



TOWN OF PORTOLA VALLEY

7:30 PM – Regular Town Council Meeting

Wednesday, April 14, 2010

Historic Schoolhouse

765 Portola Road, Portola Valley, CA 94028

REGULAR MEETING AGENDA

7:30 PM – CALL TO ORDER AND ROLL CALL

Councilmember Derwin, Vice Mayor Driscoll, Councilmember Richards, Mayor Toben, Councilmember 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 – 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.

- (1) [Approval of Minutes – Regular Town Council Meeting of March 24, 2010](#)
- (2) [Approval of Warrant List – April 14, 2010](#)
- (3) [Recommendation by Town Manager – Support of West Nile Virus / Mosquito and Vector Control Awareness Week](#)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Declaring April 26 through April 30, 2010 Mosquito and Vector Control and West Nile Virus Awareness Week (Resolution No. __)
- (4) [Recommendation by Administrative Services Officer – Fifth Amendment to Agreement with Maze & Associates for Auditing Services](#)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Fifth Amendment to the Agreement Between the Town of Portola Valley and Maze & Associates Accountancy Corporation (Resolution No. __)

REGULAR AGENDA

(Time Estimate – 75 Minutes)

- (5) [Discussion and Council Action – Request for modification of Private Open Space Easement \(POSE\) area to accommodate Building Envelope adjustments, Lot 28, 9 Buck Meadow Drive, Blue Oaks Subdivision](#)
- (6) [Appeal of Staff Decision to require Sanitary Sewer Connection for 295 Golden Oak Drive, Corman Project](#)
- (7) [Recommendation by Town Attorney – Introduction of Amendment to the current Solicitation Ordinance 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 5.40 [Peddlers and Solicitors] of Title 5 [Business Taxes, Licenses and Regulations] of the Portola Valley Municipal Code (Ordinance No. __)

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(Time Estimate – 451 Minutes)

- (8) [Report from the Emergency Preparedness Committee – with Strategic Goals and Operational Plans](#)
- (9) **Reports from Commission and Committee Liaisons**
There are no written materials for this item.

WRITTEN COMMUNICATIONS

(Time Estimate – 10 Minutes)

(10) [Town Council Weekly Digest – March 26, 2010](#)

(11) [Town Council Weekly Digest – April 2, 2010](#)

(12) [Town Council Weekly Digest – April 9, 2010](#)

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).

UNAPPROVED MINUTES

TOWN COUNCIL MEETING NO. 787, MARCH 24, 2010

ROLL CALL

Mayor Toben called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance. Ms. Howard called the roll:

Present: Councilmembers Derwin, Driscoll, Richards and Wengert, and Mayor Toben
Absent: None
Others: Town Manager Howard, Town Attorneys Sloan and Prince, Asst. Town Manager McDougall, Planning & Building Asst. Brown, and Town Clerk Hanlon

ORAL COMMUNICATIONS

Bill Lane, Westridge Dr., congratulated the Council and staff—especially Councilmember Driscoll and Mr. Vlastic—for their presentations at the special meeting held at the Community Hall. He added that Ms. de Garmeaux did a beautiful job on the panels that showed the progress to get the LEED platinum award.

Scott Parker, School Board, asked the Council to support Measure D, which would be on a special mail-in ballot on 5/4/10. Information was on the District's website at PVSD.net. After almost two years of reductions to the schools' budgets, Measure D would help mitigate the problem. The District had to make a lot of difficult decisions, and more were in store. He appreciated the good communication and relationship between the Town and the schools. Mayor Toben said he was proud to have signed the ballot argument in support of Measure D. The relationship with the School District had served the Town so well in the last several years. He said members of the Council would do everything they could to bring the ballot measure home. Mr. Lane added that *The Almanac* reporters throughout the years had done a lot to assist communication and provide fantastic coverage of the Town and schools.

(1) PRESENTATION: Report on Portola Valley School District Goals [7:35 p.m.]

Mayor Toben welcomed Tim Hanretty and Ann Campbell. He said this was the last time the Council would see Ms. Campbell in her capacity as District Superintendent. She would be the next County Superintendent of Schools.

Ann Campbell, School District Superintendent, said she would treasure the time spent in Portola Valley—a community that was incredibly supportive of its schools. She gave a presentation on the state of the Schools District and discussed: 1) the schools and number of students, teachers and staff; 2) academics and Academic Performance Index scores; 3) awards; 4) skills needed for the 21st century; 5) school garden; 6) classrooms and computer pilot program; 7) language/writing pilot program; 8) music programs; 9) creating global students and citizens; 10) assistance to Afghanistan; 11) budget cuts; 12) Measure D; 13) website; and 14) District's vision statement. She invited Councilmembers to visit the schools and see what was going on in the classrooms. Mayor Toben said the children were fortunate to be served by Board members, faculty, and parents. Councilmembers thanked Ms. Campbell for the fabulous service the schools offered to the community.

(2) PRESENTATION: Report on Portola Valley School District Sustainability projects

Tim Hanretty, Asst. School District Superintendent, described upgrades of the facilities and initial steps taken to explore a solar energy system.

Rashmi Menon, consultant, gave a presentation on sustainability projects undertaken during the last year. She discussed: a) energy and water audits; b) interface with the SuRE Coordinator; c) power management; d) renewable energy; e) solar project cost; f) types of financing secured; and g) School District's reputation and financial rating. Carter Warr, architect, discussed location of the solar energy system and character of

the school sites. Responding to Councilmember Wengert, Ms. Menon said the payback period was estimated at 7-15 years. The range was large because the interest rate had not been locked in, and the cost estimates were not finalized. The system itself would live for 25+ years. Mr. Warr noted that with new technologies, the cost per watt was substantially down.

Mayor Toben said it was exciting to see the District's commitment to sustainability converge with the Town's interests and priorities. The fact that the schools celebrated their Earth Day event at the Town Center was an example of how the District and Town continued to work together.

CONSENT AGENDA

By motion of Councilmember Derwin, seconded by Councilmember Richards, the item listed below was approved with the following roll call vote:

Ayes: Councilmembers Derwin, Driscoll, Richards and Wengert, and Mayor Toben
Noes: None

(4) Warrant List of 3/24/10 in the Amount of \$64,916.82.

REGULAR AGENDA

(3) Minutes of Town Council Special Meeting of 3/10/10 (Removed from Consent Agenda)

Councilmember Driscoll submitted changes to the minutes of the 3/10/10 meeting. By motion and second, the minutes were approved as amended by a vote of 5-0.

(5) Emergency Preparedness in Portola Valley [8:10 p.m.]

Mayor Toben said the Town was committed to emergency preparedness on an on-going basis. For every month that had a fifth Wednesday, the Council held a special session dedicated to emergency preparedness. This month's meeting had been moved to this agenda.

(a) March 20-21 Workshop on "Assessing Wildfire Hazards in the Home Ignition Zone"

Fire Marshall Denise Enea described the makeup of the Firewise Advisory Committee, which met on a regular basis. She said the goal was to come up with fire prevention, fire education and emergency preparedness programs that would be promoted within the Fire District. The workshop was one of the first events put on with about 35 students attending--including Woodside and Portola Valley Councilmembers, both Town Managers, the Fire Chief, and emergency preparedness volunteers. It was a nationally accredited class from the National Fire Protection Agency and Firewise. Firewise was an accredited certification program that communities could attain and achieve. It was a collaboration of the residents, the town and fire agency to get together and figure out how to make their communities safer. For quite a few years, she had been promoting defensible space and doing more. This workshop was the next level and addressed what could be done before evacuating to make houses safer and survive a fire. Describing some examples of things that could be done, she said it was great that the class had been taught in the community. She urged that the Firewise progression continue, noting that Portola Valley Ranch had submitted their application.

John Boice, CERPP and EPC, said it was a very interesting workshop. The people who taught the class were professionals with a lot of experience fighting fires. They were very enthusiastic about what they were doing. Ms. Enea added that the instructors wanted to stay in touch and help the communities. Councilmember Driscoll asked if the Town could obtain copies of the videos shown. Ms. Enea said Firewise was a public domain and the videos could be shown to anyone. At a minimum, Councilmember Driscoll suggested getting a DVD of the videos for the library. Ms. Enea said she would follow up. Ms. Howard noted that the Town received a letter listing those who attended and thanking the Council for their support.

(b) Update from CERPP with Current Status of CERPP and Future Endeavors

Ms. Howard said CERPP was the backbone of the Town's effort to be prepared for an emergency. It was very important that the Town, CERPP and the Fire District were working together to create a more seamless response. She noted that a list of CERPP's division leaders had been distributed

Mr. Boice gave a presentation on CERPP. He discussed: 1) territory covered by CERPP; 2) formation of CERPP in Town; 3) organizational structure; 4) purpose of CERPP; 5) organizing neighborhoods and divisions; 6) communication system; 7) family service radios; 8) division radios and aerials; 9) communicating with the Town; 10) communications training; 11) territory covered by the Fire District and resources; 12) assistance and training from the Fire District; 13) CERPP's training exercises for fires and earthquakes; 14) CERPP committees; 15) classes conducted by CERPP; 16) trauma kits; and 17) training neighborhoods.

Michelle Green, Alpine Hills CERPP division leader, described her division area and participation in drills. Responding to Councilmember Derwin, she discussed how she organized her area, outreach to neighbors, presentations to neighbors, form for homeowners, training/drills in her division, and keeping people interested. Responding to Councilmember Driscoll, she said a volunteer effort depended on fired-up volunteers. From the Town, she asked for credibility within the community. It was all about publicity and communication. Mayor Toben said division leaders should be given more exposure in the PV Post. Advancing emergency preparedness had a lot to do with the network that reminded people what they could do. Only 3% of households in the country were prepared for a natural disaster. If it was 20% in this community, he would be impressed. When exercises were held, 10% of the hillside residents participated, and that was pretty good. It was remarkable that 12 years ago, there was no CERPP. Given the magnitude of the impending disaster, there was still a ways to go. Councilmember Richards said he really appreciated what the CERPP members did. He had been a neighborhood leader for many years, and it was really tough.

Dave Howes, Brookside CERPP division leader and EPC, described his division area and neighborhoods. He asked the Town to figure out a way to use "Portola Way" rather than "CERPP." It appeared easier to get people to volunteer for Town committees. CERPP was a little diluted, and it was difficult to get people involved. In Alameda, their CERT program put 1,000 people through their training. Their biggest strength was that they had someone on duty running the program five days/week. The two drills/year helped. It let the neighborhood leaders go through the neighborhood process, go over charts, figure out who was involved and who wasn't, etc. Even getting people involved with the drills was difficult, but he thought they were helpful.

Councilmember Driscoll noted that the Emergency Preparedness Committee was part of the Town. The Town needed to find some way to minimize the separateness of CERPP. Perhaps the Town could designate CERPP as the emergency organization. Mayor Toben said that was effectively being done in the Safety Element.

Marianne Plunder, EPC, said when the Woodside Fire Department had the money for a full-time staff member, that person was the manager of CERPP and there was a lot more happening. Mayor Toben agreed that if there was one paid staff person, it made a world of difference. One idea was to consider some pooled funding for the creation of a staff position involving Woodside, Portola Valley and the Fire District. There might also be some contributed money that enabled that function to be professionalized and thereby ramped up. He did not think it necessarily needed to be a full-time position. He agreed there needed to be an impetus that kept the volunteers gratified and energized. Mr. Howes said the new Town website was a huge improvement. One of the CERPP committee members helped with the part that dealt with emergency preparedness. That was a move in the right direction.

Mr. Boice continued his presentation and discussed: 18) his division area; 19) survey after an emergency; 20) 8 block leaders; 21) quick tasks; 22) drill assessments; 23) children's shelter; 24) equipment; 25) list of residents and communication capabilities; 26) water and electricity shutoffs for each house; 27) website; and 28) operating manual. He said people were not used to doing things for themselves. CERPP brought

people together. He said things that were needed included increased participation at all levels, expanded training, understanding the level of training, and assistance with recruiting. Referring to the website, he said giving people information was not enough. Mr. Howes added that ID cards for people who had gone through training was being discussed. Mr. Boice described the system he used to keep a record of all the classes people took. It helped let people know where they were and what they should be doing to increase their level of training.

Mayor Toben said the Town was very fortunate to have the benefit of skilled and dedicated volunteers. The Town would need CERPP, and it was indispensable for the community. He asked the Director of Emergency Operations to give some serious thought to the notion of support to CERPP. These volunteers couldn't be expected to continue to devote their lives to maintaining a level of readiness. Some serious thinking needed to be given to ways to offer new kinds of support that would sustain these people and also handle some of the blank spots on the maps. The weaker divisions needed to have their readiness increased while sustaining the caliber of the readiness of the stronger divisions. Ms. Howard noted that the Council would be hearing from the Emergency Preparedness Committee again on 4/14/10.

(6) Proposed Conceptual Changes to Solicitation Ordinance [9:10 p.m.]

Mayor Toben said some members of the community and staff had expressed concern about the current solicitation ordinance. There were instances where commercial solicitors came to Portola Valley, failed to go through the permitting process, or went through the process and disregarded the "Do Not Contact" list. The Town Attorney's memo was dated 3/16/10, and Ms. McDougall's memo was dated 3/24/10.

Councilmember Driscoll said his experience included people coming to the door attempting to sell a subscription to *The Watchtower*. It was a financial transaction, but it was a religious solicitation. Responding, Ms. Prince said once any request for money/contribution was part of the process, it became solicitation. If someone came and offered a pamphlet that shared their faith or political perspective, that was protected first amendment free speech and no permit could be required. Responding to Mayor Toben, she said the Watchtower Bible case that was cited in Ms. Sloan's memo of 4/2/09 was not directly on point, but it contained language that said once money became involved, the local agency had the authority to put time/place/manner restrictions on solicitation and require permits. First amendment law solicitation was very complex. If there were donations involved, the Jehovah's Witnesses, for example, would need to obtain a permit. Councilmember Driscoll felt they would have the assumption that since they were a religious organization, they would not need a permit. Ms. Prince noted that one of the difficulties with the entire permitting process was that it was difficult to get people to come in for permits in the first place and difficult to get people to behave accordingly. Setting this up and doing some outreach was a good first step.

Councilmember Driscoll said the onus was being put on the residents to know the rules. After the ordinance was adopted, a simplified version might be attached to the Post to let people know what their rights were and how to respond.

Responding to Councilmember Wengert's question about the order the material was presented in the packet, Ms. Sloan said she and staff had conversations, but it was hard to coordinate the different issues. She felt it would be most helpful to address Ms. McDougall's questions first and then decide how the ordinance should be revised.

Referring to Ms. McDougall's memo of 3/24/10 (p. 3), Mayor Toben said the first issue was whether to involve law enforcement in the solicitation permit process. Responding to Councilmember Wengert, Police Commissioner Davis said Capt. Mark Hanlon thought there was some merit in showing the force of the deputies' during the issuance. Many locations used the Sheriff or their police force to issue the permits. Lt. Schumaker was neutral on the idea. But, he [Davis] did not support the idea and thought it would be a distraction from the Sheriff's service. Capt. Hanlon said the deputies worked for the Town. Whatever the Council decided, the Sheriff's office would go with it. In Belmont in 1972-1984, the deputies were plagued with solicitors. In Town, he thought there were probably 2-3 groups/year if that. The time spent involved in this process from the deputies' perspective didn't seem to be overwhelming. Secondly, he felt a law enforcement presence somewhere in the process—not processing paperwork—would assure that the

applicant understood the terms of the solicitation application. It would also send the message that the law enforcement representative was engaged in this process and was aware of the terms for conducting business in Portola Valley. That presence sometimes went a long way. The person who would be carrying this out was Lt. Schumaker as bureau commander. He and his sergeants would make this happen if the Council chose to do that. Responding to Councilmember Driscoll, he said if there were 15-20 solicitors every month, that would be a burden on the Sheriff's Dept. Responding to Councilmember Driscoll, Ms. McDougall confirmed there were 2-3/year.

Mr. Davis said there was a broader set of problems. The "Do Not Contact" list was a false sense of security on the part of the residents. It was not legally or mechanically enforceable. It triggered a kickback to the staff who had to respond to complaints from residents. It also made no distinction between those people who were under the first amendment rights and those who were true solicitors. He felt it should be done away with. The problem was that very few people came in for a permit. They fell into two categories: those who were honest individuals who wanted to follow through with the nature and spirit of the permit and those who were going through it mechanically. There was also the time schedule. Legally, the Town had to issue permits within a brief period. Staff might end up waiting for a deputy to come into Town Hall or have to set an appointment. He did not support involving the Sheriff's office. But, he did endorse all the other aspects of Ms. McDougall's proposal such as a public education campaign. He also thought there should be a sign for use by residents that indicated "No Solicitors by Ordinance so-and-so" that referenced the ordinance. The person who was handed the "Do Not Contact" list couldn't argue he lost it, didn't read it, etc. He thought that would provide a little more teeth.

Mayor Toben said he was not satisfied with the record on this issue. There was no log of complaints, and he did not know if there were ten irritated residents per year, 100 or 1,000. There was no sense of the number of outfits that had come through that hadn't gone through the permit process and were operating without the benefit of a permit. There was also no sense of the rate of compliance by those who obtained permits. There was no record on which to take a strong stand.

Ms. Sloan said if someone complained, updating the ordinance that was on the books was discussed, but it always got pushed to the bottom of the pile. Responding to Ms. Sloan, Ms. Howard confirmed that the Town had a permit form that people came in and signed even if it wasn't enforceable. Everyone agreed that the ordinance on the books needed to be updated, and Ms. Sloan brought forth an ordinance for the Council to consider. In addition to that, the staff had other concerns about the way the process worked and had submitted some recommendations for consideration. Some of these ideas could be incorporated in the ordinance, or the revised ordinance could be considered as drafted. She agreed there was a relatively small number of people coming in and asking for a permit.

Councilmember Wengert said the "Do Not Contact" list was clearly a problem. It created a false expectation amongst residents that if they were on the list, they would be protected from all forms of solicitation. Mayor Toben said the question was whether that problem could be fixed and maintain the list. He was worried what signal it would send to residents to abandon the list without offering any form of protection. There could be ways of revising the way it was implemented that might make it a better device. If someone wanted to be on the list, they should immediately get an email that said being on the list meant protection from commercial solicitors, but it would not protect you from individuals who came door-to-door to present their political or religious viewpoints. Also, the permit should say that if you contacted someone on the Do Not Contact list, you would face immediate revocation of your permit and not be considered for a permit in the future. He would prefer to try those methods before eliminating the list.

Councilmember Wengert said it was important to consider what percentage of the people followed the rules, had a permit, and responded to the list or prohibitions. The issue people were reacting to was when ten people got out of a van at 7:00 p.m. on a Friday night and fanned out. They did not have a permit and had a very specific agenda in mind. The Do Not Contact list could create the impression that there was something the Town wasn't doing by allowing that van to stop in a neighborhood. She did not want the Town to take on a burden that was impossible to police by representing that the Do Not Contact list would have some ability to stop that activity. She was not suggesting abandoning the list as a first step, but she did not want staff to field 25-30 calls when those incidences occurred.

Mr. Davis said one of Capt. Hanlon's concepts was to set the system up so that the deputies could collar the culprits and reduce the probability of them being able to use the argument that they didn't know. He [Davis] supported a new ordinance that was enforceable and spelled out infractions. It should demonstrate that Portola Valley was a bad place to solicit when you contacted those who didn't want to be solicited. Responding to Mayor Toben, he confirmed that he preferred residents post a "No Solicitation by Ordinance No. xyz" on their property. As a service to the residents, he wanted to provide them with a sign published by the Town that had the ordinance number on it that people would feel comfortable attaching to their homes. That would take care of the solicitor problem but would not take care of the people exercising their first amendment rights.

Mayor Toben said for many households, the No Solicitors by Ordinance No. xyz would be unsightly, unfriendly and inappropriate. The alternative should be to have your name on a No Contact list.

Councilmember Driscoll felt the number of solicitors who had come to his door was substantially larger than the number who had applied for a permit. Most of the time, they seemed to be completely stunned that there was a No Contact list because they never went to the Town to get a permit. He did not look forward to putting a big sign on his house, but a discreet sign over his doorbell would be acceptable. He did not mind having a No Contact list for those solicitors who came in for a permit. It served as a warning that you would not be welcome at those properties.

Councilmember Derwin said she would not post a sign on her house. When she saw them, she felt hostile towards the inhabitants. She liked the Do Not Contact list and thought it should be tied to a better ordinance. It should explain what you were getting and what you weren't getting by being on the list.

Councilmember Richards said he would not put a sign on his house. He would be interested in a Do Not Contact list if it was workable and wasn't a burden to the staff. Personally, he had not had any trouble with solicitors. There were perhaps 3-4/year at most.

Councilmember Wengert said she would not have a Do Not Solicit sign on her property. But, she suspected that those on the list would not object to a sign. Whether one could substitute for the other was a question, but to run them in parallel was redundant and did not make a lot of sense. For those who didn't want a sign, she did not think the Do Not Contact list would substitute adequately for that in terms of stopping the actions the Town was trying to stop.

Mayor Toben said it appeared that a majority of the Council was not prepared to eliminate the Do Not Contact list. There also did not appear to be any resistance to allowing people to put No Solicitation signs on their property. That might be encouraged as a way of giving greater traction to the notion of deterring unwanted solicitors and also clarifying the distinction between a solicitor and a contact for pure first amendment purposes. The direction to staff was to explore how the Do Not Contact list could be more effective.

Councilmember Wengert said the educational campaign would go a long way to address comments on the forum. A description of the first amendment rights and a clear understanding of what was allowable anywhere in the country—including Portola Valley—was important. Mayor Toben noted that there was also a section in the CA Penal Code that created an exception to trespassing laws to ensure that people had a right to come on your property and ask you to sign a petition. Councilmember Wengert said something could also be posted on the website that might cut down the number of complaints.

With respect to the permit issuance process, Councilmember Driscoll said it appeared to be a very infrequent thing. He did not think involving the deputies should be a requirement. If a deputy was in Town and handy at the time a solicitor came in for a permit, it might be a desirable practice to give the deputy a call and have him give that official visibility. If a deputy was not available, it should not be mandatory to have him present.

Councilmember Derwin said she could be persuaded to go with law enforcement involvement—especially if

it was only 2-3 groups/year. But, she did not agree with Councilmember Driscoll's suggestion. It should either involve law enforcement or not.

Councilmember Wengert did not want to involve law enforcement because there were so few instances. The people who were coming in for a permit were most likely the more responsible people involved in the process. She did not think it would capture the problem that the Town was trying to solve, which was to stop the bigger groups of people who came roaring in for pure solicitation. If there were complaints about those taking out the permits, she might be persuaded otherwise.

Councilmember Richards concurred. Additionally, for those people who came in for a permit, it might offer them some respectability. In this day and age, there might be more and more people trying to make a living doing this as a last resort.

Ms. McDougall said one of the benefits of involving the Sheriff's Dept. was that they were the eyes and ears and knew what was going on. If they were involved in permit issuance, they would know when a permit had been issued. More importantly, they would know when one had not been issued. If they ran across groups undertaking solicitation, they would know whether a permit had been issued. Mayor Toben said if they got a call from a resident who was upset about a solicitor, the deputy could simply ask the person if they had a permit.

Mayor Toben said there was not a sufficient record documenting a serious problem that would justify the added presence the Sheriff would lend. He was not persuaded that the current process should be altered. With respect to the public education campaign, Councilmember Wengert suggested using the Town website, which people could instantly access. Mayor Toben felt they should be able to search on "solicitation" and learn what was permissible and what was not. He also felt that when some of these rogue outfits were identified, the Sheriff needed to be right on it.

With respect to the ordinance, Mayor Toben said the revised ordinance (Section 5.40.090(C), p. 4) embedded the requirement of compliance with the No Contact list. He suggested adding that a violation of this provision could lead to a revocation of the solicitation permit and some refusal to grant permits within 1-2 years. Ms. Prince pointed out that the next section (5.40.100) indicated that the Town Manager could revoke the permit. Mayor Toben said it should be added to section 5.40.090(C).

Under permit exemption (Section 5.40.040, p. 2), Councilmember Derwin said Ms. Sloan's memo contained a paragraph about an exception for gathering signatures. She thought that could be added as well as something about census workers. Ms. Sloan said Mayor Toben emailed a suggestion to add a third exemption for door-to-door contact involving only requests for signatures such as political petitions. She did not think it was necessary to add census workers, which was a federal activity and did not happen frequently. Mayor Toben said the word "solicitation" in Section 5.40.040(i) on p.2 should be changed to "door-to-door" contact. Solicitation was defined previously to mean an approach for an exchange or contribution. Door-to-door contact distinguished that activity from solicitation.

Referring to Section 5.40.070 on p. 3, Ms. Prince confirmed for Councilmember Derwin that staff indicated the permit was usually issued the same day. The suggestion was to change 14 days to 3 days for a little leeway. Responding to Mayor Toben's question on Section 5.40.090(D), p. 4, she confirmed that there might be a legal problem with limiting a permit issuance to no more than one time in any six-month period for any one organization. The intent was to limit the number of times any given group could come into the neighborhood. However, courts looked at whether there was an easier way to regulate the activity. The Do Not Contact list was an easier way of trying to address that problem. She said she would review it further. In Section 5.40.090(F), she said the section was meant to address aggressive contact as well and the situation where someone came for religious or political purposes but did not leave when asked nicely to do so. She said she would bring back the revised ordinance.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(7) False Security Alarm Research [10:00 p.m.]

Ms. Howard said during the budget process and the negotiations with the Sheriff's Department, the Council expressed some concerns about the cost of false alarms. A false alarm ordinance was discussed along with the idea that it might be a potential revenue source. Ms. Brown researched what other communities were doing with false alarms. Ms. Brown reviewed the staff report of 3/24/10. She noted that the numbers given in the report represented all alarm calls (not just false alarms) and were only representative of crime-related calls--not all the calls the Sheriff's office received.

Lt. Schumaker said the 59% cited in the staff report for false alarms could be broken down. Last year, everything that was done in Portola Valley by the Sheriff's department equated to 3,003 calls with 387 burglaries, which averaged out to 400 for the last three years. That was about 11-12% of the total related calls. Deputies responded to 1.1 alarm calls for any 24-hour period. It was a small percentage of what the Sheriff's office did in Town. Responding to Mayor Toben, he said right now the Sheriff's Dept. did not have a good way of capturing false alarms. The majority were alarms where there was no crime activity. There were more alarm calls during the winter that were storm related. But, it was good to know that the alarm was working and was a deterrent. Responding to Councilmember Derwin, he said a false alarm was generally defined as an alarm that went off with no criminal activity.

Mayor Toben noted that the Council had questioned whether people could be charged for alarms going off erroneously. It appeared not to be a significant problem. He said staff was not supportive of a fee-based alarm ordinance but wanted to monitor repeat offenders and work in coordination with the Sheriff's Office to identify those property owners.

Councilmember Wengert said it was interesting to learn what neighboring municipalities were doing, which was mixed. In light of what Lt. Schumaker said, it did not appear to be a huge distraction for the Sheriff's Office. She supported the staff's recommendation. Councilmembers concurred. Councilmember Driscoll said it would be helpful to have better reporting when the Sheriff's Office upgraded their reporting system.

(8) Reports from Commission and Committee Liaisons [10:10 p.m.]

(a) Planning Commission

Councilmember Richards said the Commission discussed a site development application for a project on Golden Oak. They also approved map modifications for a project on Alpine Road. The Commission continued the discussion of the updated geologic maps, related zoning code provisions and Resolution 500 and focused on what should be allowed in fault setbacks.

(b) Cultural Arts Committee

Councilmember Derwin said the Committee discussed: 1) use of the foyer for rotating art exhibitions; 2) having an art show/year in the Community Hall for community participants; 3) a concert series in the summer using local talent; 4) a movie night; and 5) putting up a sign to direct people to the Historic Resources at the Town Center.

Councilmember Driscoll said a subgroup of the Committee met with a number of private citizens to discuss where at the Town Center to put the four pieces that contained tiles made by children 30-40 years ago. A consensus had not been reached. Councilmembers Driscoll and Derwin described alternative locations discussed. Councilmember Driscoll said a letter(s) with recommendations would be forthcoming.

(c) C/CAG -Resource Management and Climate Protection Committee

Councilmember Derwin said there was a presentation by Ecology Action, a conservation awareness organization founded in 1970, that was participating in the San Mateo County Energy Watch Program. There was also discussion about the Climate Action Plan Template and Tool Effort, which Ms. de Garmeaux was involved in. The template could be used by all the cities in the County. There was also discussion about measuring the cost of transportation in towns.

(d) Firewise Advisory Committee Meeting

Councilmember Derwin said the Committee was starting to get some numbers about the fire prevention budget, expenditures, where the money was coming from, etc.

(e) ASCC

Councilmember Derwin said the ASCC continued its discussion of the wireless communication facility at Golden Oak and Peak Lane. They discussed the appropriateness of the location, the use of a "tree" pole, fencing, co-locating, landscaping, etc. They also discussed: a) re-issuance of an expired CUP for a wireless antenna at the Priory; b) an ambitious remodel on Ramoso Rd; c) a cottage on Cervantes; and d) accuracy of story poles for a project on Westridge.

(f) Geologic Safety Committee

Councilmember Driscoll said a subset of the Committee spoke to the Ranch Board about a portion of the property that might be available for trenching at some future date. There was not a clear idea about where the money would be coming from and how much it would cost. The Committee would come up with some estimates.

(g) Emergency Preparedness Committee

Councilmember Driscoll said the Committee discussed the presentation to the Council.

(h) Conservation Committee

Councilmember Driscoll said the Committee went through all the properties that belonged to the Town and discussed which ones should be designated as open space preserves. A recommendation would be forthcoming. They were also asked to determine whether a palm tree was an appropriate planting on a property just outside the Portola Valley boundary on Los Trancos Road. He described the project, which had been referred to the Town for comment from the City of Palo Alto. He said the Committee also discussed a project on Ash Lane that included an olive grove.

WRITTEN COMMUNICATIONS [10:35 p.m.]

(9) Town Council 3/12/10 Weekly Digest

(a) Ethics Training

Councilmembers discussed options for obtaining the training.

(10) Town Council 3/19/10 Weekly Digest

(a) Encroachment Permit for 4860 Alpine Road

Referring to the e-mail correspondence between the Town Attorney and Rick Friedman, Ms. Sloan said her office was working with the Friedmans' attorney and the insurance carrier.

ADJOURNMENT: 10:37 p.m.

Mayor

Town Clerk

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A A LOCK & ALARM	Keys	10602	04/14/2010	
			04/14/2010	
PO BOX 909	0001		04/14/2010	
MENLO PARK	BOA	43174	04/14/2010	0.00
CA 94026-0909	2448			14.75

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	14.75	0.00

Check No.	43174	Total:	14.75
Total for	A A LOCK & ALARM		14.75

ACTION SIGN SYSTEMS INC	Bench Plaque Installation	10603	04/14/2010	
			04/14/2010	
1200 INDUSTRIAL ROAD	0270		04/14/2010	
SAN CARLOS	BOA	43175	04/14/2010	0.00
CA 94070-4129	17996,17997			950.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4420	Town Center Construction	950.00	0.00

Check No.	43175	Total:	950.00
Total for	ACTION SIGN SYSTEMS INC		950.00

ALLIANT INSURANCE SERVICES	Liab Ins, Jan-Mar 2010 (for events & classes)	10668	04/14/2010	
			04/14/2010	
SPECIAL EVENTS	475		04/14/2010	
NEWPORT BEACH	BOA	43176	04/14/2010	0.00
CA 92658				940.25

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4338	Event Insurance	940.25	0.00

Check No.	43176	Total:	940.25
Total for	ALLIANT INSURANCE SERVICES		940.25

ALMANAC	March Advertising	10657	04/14/2010	
			04/14/2010	
PO BOX 1610	0048		04/14/2010	
MENLO PARK	BOA	43177	04/14/2010	0.00
CA 94302				276.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4320	Advertising	276.00	0.00

Check No.	43177	Total:	276.00
Total for	ALMANAC		276.00

AMERICAN EAGLE ROOFING	C&D Refund, 1 Valley Oak	10609	04/14/2010	
			04/14/2010	
28 E. 25TH AVENUE	2011		04/14/2010	
SAN MATEO	BOA	43178	04/14/2010	0.00
CA 94403				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
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State/Province Zip/Postal	Invoice Number			Check Amount

96-54-4205	C&D Deposit			1,000.00	0.00
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Check No.	43178	Total:	1,000.00
Total for	AMERICAN EAGLE ROOFING		1,000.00

ANIMAL DAMAGE MGMT INC	March Pest Control	10604	04/14/2010	
16170 VINEYARD BLVD. #150	804		04/14/2010	
MORGAN HILL	BOA	43179	04/14/2010	0.00
CA 95037	44191			310.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	310.00	0.00

Check No.	43179	Total:	310.00
Total for	ANIMAL DAMAGE MGMT INC		310.00

ARROWHEAD MT SPRING WATER	March Statement	10605	04/14/2010	
P.O. BOX 856158	463		04/14/2010	
LOUISVILLE	BOA	43180	04/14/2010	0.00
KY 40285-6158))C5743876004			104.16

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	104.16	0.00

Check No.	43180	Total:	104.16
Total for	ARROWHEAD MT SPRING WATER		104.16

BAY REPROGRAPHICS	Paper for Plotter	10606	04/14/2010	
2692 MIDDLEFIELD ROAD	0249		04/14/2010	
REDWOOD CITY	BOA	43181	04/14/2010	0.00
CA 94063	175277			46.93

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	46.93	0.00

Check No.	43181	Total:	46.93
Total for	BAY REPROGRAPHICS		46.93

ROBERT BESSIN	Event Deposit Refund	10610	04/14/2010	
2138 DEODARA DRIVE	385		04/14/2010	
LOS ALTOS	BOA	43182	04/14/2010	0.00
CA 94024				500.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4226	Facility Deposit Refunds	500.00	0.00

Check No.	43182	Total:	500.00
Total for	ROBERT BESSIN		500.00

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City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

BOB-WIRE ELECTRIC	Install TV in EOC	10607	04/14/2010	
			04/14/2010	
PO BOX 808	0024		04/14/2010	
REDWOOD CITY	BOA	43183	04/14/2010	0.00
CA 94064	12670			1,190.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4426	CIP EmerqOpsCenter	1,190.00	0.00

Check No.	43183	Total:	1,190.00
Total for	BOB-WIRE ELECTRIC		1,190.00

CAL WATER SERVICE CO	2/13 - 3/14 Statements	10608	04/14/2010	
			04/14/2010	
3351 EL CAMINO REAL	0035		04/14/2010	
ATHERTON	BOA	43184	04/14/2010	0.00
CA 94027				843.71

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	843.71	0.00

Check No.	43184	Total:	843.71
Total for	CAL WATER SERVICE CO		843.71

CALIFORNIA BLDG STANDARDS COMM	BSC Fee Report, Jan-Mar 2010	10611	04/14/2010	
			04/14/2010	
2525 NATOMAS PARK DRIVE	458		04/14/2010	
SACRAMENTO	BOA	43185	04/14/2010	0.00
CA 95833				72.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4224	BSA/SMIP Fees	72.00	0.00

Check No.	43185	Total:	72.00
Total for	CALIFORNIA BLDG STANDARDS C		72.00

CASEY CONSTRUCTION INC	Storm Drain Repair	10613	04/14/2010	
	Alpine and Golden Oak		04/14/2010	
620 HANDLEY TRAIL	2021		04/14/2010	
EMERALD HILLS	BOA	43186	04/14/2010	0.00
CA 94062	659,660			25,514.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4260	Public Road Surface & Drainage	17,859.80	0.00
20-60-4271	Storm Damage	7,654.20	0.00

Check No.	43186	Total:	25,514.00
Total for	CASEY CONSTRUCTION INC		25,514.00

CLEANSTREET	March & Quarterly Street Clean	10662	04/14/2010	
			04/14/2010	
1937 W. 169TH STREET	0034		04/14/2010	
GARDENA	BOA	43187	04/14/2010	0.00
CA 90247-5254	60003			4,187.76

GL Number	Description	Invoice Amount	Amount Relieved
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State/Province Zip/Postal	Invoice Number			Check Amount

20-60-4262	Street Sweeping & ROW Mowing	3,376.86	0.00	
20-60-4266	Litter Clean Up Program	810.90	0.00	

Check No.	43187	Total:	4,187.76
Total for	CLEANSTREET		4,187.76

COAST LANDSCAPE MGMT, INC	Irrigation Repairs	10614	04/14/2010	
		5832	04/14/2010	
1474 BERGER DRIVE	949		04/14/2010	
SAN JOSE	BOA	43188	04/14/2010	0.00
CA 95112	79573			609.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	609.00	0.00

Check No.	43188	Total:	609.00
Total for	COAST LANDSCAPE MGMT, INC		609.00

COTTON SHIRES & ASSOC. INC.	March Applicant Charges	10656	04/14/2010	
			04/14/2010	
330 VILLAGE LANE	0047		04/14/2010	
LOS GATOS	BOA	43189	04/14/2010	0.00
CA 95030-7218				8,342.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4190	Geoloqist - Charges to Appls	8,342.00	0.00

Check No.	43189	Total:	8,342.00
Total for	COTTON SHIRES & ASSOC. INC.		8,342.00

WILLIAM CROWN	C&D Refund, 98 La Sandra	10615	04/14/2010	
			04/14/2010	
100 LA SANDRA	412		04/14/2010	
PORTOLA VALLEY	BOA	43190	04/14/2010	0.00
CA 94028				5,000.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	5,000.00	0.00

WILLIAM CROWN	Deposit Refund	10616	04/14/2010	
			04/14/2010	
100 LA SANDRA	412		04/14/2010	
PORTOLA VALLEY	BOA	43190	04/14/2010	0.00
CA 94028				935.10

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	935.10	0.00

Check No.	43190	Total:	5,935.10
Total for	WILLIAM CROWN		5,935.10

DEPARTMENT OF CONSERVATION	SMISHMF, Jan-Mar 2010	10612	04/14/2010	
			04/14/2010	
Division of Administrative	0054		04/14/2010	
801 K STREET MS22-15	BOA	43191	04/14/2010	0.00
SACRAMENTO				129.64
CA 95814-3531				

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State/Province Zip/Postal	Invoice Number			Check Amount

GL Number	Description	Invoice Amount	Amount Relieved	
05-56-4224	BSA/SMIP Fees	129.64	0.00	
		Check No. 43191	Total:	129.64
		Total for	DEPARTMENT OF CONSERVATIO	129.64

FEDEX	Ship Charges	10620	04/14/2010	
P.O. BOX 7221	0066		04/14/2010	
PASADENA	BOA	43192	04/14/2010	0.00
CA 91109-7321	7-027-42034			55.86
GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4308	Office Supplies	55.86	0.00	
		Check No. 43192	Total:	55.86
		Total for	FEDEX	55.86

GOODCO PRESS INCORPORATED	Business Cards	10621	04/14/2010	
2480 OLD MIDDLEFIELD WAY	0328		04/14/2010	
MOUNTAIN VIEW	BOA	43193	04/14/2010	0.00
CA 94043	43272			212.88
GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4308	Office Supplies	212.88	0.00	
		Check No. 43193	Total:	212.88
		Total for	GOODCO PRESS INCORPORATEI	212.88

PETER HARDING	Bldg Permit Refund (CX)	10623	04/14/2010	
208 CORTE MADERA	361		04/14/2010	
PORTOLA VALLEY	BOA	43194	04/14/2010	0.00
CA 94028				815.10
GL Number	Description	Invoice Amount	Amount Relieved	
65-00-4377	Refund of Bldg Fees	815.10	0.00	
		Check No. 43194	Total:	815.10
		Total for	PETER HARDING	815.10

HILLYARD, INC	Paper Towel Dispenser for Lib	10663	04/14/2010	
P.O. BOX 874338	531		04/14/2010	
KANSAS CITY	BOA	43195	04/14/2010	0.00
MO 64187-4338	6264094			59.98
GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4340	Building Maint Equip & Supp	59.98	0.00	
		Check No. 43195	Total:	59.98
		Total for	HILLYARD, INC	59.98

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Vendor Address	Vendor Number		Due Date	
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State/Province Zip/Postal	Invoice Number			Check Amount

HORIZON	Fertilizer, Rossotti/Ford Fds	10624	04/14/2010	
			04/14/2010	
P.O. BOX 52758	0289		04/14/2010	
PHOENIX	BOA	43196	04/14/2010	0.00
AZ 85072-2758	1NO01382			268.63

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	268.63	0.00

HORIZON	Fertilizer for Fields	10664	04/14/2010	
			04/14/2010	
P.O. BOX 52758	0289		04/14/2010	
PHOENIX	BOA	43196	04/14/2010	0.00
AZ 85072-2758	002980			368.17

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	368.17	0.00

Check No.	43196	Total:	636.80
Total for	HORIZON		636.80

BRADLEY HOWE	Deposit Refund	10618	04/14/2010	
			04/14/2010	
4 GROVE COURT	374		04/14/2010	
PORTOLA VALLEY	BOA	43197	04/14/2010	0.00
CA 94028				405.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	405.00	0.00

Check No.	43197	Total:	405.00
Total for	BRADLEY HOWE		405.00

J.W. ENTERPRISES	April Lavatories	10625	04/14/2010	
			04/14/2010	
1689 MORSE AVE	829		04/14/2010	
VENTURA	BOA	43198	04/14/2010	0.00
CA 93003	148705			213.48

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4244	Portable Lavatories	213.48	0.00

Check No.	43198	Total:	213.48
Total for	J.W. ENTERPRISES		213.48

JOS. J. ALBANESE, INC.	Final Retention, TC Project	10626	04/14/2010	
	Concrete		04/14/2010	
P.O. BOX 667	931		04/14/2010	
SANTA CLARA	BOA	43199	04/14/2010	0.00
CA 95052-0667	992031			3,938.35

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4420	Town Center Construction	3,938.35	0.00

Check No.	43199	Total:	3,938.35
Total for	JOS. J. ALBANESE, INC.		3,938.35

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State/Province Zip/Postal	Invoice Number			Check Amount

KDSA CONSULTING LLC	April Spam Filtering	10627	04/14/2010	
			04/14/2010	
1600 OSGOOD STREET	555		04/14/2010	
N. ANDOVER	BOA	43200	04/14/2010	0.00
MA 01845	10017			75.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4311	Internet Service & Web Hosting	75.00	0.00

Check No.	43200	Total:	75.00
Total for	KDSA CONSULTING LLC		75.00

KLEINFELDER, INC.	ARRA Project Insp/Testing	10665	04/14/2010	
			04/14/2010	
P.O. BOX 51958	922		04/14/2010	
LOS ANGELES	BOA	43201	04/14/2010	0.00
CA 90051-6258	636487			75.50

GL Number	Description	Invoice Amount	Amount Relieved
65-68-4505	CIP ARRA Eng/Inspections	75.50	0.00

Check No.	43201	Total:	75.50
Total for	KLEINFELDER, INC.		75.50

KUTZMANN & ASSOCIATES	March Plan Check	10660	04/14/2010	
			04/14/2010	
39355 CALIFORNIA STREET	0090		04/14/2010	
FREMONT	BOA	43202	04/14/2010	0.00
CA 94538				5,587.76

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4200	Plan Check Services	5,587.76	0.00

Check No.	43202	Total:	5,587.76
Total for	KUTZMANN & ASSOCIATES		5,587.76

LESLIE LAMBERT	March Mileage Reimbursement	10658	04/14/2010	
			04/14/2010	
80 CHESTER CIRCLE	0291		04/14/2010	
LOS ALTOS	BOA	43203	04/14/2010	0.00
CA 94022				119.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4328	Mileage Reimbursement	119.00	0.00

Check No.	43203	Total:	119.00
Total for	LESLIE LAMBERT		119.00

RON LONG	Bldg Permit Refund (CX)	10622	04/14/2010	
			04/14/2010	
165 GOLDEN OAK DRIVE	0308		04/14/2010	
PORTOLA VALLEY	BOA	43204	04/14/2010	0.00
CA 94028				2,452.90

GL Number	Description	Invoice Amount	Amount Relieved
65-00-4377	Refund of Bldg Fees	2,452.90	0.00

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State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	43204	Total:	2,452.90
Total for	RON LONG		2,452.90

THOMAS MERIGAN	Event Deposit Refund	10628	04/14/2010	
148 GOYA ROAD	0337		04/14/2010	
PORTOLA VALLEY	BOA	43205	04/14/2010	0.00
CA 94028				500.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4226	Facility Deposit Refunds	500.00	0.00

Check No.	43205	Total:	500.00
Total for	THOMAS MERIGAN		500.00

LYNN J NOBLE	March Transcription	10661	04/14/2010	
P.O. BOX 342	0103		04/14/2010	
LOS GATOS	BOA	43206	04/14/2010	0.00
CA 95031-0342				2,205.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4188	Transcription Services	2,205.00	0.00

Check No.	43206	Total:	2,205.00
Total for	LYNN J NOBLE		2,205.00

NOLTE ASSOCIATES INC.	Applicant Charge	10629	04/14/2010	
2495 NATOMAS PARK DRIVE	0104		04/14/2010	
SACRAMENTO	BOA	43207	04/14/2010	0.00
CA 95833-2935	10060035			572.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	572.00	0.00

Check No.	43207	Total:	572.00
Total for	NOLTE ASSOCIATES INC.		572.00

O. NELSON & SON	Town Center Storm Cleanup	10630	04/14/2010	
3355 TRIPP ROAD	634		04/14/2010	
WOODSIDE	BOA	43208	04/14/2010	0.00
CA 94062	113			9,946.89

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4271	Storm Damage	9,946.89	0.00

O. NELSON & SON	Trail Maintenance	10631	04/14/2010	
3355 TRIPP ROAD	Various Sites		04/14/2010	
WOODSIDE	634		04/14/2010	
CA 94062	BOA	43208	04/14/2010	0.00
	116			4,777.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4270	Trail Surface Rehabilitation	4,777.00	0.00

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

O. NELSON & SON	Repairs/Maint to Trails	10666	04/14/2010	
	Alpine Rd (Holbrook/Los Tranc)		04/14/2010	
3355 TRIPP ROAD	634		04/14/2010	
WOODSIDE	BOA	43208	04/14/2010	0.00
CA 94062	117			8,240.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4270	Trail Surface Rehabilitation	8,240.00	0.00

Check No.	43208	Total:	22,963.89
Total for	O. NELSON & SON		22,963.89

OFFICE EQUIPMENT FINANCE SERV	April Copier Lease	10655	04/14/2010	
			04/14/2010	
P. O. BOX 790448	472		04/14/2010	
ST. LOUIS	BOA	43209	04/14/2010	0.00
MO 63179	147920375			396.91

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4312	Office Equipment	396.91	0.00

Check No.	43209	Total:	396.91
Total for	OFFICE EQUIPMENT FINANCE SE		396.91

PALO ALTO CONCRETE	Deposit Refund, 35 Kiowa	10633	04/14/2010	
			04/14/2010	
1142 GUINDA STREET	362		04/14/2010	
PALO ALTO	BOA	43210	04/14/2010	0.00
CA 94301				320.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	320.00	0.00

Check No.	43210	Total:	320.00
Total for	PALO ALTO CONCRETE		320.00

THOMAS PATTERSON	Deposit Refund	10617	04/14/2010	
			04/14/2010	
15 ZAPATA	429		04/14/2010	
PORTOLA VALLEY	BOA	43211	04/14/2010	0.00
CA 94028				1,019.40

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	1,019.40	0.00

Check No.	43211	Total:	1,019.40
Total for	THOMAS PATTERSON		1,019.40

PEELLE TECHNOLOGIES, INC	Maintenance Renewal	10634	04/14/2010	
	05/27/10 - 5/26/11		04/14/2010	
197 EAST HAMILTON AVE	961		04/14/2010	
CAMPBELL	BOA	43212	04/14/2010	0.00
CA 95008	TOPV1489			3,510.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4314	Equipment Services Contracts	3,510.00	0.00

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Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	43212	Total:	3,510.00
Total for	PEELLE TECHNOLOGIES, INC		3,510.00

PENINSULA DIGITAL IMAGING	Blueprints	10635	04/14/2010	
599 FAIRCHILD DRIVE	0135		04/14/2010	
MOUNTAIN VIEW	BOA	43213	04/14/2010	0.00
CA 94043	184294			52.92

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	52.92	0.00

Check No.	43213	Total:	52.92
Total for	PENINSULA DIGITAL IMAGING		52.92

PG&E	March Statements	10632	04/14/2010	
BOX 997300	0109		04/14/2010	
SACRAMENTO	BOA	43214	04/14/2010	0.00
CA 95899-7300				777.06

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	777.06	0.00

Check No.	43214	Total:	777.06
Total for	PG&E		777.06

CATHERINE PLOTTIER	Winter Instructor Dues	10636	04/14/2010	
1658 SOUTH MARY AVENUE	2008		04/14/2010	
SUNNYVALE	BOA	43215	04/14/2010	0.00
CA 94087				288.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	288.00	0.00

Check No.	43215	Total:	288.00
Total for	CATHERINE PLOTTIER		288.00

PORTOLA VALLEY HARDWARE	March Statement	10637	04/14/2010	
112 PORTOLA VALLEY ROAD	0114		04/14/2010	
PORTOLA VALLEY	BOA	43216	04/14/2010	0.00
CA 94028				613.24

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	141.16	0.00
05-66-4340	Building Maint Equip & Supp	356.34	0.00
20-60-4260	Public Road Surface & Drainage	98.28	0.00
20-60-4270	Trail Surface Rehabilitation	17.46	0.00

Check No.	43216	Total:	613.24
Total for	PORTOLA VALLEY HARDWARE		613.24

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

PRINTING SYSTEMS INC.	Checks	10638	04/14/2010	
			04/14/2010	
12005 BEECH DALY	0216		04/14/2010	
TAYLOR	BOA	43217	04/14/2010	0.00
MI 48180	63517			271.79

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	271.79	0.00

Check No.	43217	Total:	271.79
Total for	PRINTING SYSTEMS INC.		271.79

SHARP BUSINESS SYSTEMS	Overage & Color Copies	10639	04/14/2010	
	2/21 - 3/20		04/14/2010	
DEPT. LA 21510	0199		04/14/2010	
PASADENA	BOA	43218	04/14/2010	0.00
CA 91185-1510	AR262105			31.99

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	31.99	0.00

Check No.	43218	Total:	31.99
Total for	SHARP BUSINESS SYSTEMS		31.99

SIEGEL & STRAIN	LEED Certification Fee	10640	04/14/2010	
		5833	04/14/2010	
1295 - 59TH STREET	813		04/14/2010	
EMERYVILLE	BOA	43219	04/14/2010	0.00
CA 94608	1			1,750.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4419	CIP2009/10 TC Improvements	1,750.00	0.00

Check No.	43219	Total:	1,750.00
Total for	SIEGEL & STRAIN		1,750.00

SPANGLE & ASSOCIATES	Feb 19 - March 25 Statement	10641	04/14/2010	
			04/14/2010	
770 MENLO AVENUE	0121		04/14/2010	
MENLO PARK	BOA	43220	04/14/2010	0.00
CA 94025-4736				59,508.20

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4140	ASCC	2,235.00	0.00
05-52-4162	Planning Committee	4,464.00	0.00
05-54-4196	Planner	19,123.50	0.00
96-54-4198	Planner - Charges to Appls	33,685.70	0.00

Check No.	43220	Total:	59,508.20
Total for	SPANGLE & ASSOCIATES		59,508.20

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

SPARTAN ENGINEERING	Intrusion Alarm at TC	10642	04/14/2010	
			04/14/2010	
540 PARROTT STREET	0095		04/14/2010	
SAN JOSE	BOA	43221	04/14/2010	0.00
CA 95112	J4074			3,134.48

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	3,134.48	0.00

Check No.	43221	Total:	3,134.48
Total for	SPARTAN ENGINEERING		3,134.48

STATE COMP INSURANCE FUND	March Premium	10643	04/14/2010	
			04/14/2010	
PO BOX 7980	0122		04/14/2010	
SAN FRANCISCO	BOA	43222	04/14/2010	0.00
CA 94120-7854				2,301.83

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4094	Worker's Compensation	2,301.83	0.00

Check No.	43222	Total:	2,301.83
Total for	STATE COMP INSURANCE FUND		2,301.83

SUSTAINABLE SILICON VALLEY	2010 Dues	10644	04/14/2010	
			04/14/2010	
224 AIRPORT PARKWAY	921		04/14/2010	
SAN JOSE	BOA	43223	04/14/2010	0.00
CA 95110	555			1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4322	Dues	1,000.00	0.00

Check No.	43223	Total:	1,000.00
Total for	SUSTAINABLE SILICON VALLEY		1,000.00

BARBARA TEMPLETON	Transcription Sample	10667	04/14/2010	
			04/14/2010	
304 MELVEN COURT	369		04/14/2010	
SAN LEANDRO	BOA	43224	04/14/2010	0.00
CA 94577-2011	584			150.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4188	Transcription Services	150.00	0.00

Check No.	43224	Total:	150.00
Total for	BARBARA TEMPLETON		150.00

THERMAL MECHANICAL, INC	Community Hall Boiler	10645	04/14/2010	
			04/14/2010	
425 ALDO AVENUE	955		04/14/2010	
SANTA CLARA	BOA	43225	04/14/2010	0.00
CA 95054	AC-43777			366.25

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4341	Community Hall	366.25	0.00

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

THERMAL MECHANICAL, INC	March HVAC Service	10646	04/14/2010	
			04/14/2010	
425 ALDO AVENUE	955		04/14/2010	
SANTA CLARA	BOA	43225	04/14/2010	0.00
CA 95054	PM-43852			1,395.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	1,395.00	0.00

Check No.	43225	Total:	1,761.25
Total for	THERMAL MECHANICAL, INC		1,761.25

TREE SPECIALIST	Valley Oak at Rossotti Field	10647	04/14/2010	
	Prune/Clean		04/14/2010	
1198 NEVADA AVE	839		04/14/2010	
SAN JOSE	BOA	43226	04/14/2010	0.00
CA 95125	02-01-10			1,200.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	1,200.00	0.00

Check No.	43226	Total:	1,200.00
Total for	TREE SPECIALIST		1,200.00

TURF & INDUSTRIAL EQUIPMENT CO	Parts for Mower	10648	04/14/2010	
			04/14/2010	
2715 LAFAYETTE STREET	513		04/14/2010	
SANTA CLARA	BOA	43227	04/14/2010	0.00
CA 95050	IV83037			130.77

GL Number	Description	Invoice Amount	Amount Relieved
05-60-4267	Tools & Equipment	130.77	0.00

Check No.	43227	Total:	130.77
Total for	TURF & INDUSTRIAL EQUIPMENT		130.77

TWO FISH WEST	IT Support, Jan-Mar 2010	10659	04/14/2010	
			04/14/2010	
6114 LASALLE AVE	974		04/14/2010	
OAKLAND	BOA	43228	04/14/2010	0.00
CA 94611	3068			4,275.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4216	Website Consultant	4,275.00	0.00

Check No.	43228	Total:	4,275.00
Total for	TWO FISH WEST		4,275.00

UNITED RENTALS NORTHWEST INC	Rammer for Playground Repairs	10654	04/14/2010	
			04/14/2010	
FILE 51122	0296		04/14/2010	
LOS ANGELES	BOA	43229	04/14/2010	0.00
CA 90074-1122	86616896-001			202.98

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	202.98	0.00

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	43229	Total:	202.98
Total for	UNITED RENTALS NORTHWEST II		202.98

RAJ VASWANI	Deposit Refund	10619	04/14/2010	
190 TRINITY LANE	365		04/14/2010	
PORTOLA VALLEY	BOA	43230	04/14/2010	0.00
CA 94028				284.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	284.00	0.00

Check No.	43230	Total:	284.00
Total for	RAJ VASWANI		284.00

VERIZON WIRELESS	March Admin Cellular	10649	04/14/2010	
P.O. BOX 9622	0131		04/14/2010	
MISSION HILLS	BOA	43231	04/14/2010	0.00
CA 91346-9622	0854991809			109.56

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	109.56	0.00

Check No.	43231	Total:	109.56
Total for	VERIZON WIRELESS		109.56

VISION INTERNET PROVIDERS INC	Site Hosting, March	10650	04/14/2010	
P.O. BOX 251588	Verisign Security Renewal		04/14/2010	
LOS ANGELES	827		04/14/2010	
CA 90025	BOA	43232	04/14/2010	0.00
	17333			649.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4311	Internet Service & Web Hosting	200.00	0.00
05-64-4311	Internet Service & Web Hosting	449.00	0.00

Check No.	43232	Total:	649.00
Total for	VISION INTERNET PROVIDERS IN		649.00

WOODLAND SCHOOL	Event Deposit Refund	10651	04/14/2010	
360 LA CUESTA DRIVE	0280		04/14/2010	
PORTOLA VALLEY	BOA	43233	04/14/2010	0.00
CA 94028				750.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4226	Facility Deposit Refunds	750.00	0.00

Check No.	43233	Total:	750.00
Total for	WOODLAND SCHOOL		750.00

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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

WOODSIDE DELIVERY SERVICE	Delivery thru 6/14/10	10652	04/14/2010	
			04/14/2010	
PO BOX 784	0219		04/14/2010	
RIVERBANK	BOA	43234	04/14/2010	0.00
CA 95367				98.64

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	98.64	0.00

Check No.	43234	Total:	98.64
Total for	WOODSIDE DELIVERY SERVICE		98.64

WOODSIDE PARENTS'	Event Deposit Refund	10653	04/14/2010	
NURSERY SCHOOL			04/14/2010	
3154 WOODSIDE ROAD	2012		04/14/2010	
WOODSIDE	BOA	43235	04/14/2010	0.00
CA 94062				500.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4226	Facility Deposit Refunds	500.00	0.00

Check No.	43235	Total:	500.00
Total for	WOODSIDE PARENTS'		500.00

Total Invoices: 67

Grand Total:	176,940.82
Less Credit Memos:	0.00
Net Total:	176,940.82
Less Hand Check Total:	0.00
Outstanding Invoice Total:	176,940.82

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
April 14, 2010

Claims totaling \$176,940.82 having been duly examined by me and found to be correct are hereby approved and verified by, me as due bills against the Town of Portola Valley.

Date _____

Angela Howard, Treasurer

Motion having been duly made and seconded, the above claims are hereby approved and allowed for payment.

Signed and sealed this (Date) _____

Sharon Hanlon, Town Clerk

Mayor



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council
FROM: Sharon Hanlon, Town Clerk
DATE: April 7, 2010
RE: **Resolution Declaring April 26 through April 30, 2010 Mosquito and Vector Control and West Nile Virus Awareness Week**

The Town is in receipt of a letter dated March 30, 2010 from the San Mateo County Mosquito and Vector Control District requesting the adoption of a resolution recognizing April 26 through April 30, 2010 as "Mosquito and Vector Control and West Nile Virus Awareness Week" (copy attached).

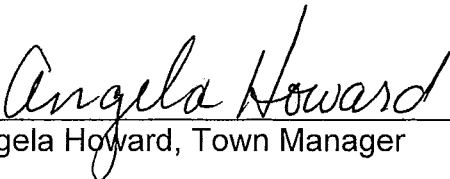
The Council has annually adopted a resolution since the initial request from San Mateo County Mosquito and Vector Control District in 2007.

Recommendation

It is recommended that the Town Council adopt a resolution recognizing April 26 through April 30, 2010 as "Mosquito and Vector Control and West Nile Virus Awareness Week".

Attachments:

Approved:


Angela Howard, Town Manager

RESOLUTION NO. _____-2010

RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PORTOLA VALLEY
DECLARING APRIL 26 THROUGH APRIL 30, 2010
MOSQUITO AND VECTOR CONTROL AND WEST NILE VIRUS
AWARENESS WEEK

WHEREAS, the Town of Portola recognizes that West Nile Virus – a virulent and potentially deadly form of encephalitis – poses a grave threat to the health and safety of all Californians as early as this spring and for the foreseeable future, and

WHEREAS, in 2009, West Nile virus resulted in 4 deaths in California and 105 Individuals from 19 counties tested positive for the virus; and

WHEREAS, the State Department of Health Services and the Centers for Disease Control predict West Nile virus will again pose a grave public health threat in California in 2010; and

WHEREAS, Adequately funded mosquito and vector control, disease surveillance and public awareness programs are the best way to prevent outbreaks of West Nile virus and other diseases borne by mosquitoes and other vectors; and

WHEREAS, San Mateo County Mosquito and Vector Control District works with mosquito and vector control districts throughout California, the United States Environmental Protection Agency, and the State Department of Health Services to reduce pesticide risks to humans, animals, and the environment while protecting human health from mosquito and vector-borne diseases and nuisance attacks; and

WHEREAS, Public awareness can result in reduced production of mosquitoes and other vectors on private, commercial, and public lands by responsible parties, avoidance of the bites of mosquitoes and other vectors when the risk of West Nile Virus and other disease transmission is high, detection of human cases of mosquito and vector-borne diseases the may be otherwise misdiagnosed for lack of appropriate laboratory testing, and the formation of mosquito or vector control agencies where needed; and

WHEREAS, 'West Nile Virus and Mosquito and Vector Control Awareness Week will increase the public's awareness of the threat of West Nile virus and other diseases and the activities of the various mosquito and vector research and control agencies working to minimize the health threat within California, and will highlight the educational programs currently available; and

WHEREAS, The Mosquito and Vector Control Association of California has designated the week of April 26 through April 30, 2010, as West Nile Virus and Mosquito and Vector Control Awareness Week in the State of California

THEREFORE, be it resolved by the Town of Portola Valley Town Council that the week of April 26 through April 30, 2010, be designated as Mosquito and Vector Control and West Nile Virus Awareness Week in the Town of Portola Valley.

PASSED AND ADOPTED this 14th day of April 2010.

By: _____
Mayor

ATTEST:

Town Clerk

March 30, 2010

Honorable Steve Toben
Mayor
Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028

Dear Mayor:

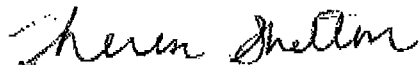
On behalf of the San Mateo County Mosquito and Vector Control District, I am writing to respectfully request that the Town of Portola Valley adopt the enclosed resolution recognizing April 26 to April 30, 2010 as "Mosquito and Vector Control and West Nile Virus Awareness Week." The resolution is modeled after Assembly Concurrent Resolution 135, sponsored by the Mosquito and Vector Control Association of California, and now pending in the state Legislature.

West Nile virus is a virulent and potentially deadly form of encephalitis that poses a grave threat to the health and safety of all Californians, particularly seniors and the very young. The disease is transmitted by mosquitoes and spread primarily by infected birds. In the past two years, West Nile virus has killed 19 people sickened 557 people within California.

By recognizing this week, the Town of Portola Valley can increase public awareness of the West Nile virus threat and encourage Portola Valley residents to eliminate mosquito-breeding sites on their property and take necessary precautions when mosquito activity is high. The measure also recognizes the good work of mosquito control districts, public health agencies and professionals that work year-round to control mosquitoes, preventing the spread of disease and allowing all of us to enjoy the outdoors.

Thank you for your consideration of our request. We hope the Town of Portola Valley will find it worthwhile to recognize "Mosquito and Vector Control and West Nile Virus Awareness Week" April 26 to April 30, 2010. If you have any questions about the resolution or seek additional information about West Nile virus or the work of the San Mateo County Mosquito and Vector Control District, please do not hesitate to contact me at 650-344-8592 ext. 44.

Warm Regards,



Theresa Shelton
Vector Ecologist
San Mateo County Mosquito and Vector Control District

**DRAFT RESOLUTION
DECLARING
APRIL 26 – April 30, 2010
MOSQUITO AND VECTOR CONTROL
AND WEST NILE VIRUS AWARENESS WEEK.**

RESOLUTION –

Relative to Mosquito and Vector Control and West Nile Virus Awareness Week.

WHEREAS, the **(City and/or County)** recognizes that West Nile Virus – a virulent and potentially deadly form of encephalitis – poses a grave threat to the health and safety of all Californians as early as this spring and for the foreseeable future, and

WHEREAS, In 2009, West Nile virus resulted in four deaths in California and 105 individuals from 19 counties tested positive for the virus; and

WHEREAS, The State Department of Public Health and the Centers for Disease Control and Prevention predict West Nile virus will again pose a grave public health threat in California in 2010; and

WHEREAS, Adequately funded mosquito and vector control, disease surveillance, and public awareness programs are the best ways to prevent outbreaks of West Nile virus and other diseases borne by mosquitoes and other vectors; and

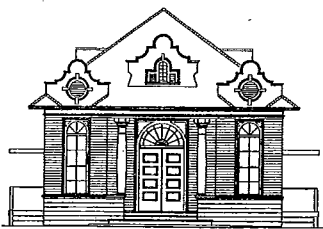
WHEREAS, San Mateo County Mosquito and Vector Control District works with mosquito and vector control districts throughout California, the United States Environmental Protection Agency, and the State Department of Public Health to reduce pesticide risks to humans, animals, and the environment while protecting human health from mosquito and vector-borne diseases and nuisance attacks; and

WHEREAS, Public awareness can result in reduced production of mosquitoes and other vectors on private, commercial, and public lands by responsible parties, avoidance of the bites of mosquitoes and other vectors when the risk of West Nile Virus and other disease transmission is high, detection of human cases of mosquito and vector-borne diseases that may be otherwise misdiagnosed for lack of appropriate laboratory testing, and the formation of mosquito or vector control agencies where needed; and

WHEREAS, West Nile Virus and Mosquito and Vector Control Awareness Week will increase the public's awareness of the threat of West Nile virus and other diseases and the activities of the various mosquito and vector research and control agencies working to minimize the health threat within California, and will highlight the educational programs currently available; and

WHEREAS, The Mosquito and Vector Control Association of California has designated the week of April 26 through April 30, 2010, as West Nile Virus and Mosquito and Vector Control Awareness Week in the State of California; now, therefore, be it

Resolved by the **(City Council/County Board of Supervisors)** that the week of April 26 through April 30, 2010, be designated as Mosquito and Vector Control and West Nile Virus Awareness Week in **(City/County)**.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Stacie Nerdahl, Administrative Services Officer

DATE: April 14, 2010

RE: Fifth Amendment to Consulting Agreement, Maze & Associates
Accountancy Corporation

The Town Council annually renews a number of agreements between the Town and providers of consulting services.

The Town has been employing Maze & Associates Accountancy Corporation to provide auditing services, and Maze & Associates wish to continue as the Town's Auditor under existing terms and conditions. The attached resolution and agreement will continue their provision of auditing services to the Town for the fiscal year ending June 30, 2010.

Recommendation

It is recommended that the Town Council approve the attached resolution approving and authorizing execution of a Fifth Amendment to the Agreement between the Town of Portola Valley and Maze & Associates Accountancy Corporation.

Attachment

Approved: _____

Angela Howard
Angela Howard, Town Manager

RESOLUTION NO. _____-2010

**RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PORTOLA VALLEY APPROVING AND AUTHORIZING
FIFTH AMENDMENT TO THE AGREEMENT BETWEEN
THE TOWN OF PORTOLA VALLEY
AND MAZE & ASSOCIATES ACCOUNTANCY CORPORATION**

WHEREAS, the Town Council of the Town of Portola Valley has read and considered the Fifth Amendment ("Amendment") to its Agreement for Audit Services ("Agreement") between the Town and Maze & Associates Accountancy Corporation.

NOW, THEREFORE, the Town Council of the Town does RESOLVE as follows:

1. Public interest and convenience require the Town of Portola Valley to extend the Agreement described above.

2. The Town of Portola Valley hereby approves the amendment to Agreement and the Mayor is hereby authorized on behalf of the Town to execute the Agreement between the Town of Portola Valley and Maze & Associates Accountancy Corporation.

PASSED AND ADOPTED this 14th day of April, 2010.

By: _____
Mayor

ATTEST:

Town Clerk

**FIFTH AMENDMENT TO AGREEMENT FOR AUDIT SERVICES
BETWEEN THE TOWN OF PORTOLA VALLEY
AND MAZE & ASSOCIATES ACCOUNTANCY CORPORATION**

RECITALS

This Fifth Amendment is made as of this 14th day of April 2010, by and between the Town of Portola Valley, ("Town") and Maze & Associates Accountancy Corporation ("Accountant") to amend that certain Agreement for Audit Services ("Agreement") entered into between them on June 8, 2005.

1. Section 1. (Term of Agreement) of the Agreement is hereby amended to read as follows:

1. Term of Agreement. This Agreement shall cover auditing services rendered for the July 1, 2009 to June 30, 2010 fiscal year.

2. Section 2. (Services to be Provided) of the Agreement is hereby amended to read as follows:

2. Services to be Provided. Throughout the term of this Agreement, Accountant shall perform the professional services which are outlined in Exhibit A-1, attached hereto.

3. Subsection (a) (Fees) of Section 3. (Compensation) of the Agreement is hereby amended to read as follows:

3. Compensation. Town shall pay Accountant in full for all auditing services performed in connection with the fiscal year 2009-10.

(a) Fees. The fee to audit the Town's financial statements, including such items as travel and out-of-pocket expenses, shall not exceed \$22,695 for the fiscal year ending June 30, 2010, which fee shall include the reports outlined in Exhibit A-1 attached hereto.

The fee estimates are based upon the assumption that Accountant will not encounter extraordinary problems that would substantially extend the scope of the audit. Should Accountant encounter unexpected major problems during the course of its work or should the Town request additional services not covered by this Agreement, such matters shall be discussed with the Town's officials such that appropriate arrangements may be agreed upon in writing.

4. The remainder of the Agreement shall remain unamended and in full force and effect. In the event of conflict between the Agreement and this Amendment, the terms of this Amendment shall prevail.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first written above.

TOWN OF PORTOLA VALLEY

MAZE & ASSOCIATES ACCOUNTANCY
CORPORATION:

Mayor

By: Maze & Associates
Title: Katherine Iwen, VP of Audit
94-2590179
Taxpayer I.D. No.

ATTEST:

Town Clerk

March 17, 2010

Angela Howard
Town Administrator
Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028

ACCOUNTANCY CORPORATION
3478 Buskirk Ave. - Suite 215
Pleasant Hill, California 94523
(925) 930-0902 • FAX (925) 930-0135
maze@mazeassociates.com
www.mazeassociates.com

Dear Angela:

We are pleased to confirm our understanding of the services we are to provide for the Town of Portola Valley for the year ended June 30, 2010. The services we have been engaged to provide are outlined below, but we are also available to provide additional services at your request:

- 1) Audit of the Basic Financial Statements, and assistance with the preparation of the Basic Financial Statements, and review of Management Discussion & Analysis.
- 2) Testing of compliance for Measure A and preparation of required reports.
- 3) Preparation of the Annual Report of Financial Transaction for the Town.
- 4) Preparation of the Annual Report of Financial Transaction for the 4 Special Districts.
- 5) Perform procedures and issue agreed upon procedures opinion to comply with Proposition 111 Appropriation Limit increment requirements for fiscal 2009-10.

Audit Objective

The objective of our audit is to express opinions as to whether your financial statements are fairly presented in all material respects in conformity with generally accepted accounting principles in the United States of America and to provide limited assurance on accompanying supplemental information. Other information accompanying will not be audited by us and we will express no opinion on it. Our audit will be conducted in accordance with generally accepted auditing standards in the United States of America; and will include tests of accounting records and other procedures we consider necessary to enable us to express such opinions. If our opinions on the financial statements are other than unqualified, we will fully discuss the reasons with Town management in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. As part of the audit, we will prepare a draft of your financial statements and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any nonaudit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; for the fair presentation in the financial statements of financial position of the Town's various activities, major funds, and the aggregate remaining fund information and changes in financial position and, where applicable, cash flows in conformity with U.S. generally accepted accounting principles.

Management is responsible for making all financial records and related information available to us. We understand that the Town will provide us with the Closing Checklist information required for our audit and that the Town is responsible for the accuracy and completeness of that information. Management is responsible for adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (a) management, (b) employees who have significant roles in internal control, and (c) others where the fraud or illegal acts could have a material effect on the financial statements. The Town is also responsible for informing us of its knowledge of any allegations of fraud or suspected fraud affecting it received in communications from employees, former employees, regulators, or others. In addition, the Town is responsible for identifying and ensuring that it complies with applicable laws and regulations.

Audit Procedures - General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. Also, we will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations that are attributable to the Town or to acts by management or employees acting on behalf of the Town.

Because an audit is designed to provide reasonable, but not absolute, assurance, and because we will not examine all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements, immaterial illegal acts, or illegal acts that do not have a direct and material effect on the financial statements. We will advise the Town of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the Town of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to matters that might arise during any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of physical existence of inventories, and direct confirmation of cash, investments and certain other assets and liabilities by correspondence with selected customers, creditors and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill the Town for responding to this inquiry. At the conclusion of our audit we will also require certain written representations from management about the financial statements and related matters.

Audit Procedures - Internal Controls

Our audit will include obtaining an understanding of the Town and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify significant deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under professional standards.

Audit Procedures - Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town's compliance with certain provisions of laws, regulations, contracts, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Agreed-Upon Procedures

Our services to apply agreed-upon procedures will be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of those parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures described in the report either for the purpose for which the report had been requested or for any other purpose. If, for any reason, we are unable to complete the procedures, we will describe any restrictions on the performance of the procedures in our report, or will not issue a report as a result of this engagement. Because agreed-upon procedures do not constitute an examination, we will not express an opinion. In addition, we have no obligation to perform any procedures beyond those agreed to.

Audit Administration, Fees, and Other

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

The audit documentation for this engagement is our property and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to a federal agency providing oversight of direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Maze & Associates personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies. We will retain audit documentation for seven years pursuant to state regulations.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

We expect to begin our audit on April 2010 and to issue our reports no later than December 2010. The name of the engagement partner is Mark Wong who is responsible for supervising the engagement and signing the report.

Our fees for these services are billed based on our contract with the Town. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if the Town's account becomes thirty days or more overdue and may not be resumed until the Town's account is paid in full.

These fees are based on anticipated cooperation from Town personnel, the completion of schedules and data requested on our Checklists, and the assumption that there will be no unexpected increases in work scope, such as new debt issues, etc., or delays which are beyond our control, as discussed on the Fees Attachment to this letter. If significant additional time is necessary, we will discuss it with Town management and arrive at a new fee before we incur any additional costs.

We understand you will provide us with basic workspace sufficient to accommodate the audit team assigned to your audit. We understand the basic workspace will be equipped with a telephone and direct Internet access, preferably a temporary network outside of your network, a public IP address and a wired connection. We understand you will also provide us with access to a fax machine and read only access to your general ledger system.

Government Auditing Standards require that we provide the Town with a copy of our most recent quality control review report and letter of comment. Our most recent peer review report, the letter of comment and our responses accompany this letter.

We appreciate the opportunity to be of service to the Town and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return the entire copy to us.


Maze & Associates

RESPONSE:

This letter correctly sets forth the understanding of the Town.

By: _____

Title: _____

Date: _____

**Town of Portola Valley Engagement Letter
Fees Attachment**

Our fees for the work described in the attached engagement letter will be as follows, unless they are adjusted for one or more of the items below:

Service	Total
Basic Financial Statements	\$17,865
Measure A	480
Controller's Report – Town	2,620
Controller's Report – 4 special districts	1,340
Proposition 111 Appropriation Limit 2008 – 09	390
Total:	<u>\$22,695</u>

2010 Fees – Our recurring fees have been adjusted only for the change in the services component of the Bay Area Cost of Living Index for the San Francisco Bay Area of 1.5%.

PDF Copies of Reports – scanned copies of the above reports are available upon request at no charge. These scanned copies (300 dpi) are not high quality and the file sizes may be large, depending on the length of the report. **If you intend to post the CAFR to your website, we do not recommend using the scanned copies to do so – one of the options below should be used.** If you would like a higher quality PDF file, there are three options. The fees shown below are based on a Comprehensive Annual Financial Report. **Please contact us if you would like us to prepare one of the following three options** for your CAFR, or if you'd like a quote for the preparation of a file for another type of report. In addition, should you decide on one of the following options, please let us know at least a week in advance.

1. INDIVIDUAL PDF CAFR PAGES - \$200

Print words, numbers, and statistics to PDF, then scan anything not available digitally (letterhead, award certificates, etc). Use WinZIP to archive individual PDF prints "as is" and send them to you, and you will then compile report. This option requires that you have a full copy of Adobe Acrobat Standard or Professional, and knowledge about the program, as well as a way to "unzip" the files. This should be used if you are willing to assemble the PDF report, but still would like to have a high quality "printed to PDF" CAFR.

Quality: Medium-High
Time to Complete: 2-3 business days
File size: 1-2MB (varies with number of pages scanned)

2. WEB PDF CAFR - \$750

Print words, numbers, and statistics to PDF, then scan anything not available digitally (letterhead, award certificates, etc). Compile into one document with embedded page numbers, linked Table of Contents, and PDF bookmarks for easy document navigation. This option is ideal for placement on a website or distribution via e-mail.

Quality: Medium-High (depending on number of pages scanned)
Time to Complete: 7-10 business days
File size: ~ 2MB (varies with number of pages scanned)

3. CAMERA READY PDF CAFR - \$1,000

Print words, numbers, and statistics to PDF and compile into one document with embedded page numbers. Insert available digital pages (letterhead, award certificates, etc) but *no scanning* as we do not have the facilities to scan documents at "camera ready" quality. This option could be sent to any print shop to generate an official bound copy, for placement on a website, or distribution via e-mail.

Quality: Very High

Time to Complete: 7-10 business days

File size: < 1MB

Additional Services - The above fees are for audit and assurance services described in the accompanying engagement letter. They do not include fees for assisting with closing the books nor providing other accounting services. Should the Town require assistance beyond audit services we will provide an estimate before proceeding.

Report Finalization - Our fee is based on our understanding that all information and materials necessary to finalize all our reports will be provided to us before we complete our year-end fieldwork in your offices. In the case of financial statements, this includes all the materials and information required to print the financial statements. As in the past, we will provide final drafts of all our reports before we leave your offices. We will schedule a Final Changes Meeting with you for a date no more than two weeks after we complete our fieldwork. At that meeting, we will finalize all reports for printing. After that date, report changes you make and changes required because information was not received timely will be billed at our normal hourly rates.

Post-Closing Client Adjusting Entries - The first step in our year-end audit is the preparation of financial statement drafts from your final closing trial balance. That means any entries you make after handing us your closing trial balance must be handled as audit adjustments, or in extreme cases, by re-inputting the entire trial balance, even if the amounts are immaterial. If you make such entries and the amounts are in fact immaterial, we will bill you for the costs of the adjustments or re-input at our normal hourly rates.

Recurring Audit Adjustments - Each year we include the prior year's adjusting entries as new steps in our Closing Checklist, so that you can incorporate these entries in your closing. If we are required to continue to make these same adjustments as part of this year's audit, we will bill for this service at our normal hourly rates.

CAFR Printing - As a convenience, we can send your CAFR to a printer we use locally. We do not charge for delivering camera-ready print masters to any printer of your choice and delivering the CAFRs or BFS to you. However, we will bill you for any additional time spent on the CAFR printing at our normal hourly rates. This includes changes after the report goes to the printer, obtaining, reviewing and / or delivering printer's proofs, etc.

We can also help with CAFR design, including covers, tabs, dividers, color choices, binding, organization charts, maps, etc. We will estimate these costs for you before processing.

Grant Programs Requiring Separate Audit - Grant programs requiring separate audits represent a significant increase in work scope, and fees for these audits vary based on the grant requirements. If you wish us to determine and identify which programs are subject to audit, we will bill you for that time at our normal hourly rates.

Changes in Town Personnel - Our experience is that changes and /or reductions in Finance Department staff can have a pronounced impact on costs of performing the audit. If such changes occur, we will meet with you to assess their impact and arrive at a new fee before we begin the next phase of our work. However, we reserve the right to revisit this subject at the conclusion of the audit, based on your actual performance and our actual costs.

Nichols, Rick & Company

CERTIFIED PUBLIC ACCOUNTANTS

16360 Monterey Rd., Suite 170
Morgan Hill, CA 95037
Tel: (408) 779-3313
Fax: (408) 776-1555

4040 Moorpark Ave., Suite 230
San Jose., Ca 95117
Tel: (408) 557-9890
Fax: (408) 557-9893

October 7, 2008

To the Shareholders
Maze & Associates Accountancy Corporation
Pleasant Hill, California

We have reviewed the system of quality control for the accounting and auditing practice of Maze & Associates Accountancy Corporation (the firm) in effect for the year ended May 31, 2008. A system of quality control encompasses the firm's organizational structure, the policies adopted and procedures established to provide it with reasonable assurance of conforming with professional standards. The elements of quality control are described in the Statements on Quality Control Standards issued by the American Institute of Certified Public Accountants (AICPA). The firm is responsible for designing a system of quality control and complying with it to provide the firm reasonable assurance of conforming with professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance with its system of quality control based on our review.

Our review was conducted in accordance with standards established by the Peer Review Board of the AICPA. During our review, we read required representations from the firm, interviewed firm personnel and obtained an understanding of the nature of the firm's accounting and auditing practice, and the design of the firm's system of quality control sufficient to assess the risks implicit in its practice. Based on our assessments, we selected engagements and administrative files to test for conformity with professional standards and compliance with the firm's system of quality control. The engagements selected represented a reasonable cross-section of the firm's accounting and auditing practice with emphasis on higher-risk engagements. The engagements selected included, among others, engagements performed under *Government Auditing Standards*. Prior to concluding the review, we reassessed the adequacy of the scope of the peer review procedures and met with firm management to discuss the results of our review. We believe the procedures we performed provide a reasonable basis for our opinion.

In performing our review, we obtained an understanding of the system of quality control for the firm's accounting and auditing practice. In addition, we tested compliance with the firm's quality control policies and procedures to the extent we considered appropriate. These tests covered the application of the firm's policies and procedures on selected engagements. Our review was based on selected tests therefore it would not necessarily detect all weaknesses in the system of quality control or all instances of noncompliance with it. There are inherent limitations in the effectiveness of any system of quality control and therefore noncompliance with the system of quality control may occur and not be detected. Projection of any evaluation of a system of quality control to future periods is subject to the risk that the system of quality control may become inadequate because of changes in conditions, or because the degree of compliance with the policies or procedures may deteriorate.

In our opinion, the system of quality control for the accounting and auditing practice of Maze & Associates Accountancy Corporation in effect for the year ended May 31, 2008, has been designed to meet the requirements of the quality control standards for an accounting and auditing practice established by the AICPA and was complied with during the year then ended to provide the firm with reasonable assurance of conforming with professional standards.

As is customary in a system review, we have issued a letter under this date that sets forth comments that were not considered to be of sufficient significance to affect the opinion expressed in this report.


Nichols, Rick & Company

Nichols, Rick & Company

CERTIFIED PUBLIC ACCOUNTANTS

16360 Monterey Rd., Suite 170
Morgan Hill, CA 95037
Tel: (408) 779-3313
Fax: (408) 776-1555

4040 Moorpark Ave., Suite 230
San Jose., Ca 95117
Tel: (408) 557-9890
Fax: (408) 557-9893

October 7, 2008

To the Shareholders
Maze & Associates Accountancy Corporation
Pleasant Hill California

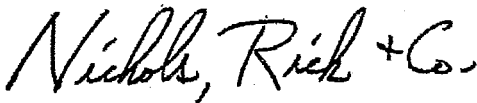
We have reviewed the accounting and auditing practice of Maze & Associates Accountancy Corporation (the firm) for the year ended May 31, 2008, and have issued our report thereon dated October 7, 2008. That report should be read in conjunction with the comments in this letter, which were considered in determining our opinion. The matters described below were not considered to be of sufficient significance to affect the opinion expressed in that report.

Finding - The firm's quality control policies and procedures do not require documentation of preliminary judgments about audit materiality limits, including audits subject to *Government Auditing Standards*. During the planning phase, audit materiality is discussed and documented on a qualitative, but not quantitative, level. At the completion of fieldwork, however, potential passed audit adjustments are evaluated in relation to a materiality level established as a percent of total revenues or total assets.

Recommendation - The firm should revise its quality control document to require that a preliminary quantitative judgment about materiality limits be documented during the planning phase.

Finding - The firm's quality control policies and procedures require completion of a reporting and disclosure checklist. However, on an audit engagement reviewed subject to *Government Auditing Standards*, we noted that specific references to *Government Auditing Standards* in the auditor's report were incomplete and outdated, and the formatting of findings and questioned costs in the reporting package lacked specific required elements.

Recommendation - The firm should compare its reporting checklist for audits subject to *Government Auditing Standards* to current library versions on a more frequent basis.



Nichols, Rick & Company

MAZE & ASSOCIATES

October 7, 2008

California Society of Certified Public Accountants
Peer Review Program
1235 Radio Road
Redwood City, CA 94065-1217

ACCOUNTANCY CORPORATION
3478 Buskirk Ave. - Suite 215
Pleasant Hill, California 94523
(925) 930-0902 • FAX (925) 930-0135
maze@mazeassociates.com
www.mazeassociates.com

Ladies and Gentlemen:

This letter represents our response to the report and letter of comments issued in connection with the review of our firm's accounting and auditing practice for the year ended May 31, 2008. The matters discussed herein were brought to the attention of all personnel immediately upon the completion of the review. In addition, the matters discussed in this letter will be given special emphasis in our monitoring procedures.

Planning Materiality

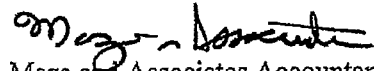
As part of our implementation of the risk assessment standards and SAS 114, we have already incorporated quantitative materiality documentation into our audit planning process.

Reporting Checklists

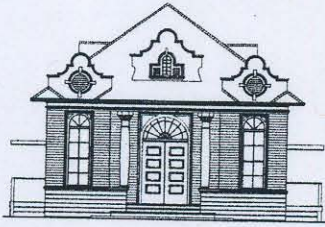
Our *Government Auditing Standards* reporting checklists are current, and we are including as an additional step in our pre-issuance review procedures the specific requirement for the reviewer to confirm that all verbiage in our auditors' report is consistent with current Yellow Book requirements.

We believe these actions are responsive to the findings of the review.

Yours very truly,



Maze and Associates Accountancy Corporation



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Town Council
FROM: Tom Vlastic, Deputy Town Planner
DATE: April 7, 2010
RE: Request for Modifications to Private Open Space Easement (POSE)
9 Buck Meadow Drive, Blue Oaks Subdivision Lot 28, *Stritter*

Request and Town Council Direction

This request is for abandonment of 5,700 sf of Private Open Space Easement (POSE) on the subject 1.74-acre Blue Oaks subdivision property (see attached vicinity map) and the concurrent dedication of 6,600 sf of POSE area as shown on attached **Exhibits A, B and C**. The changes are to accommodate modifications to the Building Envelope (BE), i.e., the developable area for the parcel, approved by the ASCC on March 8, 2010. Exhibits A and B respectively show the existing BE conditions and the ASCC approved BE changes. They also show the POSE modifications needed to accommodate the ASCC approved BE changes. If the town council concurs that the open space easement modifications are acceptable, then the applicant would proceed to have formal POSE abandonment and dedication documents prepared to the satisfaction of town staff. Once these documents are in form for recording, they would be placed on a future council agenda, likely under the consent calendar, for final approval.

Since the POSE open space easement agreements are with the town, any change requires town council approval. Under the provisions of the Blue Oaks Planned Unit Development Statement (PUD), the ASCC is responsible for setting of the Blue Oaks BEs and approving any BE changes. As explained below, the ASCC concluded the applicant's requested BE changes were appropriate and approved them, but with some adjustment. The ASCC also has recommended town council approval of the POSE modifications.

There has been one previous request for BE and POSE changes for a Blue Oaks parcel that was approved by the ASCC and town council. This was for Lot 33, i.e., John Lopez, at the end of Buck Meadow Drive. In that case, the town council found the POSE changes acceptable, but subject to the requirement that there be no net loss in POSE area. In this case, there would be no increase in the BE area, and the new, dedicated POSE area would be approximately 6,600 sf, and 900 sf larger than the POSE area to be abandoned. The area calculations are show on Exhibit C.

Background and Evaluation

Attached is the applicant's January 8, 2010 request for building envelope changes. This request was modified at the direction of the ASCC. The modified application is discussed in the applicant's attached March 1, 2010 letter and is shown on Exhibit C.

The ASCC consideration and evaluation of the request is set forth in the following attached documents:

- February 5, 2010 staff report with attachments
- February 22, 2010 ASCC meeting minutes
- March 4, 2010 staff report prepared for March 8, 2010 ASCC meeting
- March 8, 2010 ASCC meeting minutes

As explained in these documents, the primary purpose of the changes is to add roughly 40 feet to the required setback/non-building area between the BEs on Lots 28 and 27. This would enhance privacy and separation between the developed portions of the parcels and also provide for more opportunity to protect significant oaks in the area between the BEs. Lot 27 is developed and Lot 28 is vacant. The owner of Lot 27 has been concerned with the potential development on Lot 28 and the proposed changes have been developed in concert with the neighbor. Further, the Blue Oaks homeowners association (HOA) has approved the changes. A copy of the December 7, 2009 HOA approval letter is included with the applicant's attached January 8, 2010 request.

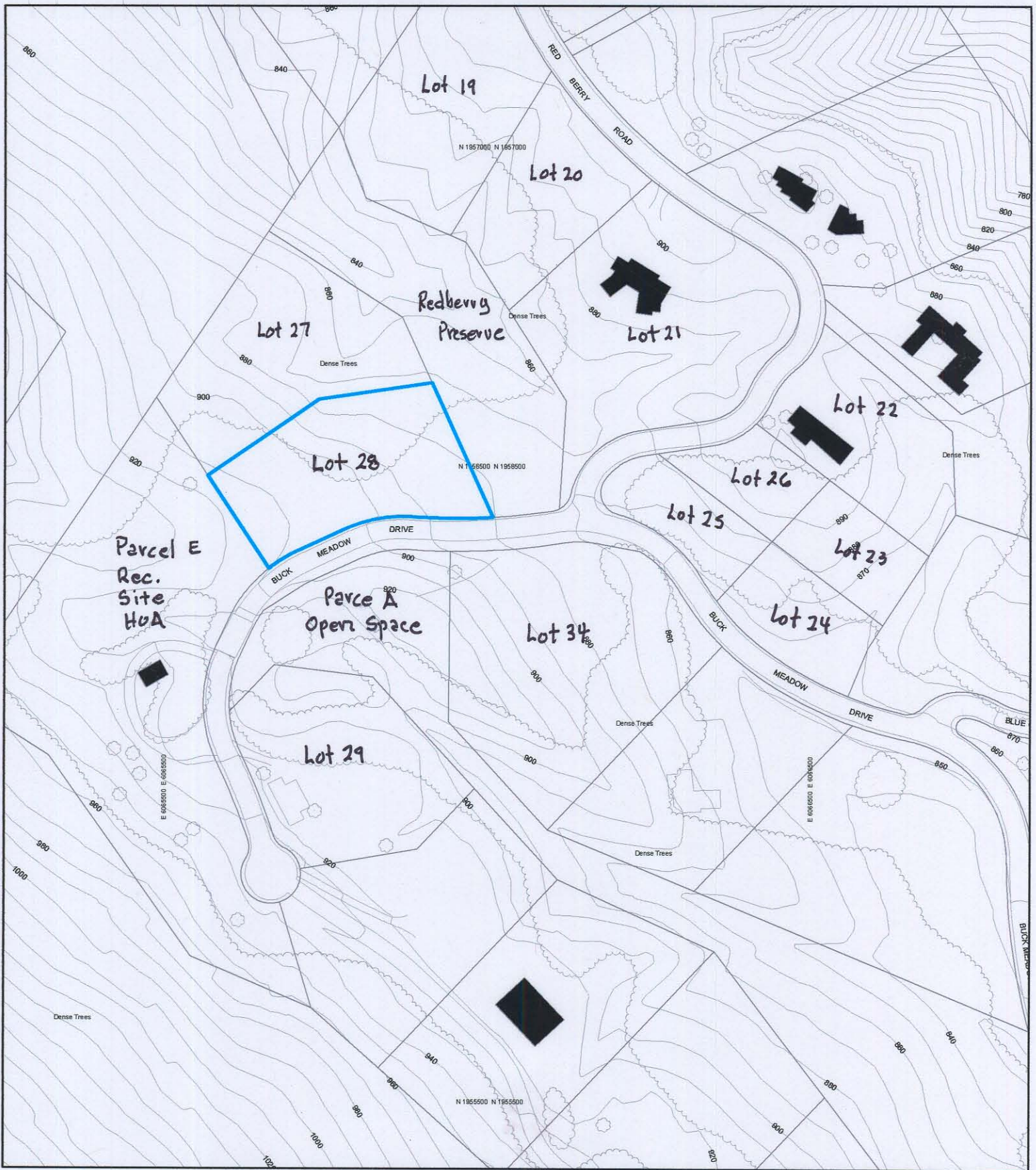
In considering the request, the ASCC conducted the February 22, 2010 site meeting and directed that the south side BE boundary be modified to better conform with slope conditions and also preserve more POSE area near the intersection of Buck Meadow Drive and Redberry Ridge. Further, the ASCC directed that the new POSE area be expanded as shown on the attached exhibits. As noted on the vicinity map and Exhibit C, the expanded POSE area is adjacent to the town owned Redberry "neighborhood" preserve. In any case, with the changes, the ASCC approved the BE modifications subject to the POSE changes being acceptable to the town council. The ASCC also recommended that the POSE changes be approved. During the course of ASCC consideration no public input was offered on the proposals.

Recommendations for Action

Based on the foregoing it is recommended that the town council concur that the POSE changes are acceptable and direct staff to work with the applicant to prepare necessary abandonment and dedication documents for final approval by the council. As noted above, when these documents are ready in forms acceptable to town staff, they will be placed on a future town council agenda, as a consent item, for approval.

TCV 
Cc.

Angela Howard, Town Manager
Leslie Lambert, Planning Manager
Sandy Sloan, Town Attorney
Skip Stritter, applicant
Blue Oaks Homeowners Association



Vicinity Map

Scale: 1" = 200 feet

Building Envelope and POSE Modifications, Lot 28 Blue Oaks, Stritter

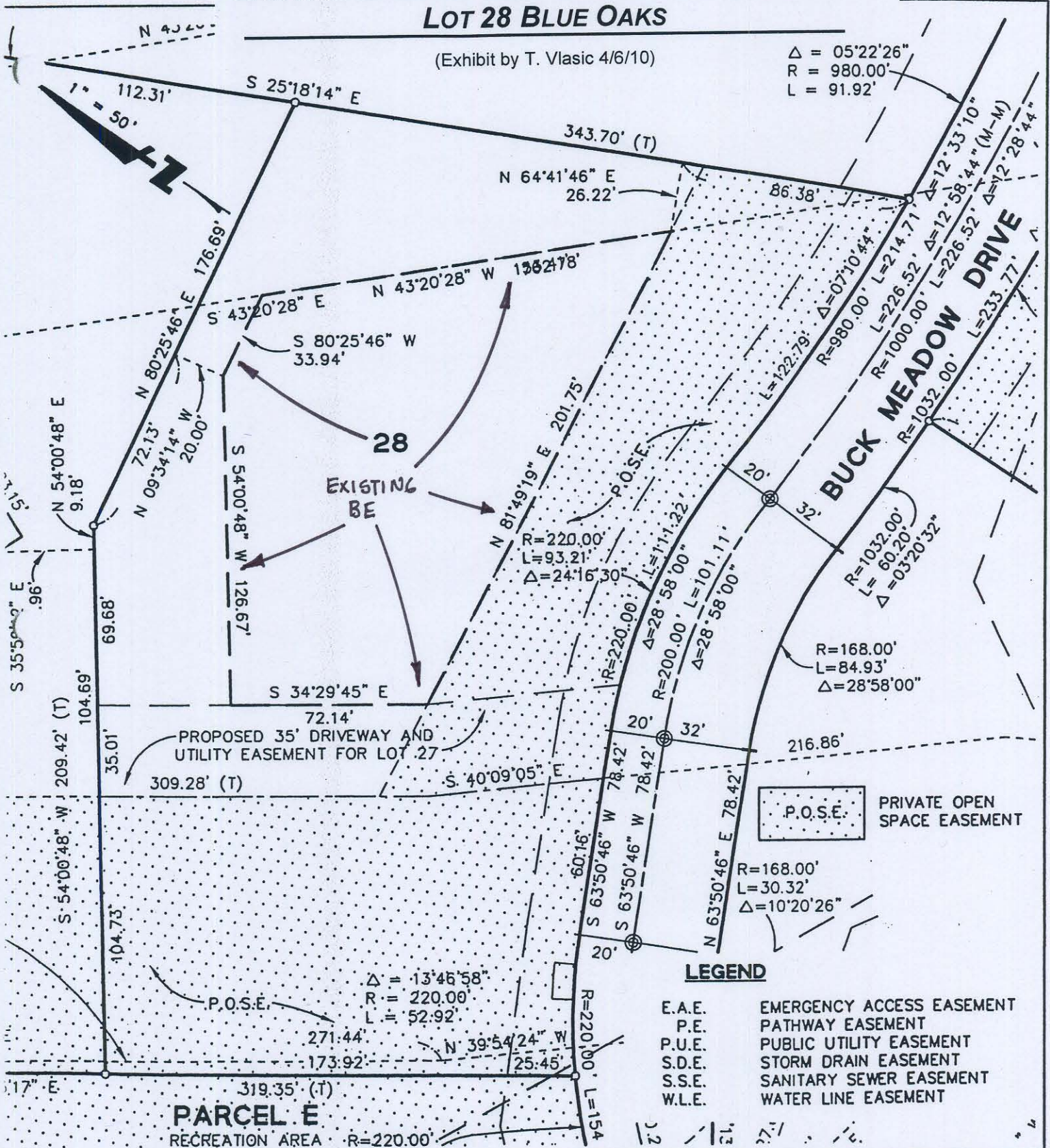
9 Buck Meadow Drive, Town of Portola Valley

April 2010

Exhibit A. EXISTING BUILDING ENVELOPE AND POSE AREAS LOT 28 BLUE OAKS

(Exhibit by T. Vlastic 4/6/10)

$\Delta = 05^{\circ}22'26''$
 $R = 980.00'$
 $L = 91.92'$



Brian Kangas Fouk
Engineers • Surveyors • Planners

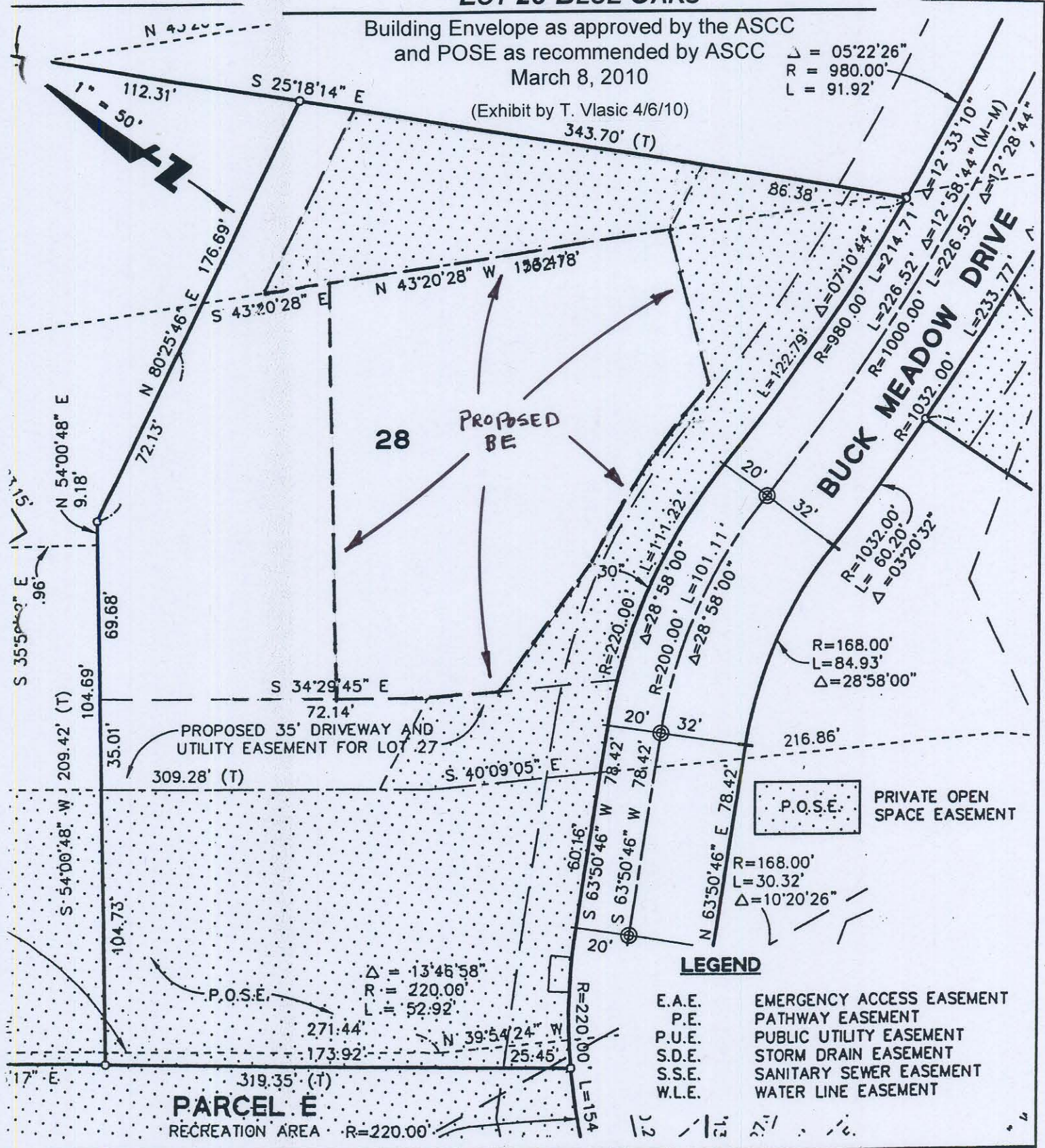
540 Price Avenue
Redwood City, CA 94063
650/482-6300
650/482-6399 (FAX)

Subject BLUE OAKS - LOT 28
BUILDING ENVELOPE EXHIBIT
 Job No. 9700161C
 By AJ Date 07-15-98 Chkd. CB
 SHEET 1 OF 1

Exhibit B. PROPOSED BUILDING ENVELOPE AND POSE AREAS LOT 28 BLUE OAKS

Building Envelope as approved by the ASCC
and POSE as recommended by ASCC
March 8, 2010
(Exhibit by T. Vlasic 4/6/10)

$\Delta = 05^{\circ}22'26''$
R = 980.00'
L = 91.92'



Brian Kangas Foulk
Engineers • Surveyors • Planners

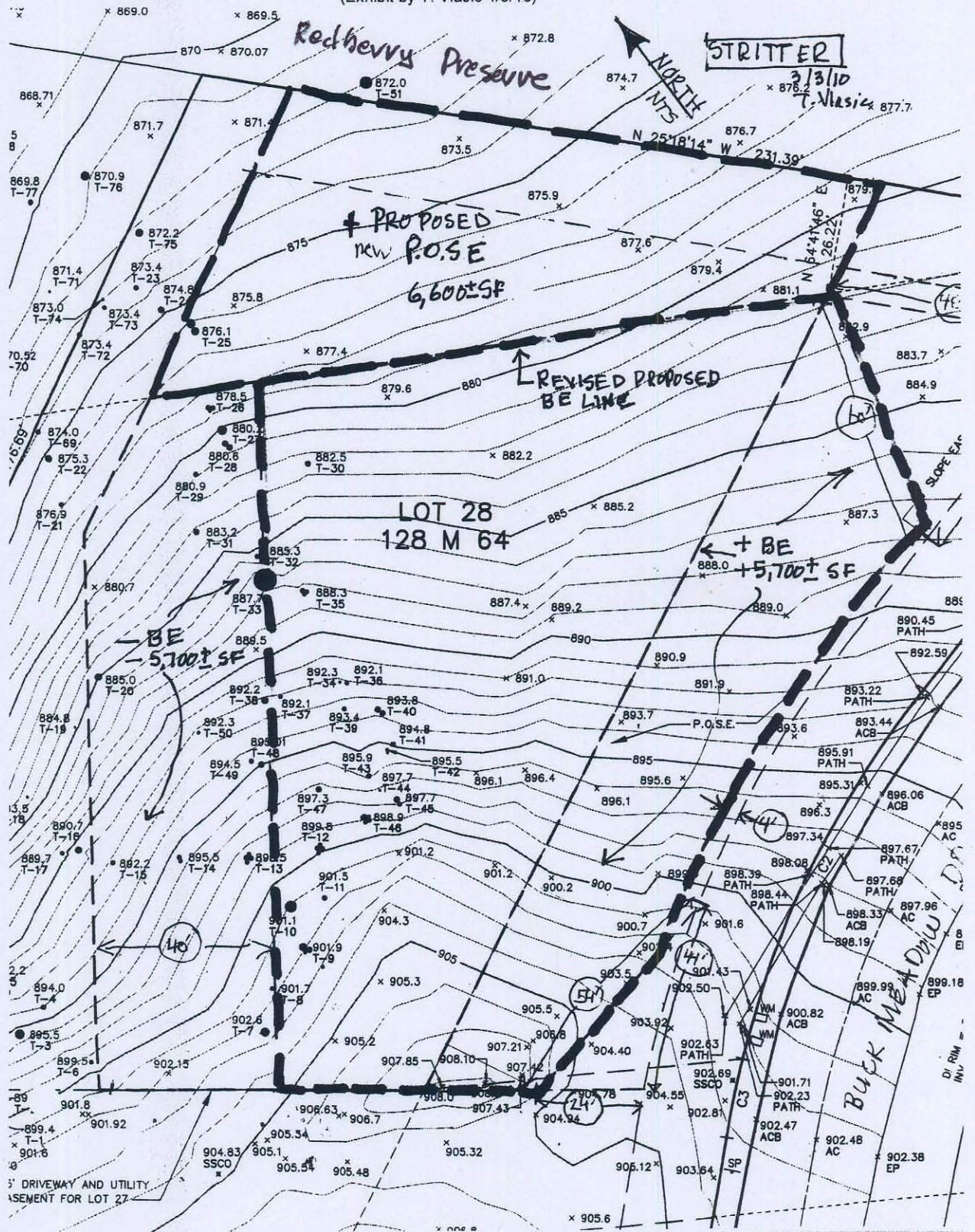
540 Price Avenue
Redwood City, CA 94063
650/482-6300
650/482-6399 (FAX)

Subject BLUE OAKS - LOT 28
BUILDING ENVELOPE EXHIBIT
Job No. 9700161C
By AJ Date 07-15-98 Chkd. CB
SHEET 1 OF 1

Exhibit C.

PROPOSED BUILDING ENVELOPE AND POSE ADDITIONS AND DELETIONS LOT 28 BLUE OAKS

(Exhibit by T. Vlasic 4/6/10)



xc: Town Planner

Date: March 1, 2010

TOWN OF PORTOLA VALLEY

To: Leslie Lambert
Tom Vlasic
Planning Office
Portola Valley, CA

MAR 02 2010

RECEIVED

RECEIVED

MAR 03 2010

SPANGLE ASSOC.

Re: Building Envelope adjustment, Lot 28, Blue Oaks - Revised proposal

Following consideration by the ASCC at their February 8, 2010 meeting, and a site visit by ASCC members, noticed to the public, on February 22, 2010, and based on discussion and input from the committee, we wish to revise our proposal of January 8, 2010 for adjustment of the building envelope on Lot 28, Blue Oaks.

The committee suggested

1. cutting off corners of the original adjusted building envelope at the south and east corners
2. pulling back the proposed envelope line adjacent to Buck Meadow Drive such that the square footage added to the envelope will be the same as the square footage removed from the envelope, and
3. adding new POSE on the NE side of the lot to compensate for POSE lost by the moving of the building envelope.

We agree with the suggestions, and have modified our proposed building envelope in accordance and staked the property to outline the new proposed envelope. We invite the committee and the public to visit the site and view the new proposed envelope.

The modified proposed change:

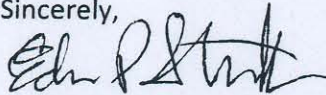
- Move the back envelope line [adjacent to the Lot 27 border] forward towards Buck Meadow Drive by 40',
- move the front envelope line [adjacent to Buck Meadow Drive] forward to a 24' setback from the road,
- adjust the southern and eastern corners of the new envelope by cutting off the corner angles, as detailed on the attached plot drawing,
- and, add POSE along the NE border of the lot to compensate for POSE lost in the adjustment of the front envelope line . (See attached plot drawings.)

The change adheres to all Blue Oaks regulations, such as setback rules and earthquake zone easements, and has been approved by the Blue Oaks HOA. It keeps the building envelope size the same, which is about median size for Blue Oaks lots, and keeps the same amount of POSE space on Lot 28.

Supporting material attached:

Plot locator map
Plot drawing – current building envelope
Plot drawing – proposed building envelope
Copy of original proposal

Sincerely,

A handwritten signature in black ink, appearing to read "Skip Stritter". The signature is stylized with a large, sweeping initial "S" and a distinct "T" at the end.

Skip Stritter, owner
skip@stritter.com
650 248 9341

Date: January 8, 2010

To: Leslie Lambert
Tom Vlastic
Planning Office
Portola Valley, CA

Re: Building Envelope adjustment, Lot 28, Blue Oaks

RECEIVED
MAR 03 2010
SPANGLE ASSOC.

This letter requests that the Town of Portola Valley approve an adjustment to the building envelope at Lot 28, aka 9 Buck Meadow Drive, Blue Oaks development, Portola Valley, CA

The following activities support this request:

Early 2008: Neighbor requests that lot 28 trees be protected.

Throughout 2008 and 2009: prospective buyers request that building be allowed on lower portions of the lot to avoid removing trees on the knoll.

November 2008: T. Vlastic and L. Lambert visit Lot 28 with owner to discuss possible changes to the Lot 28 building envelope.

October 2009: Blue Oaks Homeowners Association approves proposed building envelope changes, after review of affected neighbor statements.

Purposes of changing the building envelope:

1. Preserve the oak grove at the top of the knoll
2. Several prospective buyers have asked if it would be possible to extend the building space down into the clear area on the lower areas of the lot, to avoid cutting trees and to allow a level and more suitable house site.
3. Neighbor wrote a letter several years ago stating that he would object to any building that would endanger the oak grove.

The proposed change:

Move the back property line [Lot 27 border] forward towards the road (Buck Meadow Drive) by 40' and move the front line [adjacent to the road] forward to the standard 20' setback from the road. This gives a new building envelope the same size as the current one, but more buildable. (See attached plot drawings.)

The change adheres to all Blue Oaks regulations, such as setback rules and earthquake zone easements, and has been approved by the Blue Oaks HOA. It keeps the building envelope size the same, which is about median size for Blue Oaks lots.

Supporting material attached:

Plot locator map

Plot drawing – current building envelope

Plot drawing – proposed building envelope

Letter to HOA requesting approval

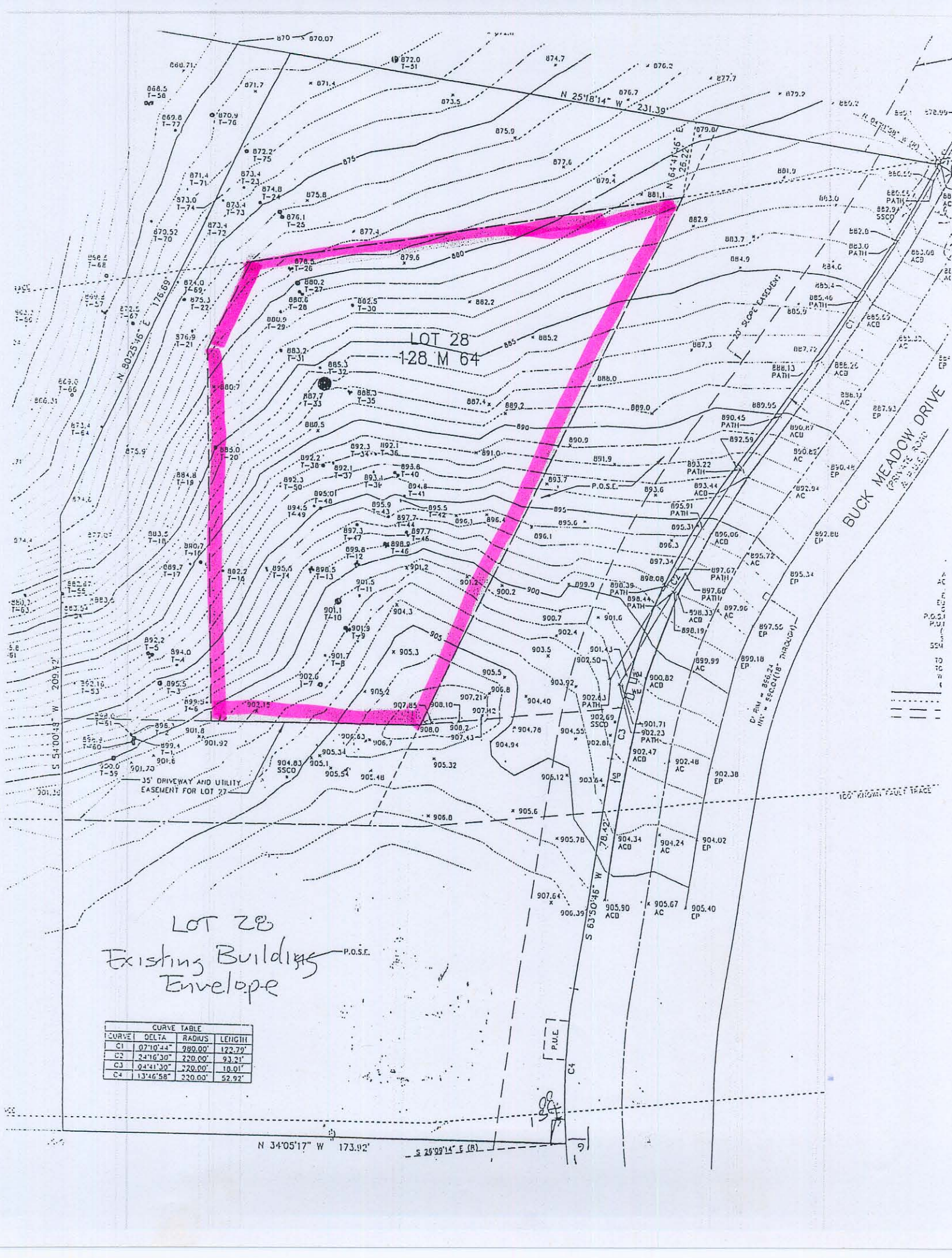
Approval letter from HOA Board

Letter to affected neighbors requesting approval

Statements of affected neighbors

Sincerely,

Skip Stritter, owner
skip@stritter.com
650 248 9341



LOT 28
-128 M 64

LOT 28
Existing Buildings
Envelope

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	07°10'44"	980.00'	122.79'
C2	24°16'30"	220.00'	93.21'
C3	04°41'30"	220.00'	10.01'
C4	13°46'58"	220.00'	52.92'

N 34°05'17" W 173.92'

S 25°09'14" E (R) 91

BUCK MEADOW DRIVE
(PRIVATE ROAD
R. 1100)

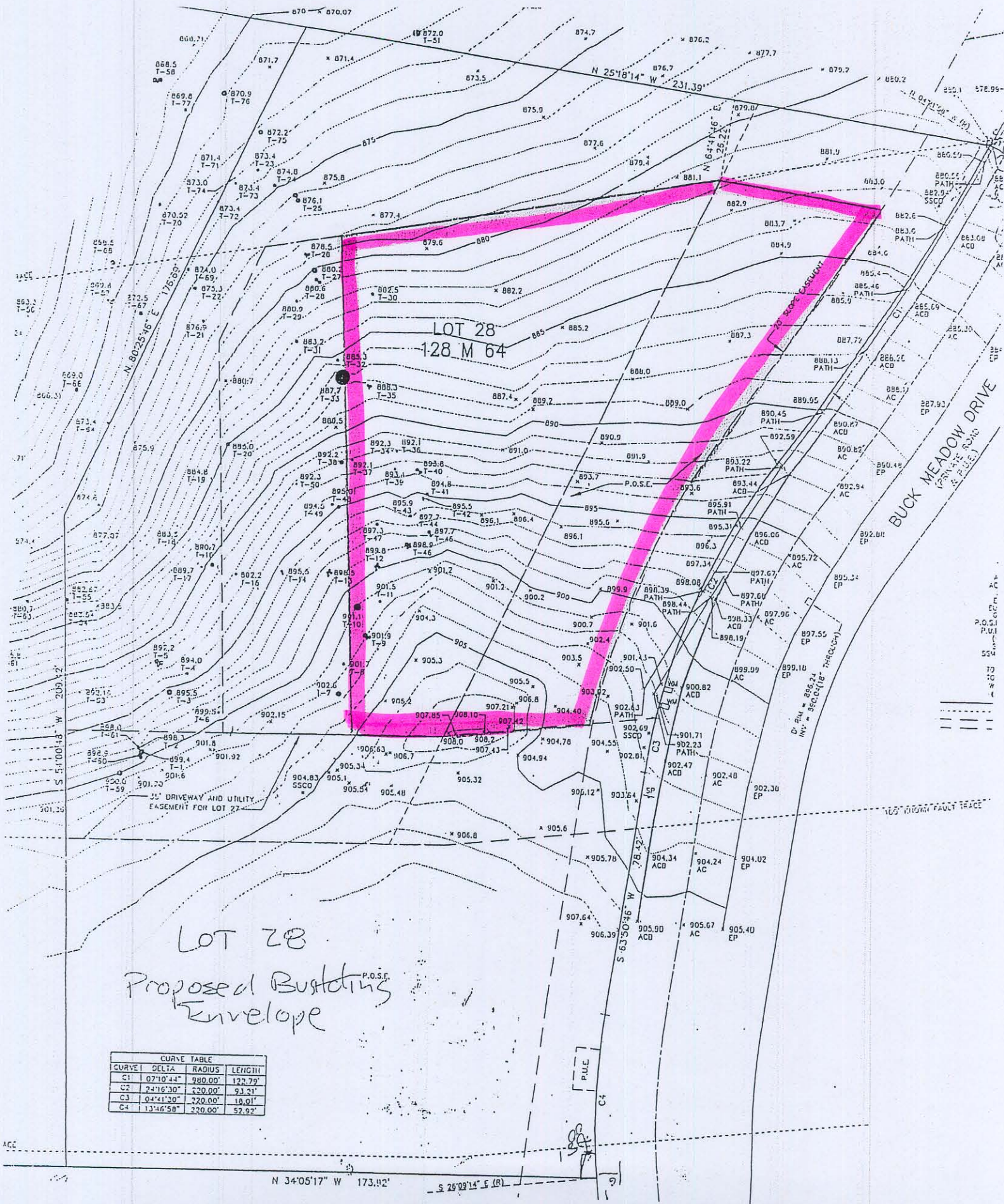
35' DRIVEWAY AND UTILITY
EASEMENT FOR LOT 27

100' RIGHT OF WAY

D' = 306.24
M = 582.08

P.U.E.
C4

91



LOT 28
128 M 64

BUCK MEADOW DRIVE
(PRIVATE ROAD
& EASEMENT)

LOT 28
Proposed Building
Envelope

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	07°10'44"	980.00'	122.79'
C2	24°16'30"	220.00'	93.31'
C3	04°41'30"	220.00'	19.01'
C4	13°16'58"	220.00'	52.92'

N 34°05'17" W 173.92'

S 25°09'14" E (R) 91

PI.U.E

C4

91

Ferrari Management Company
444 First Street, Suite A
Los Altos, CA 94022

(650) 917-9911
FAX 917-9991
ferraringtco94022@yahoo.com

December 7, 2009

Mr. Edward Stritter
1315 San Mateo Drive
Menlo Park, CA 94025

Re: Blue Oaks Homeowner's Association ACC Approval Notice
Lot 28 (9 Buck Meadow Drive)

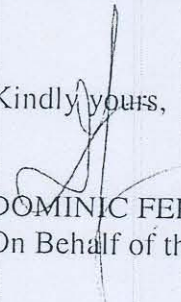
Dear Mr. Stritter:

The board of directors of the Blue Oaks Homeowners association met today and approved your request to modify the building envelope to move it closer to the street by approximately 40 feet. The association understands that you will work with the Town of Portola Valley to finalize the changes.

Please note that this approval does not constitute a waiver of any of the requirements of any applicable government agencies or the acceptance of any technical or engineering specification. The association only reviews submittals as to appropriateness and this approval does not confirm that the plans meet the requirements of the PUD. All technical and engineering matters and compliance with the PUD Statement or the requirements of the Town of Portola Valley are the responsibility of the Lot owner. An oversight of a Covenant, Condition or Restriction, Rule, Policy or provision of the PUD statement does not constitute a waiver and must be corrected upon notice.

Good luck with your project.

Kindly yours,



DOMINIC FERRARI, Property Manager
On Behalf of the Board of Directors

Chair Warr called the regular meeting to order at 7:32 p.m. in the town center Historic School House meeting room.

Roll Call:

ASCC: Warr, Aalfs, Breen, Clark, Hughes
Absent: None
Town Council Liaison: Derwin
Planning Commission Liaison: Gilbert
Town Staff: Deputy Town Planner Vlastic

Oral Communications

Oral communications were requested and none were offered.

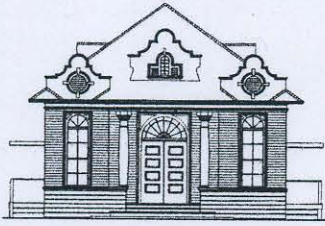
Continued Review -- Request for modification of Building Envelope for Lot 28 Blue Oaks Subdivision, 9 Buck Meadow Drive, Stritter

Vlastic presented the March 4, 2010 staff report on the subject proposal. He explained that the ASCC initiated review of the request for building envelope (BE) modifications at the February 8, 2010 meeting and then on February 22nd conducted a site meeting on the matter. He clarified that at the conclusion of the February 22nd meeting the ASCC provided directions for adjustments to the proposed BE as noted in the meeting minutes.

Vlastic then reviewed the revised proposal, responding to ASCC directions, as set forth in the March 1, 2010 letter from the applicant and shown on the annotated copy of the site plan submitted with the letter. He added that the new alignment for the BE on the south side of the site had been staked for ASCC field inspection. Vlastic noted that as the ASCC had directed, the BE would remain the same size with the reduced and added areas both equal to approximately 5,700 sf. He further noted that the proposed POSE area addition is roughly 6,600 sf and considerably larger than the 5,700 sf reduction in POSE that would occur with the BE changes.

Skip Stritter, applicant, briefly discussed the revised proposal and stated he looked forward to ASCC approval so that the request for POSE changes could be presented to the town council for consideration. In response to a question from Warr to extend the east side POSE area to the northern property line, he commented that the proposed POSE area was already considerably larger than the POSE area being replaced and that the area in question was not available for use due to the BE limit and fault setback requirements.

Public comments were requested, but none were offered. Thereafter, Breen moved, seconded by Aalfs and passed 5-0 approval of the BE modifications and to recommend town council approval of the POSE adjustments.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: ASCC
FROM: Tom Vlastic, Deputy Town Planner
DATE: March 4, 2010
RE: Agenda for March 8, 2010 ASCC Meeting

The following comments are offered on the items listed on the ASCC agenda.

4a. CONTINUED REVIEW -- REQUEST FOR MODIFICATION OF BUILDING ENVELOPE FOR LOT 28 BLUE OAKS SUBDIVISION, 9 BUCK MEADOW DRIVE, STRITTER

The ASCC initiated review of this request for building envelope (BE) modifications at the February 8, 2010 meeting and then, on February 22nd, conducted a site meeting on the proposal. The February 19, 2010 report prepared for the site meeting is attached, and the minutes of the meeting are enclosed.

At the conclusion of the February 22nd meeting, the ASCC provided directions for adjustments to the proposed BE as noted in the meeting minutes. The applicant agreed to make those changes and has submitted the attached March 1, 2010 letter outlining the specific modifications that have been made. Further, the new alignment for the BE addition area on the south side of the site has been staked at the site for ASCC inspection. The stakes for the adjusted BE alignment are identified with pink ribbons.

The applicant has also provided one annotated copy of the site plan showing the BE modifications. This will be available for reference at the ASCC meeting. We have, however, also made a copy of the portion of the plan that shows the BE changes as well as the proposal for Private Open Space Easement (POSE) replacement, as agreed to at the site meeting. The 8.5" x 11" copy, with changes emphasized by enhanced lines, is attached for ASCC use in inspecting the site relative to the revised proposal. As noted on the copy, the BE would remain the same size with the reduced and added area both equal to approximately 5,700 sf. The proposed POSE area is roughly 6,600 sf and considerably larger than the 5,700 sf reduction in POSE that would occur with the BE changes.

The revised proposal appears to directly conform to the ASCC directions provided at the site meeting. In particular, the "corner" adjustments at the easternmost corner help

to preserve the Buck Meadow Preserve when viewed from the intersection of Redberry Ridge and Buck Meadow Drive. Further, the POSE area expands the controlled open space adjacent to the town owned "neighborhood preserve" just to the east of the subject property.

Prior to completing action on this request and forwarding any recommendation to the town council, ASCC members should consider the above comments and inspect the new stakes set at the site. As noted in the attached materials, the changes to the POSE area will need to be considered and acted on by the town council once the ASCC has concluded its position on the BE adjustments.

**Special ASCC Field Meeting, 9 Buck Meadow Drive, Stritter,
Joint Special Field Meeting with Planning Commission, 2 Buck Meadow Drive, Toor,
and
Regular Evening ASCC Meeting, 765 Portola Road, Portola Valley, California**

The ASCC special field meeting was called to order at 9 Buck Meadow Drive.

Roll Call:

ASCC: Clark, Breen, Hughes, Warr
ASCC Absent: Aalfs
Town Staff: Deputy Town Planner Vlastic

Others present relative to the Stritter project:

Skip Stritter, property owner/applicant
Carl Stritter, property owner/applicant
John Alexander, realtor for the applicants

Continued Review -- Request for modification of Building Envelope for Lot 28 Blue Oaks Subdivision, 9 Buck Meadow Drive, Stritter

Vlastic presented the February 19, 2010 staff report on this request for approval of modifications to the building envelope (BE) on the subject Blue Oaks subdivision property. He advised that review of the proposal had been initiated at the February 8, 2010 ASCC meeting and at that time the applicant and ASCC concurred a site meeting was necessary for proper evaluation of any BE changes.

Vlastic then presented an annotated copy of the site plan approved in 2001 by the ASCC for a now expired project on the parcel that was proposed by the current applicants. He pointed out that the site plan included tree and contour data, fault setback information and other conditions with bearing on the existing/proposed BE. He noted possible impacts of the proposed changes, particularly as they pertain to the relationships to adjacent Lot 27 and the Buck Meadow preserve private open space easement (POSE) area on the south side of the parcel, i.e., along Buck Meadow Drive. He also pointed out that with the proposed change there would be a net increase in BE of roughly 2,550 sf and that the POSE area would be reduced.

Vlastic clarified that in the past, one BE change was granted that involved POSE area, and in that case the town required that there be no net loss of open space easement area. Vlastic then, using the 2001 annotated site plan, offered suggestions for changes to the proposed BE lines. He noted that these adjustments would reduce the proposed southerly extension so the BE gained would be equal to the BE reduction on the north side., i.e., roughly a total area of just over 6,000 sf. He specifically suggested that the proposed BE line be moved slightly to the north and that the east and west corners be angled or "truncated" to better protect view corridors and the general appearance of the open space areas.

All present walked the site and considered the staking set by the applicants to show existing and proposed BE limits. During the course of the site walk, the applicants stressed that they are attempting to market the property and that the changes to the BE are intended to make more of the open grassland on the south side of the site available for use and also establish more open space buffer area between the BEs on the subject parcel and Lot 28. In

response to a question, they clarified that they have no new plans for development of the site and would leave any such decisions to a future property owner.

ASCC members considered the annotated 2001 site plan and site conditions. Eventually, it was agreed that the staff suggested BE adjustments, with some further refinements of the "truncated areas," as sketched on the site plan at the meeting should be pursued. Members also concurred that any BE adjustment should include no net reduction in POSE area. It was suggested that at least an area equal to the lost POSE area on the south side be added and that this might come from the non-BE area on the east side of the site common with the town's "neighborhood" preserve.

The applicants agreed to make the ASCC requested changes and submit a revised proposal for final consideration at the March 8, 2010 meeting. They added that prior to that meeting, the revised BE would be staked for individual ASCC consideration. The copy of the annotated site plan with field adjustments made at the site meeting was then provided to the applicants for their use in revising the BE proposal.

Vlasic clarified that after any ASCC action, the recommended changes would be forwarded to the town council for consideration as the council would need to act on any changes to the POSE area as explained in the staff report.

At the conclusion of the Stritter site meeting, Warr thanked the applicants for their participation in the meeting and advised that at the regular evening ASCC meeting the tentative directions provided during the site session would be confirmed after allowing for any public input. He also advised that the special afternoon meeting would continue at 2 Buck Meadow Drive as soon as members could convene at the property. He noted that this second meeting was noticed as a joint session with the planning commission.

Chair Warr called the regular meeting to order at 7:32 p.m. in the Town Center Historic School House meeting room.

Roll Call:

ASCC: Warr, Breen, Clark, Hughes

Absent: Aalfs

Town Council Liaison: Derwin

Planning Commission Liaison: McIntosh

Town Staff: Deputy Town Planner Vlasic

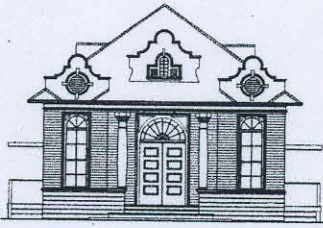
Oral Communications

Oral communications were requested but none were offered.

Continued Review -- Request for modification of Building Envelope for Lot 28 Blue Oaks Subdivision, 9 Buck Meadow Drive, Stritter

Vlasic briefly reviewed the project consideration conducted by the ASCC at the special afternoon site meeting and the ASCC directions provided at that meeting. (See above site meeting minutes.) Public comments were then requested, but none were offered.

ASCC members then confirmed the directions provided at the special site meeting and continued project review to the regular evening March 8, 2010 ASCC meeting.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: ASCC
FROM: Tom Vlastic, Deputy Town Planner
DATE: February 5, 2010
RE: Agenda for February 8, 2010 ASCC Meeting

6c. REQUEST FOR MODIFICATION OF BUILDING ENVELOPE FOR LOT 28 BLUE OAKS SUBDIVISION, 9 BUCK MEADOW DRIVE, STRITTER

Mr. Skip Stritter, owner of the subject Blue Oaks lot, has submitted the attached 13 page, January 8, 2010 request for modification of the building envelope (BE) on the property. The submittal describes the request and includes documents associated with processing of the proposal through Blue Oaks Homeowners Association (HOA) approval, granted on December 7, 2009. The attached documents include communications provided by the adjacent homeowners relative to the proposed changes to the BE. With this information, the HOA concluded it could grant approval of the proposal with the stipulations for town review and approval as set forth in the attached 12/7/09 letter from the HOA.

Pursuant to the Blue Oaks Planned Unit Development (PUD), the ASCC is responsible for setting of BE lines. In this case, the town council would also be involved as the area where the BE is to be extended currently is covered by a Private Open Space Easement (POSE). Such easement areas were dedicated to the town and any relief from the easement would take town council approval with subsequent recording of appropriate documents to the satisfaction of the town attorney. The following PUD documents are also enclosed for reference:

- PUD Building Envelope Sheets for Lots 27 and 28
- PUD Plan (Excerpt) for the subject lot area showing open space areas, including *Buck Meadow Preserve*
- PUD statement lot descriptions for Lots 27 and 28
- Blue Oaks Final Map Sheet 14, showing the area of the subject property and easement areas

In addition, the following comments are offered on the proposal:

1. **Proposal description relationship to open space easements and public trail.**
The proposal is fairly well described in the application materials. We fully

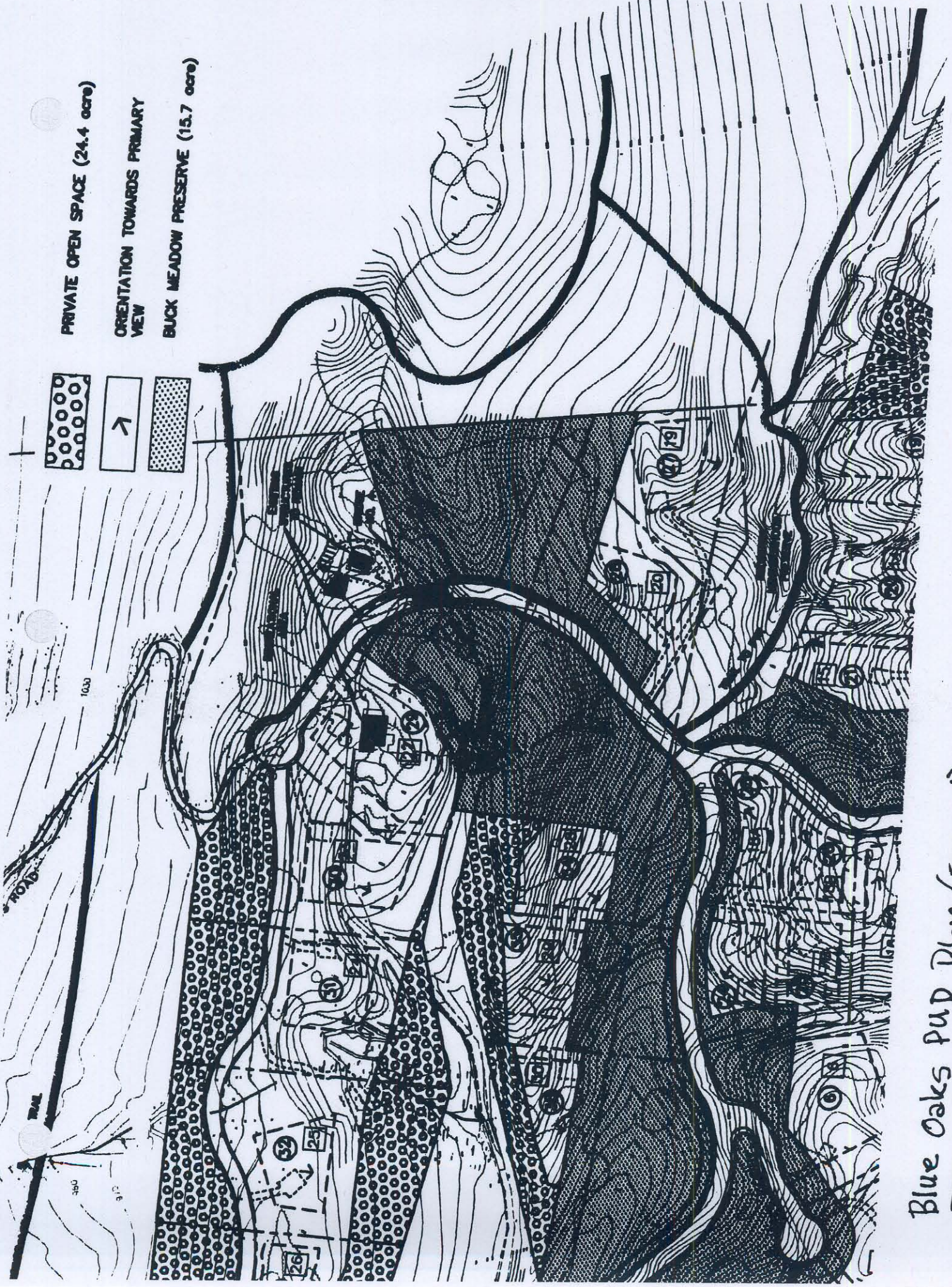
understand and appreciate the desires of the owners of Lots 27 and 28 to provide more separation between building sites, particularly to reduce the potential impacts on the oak grove between the properties that also share the common access easement from Buck Meadow Drive. When we met with Mr. Stritter we stated our appreciation of the issues and his objectives, but did advise that open space easement factors would need to be considered. (For clarity, the subject site is vacant and Lot 27 was developed a number of years ago by a previous owner.)

We are somewhat concerned that the current proposal, which would only provide for a 20-foot setback from the Buck Meadow Drive right of way, may extend too far into the Buck Meadow Preserve area and too close to the public trail that runs along the north side of the street. We are also sensitive to the comments offered by Mr. Gainey, owner of Lot 21, in his attached October 14, 2009 email to Mr. Stritter.

It is further noted that when the BEs were originally approved for Blue Oaks, the ASCC spent considerable time in the field to define appropriate building envelope lines. As a result, it is recommended that the ASCC set a field meeting with the applicant to specifically consider the existing and proposed boundaries and possible building areas. We would hope that the field session would include the outlines of the areas where the changes are proposed so that any appropriate adjustments could be considered by the ASCC. Again, we appreciate the desire to minimize the tree conflicts and impacts, but the PUD statement suggests that the improvements on Lot 28 would be adjacent to the trees at the north end of the meadow preserve. We would want sufficient meadow area protected so that there is adequate separation from the road and trail and some protection of the preserve character along the north side of the road. We are concerned that a 20-foot setback from the right of way may not be sufficient and would want the ASCC to specifically consider this in acting on the request and forwarding any recommendation to the town council relative to relief from the existing POSE.

2. **Changes to open space easement.** In one other instance the town council has considered and granted relief from the POSE requirements to accommodate a building envelope issue. This was for Lot 33 at the end of Buck Meadow Drive (Lopez). In that case, the council required that there be no net reduction in open space area. Thus, if the ASCC finds that the BE change, within any adjustments, is appropriate, it should also recommend that the area moved out of the BE on the north side, i.e., where the oak grove is located, should be covered by POSE extension. Again, this extension area should at least equal to the area that would be removed from the POSE to accommodate the BE modification.

Prior to completing actions on this request and forwarding any recommendations to the town council, ASCC members should consider the above comments and conduct the recommended site inspection to determine if any changes to the final configuration to the BE should be considered. The site neighbors and HOA would be given notice of any site meeting.



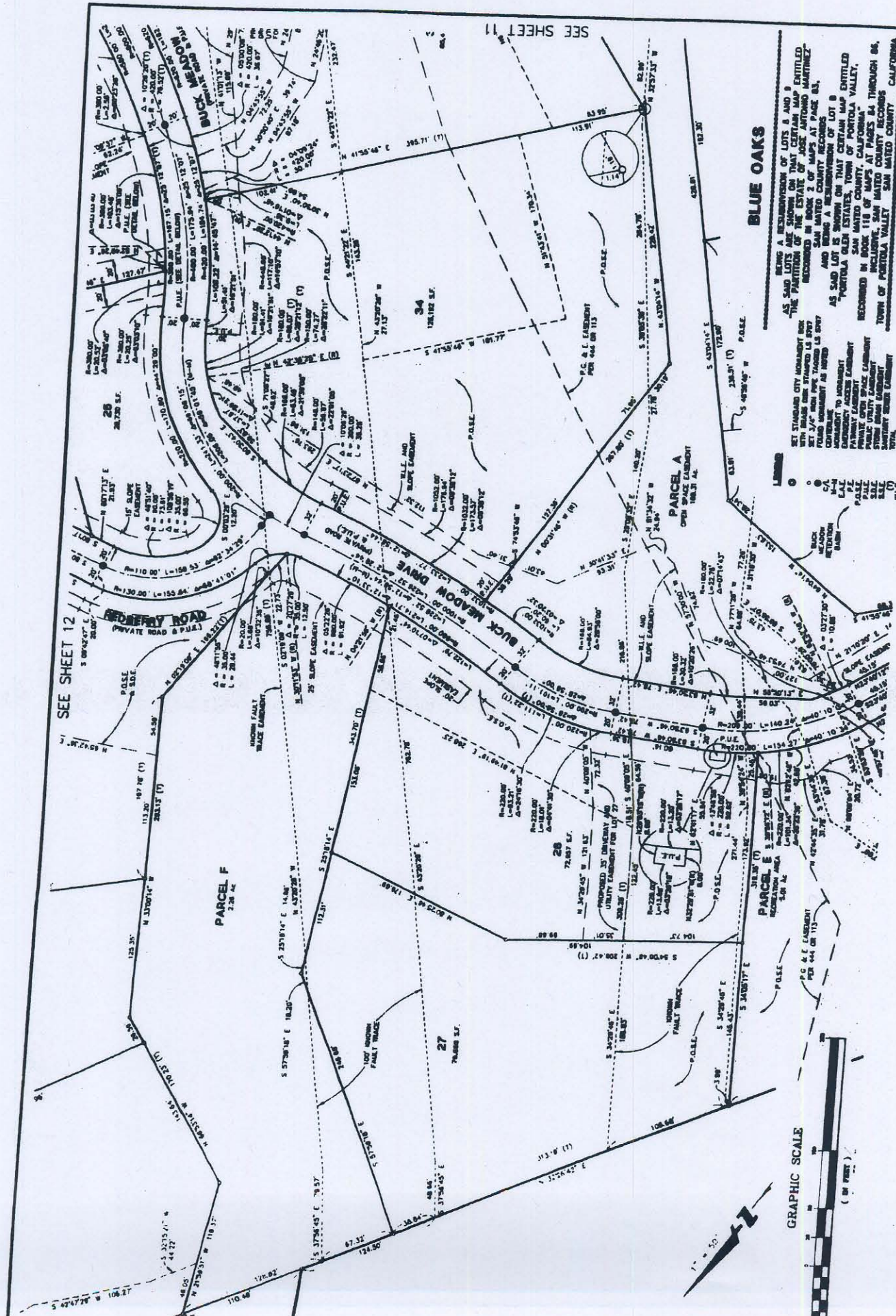
PRIVATE OPEN SPACE (24.4 acre)

ORIENTATION TOWARDS PRIMARY VIEW

BUCK MEADOW PRESERVE (15.7 acre)

Blue Oaks PUD Plan (Excerpt)

2/4/10



SEE SHEET 12

SEE SHEET 11

BLUE OAKS

AS SAID BEING A REVISION OF LOTS 8 AND 9
THE PARTITION OF THE ESTATE OF JOSE ANTONIO MARTINEZ
RECORDED IN BOOK 10 OF MAPS AT PAGE 83,
AND BEING A REVISION OF LOTS 8
AS SAID LOT IS SHOWN ON THAT CERTAIN MAP ENTITLED
"PORTOLA BLEU ESTATES, TOWN OF PORTOLA VALLEY,
RECORDED IN BOOK 118 OF MAPS AT PAGES 84 THROUGH 86,
TOWN OF PORTOLA VALLEY, SAN MATEO COUNTY, CALIFORNIA
INCLUDING THE SAN MATEO COUNTY RECORDS
SHEETS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

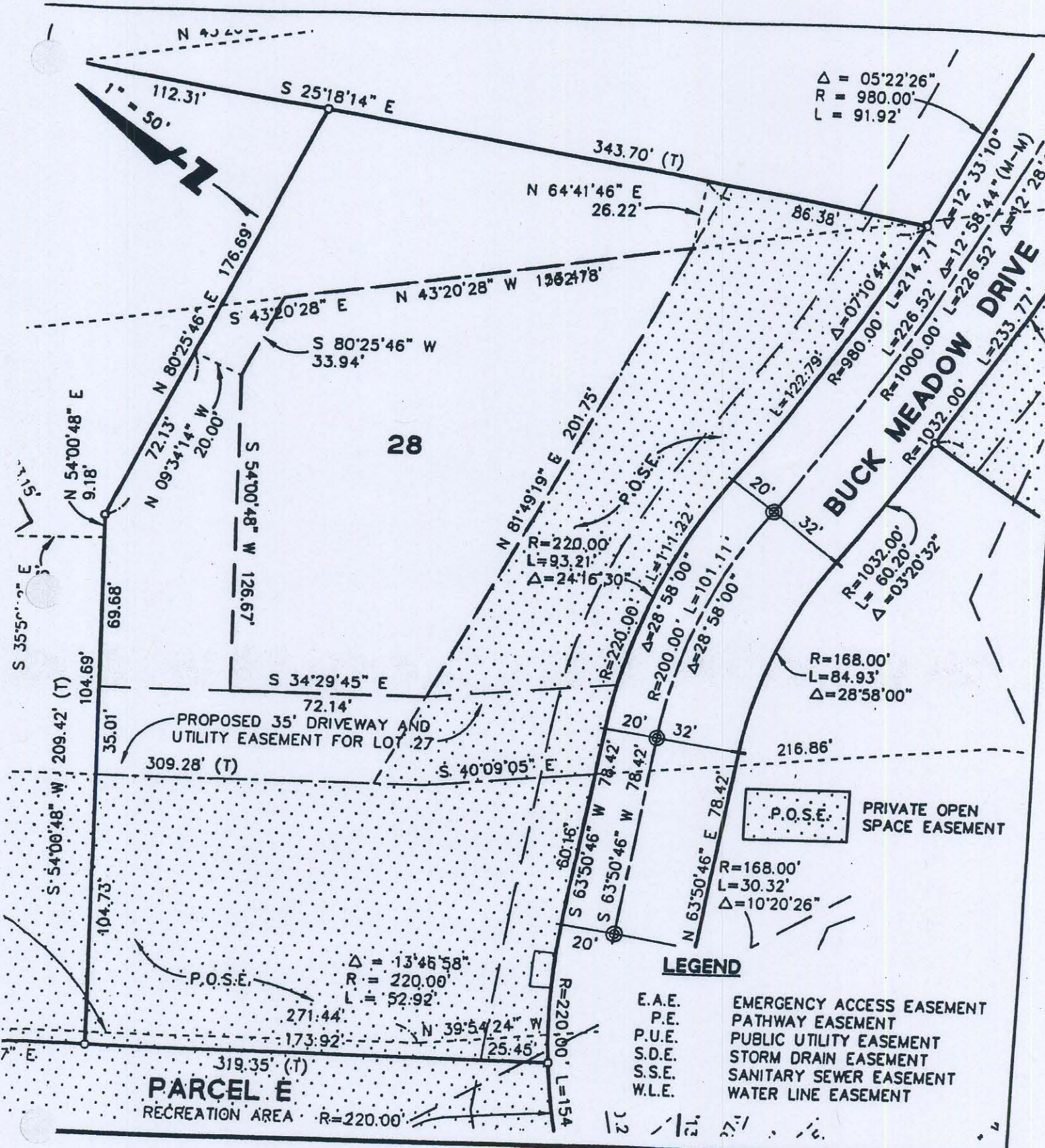
DATE: JULY 1989

John Keating & Co.
CONSULTING ENGINEERS
540 PINE STREET
REDWOOD CITY, CA 94063

SET STANDARD CITY MONUMENTS FOR
SET 1/2" FROM THE STATIONED L.S. BY
SET 1/2" FROM THE STATIONED L.S. BY
CONFORM TO THE MONUMENTS OF
MONUMENT TO MONUMENT
PARCELS TO MONUMENT
PRIVATE OPEN SPACE EASEMENT
PUBLIC OPEN SPACE EASEMENT
SLOPE EASEMENT
TOTAL
WATER LINE EASEMENT
BOUNDARY LINE
LOT LINE
LATERAL LINE
CONTRIBUTOR
AREA OF PARCEL

SEE SHEET 15





$\Delta = 05^{\circ}22'26''$
 $R = 980.00'$
 $L = 91.92'$

28

BUCK MEADOW DRIVE

PROPOSED 35' DRIVEWAY AND UTILITY EASEMENT FOR LOT 27

P.O.S.E. PRIVATE OPEN SPACE EASEMENT

LEGEND

- E.A.E. EMERGENCY ACCESS EASEMENT
- P.E. PATHWAY EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- S.D.E. STORM DRAIN EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- W.L.E. WATER LINE EASEMENT

PARCEL E
RECREATION AREA $R=220.00'$

Brian Kangas Foulk
Engineers • Surveyors • Planners

540 Price Avenue
Redwood City, CA 94063
650/482-6300
650/482-6399 (FAX)

Subject BLUE OAKS - LOT 28
BUILDING ENVELOPE EXHIBIT
 Job No. 9700161C
 By AJ Date 07-15-98 Chkd. CB
 SHEET 1 OF 1

P.O.S.E.

PRIVATE OPEN SPACE EASEMENT

S 57°59'18" E 18.20'

S 25°18'14" E 14.86'
N 43°20'28" W

S 37°56'45" E 79.57'

112.31'

S 25°18'1"

246.68'

100' KNOWN FAULT TRACE

1" = 50'

67.32'
124.50'

S 57°59'18" E

S 43°20'28" E 23.25'

48.66'

S 37°56'45" E

S 37°56'45" E 27.43'

27

N 54°44'42" E 75.14'

N 24°16'31" E 83.15'

N 54°00'48" E 9.18'

S 43°20'28" E

S B 33.8'

21.33'
102.07'

S 32°29'42" W 94.94'

N 57°33'18" W 20.00'

S 51°50'17" E 102.00'

N 80°25'46" E 176.69'

N 09°34'14" W 20.00'

S 54°00'48" W 126.67'

N 32°29'42" E 104.01'

S 68°07'48" E 137.67'

S 35°59'12" E 96.16'

S 54°00'48" E 9.18'

69.68'

S 34°2'

72
PROPOSED 35' DF UTILITY EASEMENT

S 31°56'28" E 32.18'

S 34°29'45" E

309.28' (T)

LEGEND:



UNUSABLE BUILDING ENVELOPE WITHOUT CORRECTIVE DRAINAGE MEASURES

NOTE:

BUILDING ENVELOPE SHOWN IS ACCEPTABLE ONLY IF CORRECTIVE MEASURES ARE TAKEN TO RESOLVE SITE GRADING AND DRAINAGE ISSUES. A LICENCED GEOTECHNICAL ENGINEER OF OWNERS CHOICE AND COST SHALL PREPARE DRAINAGE MITIGATION MEASURES FOR TOWN REVIEW AND ACCEPTANCE.

108.88'

KNOWN FAULT TRACE

P.O.S.E.

P.O.S.E.

3.99'

S 34°29'45" E

145.43'

S 34°05'17" E

319.35' (T)

Brian Kangas Foulk
Engineers • Surveyors • Planners

540 Price Avenue
Redwood City, CA 94063
650/482-6300
650/482-6399 (FAX)

Subject BLUE OAKS - LOT 27
BUILDING ENVELOPE EXHIBIT
Job No. 9700161C
By AJ Date 07-15-98 Chkd. CB
SHEET 1 OF 1

2. GRASSLANDS.

Lot 27. This lot is in a wedged zone just west of Redberry Preserve and is adjacent to the north Blue Oaks property line. The homesite is well hidden from both on- and off-site views. Side yard setbacks with slope areas and fault zones at front and rear yards define the BE. The driveway from Buck Meadow Drive is shared with Lot 28. The residential structure could step up or down slope or flow horizontally with the contours.

Lot 28. Situated at the north edge of Buck Meadow, this home will orient southerly to the meadow. A slope area at the rear and a fault zone line to the south combine to help define the BE. Any structures on this site should blend into, i.e., be sited within, the trees at the meadows edge. Attention will need to be given to preserving as many trees as possible.

Lot 34. This lot is bordered on the north and east by Buck Meadow and the creek corridor on its west. A slope zone bisects the lot from north to south. The main house should be located at the north easterly portion of the BE. Since this area is within 125 feet of a known fault trace, a one-story height limit is imposed which will help to keep the roof ridge below the crest to the west. In order to minimize site disturbance, consideration should be given to tying this building site into the common driveway shared by Lots 35 and 36.

Lot 35. This lot fronts on Buck Meadow to the east and will share a common drive with Lot 36 to reduce the roadway impact across the meadow. In order to reduce the need for grading, consideration should be given to placing the garage under the main house level. Roof lines, particularly of any two story home, must blend with the existing tree canopy, and not project above it.

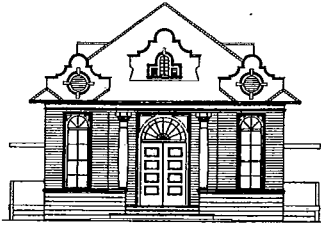
Lot 36. This is the lot farthest down the Ridge and is formed into a wedge by the constraints of the fault zone and the creek. The residential design solution will need to carefully respond to these constraints and be sensitive to views from the main entry roadway in Buck Meadow. This will require roof lines to blend with the existing tree canopy, and not project above it.

3. WOODLANDS.

Lot 29. This lot is at the existing ranch house and barn and overlooks the pond. The barn is to be preserved for conformity with the provisions of the historic element of the town general plan. The house will be designed to save the existing large oaks. An overlay of wetland area at the pond will define the rear lot buildable area line. A two story home would be appropriate given site constraints and setting.

Lot 30. This lot is at the end of Buck Meadow Drive and is serviced from a single drive at the cul-de-sac. A fault zone on the east and a driveway easement to the west help define the BE. The homesite will orient easterly into the trees at the creek corridor. A two story home would be appropriate for the site.

Lot 31. This lot will share a common 2-way drive (through Lot 30) with Lots 32 and 33. The drive will be designed to comply with the Blue Oaks fire management standards with appropriate turnouts, and a turnaround located in the area of Lots 32/33. The BE is partially defined by the fault zone, and the common drive easement. A two story home would be permitted. The structure can be located within the envelope and also adhering to the 125-foot setback for a two story structure from a fault.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Leslie Lambert, Planning Manager
Sandy Sloan, Town Attorney

DATE: April 14, 2010

RE: Appeal of Sanitary Sewer Connection, Corman, 295 Golden Oak Drive

Recommendation

It is recommended that the Town Council deny the appeal and require connection to the sanitary sewer.

Background

On November 17, 2009, Mr. Tedd Corman, Golden Oak Partners, LP filed an appeal of the administrative decision requiring connection to sanitary sewer. The delay in bringing this request to the Council, was to ensure that the property could accommodate a septic system prior to review by the Town Council.

Mr. Corman has received conditional project approval from the Town's Architectural & Site Control Commission (ASCC) and Planning Commission. These approvals include architectural approval and site development permit for new residential development of the 1.13-acre Alpine Hills property. The parcel currently contains a small, single-story Ranch style residence of 2,160 sf. The house and site have been vacant for some time and during this period there has been minimal maintenance. The proposal approved involves replacing the existing house with a new, contemporary architecture, single-story 5,007 sf residence with attached garage and 1,516 sf basement. In addition, a 544 sf guesthouse, swimming pool, outdoor deck and terrace areas are proposed. The site development permit allows for 1,432 cubic yards of grading associated with the residential site improvements.

The ASCC and Planning Commission were informed during their reviews that pursuant to the provisions of the Plumbing Code, if a site is being considered for redevelopment, as proposed with this project, and is within 200 feet of the sanitary sewer, the new project must connect to the sanitary sewer. The subject site is within 200' of the sewer line in Golden Oak Drive and therefore, under the Plumbing Code, is required to connect to the sanitary sewer.

Mr. Corman is seeking Town Council exemption from the required sanitary sewer connection requirement. It was necessary to evaluate whether or not a septic system could be designed for the subject property that would meet San Mateo County Health Department standards. A grading/drainage plan was prepared with a proposed septic system, which was reviewed by the Town Geologist and San Mateo County Health Officer. It was concluded that it is feasible to install a septic system on the site that would conform to County Health Department design standards.

Town Regulations

The Town adopted the 2007 California Building Code (Chapter 15.04 of the Municipal Code) including the 2007 Plumbing Code.

The Plumbing Code requires as cited in section 713.5 "No permit shall be issued for the installation, alteration, or repair of any private sewage disposal system, or part thereof, on any lot for which a connection with a public sewer is available."

Further, Section 713.4 states "The public sewer may be considered as not being available when such public sewer or any building or any exterior drainage facility connected thereto is located more than two hundred (200) feet (60.8 m) from any proposed building or exterior drainage facility on any lot or premises that abuts and is served by such public sewer."

There is a public sewer (West Bay Sanitary District) in Golden Oak Drive within 75 feet of the proposed structure. This section of the Plumbing Code applies and the project is required to connect to the sanitary sewer.

The Town has amended the Building Code to state that the Board of Appeals means the Town Council (Municipal Code Section 15.04.020D.) An application for appeal shall be based on the following:

- i. Claim that the true intent of this code of the rules legally adopted thereunder have been incorrectly interpreted;
- ii. The provisions of this code do not fully apply; or
- iii. An equally good or better form of construction is proposed.

Discussion

Mr. Corman is claiming, besides the fact that the sanitary sewer connection is too expensive, that a septic system would be "equally good or better form of construction."

Staff disagrees. In general it is better to connect to the sanitary sewer system as it becomes available. There are clear code requirements, the Uniform Building Code (Plumbing Code), the Town's General Plan, and the Subdivision Ordinance. The Town has required connections to sanitary sewer for all new development when feasible. The history in Town has been that over time, septic systems tend to fail.

The General Plan has provisions that address the protection of water resources in the Town. Section 1010,4,c. "Protect the watershed of the town."; Section 2164,7. "Waste Water must not pollute ground water or streams or cause public or private nuisance."; Section 4203 "Public Conservation programs that protect watershed"; Section 4208,1.c "To maintain standards to insure a high water quality."; and Section 4212,2.h. "To require management practices that will reduce the amount of pollution entering water bodies." All Sections relate to protection of the water supply in an organized approach set forth in the Town's regulations.

Further, the recently adopted Sustainability Element provides for protection and preservation of ground water resources and aquifer recharge areas. Under Goals for Water Resources: Illustrative Policies and Practices, the Sustainability Element states "Study the relative merits of on-site and off-site sewage disposal systems including consideration of soils and density of development. Determine which system on balance better assist in sustainability in different environments." With this particular site, staff concluded that because of the soils (drainage mitigations needed) and the density of development (size of the lot), the requirement of connecting to the sewer should not be waived.

For new subdivisions, the Town requires connection to a sanitary sewer as provided for in Subdivision Ordinance Section 17,48.020. Also, the Uniform Plumbing Code requires connection to a sewer unless such sewer is more than 200 feet from the subject parcel. The Corman property is well within 200 feet from the sewer. Mr. Corman's property is a borderline case, as far as meeting San Mateo County Health standards with regard to size of lot and drainage, with no room to spare.

During the course of review by the Town Geologist he identified drainage concerns with the initial plan review, recommending that the project civil engineer consider incorporating multiple storm water discharge locations and using dissipation trenches to help reduce surface flow from the site and that the project geotechnical consultant review the proposed storm water discharge locations to confirm that these locations are suitable from a geotechnical standpoint. The project geotechnical consultant evaluated the drainage conditions and provided supplemental drainage recommendations that include metering storm water flow to the storm drain outlet. The project geotechnical consultant indicated that this should not result in excessive erosion or slope instability. The Town Geologist did not have any objections to the drainage design and did not have geotechnical objections to the septic system proposed, provided that all retaining walls in close proximity to leach lines are designed for hydrostatic pressures, do not contain wall backdrains, and are sufficiently waterproofed. While the Town Geologist and San Mateo County Health Officer have indicated that the proposed septic system can be accommodated, the special drainage features mentioned must be installed and maintained in order for the septic system to co-exist on the property. The proposed drainfields and expansion fields surround the proposed

residential structure, and there is limited area on the property that will not have leachfields or drainage.

It is typical of the sanitary district to require fees that many people characterize as exorbitant. As payment for capitalization costs for the entire district system and the additional cost of installing a new sewer line, the people who first receive that service pay a very high price; over time, as others join in, they start getting some of that back. Cost of the sewer connection is between West Bay Sanitary District and the group of participants in these agreements and are outside the purview of the Town.

Whether septic systems are "green" is debatable. Applications do not receive LEED or BIG points, unless they have innovative sanitary treatment. BIG does provide for a point for innovative waste water technology (constructed wetland, sand filter, aerobic system) but adds that communities typically rely on municipal sewage treatment systems rather than onsite wastewater systems. If onsite processing is the only option for a builder on a lot, the builder could be rewarded for using advanced measures that show themselves to more effectively process waste than conventional septic systems; treating wastewater to higher levels, resulting in cleaner effluent discharge, improved system operation, and lower impact on the environment. This section is looking for innovation and not just the standard septic system.

An applicant wanting to install a septic system rather than connecting to the required sanitary sewer should not only meet San Mateo County Health Department standards, but the system should be the greenest possible. A typical septic system does not meet the highest "green" standards. The applicant should be required to demonstrate that they can capture BIG or LEED points for use of a septic system.

With regard to the comment in November 17th appeal letter regarding other recent construction projects, staff has been advised by San Mateo County Health Department that septic repair permits have been issued to residents that may be within 200' of the sanitary sewer. Staff and Health Department Officials have discussed this and the County has been advised to verify location of the property in relation to sanitary sewer prior to allowing any upgrade or repair permits.

Relative to the Town Center Project, it is important to note that the Town Center is not within 200' of the sanitary sewer and did not require connection. It is also important to note that the Town Center property is an 11-acre parcel, so it is a completely different situation. In fact, the Town property has over half a million square feet required to be open, unpaved fields. We can hold a leachfield that is significantly larger than needed. We have 1000% expansion capacity.

If the Town Council feels the issue relative to connection to sanitary sewer vs. not connecting to the sanitary sewer merits more study as it relates to the environment, the Town Council might consider hiring expert consultants to conduct a study.

Recommendation

Staff recommends that the Town Council deny the appeal and require connection to the sanitary sewer.

Approved: Angela Howard
Angela Howard, Town Manager

Golden Oak Partners, LP

546 Everett Avenue Palo Alto, California 94301-1510
Phone: 650.533.3312 Fax: 650.329.0811

November 17, 2009

TOWN OF PORTOLA VALLEY

Leslie Lambert
Planning Manager
Portola Valley Town Hall
765 Portola Road
Portola Valley, CA 94028

NOV 17 2009

RECEIVED

Dear Ms Lambert:

This letter is to request an appeal of the Portola Valley administrative decision requiring connection to sanitary sewer for the planned new residence at 295 Golden Oak Drive in Portola Valley.

Given that other recent construction projects in the neighborhood have modified or installed septic systems we believe there has been a precedence set to allow alternatives to sanitary sewer. More importantly, our intention with this project is to minimize environmental impact, employing as much green building practices as possible and likely attempting to receive LEED certification.

Assuming the property is deemed suitable for a septic system the environmental impact of installing septic instead of connecting to the sewer system is significant.

Similar to the Town of Portola Valley's decision to go with a septic system when constructing the new Town Center, we too would like to minimize our environment impact on the community.

Sincerely,

Tedd Corman
General Partner, Golden Oak Partners, LP



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Sandy Sloan, Town Attorney

DATE: April 6, 2010

RE: SOLICITATION ORDINANCE

RECOMMENDATION: Read title, waive further reading and introduce the ordinance amending Chapter 5.40 of the Portola Valley Municipal Code regarding solicitation.

BACKGROUND: The Council first considered updating the Town's solicitation ordinance in May 2009. The impetus for the update was two-fold: (1) the law has changed dramatically since the ordinance was adopted over 40 years ago; and (2) the current ordinance is unenforceable, specifically with respect to the Town's "Do Not Contact List". In March 2010, the Council again considered updating the Town's solicitation ordinance and considered additional policy questions, including whether to conduct community outreach.

Attached as Exhibit A is the proposed ordinance, Ordinance of the Town of Portola Valley Amending Chapter 5.40 [Peddlers and Solicitors] of Title 5 [Business Taxes, Licenses and Regulations] of the Portola Valley Municipal Code, that complies with the direction provided by the Council regarding solicitation at the two above described meetings. In particular, we would like to bring your attention to the following items:

1. "Town Manager" is defined as the Town Manager or his/her designee. Thus, anywhere in the ordinance where the Town Manager is authorized to take an action, her designee is as well.
2. There is a specific permit exemption for signature gathering.
3. The Town Manager may deny an application on the basis that the same applicant and/or participant has had a solicitation permit revoked within the preceding 12 months.
4. The "Do Not Solicit List" has been referenced in the ordinance and section 5.40.090(C) specifically indicates that soliciting at any listed addresses will result in immediate permit revocation. This list was formerly called the "Do

- Not Contact List”, but the name has been changed to the “Do Not Solicit List” to help clarify any confusion over the purpose of the list.
5. We researched legal concerns regarding the length of time that a permit can be valid and the number of renewals per year and considered other jurisdictions’ treatment of the issue and concluded that it would be best to allow each permit to be valid for 90 days with no limitation on the number of renewals each year. Once a permit expires, if a person desires to continue to solicit in Town, they would simply need to reapply.
 6. Violations of the ordinance will be punished as an infraction, which carries a fine of \$100 for the first violation, \$200 for the second violation in one year and \$500 for the third violation in one year. Charging violations as an infraction may be easier to enforce because no one is entitled to a jury trial with an infraction.

Also in accordance with Council direction, staff has put together an outreach plan to educate residents on what activities the Town can regulate and the free-speech activities that the Town cannot regulate and the steps that residents can take to protect their privacy. Staff proposes that upon the ordinance taking effect, the following would occur:

1. A letter would be sent to all residents whose addresses are currently on the “Do Not Contact List” (the name of which will be changed to the “Do Not Solicit List”) informing them of what the Town can and cannot regulate, and giving them specific information concerning what they can do if they are solicited. In addition all residents that request their names be added in the future would be sent the letter. The proposed letter is attached as Exhibit B.
2. An informational postcard will be sent to all residents through a bulk mailing. The postcard will provide specific information concerning the new ordinance and what residents can do if they are contacted by a solicitor and/or individual engaged in free speech. The postcard will also inform residents of how they can be added to the Do Not Solicit List. The proposed postcard is attached as Exhibit C.
3. An article will be published in the next available edition of the Portola Valley Post providing information similar to that contained in the letter and postcard, perhaps with the addition of specific examples (i.e. magazine sales, political candidates’, religious missionary efforts, etc.)

Attachments: A. Ordinance of the Town of Portola Valley Amending Chapter 5.40 [Peddlers and Solicitors] of Title 5 [Business Taxes, Licenses and Regulations] of the Portola Valley Municipal Code.
 B. Letter to residents currently on the “Do Not Contact List”.
 C. Informational postcard for bulk mailing.

cc: Town Manager
Assistant Town Manager

EXHIBIT A

ORDINANCE NO. 2010-

**ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
PORTOLA VALLEY AMENDING CHAPTER 5.40 [PEDDLERS AND
SOLICITORS] OF TITLE 5 [BUSINESS TAXES, LICENSES AND
REGULATIONS] OF THE PORTOLA VALLEY MUNICIPAL CODE**

WHEREAS, the Town of Portola Valley desires to amend Chapter 5.40 [Peddlers and Solicitors] of Title 5 [Business Taxes, Licenses and Regulations] of the Portola Valley Municipal Code.

NOW, THEREFORE, the Town Council of the Town of Portola Valley does **ORDAIN** as follows:

1. Amendment of Code. Chapter 5.40 [Peddlers and Solicitors] of Title 5 [Business Taxes, Licenses and Regulations] of the Portola Valley Municipal Code is hereby amended to read as follows:

**CHAPTER 5.40
SOLICITATION**

5.40.010	Findings and purpose
5.40.020	Definitions
5.40.030	Permit required
5.40.040	Permit exemption
5.40.050	Permit application
5.40.060	Examination of application
5.40.070	Issuance of permit
5.40.080	Form of permit
5.40.090	Limitations and prohibitions
5.40.100	Revocation and violations
5.40.110	Appeal procedures

5.40.010 Findings and purpose. The provisions of this chapter are designed to constitute reasonable and content-neutral time, place and manner restrictions and limitations which allow persons and organizations ample opportunity to solicit contributions, opinions and support while protecting and promoting the public peace, health, safety and welfare of the residents of the Town.

5.40.020 Definitions. For purposes of this chapter, the following terms shall have the following meanings:

- A. "Applicant" means any person applying for a solicitation permit.
- B. "Contribution" includes, but is not limited to, gifts, food, pledge, money, clothing, property, loan, donation, payment for subscription or other publication, or any other thing of value.
- C. "Participant" means any person who obtains a solicitation permit under an applicant.
- D. "Person" means any individual, partnership, corporation, or association, firm, company, society, organization, church, congregation, assembly, or league, and shall include any director, officer, trustee, receiver, assignee, volunteer, agent, employee, or other similar representative thereof.
- E. "Public place" means and includes all publicly owned and maintained streets, sidewalks, alleys, parks, grounds and buildings.
- F. "Residence" includes any dwelling, house, building or other structure, designed or used in whole or in part for residential purposes and shall include any yard, walkway or driveway appurtenant to the structure.
- G. "Solicit" or "solicitation" means the act of going from door-to-door or from place-to-place in the Town and selling or taking orders for or offering to sell or take orders for goods, wares or merchandise or any other thing of value for present or future delivery or for services to be performed immediately or in the future or the making of any oral or written request for any contribution.
- H. "Solicitation permit" means the permit from the Town authorizing a person to solicit.
- I. "Solicitor" means an individual who solicits.
- J. "Town Manager" means the Town Manager or his/her designee.
- K. "Vehicle" means a vehicle defined in California Vehicle Code Section 670, as it now reads or as hereafter amended.

5.40.030 Permit required. No person shall solicit in the Town without first applying for and receiving a solicitation permit from the Town Manager.

5.40.040 Permit exemption. The provisions of this chapter shall not apply to the following:

- A. Door-to-door contact made solely for evangelical, missionary, religious, political or other purposes which do not involve the request for or solicitation of any contribution.
- B. Door-to-door contact involving only requests for signatures (e.g. political petitions).
- C. Any organization's solicitation of its members or solicitations upon premises owned or occupied by the organization on whose behalf such solicitation is made.

5.40.050 Permit application.

- A. An application for a solicitation permit shall be made to the Town Manager. The application shall be filed with the Town at least three days prior to the time at which the permit to conduct solicitation shall become effective.
- B. The application shall contain the following information:
 - 1. Name, address and telephone number of the applicant. If multiple permits are sought under one applicant, the application must include the name of each participant over the age of 18 years;
 - 2. Name, address, telephone number of the person for whom the applicant will be soliciting; and
 - 3. Make, model and license number of any vehicle applicant anticipates using in Town in connection with the solicitation.
- C. Applicant must pay the Town's solicitation permit fee at the time of application.

5.40.060 Examination of application. The Town Manager shall examine relevant documents and materials to determine the accuracy of the information provided on the application for a solicitation permit.

5.40.070 Issuance of permit.

- A. The Town Manager shall either grant or deny the requested solicitation permit within three days of the date the application is made. The solicitation permit shall be granted if the Town Manager finds all of the statements made in the application are true and a solicitation permit for the same applicant and/or participant has not been revoked within the preceding 12 months.
- B. In the event the Town Manager fails to act upon an application within three days of the date the application is made, the permit shall be deemed granted.
- C. The Town Manager has no authority to, and shall not, grant, deny or revoke any solicitation permit by reason of disapproval or disagreement with the philosophy, opinion, or belief of the applicant or permit holder.

5.40.080 Form of permit.

A. Permits issued under this chapter shall bear the name, address and telephone number of the applicant, the name of any participants, the person on behalf of whom the individual is soliciting, the date the solicitation permit was issued and the expiration date, and a statement that the solicitation permit does not constitute an endorsement by the Town or by any of its departments, officers or employees of the purpose of, or the person conducting the solicitation.

B. All permits must be signed by the Town Manager.

5.40.090 Limitations and prohibitions.

A. Each solicitor shall carry, at all times while engaged in solicitation in the Town, his/her valid permit issued in accordance with this chapter and shall present such permit upon request.

B. No person shall solicit or attempt to solicit at any residence or any public place where there is a sign indicating "No Soliciting" or "No Solicitors". No solicitor shall solicit or attempt to solicit where the occupant has posted any other similar sign which indicates that the occupants do not wish to be solicited or in any other way have their privacy disturbed.

C. The Town shall provide each applicant a copy of the list of addresses of Town residents who have notified the Town that they wish no solicitation at any time ("Do Not Solicit List"). Applicant shall be responsible for providing all participants with copies of the Do Not Solicit List. Solicitors shall not solicit at any of the listed addresses and the solicitation permit shall be revoked immediately for solicitation at any of the addresses on the Do Not Solicit List.

D. Permits issued pursuant to this chapter shall be valid for a maximum of 90 days. No person shall solicit with an expired permit.

E. No person shall solicit at any residence or public place after 9:00 p.m. or before 9:00 a.m., unless such person has been requested or invited to do so by the owner or occupant of the premises.

F. No person shall engage in aggressive solicitation or door-to-door contact which includes, but is not limited to, approaching or following a pedestrian, repetitive solicitation or contact despite refusals, the use of abusive or profane language to cause fear and intimidation, unwanted physical contact, or the intentional blocking of pedestrian and vehicular traffic.

G. No solicitation permit issued, pursuant to this chapter, shall be transferred or assigned. Any attempted assignment or transfer shall be void and result in the immediate revocation of the solicitation permit.

5.40.100 Revocation and violations.

A. If the Town Manager has reason to believe that a solicitor has violated any of the limitations and prohibitions in section 5.40.090 or any other provision of this chapter, the Town Manager may revoke the solicitation permit. The Town Manager shall give notice of the revocation, effective immediately, by mail to the solicitor at the address on the permit application.

B. If a solicitation permit is revoked, the person whose solicitation permit was revoked shall promptly surrender his/her solicitation permit to the Town Manager.

C. Violations of any provision of this chapter shall be punishable as an infraction in accordance with Section 1.12.060 of this Code.

5.40.130 Appeal procedures.

A. Any person to whom the issuance of a solicitation permit has been denied or whose solicitation permit has been revoked may appeal such decision to the Town Council by filing a written notice of appeal with the Town Manager within 15 days after the date of the notice of denial or revocation.

B. The Town Manager shall set the matter for appeal on the earliest regular Town Council meeting available, unless the appellant consents in writing to a later date.

C. The Town Council shall conduct a hearing on the appeal. The Town Manager and appellant shall have the right to call and examine witnesses, to impeach witnesses, and to rebut evidence. The hearing need not be conducted according to the technical rules relating to evidence. The decision of the Town Council shall contain findings of facts and determination of the issues presented.

2. Environmental Review. This ordinance is not a project for the purpose of the California Environmental Quality Act.

3. Severability. If any part of this ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or the applicability of this ordinance to other situations.

4. Effective Date; Posting. This ordinance shall become effective 30 days after the date of its adoption and shall be posted within the Town of Portola Valley in three public places.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

By: _____
Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

EXHIBIT B

DateXXXXX

Address
XXXXXXXXXX
XXXXXXXXXX

Re: Solicitation Ordinance – Do Not Contact List

Dear XXXXXXXX:

The Portola Valley Town Council recently adopted amendments to the Town's ordinance regulating solicitation activities to both strengthen its enforceability as well as ensure that it is consistent with recent case law relating to activities that are protected under the U.S. Constitution.

The First Amendment to the U.S. Constitution protects those who are engaged in religious proselytizing and political activities, such as distribution of pamphlets endorsing political candidates, gathering of signatures on petitions, and other similar activities, as these are an exercise of free speech.

The Town requires anyone who plans to engage in solicitation (anyone who is attempting to sell you something, requesting a donation or otherwise suggesting that you invest or spend money on something), to obtain a permit prior to undertaking these activities. At the time a permit is issued, the solicitor is provided a list of addresses at which they must refrain from soliciting. In the past, this list was maintained as a courtesy to residents and a guideline for solicitors and was referred to as the "Do Not Contact List". It was not enforceable. Now, under the new strengthened ordinance, a solicitor who solicits at an address that is on what will now be referred to as the "Do Not Solicit List" is guilty of an infraction and can be prosecuted for not adhering to the Town's ordinance.

In reviewing the Town's records we have found that your address has been included on the "Do Not Contact List", as you had requested. Your name will continue to be on the Town's "Do Not Solicit List", unless you notify the Town that you would like your address removed.

While inclusion on the Do Not Solicit List will provide you some protection from unwanted intrusions, it is important to understand that the Town's ordinance regulating solicitors has limitations. As previously mentioned, the Town can only

regulate activities that involve solicitation or sales, requests for donations, or any other activities that involve a request for money. The Town has no authority to prevent anyone engaged in protected First Amendment free speech from contacting you at your home.

This letter is intended to clarify what is and is not regulated by the Town and what you can do if you are contacted by a solicitor or other individual or group.

If you are contacted by a solicitor (someone who is attempting to sell you something, requesting a donation or otherwise suggesting that you invest or spend money for something), you may immediately ask to see their Town-issued permit, inform them that your address is on the Do Not Solicit List, let them know they have solicited you in violation of the Town's ordinance and politely ask them to leave. You could also contact the San Mateo County Sheriff's Office at the non-emergency number indicated below (please do not call 911), providing as much information as possible (i.e. description, name on the permit if one was shown, etc.).

If you are contacted for political or religious reasons (an individual or group who is attempting to obtain a signature on a political petition or who is sharing their religious beliefs), if you are not interested, you should politely indicate the same and ask them to leave. Abusive or overly persistent conduct that feels threatening may be reported to the San Mateo County Sheriff's Office at the non-emergency number shown below (please do not call 911).

San Mateo County Sheriff's Office Dispatch (650) 363-4911

It is the Town Council's hope that the changes to the Town's solicitation ordinance will minimize, to the greatest degree possible, unwanted contact of residents.

If you have questions concerning the ordinance, please feel free to contact me at jmcdougall@portolavalley.net or by phone at (650) 851-1700, ext. 218.

Sincerely,

Janet McDougall
Assistant Town Manager

EXHIBIT C



Town of Portola Valley
765 Portola Road
Portola Valley, CA
94028

Presorted
Standard
US POSTAGE
PAID
Menlo Park, CA
94025
Permit No. 581

ECRWSS
Postal Customer
Portola Valley, CA 94028

The Town Council has recently amended the Town's solicitation ordinance to strengthen its enforceability, as well as ensure that it is consistent with recent case law relating to activities protected under the U.S. Constitution.

The Town requires solicitors (anyone who is attempting to sell you something, requesting a donation or suggesting you invest or spend money in some way) to obtain a permit and to adhere to a Do Not Solicit List that is provided when the permit is issued. In the past, a solicitor's adherence to the list was requested as a courtesy; under the new ordinance, it is mandatory. Political, religious and other free speech cannot be regulated.

If your address is not currently on the Do Not Solicit List and you wish it to be included, please contact the Town Clerk, Sharon Hanlon, at shanlon@portolavalley.net or (650) 851-1700, ext. 210.

If you are contacted by a solicitor (someone who is attempting to sell you something, requesting a donation or otherwise suggesting that you invest or spend money for something), you may immediately ask to see their Town-issued permit and, if your address is on the Do Not Solicit List, inform them that they have contacted you in violation of the Town's ordinance and politely ask them to leave. You could then contact the San Mateo County Sheriff's Office at the non-emergency number indicated below (please do not call 911), providing as much information as possible (i.e. description, name on the permit if one was shown, etc.).

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San Mateo County Sheriff's Office Dispatch (650) 363-4911

If you have questions, contact Janet McDougall at jmcdougall@portolavalley.net or 851-1700, ext. 218.

Emergency Preparedness Committee

Town of Portola Valley

2010 Goals

Emergency Strategies

- Develop emergency scenarios for different kinds of emergencies, detailing the Town EOC's role, roles of other participants, and procedures.
- Formalize communication and coordination with CERPP and other agencies.
- Support CERPP in its role as coordinator of household and neighborhood preparedness.

Emergency Operations Center

- Complete purchase and installation of any equipment required for the EOC.
- Produce an updated and organized operations manual for each EOC position, containing the materials needed for that position.
- Produce "quick task" procedures for common EOC functions.

Radio Communications

- Complete organization and outfitting of the EOC radio room.
- Produce "quick task" procedures for radio communications in the absence of trained operators.
- Update the list of trained operators and their contact information.
- Rationalize and document radio networks used in an emergency.

Staffing and Training

- Provide basic skills training for emergency workers, including staff, volunteers and the Council, and including at least Basic First Aid, CPR, and any training required by law.
- Increase the number of trained EOC workers, drawing volunteers from other committees.
- Conduct four EOC training sessions and/or drills during the year. Each will address a different emergency scenario, one will simulate the situation where Town staff is unavailable, two will include Council members, and two will be conducted jointly with CERPP.

Community Outreach

- Maintain the emergency-related web pages, and push information on emergency topics to residents through the PV Forum or other media.
- Issue one information piece to the community each year, reminding the community of the need for preparedness and presenting the Emergency Preparedness Committee as a resource.

Revised 1/10/2010

TOWN COUNCIL WEEKLY DIGEST

Friday – March 26, 2010

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- 1. Letter to Council from Marilyn Walter regarding Proposal to Place Tiles on Town Center Buildings – March 21, 2010
 - 2. Letter to Council from Susan and Alan Kirtley regarding land previously owned by Spring Down Equestrian Center – March 19, 2010
 - 3. Memorandum to San Mateo County Sheriff's Department from Sharon Hanlon regarding Town Center Reservations for April 2010 – March 24, 2010
 - 4. April 2010 Meeting Schedule
 - 5. Notice of Cancellation of Traffic Committee Meeting scheduled for Thursday, April 1, 2010
 - 6. Agenda – Open Space Acquisition Advisory Committee Meeting – Tuesday, March 30, 2010
 - 7. Action Agenda – Special Joint Planning Commission/ASCC Field Meeting – Monday, March 22, 2010
 - 8. Action Agenda – Regular Town Council Meeting – Wednesday, March 24, 2010

Attached Separates (Council Only)

- 1. Invitation to the COPE Banquet on Friday, July 9, 2010
- 2. Invitation to HIP Housing's Self-Sufficiency Program Graduation on Thursday, April 29, 2010
- 3. Invitation to ABAG's Spring General Assembly and Regional Forum on Thursday, April 22, 2010

TOWN COUNCIL WEEKLY DIGEST

Friday – April 2, 2010

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- 1. E-mail to Council from Brandi de Garneau regarding Special Town Council Meeting for tour of Greenwaste Facilities – March 29, 2010
 - 2. E-mail to Council from Brandi de Garneau regarding Reminder: Greenwaste Tour on Friday, April 02, 2010 at 8:15 am. – April 1, 2010
 - 3. E-mail to members of ASCC and Planning Commission from Leslie Lambert regarding Special Meeting with Sandy Sloan on Wednesday, April 7, 2010 – April 2, 2010
 - 4. E-mail to Everyone Who Helped on Uncovering and Planting the Banks of Sausal Creek from Jennifer Smith expressing appreciation – March 29, 2010
 - 5. Month End Financial Report for the Month of March 2010
 - 6. Issued Building Permit Activity: March 2010
 - 7. Agenda – Regular Planning Commission Meeting – Wednesday, April 7, 2010
 - 8. Agenda – Emergency Preparedness Committee Meeting – Thursday, April 8, 2010

Attached Separates (Council Only)

- 1. Information from Anna Eshoo regarding use of TARP funds – March 25, 2010
- 2. Invitation to attend Community Heroes Awards Luncheon on Friday, April 23, 2010
- 3. Invitation to attend the Breakfast of Champions on Friday, May 7, 2010
- 4. Invitation to attend San Mateo Council of Cities Dinner/Meeting on Friday, April 23, 2010
- 5. Town of Portola Valley Spring Class Schedule 2010

TOWN COUNCIL WEEKLY DIGEST

Friday – April 9, 2010

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- 1. E-mail to Bert Ganoung from Mayor Toben regarding San Jose arrivals over South County – April 7, 2010
 - 2. Memorandum to Council from Janet McDougall regarding Town Meeting Transcription Services – April 8, 2010
 - 3. E-mail to Angela Howard from Cameron Steck regarding BMX bikers and skateboarders in need of a park – April 3, 2010
 - 4. Letter to Town from the Clinton Bush Haiti Fund expressing appreciation for the \$200 donation – April 2, 2010
 - 5. Notice from Midpeninsula Regional Open Space District regarding Russian Ridge and Monte Bello Prescribed Burns – Board Meeting – April 6, 2010
 - 6. Flyer for Earth Day Fair 2010
 - 7. Press Release from San Mateo County Library announcing new website launch on Monday, April 12, 2010
 - 8. Agenda – Special ASCC Field Meeting – Monday, April 12, 2010
 - 9. Agenda – Nature and Science Committee Meeting – Tuesday, April 13, 2010
 - 10. Agenda – Trails and Paths Committee Meeting – Tuesday, April 13, 2010

Attached Separates (Council Only)

- 1. Invitation to attend 2010 Mayors' Diversity Celebration Awards on Thursday, May 20, 2010
- 2. Invitation to attend Jobtrain's Breakfast of Champions XXVI on Friday, May 7, 2010
- 3. Request from Californians for an Open Primary for support on Proposition 14 – March 29, 2010
- 4. League of California Cities' "Western City" – April 2010