



**TOWN OF PORTOLA VALLEY**  
**Open Space Committee**  
**November 12, 2024**  
**7:00 PM**

Betsy Morgenthaler, Chair  
Nona Chiariello, Vice Chair  
Gary Nielsen, Member  
Beverly Lipman, Member  
Terry Lee, Member  
Carter Warr, Member

**AGENDA**

**HISTORIC SCHOOLHOUSE- 765 PORTOLA RD. – PORTOLA VALLEY, CA**

**REMOTE MEETING ADVISORY:** On March 1, 2023, all committees in Portola Valley will return to conducting in-person meetings. A Zoom link will be provided for members of the public to participate remotely; however, the Town cannot guarantee there will be no technical issues with the software during the meeting. For best public participation results, attending the meeting in-person is advised.

**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 or by email at [towncenter@portolavalley.net](mailto:towncenter@portolavalley.net). Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

**VIRTUAL PARTICIPATION VIA ZOOM**

**To access the meeting by computer:**

<https://us06web.zoom.us/j/85128119765?pwd=aFOH2QcarDWbxHwR8El8ft7hev571W.1>

**Webinar ID: 851 2811 9765**

**Passcode: 442958**

**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 & ROLL CALL**

**2. ORAL COMMUNICATIONS FOR ITEMS NOT ON THE AGENDA**

*Speakers' time is limited to three (3) minutes.*

**3. APPROVE MINUTES**

- a. Minutes from October 18, 2024

**4. OLD BUSINESS:**

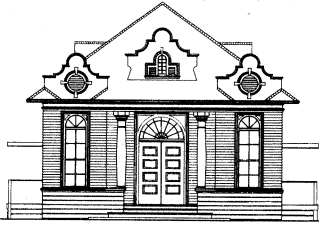
Open Space maintenance needs, Open Space maintenance guidelines, and the 2% User Utility Tax

- Joint Subcommittee Report, recommendations and considerations 2% User Utility Tax
- Strengthen partnerships and coordination to maintain open space successfully and cost effectively
- Knowledge sharing: What is working successfully in other towns? (see background attachments and link below)
- Link to Town Council Meeting September 25, 2019, Agenda Item 7:  
<https://www.portolavalley.net/home/showpublisheddocument/13036/637045996424270000>
- Open Space Maintenance Funding Staff Report, red pages 53-67
- Open Space Fund Guidelines, red page 66-67

**5. ADJOURNMENT**

**Land Acknowledgement:**

The Town of Portola Valley acknowledges the colonial history of this land we dwell upon—the unceded territory of the Ramaytush (rah-my-toosh) Ohlone, Tamien Nation, and Muwekma (mah-WEK-mah) Ohlone, who endured a human and cultural genocide that included removal from their lands and their sacred relationship to the land. Portola Valley recognizes that we profit from the commodification of land seized from indigenous peoples and now bear the ecological consequences. We seek to understand the impact of these legacies on all beings and to find ways to make repair



**TOWN OF PORTOLA VALLEY  
Open Space Committee Meeting  
Friday, Oct 18, 2024 5:00PM**

**IN-PERSON, SPECIAL MEETING  
HISTORIC SCHOOLHOUSE**

**DRAFT**

**OPEN SPACE COMMITTEE MEETING MINUTES**

**1. CALL TO ORDER & ROLL CALL 5:00 PM**

- a. **Members present** – Betsy Morgenthaler (Chair), Nona Chiariello (Vice Chair), Terry Lee, Bev Lipman, Gary Nielsen, Carter Warr; Judith Hasko (Council Liaison) (via Zoom)
- b. **Members absent:** Ticien Sassoubre
- c. **Also attending:** in person or via Zoom: Lana Norris, David Polnaszek, Liz Weigen,

**2. ORAL COMMUNICATIONS FOR ITEMS NOT ON THE AGENDA Speakers' time is limited to three minutes.**

Betsy shared that in recent Finance Committee meetings and in the face of a possible fiscal emergency, the Open Space Fund and the 2% UUT revenue were being looked to. She said that it likely the Town will declare a fiscal emergency in order to call for March 2025 ballot measure(s) redirecting the 2% UUT from the Open Space Fund to the General Fund. The Open Space Committee may be asked if we support such a consideration. Another issue that has been raised is whether trail maintenance should be considered open space maintenance. In response to a question from Gary, Betsy said the Finance Committee will weigh in further with a recommendation on those issues.

**3. APPROVE MINUTES from September 26, 2024**

Carter moved to approve the minutes; Gary seconded; all voted in favor.

**4. OLD BUSINESS:**

**A. Mid-Peninsula Regional Open Space District Hawthorns project: Review draft letter and consider making a recommendation to the Planning Commission and Town Council**

Nona screen-shared a draft letter directed to the Town Council, Planning Commission, and Hawthorns Ad Hoc Committee with recommendations in anticipation of the town's several upcoming meetings on Hawthorns. Betsy read the text of the letter aloud as Nona scrolled through with screen sharing.

Betsy asked for comments. Carter, Bev and Gary voiced support for the letter. Nona emphasized that the intent was to do real-time editing collectively, as needed.

Gary emphasized his support for taking a holistic approach to the Hawthorns property.

Online attendee Lana Norris said that letter was very good. She expressed concern that the proposed parking lots violate the Conservation Easement and suggested that the Town Council consider why that conflict hasn't been fully explained. She said she had been communicating with both POST and Midpen, and neither party has gone on the record about how the Conservation

Easement allows the proposed parking plans. Betsy pointed out for clarification that the Conservation Easement (specifically page 11, Point 15, item D) indicates that this is a negotiation between the grantor (Mr. Frederick Woods's successor trustee)\* and grantee (POST). Betsy recommended attending the November 6 Planning Commission meeting to see if the Conservation Easement is addressed. Betsy noted that the letter under consideration by the committee also raises concerns about the Conservation Easement and parking options, and she urged residents to write letters to the Planning Commission as well.

Terry said he supported the letter. He noted that as Hawthorns is part of Midpen's Windy Hill Open Space Preserve, he has focused on that relationship and their relationship to Coal Mine Ridge, which is in between the two Midpen units. He said that while Midpen does an amazing job maintaining Windy Hill and other open spaces, the monitoring of trail use is variable in terms of bicycles and animals. Because Coal Mine Ridge and PV Ranch have their own requirements in terms of trail use, he worries about compliance with trail specific requirements. To address this sentiment, "compliance with trail use rules" was inserted in recommendation 4.

Carter recommended adding a sentence specifically about compliance with the conditions of the Conservation Easement. He said that one of the first things he tried to understand about Hawthorns was the Conservation Easement, and many of its conditions have appeared very cumbersome. Carter's suggestion was added to recommendation 3 and then called out specifically as a separate recommendation in order to emphasize that understanding the easement is necessary for understanding "the guardrails under which the design will be judged."

Further discussion of the added clause on trail use in recommendation 4 noted that it relates not just to Sweet Springs Trail but all the trails it connects to, including Alpine Trail, Toyon Trail and Old Spanish Trail. Terry emphasized that additional use of those trails will be a positive thing, but also raises concerns about non-compliant use as well as overall trail maintenance.

Betsy called for any further edits. Hearing none, she asked for a motion to approve. Carter moved to approve the letter as amended, Gary seconded, and all voted in favor. Betsy thanked Nona for real-time, screen-shared editing, and the changes to the letter were finalized. The letter is attached to these minutes.

**5. ADJOURNMENT: The meeting was adjourned at 5:44 pm.**

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\*Between the October 18<sup>th</sup> time of the meeting and the minutes preparation, grantee POST corrected that the grantor is Midpeninsula Regional Open Space District.

October 19, 2024

To

Portola Valley Town Council  
Planning Valley Planning Commission  
Portola Valley Hawthorns Ad Hoc Committee

Portola Valley's founding in 1964 and Midpeninsula Regional Open Space District's (Midpen's) founding in 1972 grew from the desire to protect surrounding foothills and open space. This shared commitment to land stewardship and public access has been vital to the town and to the region, and it will grow with the addition of Hawthorns to Midpen. Hawthorns also brings a new dimension—historic structures, including 17,000 sq ft earmarked for renovation<sup>1</sup>.

The Portola Valley Open Space Committee has followed Midpen's plans for Hawthorns with steady interest by participating in the Hawthorns Ad Hoc Committee<sup>2</sup> and discussing the project in our regular agenda meetings. In anticipation of the town's several upcoming meetings on Hawthorns, we offer the following input and recommendations.

1. We support Midpen's goal of holistic integration of the Hawthorns<sup>3</sup>. Further, we believe this requires integrative framing from the start, rather than separate consideration of the Unimproved and Improved portions<sup>4</sup> or addressing parking separate from activities it will serve<sup>5</sup>. Therefore we recommend assembling information on integration of the property as a whole. An indication of the timeliness of this approach is Midpen's accelerated planning for the Historic Complex's Lower Barn<sup>6</sup> and its potential implications for the Unimproved portion.

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<sup>1</sup> House: 9,100 sf, Garage: 2,200 sf, Cottage: 1,300 sf, Lower Barn: 4,500 sf

<sup>2</sup> In late 2022, Town Manager Jeremy Dennis requested various Town Committees provide representation to the Hawthorns Ad Hoc Committee; the Open Space Committee was including, represented by Betsy Morgenthaler.

<sup>3</sup> Specifically, "Incorporate the Historic Complex holistically within the overall Hawthorns Area Plan." [https://www.openspace.org/sites/default/files/4%20-%2020241009\\_HawthornsHistoricComplexLowerBarnPartnership\\_R-24-122.pdf](https://www.openspace.org/sites/default/files/4%20-%2020241009_HawthornsHistoricComplexLowerBarnPartnership_R-24-122.pdf) (Goal #9, page 2).

<sup>4</sup> The 79-acre Hawthorns has been divided in several ways. It is comprised of 3 Assessor parcels; and 2 areas defined by the Conservation Easement as "Improved Portion" and "Unimproved Portion" (sometimes as Unimproved parcel). More recently, Midpen distinguished between the "Hawthorns Area" and "Historic Complex".

<sup>5</sup> At their July and August Board meetings, Midpen staff shared that apart from limited parking in the Historic Complex, a public parking lot located across the hill on Alpine Road would more largely serve the Historic Complex.

<sup>6</sup> A partnership agreement regarding the Lower Barn has been requested by January 2025. [https://www.openspace.org/sites/default/files/4%20-%2020241009\\_HawthornsHistoricComplexLowerBarnPartnership\\_R-24-122.pdf](https://www.openspace.org/sites/default/files/4%20-%2020241009_HawthornsHistoricComplexLowerBarnPartnership_R-24-122.pdf) (page 3).

2. We support Midpen’s goal of ensuring safe access<sup>7</sup> and recommend expanding the scope to consider safety for all. Midpen is advancing two of the PAWG’s parking options for Town consideration. Each includes parking for 50 cars, a fire truck turnaround, and toilet facility. They differ primarily in the location of ingress-egress:
  - Ingress-Egress Option 10, via a 4-way intersection at Alpine & Portola Roads
  - Ingress-Egress Option 9, via the existing driveway opposite Roberts MarketWe recommend that those proposals address the nexus of safety issues at the intersection of Alpine Road and Portola Road fully and in a forward-thinking way. How would use of Alpine Trail by school children and hikers, and use of Alpine Road by motorists and cyclists be affected? Has a thorough safety study of the Alpine Road corridor and points of contact been conducted and made public? Would the parking lot serve hikers, visitors to the Historic Complex, both<sup>8</sup>? How was parking capacity determined?
3. We welcome and support the alignment of the Hawthorns Conservation Easement and the Town’s Municipal Code and General Plan in terms of restrictions on grading and tree removals<sup>9</sup>. We recommend that each parking option address those restrictions by specifying: the amount of cut and fill<sup>10</sup>, the number of significant trees that would be removed, and any likely hydrologic changes. More broadly, we would request a full explanation of how Parking Options 9 and 10 are consistent with the Conservation Easement<sup>11</sup>.
4. It will be important for the Town to understand Midpen’s compliance with the conditions of POST’s Conservation Easement. The importance is to understand the guardrails under which the design will be judged.

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<sup>7</sup> [https://www.openspace.org/sites/default/files/4%20-%2020241009\\_HawthornsHistoricComplexLowerBarnPartnership\\_R-24-122.pdf](https://www.openspace.org/sites/default/files/4%20-%2020241009_HawthornsHistoricComplexLowerBarnPartnership_R-24-122.pdf) (Goal #6, page 2).

<sup>8</sup> At their July and August Board meetings Midpen staff shared that apart from limited parking in the Historic Complex, a public parking lot located across the hill on Alpine Road would more largely serve the Historic Complex.

<sup>9</sup> “Prohibited Uses” within the Hawthorns Conservation Easement include specific language regarding “*Soil Erosion and Degradation*” page 5, #3(d); “*Excavation*” page 6, #3(n); “*Scenic and Natural Character*” page 6, #3(o); “*Tree Cutting*” page 5, #3(e); “*New Utilities*” page 5, #3(g); “*Building*” page 4, #3(c)

<sup>10</sup> Hawthorns at Alpine Road has soil types (slope wash and Franciscan Complex), ground movement potential (the Berrocal-Black Mountain Fault), which coupled with the impacts of climate change point to the import of land use review. Both Options 9 and 10 require significant regrading / cut & fill.

<sup>11</sup> Option 10 sits almost wholly within the Unimproved Portion of Hawthorns where the strictest conservation measures apply. A sizeable portion of Option 9 is also within the Unimproved Portion. In June, at the conclusion of the PAWG process, Midpen staff informed the PAWG that POST’s reading of Article 6 of the Conservation Easement allowed for the consideration of Parking Option 10 (and 9). Article 10 may also be relevant to POST’s interpretation, but we are not aware of discussion with the Town about the “Amendment” clause.

5. As part of an integrated assessment, we recommend that the Town consider connectivity of Hawthorn trails to Town trails in terms of trail maintenance, Town responsibilities, and compliance with trail use rules, and seek input from Portola Valley Ranch.
6. We recommend a review of Assembly Bill 2091 (Grayson) regarding new options for opening Hawthorns to the public. AB 2091 was enacted last month and allows park districts to forgo CEQA if, in opening the park, public access is limited to preexisting paved and natural surface roads, trails and pathways, and parking is limited to disturbed areas. We note that Midpen was co-sponsor with East Bay Regional Park District of AB 2091.

The Open Space Committee welcomes the opportunity to support the Town in making future decisions based on a full picture of Hawthorns, all while integrating the details that inform its parts. At this time, we believe it premature to consider evaluating either parking Option 9 or 10.

Respectfully,  
The Open Space Committee

Betsy Morgenthaler Chair  
Nona Chiariello, Vice Chair  
Terry Lee  
Beverly Lipman  
Gary Nielsen  
Carter Warr

Date	measure	votes in favor	total votes	%	pass or fail
11/4/1997	A	1318	1507	87.5	pass <p>Shall the Town of Portola Valley adjust the appropriations limit of the Town each fiscal year commencing July 1, 1998, by the amount of money collected from the existing 5.5% Utility Users Tax during the time of its levy and collection, provided that the authorization to so adjust the appropriation limit shall not exceed four (4) years from the end of Fiscal Year 1997-1998?</p>
11/4/1997	B	1215	1502	80.9	pass <p>If, and only if, Town of Portola Valley Measure A, which adjusts the Town's appropriation limit passes, shall the Town of Portola Valley impose an additional utility tax at a rate not to exceed 2.0% to amend ordinance No. 1985-207, as amended, the proceeds of which shall be used only for funding open space projects of the Town; and shall the appropriations limit of the Town be adjusted each fiscal year commencing July 1, 1998, by the amount collected from the imposition of such Utility Users Tax during the time of its levy and collection, provided that the authorization to so adjust the appropriations limit shall not exceed four (4) years from the end of Fiscal Year 1997-1998?</p>
11/8/2005	H	1133	2172	52.2	pass <p>Shall the Town of Portola Valley adjust the appropriations limit of the Town each fiscal year commencing July 1, 2006 by the amount of money collected from the existing 5.5% Utility Users Tax during the time of its levy and collection, provided that the authorization to so adjust the appropriations limit shall not exceed four (4) years from the end of Fiscal Year 2005-2006?"</p>
11/8/2005	I	1209	2101	57.5	pass <p>Only if, Town of Portola Valley Proposition I, adjusting the Town's appropriation limit passes, shall the Town additionally adjust the appropriations limit each fiscal year commencing July 1, 2006 by the amount of money collected from imposition of the 2% Utility Users Tax (for open space purpose only) during the time of its levy and collection, provided that authorization to adjust the appropriations limit shall not exceed four years from the end of Fiscal Year 2005-2006?</p>
11/3/2009	Q	891	1489	59.8	pass <p>Shall the Town of Portola Valley adjust the appropriations limit of the Town each fiscal year commencing July 1, 2010 by the amount of money collected from the Utility Users Tax during the time of its levy and collection, provided that authorization to adjust the appropriations limit shall not exceed four (4) years from the end of Fiscal Year 2009-2010?</p>
11/3/2009	R	967	1467	65.9	pass <p>Only if Town of Portola Valley Proposition Q adjusting the Town's Appropriation limit passes shall the Town additionally adjust the appropriations limit each fiscal year commencing July 1, 2010 by the amount of money collected from imposition of the 2% Utility Users Tax (for open space purposes only) during the time of its levy and collection, provided authorization to adjust the appropriations limit shall not exceed four years from the end of Fiscal Year 2009-2010?[1]</p>