



# TOWN OF PORTOLA VALLEY

7:30 PM – Regular Town Council Meeting

Wednesday, July 22, 2009

Historic Schoolhouse

765 Portola Road, Portola Valley, CA 94028

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## REGULAR MEETING AGENDA

### 7:30 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.

### ASCC COMMISSIONER APPLICANT INTERVIEW

- (1) 7:35 pm – Craig Hughes
- (2) 7:55 pm – Ralph Lewis

### PRESENTATION

- (3) [Report from Brandi de Garmeaux on Countywide Residential Energy Efficiency Program](#)

### 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.

- (4) **Approval of Minutes** –Regular Town Council Meeting of July 8, 2009
- (5) **Approval of Warrant List** – July 8, 2009
- (6) [Recommendation by Assistant Town Manager – 2009/2010 Woodside Highlands and Wayside II Road Maintenance District Tax Assessments](#)
  - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing the San Mateo County Controller to Apply the Special Tax for the Woodside Highlands Road Maintenance District to the 2009-2010 Tax Roll and to Collect the Tax at the same time as General County Taxes (Resolution No. \_\_)
  - (b) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing the San Mateo County Controller to Apply the Special Tax for the Wayside II Road Maintenance District to the 2009-2010 Tax Roll and to Collect the Tax at the same time as the General County Taxes (Resolution No. \_\_)
- (7) [Recommendation by Public Works Director – Notice of Completion for the 2008/2009 Street Resurfacing Project #2009-PW01](#)
  - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley to Accept the Completed 2008/2009 Resurfacing Project #2009-PW01 and Authorizing Final Payment to G. Bortolotto & Co., Inc. Concerning Such Work, and Directing the Town Clerk to File a Notice of Completion (Resolution No. \_\_)
- (8) [Recommendation by Public Works Director - 2009 Street Resurfacing Project #2009-PW02](#)
  - (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 2009 Resurfacing Project – # 2009-PW02 Federal Project No: ESPL-5390 (004) (Resolution No. \_\_)
- (9) [Recommendation by Town Attorney – Revised Resolutions Regarding the Utility User's Tax "UUT"](#)
  - (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 User's Tax (Resolution No. \_\_)

- (b) 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 Adjustment of the Town of Portola Valley's Appropriations Limit for the Utility User's Tax (For Open Space Purposes Only) (Resolution No. \_\_)

**REGULAR AGENDA**

*(Time Estimate – 20 Minutes)*

**(10) Adoption of Ordinance - Adoption of the Proposed Noise Ordinance and Negative Declaration**

- (a) Second Reading of Title, Waive Further Reading, and Adopt 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. \_\_)

**(11) Recommendation by Town Attorney – Introduction of Ordinance Amending Chapter 2.28 [City Holidays] of Title 2 [Administration and Personnel] 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 Amending Chapter 2.28 [City Holidays] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code (Ordinance No. \_\_)

**COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS**

*(Time Estimate – 40 Minutes)*

**(12) Recommendation by Parks & Recreation Committee – Proposed revision to Field User Fee Policy**

**(13) Appointment of ASCC Commissioner**

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

*There are no written materials for this item.*

**WRITTEN COMMUNICATIONS**

*(Time Estimate – 10 Minutes)*

**(15) Town Council Weekly Digest – July 10, 2009**

**(16) Town Council Weekly Digest – July 17, 2009**

**CLOSED SESSION**

**(17) REAL ESTATE NEGOTIATIONS**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Government Code Section 54956.8

Property: Parcel # 076-261-010, 900 Portola Road

Negotiators – Town Attorney and Mayor

**(18) PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Government Code Section 54957

Title – Town Manager

**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)