



# TOWN OF PORTOLA VALLEY

7:30 PM – Regular Town Council Meeting

Wednesday, December 9, 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.

#### **(1) Recommendation by Town Manager – Certification of November 3, 2009 Consolidated Special and General Municipal Election**

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Declaring Canvass of Returns and Results of General Municipal Election Held on November 3, 2009 (Resolution No. \_\_)
- (b) Reading of Title, Waive Further Reading, and Adopt an Ordinance of the Town Council of the Town of Portola Valley Amending Chapter 3.32 [Telephone, Gas, Water and Electricity User's Tax] of Title 3 [Revenue and Finance] of the Portola Valley Municipal Code (Ordinance No. \_\_)

### **REORGANIZATION OF THE TOWN COUNCIL**

- (a) Installation of Councilmembers
- (b) Election of Mayor
- (c) Election of Vice Mayor

### **COUNCIL RECOGNITION** – Richard Merk, Former Mayor and Councilmember

### **CONSENT AGENDA**

*(Time Estimate – 5 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.

- (2) **Approval of Minutes** – Regular Town Council Meeting of November 11, 2009
- (3) **Ratification of Warrant List** – November 25, 2009
- (4) **Approval of Warrant List** – December 9, 2009

### **REGULAR AGENDA**

*(Time Estimate – 120 Minutes)*

#### **(5) Appeal of Staff Decision of denial of Encroachment Permit for of 4860 Alpine Road Friedman / Achermann Project**

#### **(6) PUBLIC HEARING – Public Hearing on Adoption of Amended Field User Fee Policy**

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Athletic Field User Fees (Resolution No. \_\_)

#### **(7) PUBLIC HEARING – Public Hearing on Adoption of a Negative Declaration and Adoption of proposed Housing Element as an Amendment to the Town's General Plan**

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting an Updated Housing Element and a Negative Declaration for the Project (Resolution No. \_\_)

**(8) Recommendation by Sustainability & Resource Efficiency Coordinator – Adoption of the Acterra High Energy Home Assessment Program**

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing Acterra to Apply for EECBG Funding Allocated to the Town and Implement the EECBG Projects Approved by the California Energy Commission (Resolution No. \_\_)

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

*(Time Estimate – 40 Minutes)*

- (9) **Appointment by Mayor** – Request for Appointment of Members to the Ad Hoc Springdown Master Plan Committee
- (10) **Appointment by Mayor** - Member to the Cultural Arts Committee
- (11) **Reports from Commission and Committee Liaisons**  
*There are no written materials for this item.*

**WRITTEN COMMUNICATIONS**

*(Time Estimate – 15 Minutes)*

- (12) **Town Council Weekly Digest** – November 13, 2009
- (13) **Town Council Weekly Digest** – November 20, 2009
- (14) **Town Council Weekly Digest** – December 4, 2009

**CLOSED SESSION**

**(15) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Government Code Section 54956.9(a) – 2 cases  
Michael and Lisa Douglas vs. Town of Portola Valley  
Case No: CIV 484299  
Michael and Lisa Douglas vs. Town of Portola Valley, et al  
Case No: C 09-04788 CRB

**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).