



TOWN OF PORTOLA VALLEY

7:30 PM – Special Town Council Meeting

Wednesday, July 12, 2006

Historic Schoolhouse

765 Portola Road, Portola Valley, CA 94028

SPECIAL MEETING AGENDA

7:30 PM - CLOSED SESSION

(1) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code Section 54956.9

Possible Initiation of Litigation: Two Cases

There are no written materials for this item.

REPORT OUT OF CLOSED SESSION

8:00 PM – CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

Councilmember Davis, Councilmember Derwin, Vice Mayor Driscoll, Councilmember Merk,
Mayor Toben

ORAL COMMUNICATIONS

(Time Estimate – 5 Minutes 8:05 p.m.)

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.

CONSENT AGENDA

(Time Estimate – 20 Minutes 8:25 p.m.)

The following items listed on the Consent Agenda are considered routine and approved by one roll call motion. The Mayor or any member of the Town Council or of the public may request that any item listed under the Consent Agenda be removed and action taken separately.

- (2) **Approval of Minutes** – Regular Town Council Meeting of June 28, 2006
- (3) **Approval of Warrant List** – July 12, 2006
- (4) **Recommendation by Assistant Town Administrator** – Disposal of Surplus Property
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing the Disposition of Surplus Property (Resolution No. __)
- (5) **Recommendation by Assistant Town Administrator** – Amendment to Service Agreements
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of the Sixth Amendment to Consulting Agreement Between the Town of Portola Valley and Cotton, Shires & Associates, Inc. (Resolution No. __)
 - (b) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of the Seventh Amendment to Consulting Agreement Between the Town of Portola Valley and Spangle Associates (Resolution No. __)
 - (c) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of the Sixth Amendment to Agreement for Plan Review Services Between the Town of Portola Valley and Kutzmann and Associates, Inc. (Resolution No. __)
 - (d) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of a Sixth Amendment to Agreement Between the Town of Portola Valley and Nolte Associates, Inc. (Resolution No. __)
 - (e) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of an Agreement Between the Town of Portola Valley and CleanStreet (Resolution No. __)

(6) **Recommendation by Town Attorney** – Extension of Cable Franchise Agreement

Adoption of a Resolution of the Town Council of the Town of Portola Valley Granting an Additional Ninety Day Extension of the Cable Franchise with Comcast of California/Colorado/Florida/Oregon, Inc. to Further Extend the Current Franchise Negotiations (Resolution No. __)

REGULAR AGENDA

(Time Estimate – 90 Minutes 9:55 p.m.)

(7) **Presentation** – Fundraising Report from the Portola Valley Community Fund

There are no written materials for this item.

(8) **Discussion and Council Action** – Consideration of Amendment and Reduction of the Utility Users Tax and Calling for an Election

(a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Declaring an Emergency; Ordering and Calling a Special Municipal Election for the Purpose of Submitting to the Voters of the Town of Portola Valley a Ballot Measure Authorizing Amendment of the Town's Utility Users' Tax to Reduce the Tax and Clarify the Telecommunications Users' Tax and Ordering the Election to be Consolidated with the Primary Election Conducted by the County of San Mateo to be Held on November 7, 2006 (Resolution No. __)

(b) First Reading of Title, Waive Further Reading, and Adopt an Urgent Ordinance of the Town of Portola Valley Amending Chapter 3.32 [Telephone, Gas, Water and Electricity Users' Tax] of Title 3 [Revenue and Finance] of the Portola Valley Municipal Code (Ordinance No. __)

(9) **Recommendation by Assistant Town Administrator** – Purchase of Containers for Interim Storage

(10) **Recommendation by Public Works Director** – Agreement for Construction Management of Phase 1 of the Town Center Project

(a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of a Second Amendment to Agreement Between the Town of Portola Valley and TBI Construction and Construction Management, Inc. (Resolution No. __)

(11) **Recommendation by Public Works Director** - Lead and Asbestos Abatement Management Services for Town Center Project

(a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of a First Amendment to Agreement between the Town of Portola Valley and HazMat Doc (Resolution No. __)

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(Time Estimate – 10 Minutes 10:05 p.m.)

(12) **Recommendation by Town Administrator** – Approval of the 2006-2007 Planning Program

(13) **Oral Report from Town Administrator** – Status of Town Center Project

There are no written materials for this item.

(14) **Reports from Commission and Committee Liaisons**

There are no written materials for this item.

WRITTEN COMMUNICATIONS

(Time Estimate – 10 Minutes 10:15 p.m.)

(15) **Town Council Weekly Digest** – June 30, 2006

(16) **Town Council Weekly Digest** – July 7, 2006

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.

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).

PLEASE NOTE

The time estimates listed on this agenda are offered to guide the flow of the meeting and are not binding.