



TOWN OF PORTOLA VALLEY

8:00 PM – Regular Town Council Meeting

Wednesday, June 24, 2009

Historic Schoolhouse

765 Portola Road, Portola Valley, CA 94028

REGULAR MEETING AGENDA

8:00 PM – CALL TO ORDER AND ROLL CALL

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

ORAL COMMUNICATIONS

(Time Estimate – 5 Minutes)

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 – 10 Minutes)

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.

- (1) **Approval of Minutes** –Regular Town Council Meeting of June 10, 2009
- (2) **Approval of Warrant List** – June 24, 2009
- (3) **Recommendation by Assistant Town Manager - Consultant Services Agreements with Amendments to Existing Agreements Between the Town of Portola Valley and Consultants items 3(a) through 3(f) and Entry into New Agreement Between the Town of Portola Valley and Townsend Management, Inc. item 3(g) for Inspection Services**
 - (a) The Ninth Amendment to Consulting Service Agreement Between the Town of Portola Valley and Cotton, Shires & Associates, Inc. for Geologic Services
 - (b) The Tenth Amendment to Consulting Service Agreement Between the Town of Portola Valley and Spangle Associates for Planning Services
 - (c) The Ninth Amendment to Consulting Service Agreement Between the Town of Portola Valley and Nolte Associates, Inc. for Engineering Services
 - (d) The Second Amendment to Consulting Service Agreement Between the Town of Portola Valley and CleanStreet for Street Sweeping Services
 - (e) The Third Amendment to Consulting Service Agreement Between the Town of Portola Valley and CSG Consultants, Inc. for Engineering Services
 - (f) The Ninth Amendment to Consulting Service Agreement Between the Town of Portola Valley and Kutzmann and Associates, Inc. for Plan Review Services
 - (g) Entry into a Consulting Service Agreement Between the Town of Portola Valley and Townsend Management, Inc. for Inspection Services
- (4) **Recommendation by Public Works Director - Notice of Completion for Town Center Contractor Grand Central Flooring**
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley to Accept as Completed the Town Center Project Phase 2 Bid Package #12 Floor Covering and Authorizing Final Payment Concerning Such Work, and Directing Town Clerk to File a Notice of Completion (Resolution No. __)

REGULAR AGENDA

(Time Estimate – 120 Minutes)

- (5) **PUBLIC HEARING – Public Hearing on Adoption of the Proposed Noise Ordinance and Negative Declaration**
 - (a) First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Amending Chapter 9.10 [Noise Control] of Title 9 [Public Peace, Morals and Welfare] of the Portola Valley Municipal Code (Ordinance No. __)

- (6) **PUBLIC HEARING – Introduction of Ordinance Deleting Chapter 5.52 [Motor Vehicle Fuel Price Sign] and Adding Section 18.40.041 [Exemption from State Law for Motor Vehicle Fuel Price Signs; Control by Use Permit] of the Portola Valley Municipal Code**
- (a) First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Deleting Chapter 5.52 [Motor Vehicle Fuel Price Signs] of Title 5 [Business Taxes, Licenses and Regulations] and Adding Section 18.40.041 [Exemption from State Law for Motor Vehicle Fuel Price Signs; Control by Use Permit] to Chapter 18.40 [Signs] of Title 18 [Zoning] of the Portola Valley Municipal Code (Ordinance No. __)
- (7) **PUBLIC HEARING – Adoption of Fiscal Year 2009-2010 Budget**
- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting the Operating and Capital Budgets for Fiscal Year 2009-2010 (Resolution No. __)
- (8) **Recommendation Town Manager – San Mateo County Law Enforcement Services Agreement**
- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing an Agreement for Basic Law Enforcement Services for Fiscal Years 2009-10 through 2011-12 Between the Town of Portola Valley and the County of San Mateo Sheriff's Office (Resolution No. __)
- (b) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing an Agreement for Supplemental Traffic Enforcement Services, for Fiscal Year 2009-10 through 2011-12 Between the Town of Portola Valley and the County of San Mateo Sheriff's Office (Resolution No. __)
- (9) **Recommendation by Town Attorney – Resolution Giving Notice of an Election to Extend the Current Reduction of the Utility Users Tax**
- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Giving Notice of the Holding of a General Municipal Election to be Held on November 3, 2009, for the Purpose of Submitting to the Voters of the Town of Portola Valley a Ballot Measure Authorizing the Extension of the Reduction in the Utility Users Tax (Resolution No. __)
- (10) **Recommendation by Town Attorney – Resolution Giving Notice of an Election to Authorize the Appropriations Limit for the Utility User's Tax**
- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Giving Notice of the Holding of A General Municipal Election on November 3, 2009, for the Purpose of Submitting to the Voters of the Town of Portola Valley a Ballot Measure Authorizing the Adjustment of the Town of Portola Valley's Appropriations Limit for the Utility User's Tax (Resolution No. __)
- (11) **Recommendation by Town Attorney – Resolution Giving Notice of an Election to Authorize the Appropriations Limit for the Utility User's Tax for Open Space Purposes Only**
- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Giving Notice of the Holding of a General Municipal Election on November 3, 2009, for the Purpose of Submitting to the Voters of the Town of Portola Valley a Ballot Measure Authorizing the Adjustment of the Town of Portola Valley's Appropriations Limit for the Utility User's Tax (For Open Space Purposes Only) (Resolution No. __)

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(Time Estimate – 25 Minutes)

- (12) **Appointment by Mayor** – Member to the Emergency Preparedness Committee
- (13) **Appointment by Mayor** – Member to the Historic Resource Committee
- (14) **Appointment by Mayor** – Member to the Parks & Recreation Committee
- (15) **Reports from Commission and Committee Liaisons**
There are no written materials for this item.

WRITTEN COMMUNICATIONS

(Time Estimate – 10 Minutes)

- (16) **Town Council Weekly Digest** – June 12, 2009
- (17) **Town Council Weekly Digest** – June 19, 2009

ADJOURN TO CLOSED SESSION

CLOSED SESSION

(18) **REAL ESTATE NEGOTIATIONS**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

Town property on Wayside Road (APN: 076-244-020)

Town negotiators: Town Attorney and Town Manager

Negotiating Party: Randall and Terry Dwight

Under negotiations: Price and terms of payment

REPORT OUT OF CLOSED SESSION

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)