law, for developments where 100% of all units are for lower income households, except as provided, requires that rent for 20% of the units be set at an affordable rent and that rent for the remaining units be at an amount consistent with the maximum rent levels for a housing development that receives an allocation of state or federal low-income housing tax credits from the California Tax Credit Allocation Committee (CTCAC). Current law, with respect to a for-sale unit that qualified the applicant for a density bonus, also requires that the local government enforce an equity sharing agreement, as provided, unless it is in conflict with the requirements of another public funding source or law. This bill, with respect to the affordability requirements applicable to 100% lower income developments, would instead require the rent for the remaining units in the development be set at an amount consistent with the maximum rent levels for lower income households, as those rents and incomes are determined by CTCAC.
- [AB 2430](#) (Grayson D) Tiny homes.**
Introduced: 2/17/2022
Status: 4/20/2022-In committee: Set, first hearing. Hearing canceled at the request of author.
Summary: The Planning and Zoning Law, contains various provisions addressing housing in California, including, among others, providing for the creation by local ordinance or ministerial approval, as

applicable, of accessory dwelling units, as defined. Among other things, current law requires an ordinance under these provisions to impose standards on accessory dwelling units and require that accessory dwelling units comply with specified requirements, as provided. Current law requires a permit application for an accessory dwelling unit or a junior accessory dwelling unit be considered and approved ministerially without discretionary review or hearing, as provided. If a local agency has not adopted an ordinance governing accessory dwelling unit creation, existing law requires the local agency to approve or disapprove the application ministerially without discretionary review, as specified. Current law imposes specified limitations on fees charged for the construction of an accessory dwelling unit. This bill would expand the above-described provisions to additionally provide for the creation of a movable tiny home, in the same manner as an accessory dwelling unit.

[AB 2531](#) (Grayson D) Housing data: collection and reporting.

Introduced: 2/17/2022

Status: 4/20/2022-In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: Current law requires a city, county, or special district that has an internet website to make specified information available on its internet website, as applicable, including a current schedule of fees, exactions, affordability requirements it has imposed that are applicable to a proposed housing development project, and an archive of impact fee nexus studies, cost of service studies, or equivalent, conducted by that city, county, or special district on or after January 1, 2018. Current law requires a city, county, or special district to update this information within 30 days of any changes. This bill would instead require a city, county, or special district that has an internet website to create a landing page with links to the specified information on its website, as applicable. This bill would also make a nonsubstantive change to these provisions.

[AB 2592](#) (McCarty D) Housing: underutilized state buildings.

Introduced: 2/18/2022

Status: 4/28/2022-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (April 27). Re-referred to Com. on APPR.

Summary: Current law requires each state agency annually to review certain proprietary state lands over which it has jurisdiction to determine what land, if any, is in excess of its foreseeable needs and report this in writing to the Department of General Services. Current law requires the department to create a database of information on lands identified by a local government as suitable and available for residential development and information regarding the state lands determined or declared excess, as specified. Current law requires the department to report to the Legislature annually the land declared excess and to request authorization to dispose of the land by sale or otherwise. Current law authorizes the department to dispose of real property declared surplus by the Legislature, as specified. This bill would require, by January 1, 2024, the department to prepare and report to the Legislature a streamlined plan to transition underutilized multistory state buildings into housing for the purpose of expanding affordable housing development and adaptive reuse opportunities.

[AB 2653](#) (Santiago D) Planning and Zoning Law: housing elements.

Introduced: 2/18/2022

Status: 4/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 3.) (April 27). Re-referred to Com. on APPR.

Summary: The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Current law requires the planning agency of a city or county to provide an annual report to the Department of Housing and Community Development by April 1 of each year that includes, among other information, a housing element portion that includes, as provided, the city or county's progress in meeting its share of regional housing needs and local efforts to remove governmental constraints on the maintenance, improvement, and development of housing, as specified. This bill would authorize the Department of Housing and Community Development to reject the housing element portion of an annual report if the report is not in substantial compliance with these requirements. If the department rejects the housing element portion of an annual report, the bill would require the department to provide the reasons for the rejection in writing, as specified.

[AB 2705](#) (Quirk-Silva D) Housing: fire safety standards.

Introduced: 2/18/2022

Status: 4/25/2022-Re-referred to Com. on APPR.

Summary: Current law requires the State Fire Marshal to prepare, adopt, and submit building standards and other fire and life safety regulations to the California Building Standards Commission for approval establishing minimum requirements for the storage, handling, and use of hazardous materials. Current law requires the State Fire Marshal to seek the advice of the Secretary for Environmental Protection in establishing those requirements. This bill would prohibit the legislative body of a city or county from approving a discretionary entitlement, as defined, that would result in a new residential development project, as defined, being located within a very high fire hazard severity zone, unless the city or county finds that the residential development project will meet specified standards intended to address wildfire risks, as specified, and would provide that these provisions do not limit or prohibit a legislative body of a city or county from adopting more stringent standards.

- [AB 2762](#) (Bloom D) Housing: parking lots.**
Introduced: 2/18/2022
Status: 2/19/2022-From printer. May be heard in committee March 21.
Summary: Current law, the Planning and Zoning Law, requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and specified land outside boundaries, that includes, among other mandatory elements, a housing element. This bill would state that it is the intent of the Legislature to enact subsequent legislation that would allow local agencies to build affordable housing on parking lots that serve public parks and recreational facilities, as provided.
- [ACA 14](#) (Wicks D) Homelessness and affordable housing.**
Introduced: 3/24/2022
Status: 4/7/2022-Referred to Com. on H. & C.D.
Summary: This measure would create the Housing Opportunities for Everyone (HOPE) Act, an account in the General Fund, into which, beginning in the 2024–25 fiscal year, and each fiscal year thereafter until September 30, 2033, a sum would be transferred from the General Fund equal to 5% of the estimated amount of General Fund revenues for that fiscal year. The measure would require the moneys in the account to be appropriated by the Legislature to the Business, Consumer Services, and Housing Agency, and would authorize that agency to expend the moneys to fund prescribed matters related to homelessness and affordable housing, including housing and services to prevent and end homelessness.
- [SB 897](#) (Wieckowski D) Accessory dwelling units: junior accessory dwelling units.**
Introduced: 2/1/2022
Status: 4/25/2022-April 25 hearing: Placed on APPR suspense file.
Summary: The Planning and Zoning Law, authorizes a local agency, by ordinance or ministerial approval, to provide for the creation of accessory dwelling units in areas zoned for residential use, as specified. Current law authorizes a local agency to impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, and maximum size of a unit. This bill would require that the standards imposed on accessory dwelling units be objective. For purposes of this requirement, the bill would define “objective standard” as a standard that involves no personal or subjective judgment by a public official and is uniformly verifiable, as specified.
- [SB 930](#) (Wiener D) Housing Accountability Act.**
Introduced: 2/7/2022
Status: 4/28/2022-Read second time. Ordered to third reading.
Summary: Current law prohibits a local agency from disapproving a housing development project for very low, low-, or moderate-income households or from conditioning approval in a manner that renders the housing development project infeasible for very low, low-, or moderate-income households, unless it makes specified written findings that either (1) the jurisdiction has met its share of the regional housing need or (2) the project would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. This bill would clarify that the above-described prohibitions also apply to a housing development project for extremely low income households.
- [SB 1067](#) (Portantino D) Housing development projects: automobile parking requirements.**
Introduced: 2/15/2022
Status: 4/28/2022-Read second time and amended. Re-referred to Com. on APPR.
Summary: Would prohibit a city, county, or city and county from imposing any minimum automobile parking requirement on a housing development project that is located within 1/2 mile of public transit, as defined. The bill, notwithstanding the above-described prohibition, would authorize a city, county, or city and county to impose or enforce minimum automobile parking requirements on a housing development project if the local government demonstrates to the developer, within 30 days of the receipt of a completed application, that the development would have a negative impact, supported by a preponderance of the evidence, on the city’s, county’s, or city and county’s ability to meet its share of specified housing needs or existing residential or commercial parking within 1/2 mile of the housing development. The bill would create an exception from the above-described provision if the development either dedicates a minimum of 20% of the total number of housing units to very low, low-, or moderate-income households, students, the elderly, or persons with disabilities or contains fewer than 20 housing units.
- [SB 1457](#) (Hertzberg D) Housing: California Family Home Construction and Homeownership Bond Act of 2022.**
Introduced: 2/18/2022
Status: 4/25/2022-April 25 hearing: Placed on APPR suspense file.
Summary: Would enact the California Family Home Construction and Homeownership Bond Act of 2022

(bond act), which, if adopted, would authorize the issuance of bonds in the amount of \$25,000,000,000 pursuant to the State General Obligation Bond Law to finance the California Family Home Construction and Homeownership Program, established as part of the bond act. The bill would authorize the California Housing Finance Agency to award California Socially Responsible Second Mortgage Loans to eligible applicants to use as a down payment or to pay closing costs on the purchase of a new home. The bill would also authorize the agency to award Family Homeownership Opportunity Infrastructure Improvement Loans to developers to be used for predevelopment infrastructure improvements and other upfront costs typically incurred in connection with new home construction, under specified conditions. The bill would require that moneys received from a loan recipient for the repayment of financing provided under the program be used to pay debt service when due on bonds issued pursuant to the bond act.

Human Resources

[AB 1949](#) **(Low D) Employees: bereavement leave.**

Introduced: 2/10/2022

Status: 4/27/2022-In committee: Set, first hearing. Referred to suspense file.

Summary: The California Family Rights Act, which is a part of the California Fair Employment and Housing Act, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period for family care and medical leave, as specified. This bill would additionally make it an unlawful employment practice for an employer to refuse to grant a request by an eligible employee to take up to 5 days of bereavement leave upon the death of a family member, as defined. The bill would require that leave be completed within 3 months of the date of death. The bill would require that leave be taken pursuant to any existing bereavement leave policy of the employer.

[AB 1993](#) **(Wicks D) Employment: COVID-19 vaccination requirements.**

Introduced: 2/10/2022

Status: 4/18/2022-Coauthors revised.

Summary: Would require an employer to require each person who is an employee or independent contractor, and who is eligible to receive the COVID-19 vaccine, to show proof to the employer, or an authorized agent thereof, that the person has been vaccinated against COVID-19. This bill would establish an exception from this vaccination requirement for a person who is ineligible to receive a COVID-19 vaccine due to a medical condition or disability or because of a sincerely held religious belief, as specified, and would require compliance with various other state and federal laws. The bill would require proof-of-vaccination status to be obtained in a manner that complies with federal and state privacy laws and not be retained by the employer, unless the person authorizes the employer to retain proof.

[AB 2693](#) **(Reyes D) COVID-19: exposure.**

Introduced: 2/18/2022

Status: 4/28/2022-Read second time. Ordered to third reading.

Summary: The California Occupational Safety and Health Act of 1973 authorizes the Division of Occupational Safety and Health to prohibit the performance of an operation or process, or entry into that place of employment when, in its opinion, a place of employment, operation, or process, or any part thereof, exposes workers to the risk of infection with COVID-19, so as to constitute an imminent hazard to employees. Current law requires a notice of the prohibition to be posted in a conspicuous location at the place of employment and makes violating the prohibition or removing the notice, except as specified, a crime. Current law requires that the prohibition be issued in a manner so as not to materially interrupt the performance of critical governmental functions essential to ensuring public health and safety functions or the delivery of electrical power, renewable natural gas, or water. Current law requires that these provisions not prevent the entry or use, with the division's knowledge and permission, for the sole purpose of eliminating the dangerous conditions. This bill would extend those provisions until January 1, 2025.

Labor

[SB 1412](#) **(Hertzberg D) Skilled and trained workforce requirements: prequalification.**

Introduced: 2/18/2022

Status: 3/24/2022-Referral to Com. on JUD. rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.

Summary: Current law establishes requirements that apply when a public entity is required by statute or regulation to obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or project. Current law also authorizes a public

entity to require that a bidder, contractor, or other entity use a skilled and trained workforce to complete a contract or project, regardless of whether the public entity is required to do so by a statute or regulation. This bill would require a public entity, if contractors and subcontractors are required to use a skilled and trained workforce on a project, to use, or require the use of, a prescribed prequalification procedure to determine eligibility for bidding and contract awards.

Local Government

[AB 1685](#) **(Bryan D) Vehicles: parking violations.**

Introduced: 1/24/2022

Status: 4/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 27). Re-referred to Com. on APPR.

Summary: Current law requires a processing agency to offer a payment plan for unpaid parking citations to qualified indigent persons. This bill would require a processing agency to forgive at least \$1,500 in parking fines and fees annually for a qualified homeless person, as specified. The bill would also require a processing agency to provide certain information regarding the parking citation forgiveness program, as specified, including on its internet website. The bill would also require each processing agency that receives an application for the citation forgiveness program to annually report specified information to the California Interagency Council on Homelessness and would require the council to compile this data and submit an annual report to the Legislature.

[AB 1883](#) **(Quirk-Silva D) Public restrooms.**

Introduced: 2/8/2022

Status: 4/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 27). Re-referred to Com. on APPR.

Summary: Would require each local government, as defined, to complete an inventory of public restrooms owned and maintained by the local government, either directly or by contract, that are available to the general population in its jurisdiction. The bill would require local governments to report their findings to the State Department of Public Health, which would be required to compile the information and to make the inventory available in a searchable database on its internet website, as specified. The bill would require the database to be updated quarterly. The bill would require the department to conduct educational outreach to the general public and homelessness service providers that the database is available on its internet website.

[AB 1944](#) **(Lee D) Local government: open and public meetings.**

Introduced: 2/10/2022

Status: 4/26/2022-In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: The Ralph M. Brown Act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely. The bill would also require an updated agenda reflecting all of the members participating in the meeting remotely to be posted, if a member of the legislative body elects to participate in the meeting remotely after the agenda is posted.

[AB 2200](#) **(Arambula D) Online Jobs and Economic Support Resource Grant Program.**

Introduced: 2/15/2022

Status: 4/21/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (April 20). Re-referred to Com. on APPR.

Summary: This bill would require the Employment Development Department, upon appropriation of funds by the Legislature, to administer the Online Jobs and Economic Support Resource Grant Program, which the bill would create for the purpose of funding inclusive, cross-jurisdictional, and innovative online platforms that support employment and earnings opportunities. The bill would specify the goals of the program, which would include reducing digital infrastructure gaps in employment and training services for individuals who face barriers to employment. The bill would also require the department, before awarding grants under these provisions, to develop and adopt guidelines and policies for the program, including a competitive award process with funding only awarded to applicants meeting specified requirements and conditions. These conditions would include the grant applicant having demonstrated experience serving underresourced populations and individuals with employment barriers.

[AB 2449](#) (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Introduced: 2/17/2022

Status: 3/3/2022-Referred to Com. on L. GOV.

Summary: Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would authorize a local agency to use teleconferencing without complying with those specified teleconferencing requirements if at least a quorum of the members of the legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. The bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.

[AB 2647](#) (Levine D) Local government: open meetings.

Introduced: 2/18/2022

Status: 4/25/2022-In committee: Hearing postponed by committee.

Summary: Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. Current law requires a local agency to make those writings distributed to the members of the governing board less than 72 hours before a meeting available for public inspection, as specified, at a public office or location that the agency designates. Current law also requires the local agency to list the address of the office or location on the agenda for all meetings of the legislative body of the agency. Current law authorizes a local agency to post the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

[SB 1100](#) (Cortese D) Open meetings: orderly conduct.

Introduced: 2/16/2022

Status: 4/21/2022-Read second time and amended. Ordered to third reading.

Summary: The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Current law requires every agenda for regular meetings of a local agency to provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body. Current law authorizes the legislative body to adopt reasonable regulations to ensure that the intent of the provisions relating to this public comment requirement is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. Current law authorizes the members of the legislative body conducting the meeting to order the meeting room cleared and continue in session, as prescribed, if a group or groups have willfully interrupted the orderly conduct of a meeting and order cannot be restored by the removal of individuals who are willfully interrupting the meeting. This bill would authorize the presiding member of the legislative body conducting a meeting to remove an individual for disrupting the meeting.

[SB 1117](#) (Becker D) State Public Defender: grants.

Introduced: 2/16/2022

Status: 4/22/2022-Set for hearing May 2.

Summary: The primary responsibilities of the State Public Defender are to represent those persons who are entitled to representation at public expense in specified proceedings and to provide assistance and training to specified attorneys. The State Public Defender, among other things, is authorized to represent any person who is not financially able to employ counsel in specified matters and to appear as a friend of the court, as specified. This bill would authorize the State Public Defender to administer and award grants to improve indigent defense services.

Natural Resources

[AB 1717](#) (Aguiar-Curry D) Public works: definition.

Introduced: 1/27/2022

Status: 4/27/2022-In committee: Set, first hearing. Referred to suspense file.

Summary: Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified. Current law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill would expand the definition of "public works" to include fuel reduction work paid for in whole or in part out of public funds performed as part of a fire mitigation project, as specified.

[AB 1789](#) (Bennett D) Outdoor recreation: California Recreational Trails System Plan: California Trails Commission: Trails Corps Program: grant program.

Introduced: 2/3/2022

Status: 4/7/2022-Re-referred to Com. on APPR.

Summary: Current law establishes within the Natural Resources Agency the Department of Parks and Recreation, which is under the control of the Director of Parks and Recreation. Current law requires the director to cause to be prepared, and continuously maintained, a comprehensive plan for the development and operation of a statewide system of recreation trails, which is known as the California Recreational Trails System Plan. Current law requires the plan to be continuously reviewed, revised, and updated by the director. Current law requires the director to submit a report every 2 years to the Legislature describing the progress in carrying out the plan, as provided. This bill would require the director, on or before January 1, 2024, to prepare and provide to the Legislature a full update of the plan.

[AB 2114](#) (Kalra D) California Pocket Forest Initiative.

Introduced: 2/14/2022

Status: 4/28/2022-Read second time. Ordered to third reading.

Summary: The California Urban Forestry Act of 1978 has as a stated purpose the promotion of the use of urban forest resources for purposes of increasing integrated projects with multiple benefits in urban communities. This bill would establish the California Pocket Forest Initiative, administered by the department in conjunction with the act to provide grants to cities, counties, districts, nonprofit organizations, and public schools to create pocket forests, as defined, on their public land and to offer grade-appropriate urban forestry and ecology curriculum for specified public schools. The bill would require grant applications submitted to the department to contain specified information. The bill would require entities that receive a grant to take specified actions, including following the department's advice and guidance when establishing and maintaining their pocket forest.

[AB 2387](#) (Garcia, Eduardo D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.

Introduced: 2/17/2022

Status: 4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (April 25). Re-referred to Com. on APPR.

Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,430,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.

[SB 833](#) (Dodd D) Community Energy Resilience Act of 2022.

Introduced: 1/4/2022

Status: 4/4/2022-April 4 hearing: Placed on APPR suspense file.

Summary: Current law assigns the State Energy Resources Conservation and Development Commission various duties, including applying for and accepting grants, contributions, and appropriations, and awarding grants consistent with the goals and objectives of a program or activity the commission is authorized to implement or administer. This bill, the Community Energy Resilience Act of 2022, would require the commission to develop and implement a grant program for local governments to develop community energy resilience plans that help achieve energy resilience objectives and state clean energy and air quality goals.

[SB 852](#) (Dodd D) Climate resilience districts: formation: funding mechanisms.

Introduced: 1/18/2022

Status: 4/28/2022-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (April 26).

Summary: Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance, including projects that enable communities to adapt to the impacts of climate change. Current law also requires the legislative body to establish a public financing authority, defined as the governing board of the enhanced infrastructure financing district, prior to the adoption of a resolution to form an enhanced infrastructure district and adopt an infrastructure financing plan. This bill would authorize a city, county, city and county, special district, or a combination of any of those

entities to form a climate resilience district, as defined, for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill would deem each district to be an enhanced infrastructure financing district and would require each district to comply with existing law concerning enhanced infrastructure financing districts, unless the district is specified as otherwise. The bill would require a district to finance only specified projects that meet the definition of an eligible project. The bill would define "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified.

[SB 989](#) (Hertzberg D) Climate Change Preparedness, Resiliency, and Jobs for Communities Program: climate-beneficial projects: grant funding.

Introduced: 2/14/2022

Status: 4/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (April 27). Re-referred to Com. on APPR.

Summary: Would establish the Climate Change Preparedness, Resiliency, and Jobs for Communities Program, to be administered by the Strategic Growth Council, and would require the council to fund grants to develop and implement multibenefit, community-level, climate-beneficial projects to support community and landscape resiliency and workforce development. The bill would require the council to award competitive grants to eligible entities, as defined, through an application process, as provided. The bill would require the council, on or before July 1, 2023, to develop guidelines to implement the program and criteria to select projects eligible for grant funding that include, at a minimum, specified information related to community resiliency grants, landscape resiliency grants, and climate and career pathways grants.

[SB 1078](#) (Allen D) Sea Level Rise Revolving Loan Pilot Program.

Introduced: 2/15/2022

Status: 4/4/2022-April 4 hearing: Placed on APPR suspense file.

Summary: Current law requires the Ocean Protection Council to, among other things, establish policies to coordinate the collection, evaluation, and sharing of scientific data related to coastal and ocean resources among agencies. Current law establishes the State Coastal Conservancy with prescribed powers and responsibilities for implementing and administering various programs intended to preserve, protect, and restore the state's coastal areas. This bill would require the council, in consultation with the conservancy, to develop the Sea Level Rise Revolving Loan Pilot Program for purposes of providing low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property located in specified communities, including low-income communities, as provided. The bill would require the council, before January 1, 2024, in consultation with other state planning and coastal management agencies, as provided, to adopt guidelines and eligibility criteria for the program. The bill would authorize specified local jurisdictions to apply for, and be awarded, a low-interest loan under the program from the conservancy, in consultation with the council, if the local jurisdiction develops and submits to the conservancy a vulnerable coastal property plan and completes all other requirements imposed by the council.

[SB 1123](#) (Caballero D) Resilience Navigators Program: climate change resilience financial assistance programs.

Introduced: 2/16/2022

Status: 4/28/2022-From committee: Do pass as amended and re-refer to Com. on APPR with recommendation: To consent calendar. (Ayes 7. Noes 0.) (April 27).

Summary: Current law establishes the Integrated Climate Adaptation and Resiliency Program, to be administered by the Office of Planning and Research, to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as provided. Current law requires the program to include working with and coordinating local and regional efforts for climate adaptation and resilience, including, but not limited to, developing tools and guidance, promoting and coordinating state agency support for local and regional efforts, and informing state-led programs to better reflect the goals, efforts, and challenges faced by local and regional entities pursuing adaptation, preparedness, and resilience. Current law requires the office to coordinate with appropriate entities to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the office, on or before July 1, 2023, to establish within the program the Resilience Navigators Program to provide information and guidance to potential applicants for state programs that offer financial assistance, including grants or loans, to develop or implement plans, programs, or projects that seek to create, improve, or enhance resilience to climate change, including disasters associated with or amplified by climate change, including, but not limited to, wildfires and extreme heat.

Parking & Zoning

[SB 1408](#) (Allen D) Planning and zoning: general plan: annual report.

Introduced: 2/18/2022

Status: 4/20/2022-April 27 set for first hearing canceled at the request of author.

Summary: The Planning and Zoning Law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development. The law requires that the annual report include, among other specified information, the number of net new units of housing, including both rental housing and for-sale housing, that have been issued a completed entitlement, building permit, or certificate of occupancy, and the income category, by area median income, that each unit of housing satisfies, as specified. This bill would authorize the planning agency to include in the portion of its report detailing the number of net new units of housing single-room occupancy units and nontraditional housing units, as those terms are defined, that were developed in previous housing element planning periods if those units are subject to authorization by the department and were not counted in previous reports.

Planning, Building, & Code Enforcement

[AB 2656](#) **(Ting D) Housing Accountability Act: disapprovals: California Environmental Quality Act.**

Introduced: 2/18/2022

Status: 4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (April 25). Re-referred to Com. on APPR.

Summary: The Housing Accountability Act, prohibits a local agency from disapproving a housing development project, as described, unless it makes certain written findings based on a preponderance of the evidence in the record. The act defines "disapprove the housing development project" as including any instance in which a local agency either votes and disapproves a proposed housing development project application, including any required land use approvals or entitlements necessary for the issuance of a building permit, or fails to comply with specified time periods. The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if the lead agency finds that the project will not have that effect. This bill would define "disapprove the housing development project" as also including any instance in which a local agency denies a project an exemption from CEQA for which it is eligible, as described, or requires further environmental study to adopt a negative declaration or addendum for the project or to certify an environmental impact report for the project when there is a legally sufficient basis in the record before the local agency to adopt a negative declaration or addendum or to certify an environmental impact report without further study.

[AB 2668](#) **(Grayson D) Planning and zoning: housing: streamlined, ministerial approval.**

Introduced: 2/18/2022

Status: 4/4/2022-Re-referred to Com. on L. GOV.

Summary: The Planning and Zoning Law, until January 1, 2026, authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit, if the development satisfies specified objective planning standards. Current law authorizes a development proponent to request a modification to a development that has been approved under the streamlined, ministerial approval process if the request is submitted before the issuance of the final building permit required for construction of the development. This bill would prohibit a local government from determining that a development, including an application for a modification, is in conflict with the objective planning standards on the basis that application materials are not included, if the application contains substantial evidence that would allow a reasonable person to conclude that the development is consistent with the objective planning standards.

[AB 2705](#) **(Quirk-Silva D) Housing: fire safety standards.**

Introduced: 2/18/2022

Status: 4/25/2022-Re-referred to Com. on APPR.

Summary: Current law requires the State Fire Marshal to prepare, adopt, and submit building standards and other fire and life safety regulations to the California Building Standards Commission for approval establishing minimum requirements for the storage, handling, and use of hazardous materials. Current law requires the State Fire Marshal to seek the advice of the Secretary for Environmental Protection in establishing those requirements. This bill would prohibit the legislative body of a city or county from approving a discretionary entitlement, as defined, that would result in a new residential development project, as defined, being located within a very high fire hazard severity zone, unless the city or county finds that the residential development project will meet specified standards intended to address wildfire risks, as specified, and would provide that these provisions do not limit or prohibit a legislative body of a city or county from adopting more stringent standards.

[AB 2762](#) **(Bloom D) Housing: parking lots.**

Introduced: 2/18/2022

Status: 2/19/2022-From printer. May be heard in committee March 21.

Summary: Current law, the Planning and Zoning Law, requires each county and city to adopt a

comprehensive, long-term general plan for the physical development of the county or city, and specified land outside boundaries, that includes, among other mandatory elements, a housing element. This bill would state that it is the intent of the Legislature to enact subsequent legislation that would allow local agencies to build affordable housing on parking lots that serve public parks and recreational facilities, as provided.

[SB 1292](#) (Stern D) Land use: development restriction: fire hazard severity zones.

Introduced: 2/18/2022

Status: 3/22/2022-March 24 set for first hearing canceled at the request of author.

Summary: Current law requires a housing element to include, among other things, an inventory of land suitable and available for residential development. Current law imposes various requirements on a city, county, or city and county upon receiving an application for a housing development project meeting certain standards. This bill would authorize a city, county, or city and county to restrict the development of residential housing in moderate, high, and very high fire hazard severity zones, as defined, if the city, county, or city and county adopts a plan, as specified, ensuring the production of at least double the number of residential units not developed as a result of the restriction.

[SB 1410](#) (Caballero D) California Environmental Quality Act: transportation impacts.

Introduced: 2/18/2022

Status: 4/28/2022-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 27).

Summary: CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. CEQA requires the Office of Planning and Research to prepare and develop proposed guidelines for the implementation of CEQA by public agencies and requires the Secretary of the Natural Resources Agency to certify and adopt those guidelines. CEQA requires the office to prepare, develop, and transmit to the secretary for certification and adoption proposed revisions to the guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas, as defined, that promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Current law requires the office to recommend potential metrics to measure transportation impacts, as specified. CEQA authorizes the office to adopt guidelines establishing alternative metrics to the metrics used for traffic levels of service for transportation impacts outside transit priority areas. This bill instead would require the criteria for determining the significance of transportation impacts of projects within transit priority areas to only promote the reduction of greenhouse gas emissions. The bill would require the potential metrics described above to only apply to projects within transit priority areas.

Planning/Zoning

[AB 1953](#) (Maienschein D) Drinking water: accessible water bottle refill stations.

Introduced: 2/10/2022

Status: 4/27/2022-In committee: Set, first hearing. Referred to suspense file.

Summary: Would require, by January 1, 2025, the owner or operator of a transit hub, local park, public building, publicly owned building, shopping mall, or municipal golf course that has a water infrastructure source to install and maintain at least one, or maintain at least one existing, accessible water bottle refill station, as prescribed and except as specified. The bill would also require those owners and operators that have a water bottle refill station that is not accessible to upgrade, by January 1, 2025, the water bottle refill station to an accessible water bottle refill station.

[SB 1425](#) (Stern D) Open-space element: updates.

Introduced: 2/18/2022

Status: 4/26/2022-Read second time. Ordered to third reading.

Summary: Would require every city and county to review and update its local open-space plan by January 1, 2026. The bill would require the local open-space plan update to include plans and an action program that address specified issues, including climate resilience and other cobenefits of open space, correlated with the safety element. By imposing additional duties on local officials, the bill would create a state-mandated local program.

Public Safety

[AB 1909](#) (Friedman D) Vehicles: bicycle omnibus bill.

Introduced: 2/9/2022

Status: 4/28/2022-Read second time. Ordered to third reading.

Summary: Current law prohibits the operation of a motorized bicycle or a class 3 electric bicycle on a

bicycle path or trail, bikeway, bicycle lane, equestrian trail, or hiking or recreational trail, as specified. Current law authorizes a local authority to additionally prohibit the operation of class 1 and class 2 electric bicycles on these facilities. This bill would remove the prohibition of class 3 electric bicycles on these facilities and would instead authorize a local authority to prohibit the operation of any electric bicycle or any class of electric bicycle on an equestrian trail, or hiking or recreational trail.

Public Works

[AB 1717](#) **(Aguiar-Curry D) Public works: definition.**

Introduced: 1/27/2022

Status: 4/27/2022-In committee: Set, first hearing. Referred to suspense file.

Summary: Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified. Current law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill would expand the definition of "public works" to include fuel reduction work paid for in whole or in part out of public funds performed as part of a fire mitigation project, as specified.

[AB 1886](#) **(Cooper D) Public works: definition.**

Introduced: 2/8/2022

Status: 4/7/2022-Read second time. Ordered to third reading.

Summary: Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified. Existing law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill would expand the definition of "public works" to include street sweeping maintenance performed for the preservation, protection, and keeping of any publicly owned or publicly operated street, road, or highway done under contract and paid for in whole or in part out of public funds.

[AB 1932](#) **(Daly D) Public contracts: construction manager at-risk construction contracts.**

Introduced: 2/10/2022

Status: 3/28/2022-Read third time. Passed. Ordered to the Senate. (Ayes 57. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

Summary: Current law authorizes, until January 1, 2023, a county, with approval of the board of supervisors, or a public entity, of which the members of the county board of supervisors make up the members of the governing body of that public entity, with the approval of its governing body, to utilize construction manager at-risk construction contracts for the erection, construction, alteration, repair, or improvement of any infrastructure, owned or leased by the county, subject to certain requirements, including that the method may only be used for projects that are in excess of \$1,000,000. This bill would indefinitely extend those provisions, and would also make a nonsubstantive change.

[SB 991](#) **(Newman D) Public contracts: progressive design-build: local agencies.**

Introduced: 2/14/2022

Status: 4/19/2022-Read second time. Ordered to third reading.

Summary: Would, until January 1, 2029, authorize local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for public works projects in excess of \$5,000,000, similar to the progressive design-build process authorized for use by the Director of General Services. The bill would require a local agency that uses the progressive design-build process to submit, no later than January 1, 2028, to the appropriate policy and fiscal committees of the Legislature a report on the use of the progressive design-build process containing specified information, including a description of the projects awarded using the progressive design-build process. The bill would require the design-build entity and its general partners or joint venture members to verify specified information under penalty of perjury.

Transportation

[AB 1975](#) **(Nazarian D) Local government: bus shelters.**

Introduced: 2/10/2022

Status: 4/28/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (April 27). Re-referred to Com. on APPR.

Summary: Would require each city, including a charter city, county, or city and county, to submit a report to the appropriate policy committees of the Legislature on or before January 1, 2024, and annually thereafter, that identifies the number of bus shelters within the local agency. By imposing additional duties on local agencies, the bill would impose a state-mandated local program.

[AB 2237](#) (Friedman D) Transportation planning: regional transportation improvement plan: sustainable communities strategies: climate goals.

Introduced: 2/16/2022

Status: 4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (April 25). Re-referred to Com. on APPR.

Summary: Current law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Current law requires each regional transportation plan to also include a sustainable communities strategy prepared by each metropolitan planning organization. Current law requires the Strategic Growth Council, by January 31, 2022, to submit a report to the relevant policy and fiscal committees of the Legislature that includes, among other things, an overview of those sustainable communities strategies, an assessment of how implementation of those sustainable communities strategies will influence the configuration of the statewide integrated multimodal transportation system, and a review of the potential impacts and opportunities for coordination of specified funding programs, including the Affordable Housing and Sustainable Communities Program. This bill would require the council, in consultation with the State Air Resources Board, the Department of Housing and Community Development, and the Transportation Agency, to convene a task force to review the roles and responsibilities of metropolitan planning organizations and to define "sustainable community."

[SB 922](#) (Wiener D) California Environmental Quality Act: exemptions: transportation-related projects.

Introduced: 2/3/2022

Status: 4/19/2022-Read second time. Ordered to third reading.

Summary: CEQA, until January 1, 2030, exempts from its requirements bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions. This bill would specify that the requirement that the bicycle transportation plan is for an urbanized area or urban cluster, as designated by the United States Census Bureau. The bill would extend the exemption to an active transportation plan or pedestrian plan in an urbanized area or urban cluster. The bill would define "active transportation plan" and "pedestrian plan." The bill would specify that individual projects that are a part of an active transportation plan or pedestrian plan remain subject to the requirements of CEQA unless those projects are exempt by another provision of law.

[SB 1049](#) (Dodd D) Transportation Resilience Program.

Introduced: 2/15/2022

Status: 4/4/2022-April 4 hearing: Placed on APPR suspense file.

Summary: Would establish the Transportation Resilience Program in the Department of Transportation, to be funded in the annual Budget Act from 15% of the available federal National Highway Performance Program funds and 100% of the available federal Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation program funds. The bill would provide for funds to be allocated by the California Transportation Commission for climate adaptation planning and resilience improvements, as defined, that address or mitigate the risk of recurring damage to, or closures of, the state highway system, other federal-aid roads, public transit facilities, and other surface transportation assets from extreme weather events, sea level rise, or other climate change-fueled natural hazards. The bill would establish specified eligibility criteria for projects to receive funding under the program and would require the commission to prioritize projects that meet certain criteria.

[SB 1217](#) (Allen D) State-Regional Collaborative for Climate, Equity, and Resilience.

Introduced: 2/17/2022

Status: 4/27/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 13. Noes 3.) (April 26). Re-referred to Com. on APPR.

Summary: Would establish, until January 1, 2028, the State-Regional Collaborative for Climate, Equity, and Resilience to provide guidance, on or before January 1, 2024, to the State Air Resources Board for approving new guidelines for sustainable communities strategies. The collaborative would consist of one representative each of the state board, the Transportation Agency, the Department of Housing and Community Development, and the Strategic Growth Council, along with 10 public members representing various local and state organizations, as specified. The bill would require, on or before December 31, 2025, the state board to update the guidelines for sustainable communities strategies to incorporate suggestions from the collaborative.

[AB 2048](#) (Santiago D) Solid waste: franchise agreements: database.

Introduced: 2/14/2022

Status: 4/28/2022-Read second time. Ordered to Consent Calendar.

Summary: Current law authorizes each county, city, district, or other local governmental agency to determine aspects of solid waste handling that are of local concern and whether the services are to be provided by means of nonexclusive franchise, contract, license, permit, or otherwise. This bill would require each local jurisdiction to post on its internet website current franchise agreements between contract waste and recycling haulers and public agencies that are within the jurisdiction of the local jurisdiction. The bill would require each local agency to provide to the department the direct electronic link to those posted franchise agreements.

Water

[AB 2451](#) (Wood D) State Water Resources Control Board: drought planning.

Introduced: 2/17/2022

Status: 4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 11. Noes 1.) (April 26). Re-referred to Com. on APPR.

Summary: Would require the State Water Resources Control Board to establish a Drought Section within the Division of Water Rights, as specified. The bill would require the state board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds during times of water shortage for drought preparedness and climate resiliency and for the development of watershed-level contingency plans to support public trust uses, public health and safety, and the human right to water in times of water shortage. The bill would require the state board to adopt those principles and guidelines no later than March 31, 2023, as specified.

Wildfire

[AB 1755](#) (Levine D) Homeowners' insurance: home hardening.

Introduced: 2/1/2022

Status: 3/9/2022-Re-referred to Com. on INS.

Summary: Would require an admitted insurer licensed to issue homeowners' insurance policies to issue a policy to a homeowner who has hardened their home against fire, as specified, regardless of the home's location, on and after January 1, 2025, and would require an insurer to make conforming changes to its internet website and print materials on or before July 1, 2025. The bill would create the Wildfire Protection Grant Program, under which the Department of Insurance would be required to award grants of up to \$10,000 each to help homeowners pay for costs associated with wildfire mitigation improvements. The bill would require the department to promulgate regulations to administer the Wildfire Protection Grant Program.

[AB 2322](#) (Wood D) California building standards: fire resistance: occupancy risk categories.

Introduced: 2/16/2022

Status: 4/28/2022-Re-referred to Com. on APPR.

Summary: The California Building Standards Law establishes the California Building Standards Commission within the Department of General Services. Current law requires the commission to approve and adopt building standards and to codify those standards in the California Building Standards Code, which is required to be published once every 3 years. This bill would require the State Fire Marshal, prior to the next triennial edition of the California Building Standards Code adopted after January 1, 2023, to research and develop, and would authorize the State Fire Marshal to propose to the California Building Standards Commission, mandatory building standards for fire resistance based on occupancy risk categories in very high, high, and moderate California fire severity zones in state responsibility areas, local responsibility areas, and in land designated as a Wildland Urban Interface Fire Area by cities and other local agencies under specified provisions of the California Building Standards Code. The bill would require those building standards to apply to nonresidential, critical infrastructure buildings and to include certain fire rating requirements for structures under specified risk categories.

[AB 2610](#) (Friedman D) Wildlife Conservation Board: ecologically sensitive vegetation management: wildfire risk reduction.

Introduced: 2/18/2022

Status: 4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (April 25). Re-referred to Com. on APPR.

Summary: The Wildlife Conservation Law of 1947 establishes the Wildlife Conservation Board in the Department of Fish and Wildlife. Current law requires the board to determine the areas in the state that are most essential and suitable for wildlife production and preservation and that will provide suitable recreation, and to determine those lands in the state that are suitable for specified wildlife-related purposes. This bill would express the intent of the Legislature to encourage ecologically sensitive vegetation management practices for the purpose of maintaining ecological health and strengthening biodiversity while mitigating wildfire risk through fuel load reduction.

[AB 2672](#) (Flora R) Fire prevention: defensible space inspections: statewide defensible space and home hardening platform.

Introduced: 2/18/2022

Status: 4/28/2022-Read second time and amended.

Summary: Current law requires a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material, to at all times maintain a defensible space of 100 feet from each side and from the front and rear of the structure, as provided. Current law requires a seller of real property that is located in a high or very high fire hazard severity zone to provide the buyer documentation stating that the property is in compliance with that defensible space requirement. This bill would authorize the Director of Forestry and Fire Protection, using specified funds, to procure or establish a statewide defensible space and home hardening platform that would allow property owners to support and augment the Department of Forestry and Fire Protection in defensible space inspection requests, as provided. The bill would require the platform to have specified features, including a functionality that would allow for live video and audio interaction between a fire safety official and a property owner. The bill would require the director to establish any necessary quality control measures to ensure that the inspection information that is shared on the platform is accurate, reliable, and auditable.

[SB 896](#) (Dodd D) Wildfires: defensible space: grant programs: local governments.

Introduced: 2/1/2022

Status: 4/5/2022-Read second time. Ordered to third reading.

Summary: Current law requires a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material to maintain defensible space of 100 feet from each side. Existing law requires the Director of Forestry and Fire Protection to establish a statewide program to allow qualified entities, including counties and other political subdivisions of the state, to support and augment the Department of Forestry and Fire Protection in its defensible space and home hardening assessment and education efforts. Current law requires the director to establish a common reporting platform that allows defensible space and home hardening assessment data, collected by the qualified entities, to be reported to the department. This bill would require any local government entity that is qualified to conduct these defensible space assessments in very high and high fire hazard severity zones and that reports that information to the department, to report that information using the common reporting platform.

[SB 1266](#) (Borgeas R) Income taxes: credits: designated wildfire zones.

Introduced: 2/18/2022

Status: 4/28/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Summary: The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. Current law requires any bill authorizing a new tax expenditure to contain, among other things, specific goals, purposes, and objectives the tax expenditure will achieve, detailed performance indicators, and data collection requirements. This bill would allow a credit against those taxes for each taxable year beginning on and after January 1, 2023, and before January 1, 2028, in an amount that is equal to 50% of the amount incurred, subject to specified limitations, by a natural person or a small business, as defined, during the taxable year for the purchase of a backup electricity generator or a solar battery for use in a residence or commercial property in a designated wildfire zone, as defined.

Total Measures: 101

Total Tracking Forms: 101