



TOWN OF PORTOLA VALLEY

7:30 PM – Regular Town Council Meeting

Wednesday, April 28, 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 April 14, 2010
- (2) Approval of Warrant List – April 28, 2010
- (3) Recommendation by Town Attorney – Second Reading of Ordinance Amending Chapter 5.40 [Peddlers and Solicitors] of Title 5 [Business Taxes, Licenses and Regulations] of the Portola Valley Municipal Code
 - (a) Second Reading of Title, Waive Further Reading, and Adopt 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. __)

REGULAR AGENDA

(Time Estimate – 45 Minutes)

- (4) Recommendation by Public Works Director – FY 2009/2010 Annual Street Resurfacing Project
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the 2009/2010 Resurfacing Project No. 2010-PW01 (Resolution No. __)
- (5) Discussion and Council Action – Report back from Committees on Definition of Open Space

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(Time Estimate – 60 Minutes)

- (6) Discussion and Council Action – Report from Sub-Committee on Placement of Tiles at Town Center
- (7) **Discussion** – Installation of a new Hitching Post at Town Center
There are no written materials for this item.
- (8) Discussion and Council Action – Consideration of Paperless Agenda Packet for Town Council
- (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 – April 16, 2010
- (11) Town Council Weekly Digest – April 23, 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).

TOWN COUNCIL MEETING NO. 788, APRIL 14, 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, Richards and Wengert, and Mayor Toben
Absent: Councilmember Driscoll
Others: Dep. Planner Vlastic, Town Manager Howard, Town Attorney Sloan, Planning Manager Lambert, Asst. Town Manager McDougall, and Town Clerk Hanlon

ORAL COMMUNICATIONS: None.

ADDITION OF URGENCY ITEM

Ms. Howard said a section of storm drain pipe on Portola Road at Hayfields Road needed repair as soon as possible. By motion of Councilmember Derwin, seconded by Councilmember Richards, the item was added to the agenda as item #7a by a vote of 4-0.

CONSENT AGENDA

By motion of Councilmember Wengert, seconded by Councilmember Derwin, the items listed below were approved with the following roll call vote:

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

- (2) Warrant List of 4/14/10 in the Amount of \$176,940.82.
- (3) Resolution No. 2484-2010 Declaring April 26 Through April 30, 2010, Mosquito and Vector Control and West Nile Virus Awareness Week, per staff memo dated 4/7/10.
- (4) Resolution No. 2485-2010 Approving and Authorizing Fifth Amendment to the Agreement Between the Town and Maze & Associates Accountancy Corporation, per Admin. Services Officer's memo of 4/14/10.

REGULAR AGENDA

- (1) Minutes of Town Council Meeting of 3/24/10 (Removed from Consent Agenda)

Councilmember Richards and Mayor Toben submitted changes to the minutes of the 3/24/10 meeting. By motion and second, the minutes were approved as amended by a vote of 4-0.

- (5) Request for Modification of Private Open Space Easement (POSE) to Accommodate Building Envelope Adjustments, Lot 28, 9 Buck Meadow Drive, Blue Oaks Subdivision [7:35 p.m.]

Mr. Vlastic reviewed the staff report dated 4/7/10 on the request to: a) abandon 5,700 sf of POSE on the subject Blue Oaks property; and b) dedicate 6,600 sf of POSE area as shown on the attachments. He said the two neighbors on lots 27 and 28 had an area between them that they would like to expand so that they could enhance privacy. That was acceptable to the homeowners' association, and staff recommended moving ahead with it. Responding to Councilmember Wengert, he said the applicant was responsible for any associated costs.

Councilmember Derwin noted that this had been well vetted. Councilmember Wengert concurred. She moved to accept the proposed POSE changes and direct staff to work with the applicant to prepare the

necessary abandonment and dedication documents for final approval by the Council. Councilmember Derwin seconded, and the motion carried 4-0.

(6) Appeal of Staff Decision to Require Sanitary Sewer Connection for 295 Golden Oak Drive, Corman Project [7:45 p.m.]

Ms. Lambert reviewed the staff report of 4/14/10 on the appeal. As indicated in the staff report, she said San Mateo County Health Department had issued some septic repair permits to existing systems. But, these repair permits were not associated with any building permits for remodels, additions or new residential construction. They were strictly for repair of the septic system. In some cases, the permit was issued to replace an old redwood tank with no involvement of leachfields. Two of the projects included some leachfield upgrades. The Health Dept. indicated that some septic repair permits had been issued to residents that might be within 200 feet of the sanitary sewer. They indicated they would be more diligent in their review of any repairs or upgrades to existing septic systems. She said staff recommended the Council deny the appeal. She used the site plan to show the location of the septic drainfields in relation to the house.

Tedd Corman, applicant, said part of the argument suggesting refusal of this was that the Town had decided that it wanted to implement the CA Plumbing Code (CPC). Clearly, the precedent had been set where the Town had not adhered to the CPC. These modifications, whether small or large, were in direct violation of the CPC. Precedent had been set even within his reimbursement district and modifications made to septic systems in violation of the CPC. Mayor Toben asked what specific provisions of the CPC had the Town violated. Responding, Mr. Corman said any building within 200 feet of a sewer line could not have any modification made to an existing septic system whatsoever. You must hook up to the sewer system. That was very clearly outlined in the CPC. There was already precedent set. Furthermore, the enforcement of the CPC was up to the Town. The Town did not have to enforce the CPC if it didn't want to. An interesting contrast was the Town of Woodside that had chosen not to enforce the CPC. They went in the complete opposite direction from Portola Valley. They made all residents use septic systems, and they had to prove that they could not use a septic system if they wanted to hook up to a sewer system. The reasoning behind that was in part because they felt it was clearly environmentally beneficial to use a septic system versus a sewer system. Putting rules and regulations aside, the more fundamental issue was environmental impact. Contrary to what Ms. Lambert said, he believed and could substantiate that it was indisputably a better environmental solution to go with a septic system than a sewer system. Experts could be brought in who would attest to that. In this particular case, he had approval from the County and approval from the Town Geologist. The septic system he proposed was designed by one of the most experienced septic designers in the County. They had all signed off on it and said it was a completely acceptable system. There were some concerns expressed about the possibility that it could fail. If that was the case, the County and the Town Geologist would not have signed off on a system that they thought would be of any danger. Even assuming there was some danger of failure, the environmental impact of a failed sewer system was much worse than a failed septic system. There was an aging infrastructure here, and the sewer system was a forced system, which required grinders and pumps. They took electricity. The processing facility also used tremendous resources and dumped sewage into the Bay. West Bay Sanitation documented raw sewage spilled in the last year, and they had been sued. They were probably the worse polluter in San Mateo County. If you looked at those environmental tradeoffs, clearly a septic system was a much more environmentally friendly system. Furthermore, he consulted with LEED and Build It Green. They believed that given the scenario here, they would in fact give him points for going with a septic system because the alternative was a much worse environmental alternative in their opinion. Furthermore, there were small improvements that could be made to the system, which clearly would get LEED points for aerobic and gray wastewater, which could easily be done. With regard to the Town Center, he didn't dispute whether it was within 200 feet or not within 200 feet. He believed the reason the Town decided not to hook up to the sewer system was because they knew that a septic system was a better solution. He thought it was pretty clear what the better alternative was from an environmental perspective. Given that the Town prided itself on sustainability and environmental responsibility, to go in the other direction could potentially be a pretty big embarrassment to the Town. It was also very hypocritical on the Town's part.

Ms. Lambert said the Town did not violate the Uniform Plumbing Code. The Town did not issue repair or

upgrade permits; the San Mateo County Health Department did. Additionally, Public Works Director Nagengast from the Town of Woodside indicated that Woodside had a very limited capacity for sewer connection. Most of it was in the commercial center of the town. They allowed people to connect if the property had a failed septic system or they showed that they needed to connect. Otherwise, they discouraged it because of the limited access. Mayor Toben added that Mayor Dave Burow lamented their situation with regard to sewer capacity. They depended on the generosity of Redwood City, which provided the infrastructure for their sewage.

Responding to Councilmember Derwin, Ms. Lambert said if someone wanted to repair their septic tank, they would need to go to the San Mateo County Health Dept. The Town did not issue the permit. Responding to Councilmember Derwin, Ms. Sloan said some things fell through the crack because there wasn't enough coordination between the Town and the County Health Dept. when the Town adopted the Plumbing Code. If someone was only repairing their septic system, they did not have to come to the Town. They got the permit from the County Health Dept. The Health Dept. used their discretion. If it was just replacing a tank or a minor repair, they issued the permit without checking whether it was within 200 feet of a sewer. If someone came to the Town and wanted to remodel or build a new house and the septic system was part of what they were doing, the Town would require them to hook up to the sewer because the Town was also issuing permits for the building. Responding to Mayor Toben, she confirmed that the Town was consistent about that. Responding to Mayor Toben, she said the Town adopted the 2007 Plumbing Code in 2008. Councilmember Derwin asked if everyone on Golden Oak who wanted to repair their septic system had to connect to the sewer. Responding, Ms. Sloan said it depended on the definition of repair. Staff would be meeting with the County to discuss what was reasonable. If someone was not expanding their house but just replacing a leaking redwood tank with a concrete sealed tank, perhaps there was no reason to make them connect to the sewer. Some policy could be established about what was repair versus replacement. She felt the Plumbing Code was looking at a new house or expansion where the leachfield failed. Ms. Lambert added that over the last few years, the County had issued 27 repair or upgrade permits in Portola Valley; 10 of those were for just replacing the septic tank; the other 17 were for leachfields. Of those 27 permits, only 4 were within 200 feet of the sewer.

Responding to Councilmember Richards, Ms. Sloan read Section 713.4 as quoted in the staff report (p. 2) on when a public sewer was considered not available. Additionally, she reiterated that the County let some things slip through the crack. But, there was no rationale not to enforce something because it hadn't been enforced before. Councilmember Derwin said she felt enforcement had been inconsistent.

Responding to Councilmember Derwin, Ms. Sloan said the sewer for Golden Oak was a public sewer. West Bay Sanitary District allowed expansion of sewers if a private party wanted to put the money up front and construct the sewer. When the sewer was complete, it was inspected and accepted into the public system by West Bay. It was exactly like a road. When the Blue Oaks subdivision was developed, the roads were constructed in the subdivision by the private developer. When they were inspected, they were accepted by the Town as public.

Mr. Corman said in some consultations, there was some question as to whether those systems were in fact public because they were privately financed. The nature of the reimbursement agreements was such that private individuals paid for those lines to be run. As people hooked up to it or were forced to hook up to it, they had pay back reimbursement agreements. That was very unusual in terms of public sewer systems, which were typically financed through bond measures or real estate tax assessments.

Bonnie Sterngold, Peak Lane, said she spent one-quarter of \$1 million to put in that sewer line and had a lot invested in it. She was not allowed to remodel her house unless that was done. She had not been given a choice. Her property was kitty-corner to the Corman property. Her property did not pass the perc test. It had the same soil, etc. When she remodeled, there were a lot of septic systems in the area that were failing. There were slides on Minoca. At the Town Center, it was probably very different soil than what was on Peak and Golden Oak. She was not allowed to do anything to the sewer even though she paid for it. As people remodeled and hooked up, she would be paid back. She added that she was glad that she had hooked up to the sewer.

Responding to Councilmember Derwin, Ms. Lambert confirmed that the revised plans were approved by the Town Geologist, Public Works Director and County Health Department. It wasn't brought to the Council until staff knew that a septic could be accommodated. Staff disagreed that a septic system would be equally good or a better form of construction. Responding to Councilmember Derwin, she said the Town did not receive LEED points for its septic system. Responding to Councilmember Derwin, she said in comparing Mr. Corman's property to an average site that included septic drainfields and expansion fields, there was no room to spare. Councilmember Derwin said she understood there were some innovative systems on small lots. Ms. Lambert said San Mateo County Health Department needed to be more engaged in more innovative approaches. Councilmember Derwin said she took issue with the stated fact in the staff report that septic systems were not as green. If you had the land and topographic features to treat waste on site, she felt that was a greener alternative. She understood there were conflicting opinions.

Councilmember Richards said he was very conflicted on the issue. He agreed there was no consensus on which was greener. There were certainly cases where septic systems were not as green in places that had a "C" perc test or less. He was surprised that this lot rated "B" perc, which was fairly good. He also agreed that it barely fit on this site. With projects he was involved in, if there was a possibility to hook up with the sewer, that was done because otherwise it limited what you could do with the property. In some cases, septic systems were greener. But, he did not know if this was one of them. Some of the driving force for requiring sewer hook up was the huge capital investment that had been made. Seeing the tightness of the lot and the fact that it was "B" perc and not an "A," he was inclined to lean against a septic system. The Town also needed to be consistent in requiring people to tie in. But, he was still struggling with it.

Councilmember Wengert said this problem had many dimensions and was made more complicated by the conflicting evidence relative to green data. The Town had the responsibility going forward to inform itself on where that was coming down in certain situations. In this case, the ordinances and Plumbing Code that had been adopted were clear, and the Town tried to apply them uniformly to all the properties in Town. When exceptions were being requested as in this situation, the evidence needed to be very clear and incontrovertible that the exception should be granted. In this situation, it was further complicated by the fact that citizens had privately funded the sewer and had every reason to believe they would be paid back by the requirement that others hook into the system. The Town needed a completely different solution in terms of how to finance sewers going forward or potentially pay off existing financing that had already been put in place by private individuals before being on safe ground to rescind current regulations. She wanted to come up with a different long-term solution for the Town because this issue would surface again. In this situation, even though it would impose some financial burden on the homeowners, all the evidence and regulations as well as the need for consistency moved her towards requiring the sewer hook up.

Councilmember Derwin said the fact that West Bay set up a pyramid scheme for people who had been forced to hook up to the sewer shouldn't affect the Council's decision. She felt badly that people had paid \$250,000 and wouldn't get their money out. But, she was not comfortable with the staff recommendation and did not feel that the Town had been consistent in enforcing the Plumbing Code. There was an *Almanac* article in December about Baykeepers who brought a suit against West Bay for sewage overflows. They had twice the number of sewage overflows in the State. They admitted that their clay pipes were aging and some were over 100 years old. You were not guaranteed that sewage sent through West Bay's old clay pipes would be handled properly. Additionally, she was not convinced that hooking up to the sewer was the green alternative. She recalled when the Town decided to do septic instead of sewer at Town Center, it had a lot to do with it being the greener alternative. She felt disingenuous and hypocritical telling someone they had to hook up to the sewer when it might not be the best way to go. She didn't see any evidence that the septic system wouldn't work. It had been signed off by the Town Geologist, staff and the County Health Department. They had done major revisions, and the architect was extremely renowned. She disagreed with staff's recommendation.

Mayor Toben said there was a system in place that favored the requirement for hook up to the sewer. In the absence of any incontrovertible evidence that this was an exception to the policy that the Town should enable hookup, he would defer to the staff's analysis. No one would ever suggest that the staff was biased against a green solution. In any situation where there might be a possibility of finding a more sustainable route, the staff would turn over every stone to do so. The fact that they had not been able to make that

conclusion, plus the fact that there was a regime in place that strongly moved the Town in the direction of enabling cost recovery, was sufficient to give him confidence that the Council was on solid ground to require hook up.

Councilmember Derwin suggested directing staff to look into the merits of septic versus sewer and think about not enforcing the Plumbing Code requirements as Woodside had done. Ms. Sloan said staff agreed it should be looked at; it might require hiring an expert consultant. Mayor Toben added that Woodside might be thinking more about capacity than green. They were motivated by a different set of constraints. He agreed that the Town should look thoughtfully at emerging best practices for managing waste on site. Councilmember Derwin suggested also looking into graywater. If you diverted graywater, it would take the load off of the septic system. You could also use it for landscaping. Constructed wetland was another option. Mayor Toben said the circumstances of each particular property would drive certain outcomes. In this case, this was a tight lot with a "B" perc. That was a very different situation from the 11-acre Town Center campus. He agreed the Town could do more to understand better the premises on which to proceed.

Mr. Corman said the County Health Department indicated that septic was a better solution. His septic designer was an expert on sewage waste and would state that septic was a better solution. LEED would stand up and indicate this was a better solution. He asked what other indisputable evidence the Council required. Responding, Ms. Sloan said Ms. Lambert's conversations with Siegel and Strain and the people at LEED and BIG indicated that they would not give LEED points. The fact that a County Health Officer said it would perc did not mean it was a better system. Mayor Toben said there needed to be clear and convincing evidence that a septic system on site would have greater environmental benefits than the cost of transporting it off site. On the negative side, there were the potential problems of leakage, insufficient capacity, old clay pipes and discharges into the Bay. You couldn't compare those apples and oranges and arrive at a definitive answer.

Andrew Sterngold, Peak Lane, said it was a little late to be discovering this was a better solution. In 2002, he did his remodel, and he did not have a choice. There was no sewer close to him that he could hook into for a reasonable cost. He was mandated by the Town to build the sewer. He had a vested interest in this, but this was beyond that. The precedent had been set, and there had to be follow-through on this. You couldn't change direction because one particular situation happened to perc. He thought hook up was a valuable proposition, and he did it. Mayor Toben said a lot of knowledge was evolving very rapidly. Since 2002, there were now arguments that there were innovative ways of managing human waste on site that weren't imagined eight years ago. But, the record was indeterminate. Mr. Sterngold said he grew up in New Jersey where sewers were part of public works. He had had to make that investment as a private citizen. If it was to be abandoned, he wanted to be paid back. Mayor Toben said no one on the Council was a fan of the cost structure that West Bay imposed on residents.

Councilmember Wengert moved to adopt the staff recommendation and require connection to the sanitary sewer. Councilmember Richards seconded, and the motion carried 3-1 (Derwin).

(8) Report on Strategic Goals and Operational Plans for Emergency Preparedness Committee [8:20 p.m.] [Item reordered on agenda]

Chris Raanes, Chair-EPC, introduced other members of the EPC present: John Boice, David Howes and Marianne Plunder. He gave a presentation and discussed tasks planned or ongoing to attain each of the 2010 goals listed under the major categories of: 1) emergency strategies; 2) emergency operations center; 3) radio communications; 4) staffing and training; and 5) community outreach

Mayor Toben asked if there was a way to formalize a corps of ham operators who would be available to residents to communicate with family/people outside of the Town during or after an emergency. A form might be developed where residents could fill in numbers to call to indicate things were "okay." The Town would be isolated during a disaster, and he did not want his relatives terrorized about what the situation was. Mr. Raanes noted that data collected for CERPP neighborhoods included emergency contact numbers. He said the EPC would discuss it. At this point, the EPC was more concerned about the direct

communication with the EOC, fire department and Sheriff. Responding to Ms. Plunder, he said a satellite phone had been tested, but it didn't work.

On training, Mayor Toben suggested inviting relevant committees to come to a 5th Wednesday meeting and consider what their special roles would be in the aftermath of an emergency. The Traffic Committee might learn about traffic direction in the aftermath of an emergency. The Public Works Committee might have responsibility for clearing road debris. He would like to program people to think about what their special contributions might be in the aftermath of an emergency that aligned with the functions their committee carried out on behalf of the Town. Mr. Raanes added that the EPC strongly supported and appreciated the concept of the fifth Wednesday meeting dedicated to emergency preparedness.

On community outreach, Mr. Raanes said he would try to get some data on the number of visits to the committee's emergency-related web pages. David Howes noted that CERPP had re-designed their website, and it was close to being complete. The old website was *CERPP.org*. The new site was *newsite.CERPP.org*. It was a huge benefit to the EPC as far as concerns about neighborhood involvement.

Mayor Toben said developing a medial corps had also been discussed. While he understood that MDs would be expected to report to their stations outside of Town, there might be retired physicians, part-time nurses, etc., who could assist. He hoped that would be included on the EPC's work plan for 2011. Mr. Raanes said his CERPP division had identified several key medical resources. He would inquire at the Board level to see if that was throughout CERPP. Ms. Plunder said all you needed was one doctor or nurse who could lead.

Mayor Toben noted that several comments during the presentation underscored the need for further communication/collaboration with CERPP. There was still some ambiguity about who was covering what bases. He hoped for more precision about that division of labor and accountability. He said the Council had asked the Town Manger/Emergency Operations Director to take that on. He had also suggested that the Town, Woodside and the Fire District consider jointly funding a part-time position that would be dedicated to coordinating functions within CERPP.

Mr. Raanes said he felt the EPC was making good progress and was on track. He thanked the Council for their support.

(7) Introduction and First Reading by Title of Amendment to Solicitation Ordinance [*Item re-ordered on agenda*] [8:45 p.m.]

Ms. Sloan reviewed her staff report of 4/6/10 on the revised amendment to the Solicitation Ordinance. She noted that the "Do Not Contact List" was changed to "Do Not Solicit List" to clarify any confusion over the purpose of the list. She added that Ms. McDougall had prepared the information designed to educate the residents. Assuming the Council moved ahead with this, a resolution establishing the fee would be brought back to the Council. The recommended fee was \$25.

Mayor Toben suggested underscoring the point that the CA Penal Code expressly exempted from the definition of criminal trespass people coming onto private property for political or religious purposes. Ms. Sloan thought that might invite people to do other things. Ed Davis thought that people could rip a page out of the Bible, stick it in their back pocket, and come up his driveway with the intent of burglarizing his house. If challenged, they could pull this one piece of paper out. She did not see any reason to flag that. She thought first amendment political and religious expression was pretty fundamental. If a citizen complained, staff could explain it to them.

Councilmember Wengert thought the ordinance captured everything the Council talked about doing and that the outreach letter was clear and gave residents all the options. Councilmember Richards concurred.

Councilmember Derwin moved introduction and first reading by title, waive further reading, of an ordinance amending Chapter 5.40 of the Portola Valley Municipal Code regarding solicitation. Councilmember Wengert seconded, and the motion carried 4-0.

- (7a) Storm Drain Pipe Rehabilitation – Portola Road at Hayfields Road [Added as urgency item] [8:50 p.m.]

Ms. Howard reviewed the staff report of 4/14/10 on the repair needed for the drain pipe on Portola Road at Hayfields Road. The contractor hoped to start the work by Friday and have it done by early next week.

Councilmember Richards moved to adopt Resolution No. 2486-2010 Authorizing the Town Manager to Execute an Agreement Between the Town and Casey Construction, Inc. Councilmember Derwin seconded, and the motion carried 4-0.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

- (9) Reports from Commission and Committee Liaisons [8:51p.m.]

- (a) Historic Resources Committee

Councilmember Derwin said the Committee was working on a video project where 24 Town residents were interviewed on Portola Valley history. They also discussed their budget and a sign for the historic resources room. Additionally, the Town Historian was still concerned about the Woods Estate and what would happen to it. It was the oldest mansion in the Town and the first designed by an architect. She said she would follow up with Councilmember Driscoll.

- (b) Council of Cities

Councilmember Derwin said Nathan Ballard, Burson-Marsteller, spoke on the essentials of media relations. At the next meeting, they would discuss high-speed rail.

- (c) Library JPA

Councilmember Derwin said the group discussed the e-library. Librarians would be making presentations at council meetings.

- (d) C/CAG

Councilmember Derwin said State Senator Leland Yee discussed the State's budget shortfall, the initiative process, etc. Subgroups addressed: 1) improving C/CAG to be more effective; 2) effectiveness of C/CAG on transportation; and 3) other ways in which C/CAG could play a more collaborative role with cities such as shared services, availability of grants, etc.

- (e) ASCC

Councilmember Derwin said the ASCC reviewed two applications for additions and remodeling. They also discussed story pole placement.

- (f) Planning Commission

Councilmember Richards said the Planning Commission discussed the T-Mobile application for a wireless facility on Golden Oak at Peak Lane. Most of the discussion was on alternatives, such as a micro-cell system, and more information had been requested. Responding to Mayor Toben, Ms. Sloan said the Commission would need to take action 150 days from the date the application was deemed complete, which was the middle of March. She added that the Commission was interested in a peer review of the technology and the technical arguments that T-Mobile had made. Responding to Councilmember Derwin, she said she would provide more guidance to the Commission in a memo.

- (g) Trails and Paths Committee

Councilmember Richards said the Committee discussed the trail at Town Center. A recommendation would be forthcoming. They also discussed driveway scoring after resurfacing, the Town's webpage on trail use, and bikes on "no bike" trails.

(h) Ad-hoc Spring Down Master Plan Committee

Councilmember Wengert said the next meeting would be held tomorrow. The hydrologist's report would be discussed, and a recommendation would be forthcoming. Councilmember Richards added that the Trails Committee also discussed what was proposed.

(i) Airport Roundtable

Mayor Toben said there was an item in the 4/9/10 digest regarding San Jose arrivals over southern San Mateo County. Southwest would be bringing in its aircraft at 5,400 feet over Woodside. The Southwest representative appeared eager to collaborate with the cities in southern San Mateo County. He noted that a resident from Portola Valley also attended the meeting, and he would be meeting with her.

WRITTEN COMMUNICATIONS [9:15 p.m.]

(10) Town Council 3/26/10 Weekly Digest: None

(11) Town Council 4/2/10 Weekly Digest

(a) ASCC/Planning Commission Special Meeting

Referring to Ms. Lambert's email, Ms. Sloan said four Planning Commissioners and three ASCC members attended the special meeting on 4/7/10 at which she discussed the Brown Act, quasi-judicial decisions, due process, findings, and staff inspections/enforcement. Those in attendance would be given credit for one hour of ethics training.

(b) Spring Class Schedule

Referring to the schedule, Ms. Howard said there was a lot going on in Town.

(c) Sausal Creek Project at Town Center

Mayor Toben referred to the email from Jen Smith thanking everyone involved in the daylighting and planting of the banks of the creek at the Town Center. He extended his thanks to everyone who participated in getting the job done.

(12) Town Council 4/9/10 Weekly Digest

(a) Town Meeting Transcription

Referring to Ms. McDougall's memo, Ms. Howard said the Town was looking for someone to prepare the Planning Commission and Council minutes.

(b) BMX Bikers

Referring to Cameron Streck's email requesting a park for BMX bikers, Mayor Toben said the Town did not have terrain to even consider a facility. But, he felt the request was legitimate. Young teens needed constructive activities and didn't feel there was much out there for them. Years ago, he discovered with his sons some terrain at Arastradero Preserve where kids had made humps and bumps. He asked staff to respond to the email.

ADJOURNMENT: 9:20 p.m.

Mayor

Town Clerk

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST
04/28/10

2

Date: 04/21/2010
Time: 11:30 am
Page: 1

TOWN OF PORTOLA VALLEY

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

ABLE UNDERGROUND	Storm Drain Video Inspection	10693	04/28/2010	
		5838	04/28/2010	
1020 RUFF	826		04/28/2010	
SAN JOSE	BOA	43258	04/28/2010	0.00
CA 95110	10506			900.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4260	Public Road Surface & Drainage	900.00	0.00

Check No.	43258	Total:	900.00
Total for	ABLE UNDERGROUND		900.00

ALPINE HILLS TENNIS & SWIM	Deposit Refund	10670	04/28/2010	
			04/28/2010	
4139 ALPINE ROAD	846		04/28/2010	
PORTOLA VALLEY	BOA	43259	04/28/2010	0.00
CA 94028				10,281.15

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds Other Charges	10,281.15	0.00

Check No.	43259	Total:	10,281.15
Total for	ALPINE HILLS TENNIS & SWIM		10,281.15

AT&T	March Statements	10671	04/28/2010	
			04/28/2010	
PO BOX 989048	441		04/28/2010	
WEST SACRAMENTO	BOA	43260	04/28/2010	0.00
CA 95798-9048				262.95

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	262.95	0.00

Check No.	43260	Total:	262.95
Total for	AT&T		262.95

AVILA-RICE INC	Business License Refund	10672	04/28/2010	
			04/28/2010	
P.O. BOX 3170	0060		04/28/2010	
HALF MOON BAY	BOA	43261	04/28/2010	0.00
CA 94019				50.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4228	Miscellaneous Refunds	50.00	0.00

Check No.	43261	Total:	50.00
Total for	AVILA-RICE INC		50.00

CITY OF BELMONT	Dinner Meeting, Derwin	10673	04/28/2010	
ATTN: JONI STALLINGS			04/28/2010	
ONE TWIN PINES LANE	511		04/28/2010	
BELMONT	BOA	43262	04/28/2010	0.00
CA 94002				40.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4327	Educ/Train: Council & Commissn	40.00	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.	43262	Total:	40.00
Total for	CITY OF BELMONT		40.00

COTTON SHIRES & ASSOC. INC.	Geologic Review	10674	04/28/2010	
	Sept 21 - Apr 4	5839	04/28/2010	
330 VILLAGE LANE	0047		04/28/2010	
LOS GATOS	BOA	43263	04/28/2010	0.00
CA 95030-7218	43455			7,430.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4189	Town Geologis	7,430.00	0.00

Check No.	43263	Total:	7,430.00
Total for	COTTON SHIRES & ASSOC. INC.		7,430.00

CSG CONSULTANTS INC	Building Inspection, 2/27-3/26	10675	04/28/2010	
			04/28/2010	
1700 S. AMPHLETT BLVD	622		04/28/2010	
SAN MATEO	BOA	43264	04/28/2010	0.00
CA 94402	017944			3,510.00

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4062	Temp Bldg Inspection	3,510.00	0.00

Check No.	43264	Total:	3,510.00
Total for	CSG CONSULTANTS INC		3,510.00

DEPARTMENT OF FISH AND GAME	C-1 Trail Fee	10687	04/28/2010	
			04/28/2010	
PO BOX 944209	0055		04/28/2010	
SACRAMENTO	BOA	43265	04/28/2010	0.00
CA 94244-2090				2,073.50

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds Other Charges	2,073.50	0.00

Check No.	43265	Total:	2,073.50
Total for	DEPARTMENT OF FISH AND GAME		2,073.50

MARYANN MOISE DERWIN	Reimb for Sust Sil Val Water	10676	04/28/2010	
			04/28/2010	
148 RAMOSO ROAD	0193		04/28/2010	
PORTOLA VALLEY	BOA	43266	04/28/2010	0.00
CA 94028				56.38

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4327	Educ/Train Council & Commissn	56.38	0.00

Check No.	43266	Total:	56.38
Total for	MARYANN MOISE DERWIN		56.38

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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

FEDEX	Ship Charges	10695	04/28/2010	
			04/28/2010	
P.O. BOX 7221	0066		04/28/2010	
PASADENA	BOA	43267	04/28/2010	0.00
CA 91109-7321	7-058-37379			58.64

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	58.64	0.00

Check No.	43267	Total:	58.64
Total for	FEDEX		58.64

FRANCOTYP-POSTALIA, INC.	Meter Rental 04/09 - 07/08	10696	04/28/2010	
			04/28/2010	
PO BOX 4272	0172		04/28/2010	
CAROL STREAM	BOA	43268	04/28/2010	0.00
IL 60197-4272	RI100116924			88.49

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4314	Equipment Services Contracts	88.49	0.00

Check No.	43268	Total:	88.49
Total for	FRANCOTYP-POSTALIA, INC.		88.49

JORGENSON SIEGEL MCCLURE & FLEGEL	March Statement	10677	04/28/2010	
			04/28/2010	
1100 ALMA STREET	0089		04/28/2010	
MENLO PARK	BOA	43269	04/28/2010	0.00
CA 94025				13,069.75

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4182	Town Attorney	11,763.50	0.00
96-54-4186	Attorney - Charges to Appls	1,306.25	0.00

Check No.	43269	Total:	13,069.75
Total for	JORGENSON SIEGEL MCCLURE &		13,069.75

LINDA KARRER	Litter Deposit Refund	10678	04/28/2010	
			04/28/2010	
2466 ALVIN COURT	712		04/28/2010	
MOUNTAIN VIEW	BOA	43270	04/28/2010	0.00
CA 94043				100.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4226	Facility Deposit Refunds	100.00	0.00

Check No.	43270	Total:	100.00
Total for	LINDA KARRER		100.00

NCPHS, INC	Road Fee Refund	10679	04/28/2010	
			04/28/2010	
ATTN YUMIKO WESTLAND	766		04/28/2010	
SAN FRANCISCO	BOA	43271	04/28/2010	0.00
CA 94109				1,413.60

GL Number	Description	Invoice Amount	Amount Relieved
65-00-4377	Refund of Bldg Fees	1,413.60	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.	43271	Total:	1,413.60
Total for	NCPHS, INC		1,413.60

NEXTEL COMMUNICATIONS	March Field Cellular	10681	04/28/2010	
			04/28/2010	
P.O. BOX 4181	0200		04/28/2010	
CAROL STREAM	BOA	43272	04/28/2010	0.00
IL 60197-4181				151.06

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	151.06	0.00

Check No.	43272	Total:	151.06
Total for	NEXTEL COMMUNICATIONS		151.06

NOLTE ASSOCIATES INC.	Applicant Charges	10682	04/28/2010	
			04/28/2010	
2495 NATOMAS PARK DRIVE	0104		04/28/2010	
SACRAMENTO	BOA	43273	04/28/2010	0.00
CA 95833-2935	10070219			213.66

GL Number	Description	Invoice Amount	Amount Relieved
06-54-4104	Engineer - Charges to Appls	213.66	0.00

Check No.	43273	Total:	213.66
Total for	NOLTE ASSOCIATES INC.		213.66

O. NELSON & SON	Vehicle Damage Settlement	10680	04/28/2010	
			04/28/2010	
3355 TRIPP ROAD	634		04/28/2010	
WOODSIDE	BOA	43274	04/28/2010	0.00
CA 94062				1,649.93

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	1,649.93	0.00

Check No.	43274	Total:	1,649.93
Total for	O. NELSON & SON		1,649.93

OFFICE DEPOT	Historic Resources	10683	04/28/2010	
			04/28/2010	
P.O. BOX 70025	0105		04/28/2010	
LOS ANGELES	BOA	43275	04/28/2010	0.00
CA 90074-0025	514887984001			233.72

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4154	Historic Resources Committee	233.72	0.00

Check No.	43275	Total:	233.72
Total for	OFFICE DEPOT		233.72

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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

KATHERINE OHANLON	Deposit Refund	10692	04/28/2010	
			04/28/2010	
40 BUCKEYE	0145		04/28/2010	
PORTOLA VALLEY	BOA	43276	04/28/2010	0.00
CA 94028				289.25

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	289.25	0.00

Check No.	43276	Total:	289.25
Total for	KATHERINE OHANLON		289.25

PERS HEALTH	May Health Premium	10694	04/28/2010	
			04/28/2010	
VIA EFT	0108		04/28/2010	
	BOA	43277	04/28/2010	0.00
	H2010051490000			13,572.58

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4086	Health Insurance Medical	13,572.58	0.00

Check No.	43277	Total:	13,572.58
Total for	PERS HEALTH		13,572.58

REGIONAL WATER BOARD	Fee for C-1 Trail	10686	04/28/2010	
Hand Deliver			04/28/2010	
	828		04/28/2010	
	BOA	43278	04/28/2010	0.00
				1,600.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	1,600.00	0.00

Check No.	43278	Total:	1,600.00
Total for	REGIONAL WATER BOARD		1,600.00

RON RAMIES AUTOMOTIVE INC	Fuel, March	10684	04/28/2010	
			04/28/2010	
115 PORTOLA ROAD	422		04/28/2010	
PORTOLA VALLEY	BOA	43279	04/28/2010	0.00
CA 94028				596.19

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	596.19	0.00

RON RAMIES AUTOMOTIVE INC	Vehicle Maintenance	10685	04/28/2010	
	2000 Chev, 1991 Ford		04/28/2010	
115 PORTOLA ROAD	422		04/28/2010	
PORTOLA VALLEY	BOA	43279	04/28/2010	0.00
CA 94028				455.01

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	455.01	0.00

Check No.	43279	Total:	1,051.20
Total for	RON RAMIES AUTOMOTIVE INC		1,051.20

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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
ROSENDIN ELECTRIC INC	Town Center Balance Due	10697	04/28/2010	
			04/28/2010	
P.O. BOX 49070	962		04/28/2010	
SAN JOSE	BOA	43280	04/28/2010	0.00
CA 95161-9070	68798A			55,000.70

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4420	Town Center Construction	55,000.70	0.00
		Check No. 43280	Total: 55,000.70
		Total for ROSENDIN ELECTRIC INC	55,000.70

ROTO-ROOTER PLUMBERS	Library Main Line Cleanout	10698	04/28/2010	
			04/28/2010	
5672 COLLECTION CENTER DR	360		04/28/2010	
CHICAGO	BOA	43281	04/28/2010	0.00
IL 60693	19315493651			330.56

GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4346	Mechanical Svs Maint & Repair	330.56	0.00	
ROTO-ROOTER PLUMBERS	T.C. Maint & Road Maintenance	10699	04/28/2010	
			04/28/2010	
5672 COLLECTION CENTER DR	360		04/28/2010	
CHICAGO	BOA	43281	04/28/2010	0.00
IL 60693	19315503797			547.50
GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4346	Mechanical Svs Maint & Repair	547.50	0.00	
		Check No. 43281	Total: 878.06	
		Total for ROTO-ROOTER PLUMBERS	878.06	

SHELTON ROOFING	C&D Refund, 107 Mapache	10688	04/28/2010	
			04/28/2010	
1988 LEGHORN	0309		04/28/2010	
MOUNTAIN VIEW	BOA	43282	04/28/2010	0.00
CA 94043				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	1,000.00	0.00
		Check No. 43282	Total: 1,000.00
		Total for SHELTON ROOFING	1,000.00

STAPLES	March Statement	10702	04/28/2010	
			04/28/2010	
STAPLES CREDIT PLAN	430		04/28/2010	
DES MOINES	BOA	43283	04/28/2010	0.00
IA 50368-9020				342.42

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	342.42	0.00
		Check No. 43283	Total: 342.42
		Total for STAPLES	342.42

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

STATE CONTROLLER'S OFFICE	Street Report, FY08/09	10689	04/28/2010	
			04/28/2010	
DEPARTMENTAL ACCTG OFC	0218		04/28/2010	
SACRAMENTO	BOA	43284	04/28/2010	0.00
CA 94250-5877	9807			1,282.54

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4180	Accounting & Auditing	1,282.54	0.00

Check No.	43284	Total:	1,282.54
Total for	STATE CONTROLLER'S OFFICE		1,282.54

SHELLY SWEENEY	Instructor Dues Spring 2010	10703	04/28/2010	
			04/28/2010	
285 GRANDVIEW DRIVE	407		04/28/2010	
WOODSIDE	BOA	43285	04/28/2010	0.00
CA 94062				4,032.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	4,032.00	0.00

Check No.	43285	Total:	4,032.00
Total for	SHELLY SWEENEY		4,032.00

TOWNSEND MGMT, INC	March Applicant Charges	10690	04/28/2010	
			04/28/2010	
P.O. BOX 24442	609		04/28/2010	
SAN FRANCISCO	BOA	43286	04/28/2010	0.00
CA 94124				2,356.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	2,356.00	0.00

TOWNSEND MGMT, INC	Golden Oak Cul Rep/App Charges	10700	04/28/2010	
			04/28/2010	
P.O. BOX 24442	609		04/28/2010	
SAN FRANCISCO	BOA	43286	04/28/2010	0.00
CA 94124				1,444.00

GL Number	Description	Invoice Amount	Amount Relieved
20-54-4192	Engineer Services	1,292.00	0.00
96-54-4194	Engineer - Charges to Appls	152.00	0.00

TOWNSEND MGMT, INC	ARRA Street Insp. MAR 2010	10701	04/28/2010	
			04/28/2010	
P.O. BOX 24442	609		04/28/2010	
SAN FRANCISCO	BOA	43286	04/28/2010	0.00
CA 94124	200050-03-10			600.00

GL Number	Description	Invoice Amount	Amount Relieved
65-68-4482	CIP09/10 Street Resurfacing	600.00	0.00

Check No.	43286	Total:	4,400.00
Total for	TOWNSEND MGMT, INC		4,400.00

WOLFPACK INSURANCE	May Dental/Vision Premium	10691	04/28/2010	
			04/28/2010	
SMALL BUSINESS BENEFIT PLAN	0132		04/28/2010	
BELMONT	BOA	43287	04/28/2010	0.00
CA 94402				2,138.40

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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
State/Province Zip/Postal	Invoice Number		Discount Amount
			Check Amount

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4090	Health Ins, Dental & Vision	2,138.40	0.00

Check No.	43287	Total:	2,138.40
Total for	WOLFPACK INSURANCE		2,138.40

Total Invoices: 34

Grand Total:	127,169.98
Less Credit Memos:	0.00
Net Total:	127,169.98
Less Hand Check Total:	0.00
Outstanding Invoice Total:	127,169.98

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
April 28, 2010

Claims totaling \$127,169.98 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 28, 2010

RE: Adoption of Amended Solicitation Ordinance

At its April 14, 2010 meeting, the Town Council considered and voted to approve the amendment of Chapter 5.40 [Peddlers and Solicitors] to Title 5 [Business Taxes, Licenses and Regulations] of the Portola Valley Municipal Code.

This matter has come before the Council for second reading of the ordinance title, waiving further reading and adoption of the ordinance. If approved, the ordinance shall become effective thirty (30) days after the date of adoption and posting.

Recommendation

It is recommended that the Town Council adopt the attached ordinance amending Chapter 5.40 [Peddlers and Solicitors] of Title 5 [Business Taxes, Licenses and Regulations] of the Portola Valley Municipal Code.

Approved: _____

Angela Howard
Angela Howard, Town Manager

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



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council
FROM: Howard Young, Public Works Director
DATE: April 28, 2010
RE: 2009/2010 Resurfacing Project #2010-PW01

Recommendation

(1) That the Town Council adopt the attached resolution approving plans and specifications for the 2009/2010 Resurfacing project and calling for sealed bids for this project. It is also recommended that the Town Council authorize the Town Manager to award the project to the lowest responsible bidder with a total contract and change order amount not to exceed \$700,000. This would include authorization to add (or subtract) to the project, additional work as recommended by the Public Works Director if the budget allows in an effort to maximize paved areas and utilize the entire budgeted amount.

(2) The Town Manager shall be authorized to expend up to the budgeted \$25,000 for the required construction testing and inspection related to the project.

Background

The preparation of construction documents for this year's street resurfacing program is completed. This project will repair roadway base, overlay, cape seal, or slurry seal to portions of: Alamos Road, Golden Hills Drive, Golden Oaks Drive, Echo Lane, Quail, Groveland, Alpine Road, Cresta Vista Lane, Grove Court, Stonegate Road, Meadowood Drive, Nathorst, Grove Drive, Minoca Road, and Willowbrook Drive. The streets selected for treatment this year were based on the Town's Pavement Management System and field surveys. A copy of the Plans and Specifications are available for review at Town Hall in the office of the Town Clerk.

The estimated cost of this street resurfacing project is \$680,000 including contingency. The intent is to complete the project in the 2009/2010 fiscal year. The following is our anticipated project schedule for this project weather dependent:

Town publicly advertises for the project:	Week of April 26, 2010
Bid Opening:	Week of May 17, 2010
Town Manager awards contract:	Week of May 24, 2010
Construction begins:	Week of June 7, 2010
Construction completed:	Week of June 28, 2010

Attachment

Approved: Angela Howard
Angela Howard, Town Manager

RESOLUTION NO. _____ 2010

A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PORTOLA VALLEY
APPROVING PLANS AND SPECIFICATIONS AND
CALLING FOR BIDS FOR THE
2009/2010 RESURFACING PROJECT
No. 2010-PW01

The Town Council of the Town of Portola Valley does RESOLVE as follows:

Section 1. The Town Council hereby approves and adopts plans and specifications for certain work in the Town known as the 2009/2010 Resurfacing Project.

Section 2. Due to public interest and convenience, the Town Council hereby orders that the work and improvements, as set forth and described in said plans and specifications, be performed. The Town Council further orders that: All said work and improvements will be done under the direction of and satisfaction of the Public Works Director; and all the work shall be done in accordance with said plans and specifications.

Section 3. Not less than the prevailing rate of per diem wages and holiday and overtime work referred to above shall be paid for any work proposed to be performed in the performance of the public work under said plans and specifications.

Section 4. The Town Clerk of the Town is hereby directed to post by two (2) successive postings in the three (3) public places that have been designated by ordinance as the places for posting public notices, there being no newspaper published in the Town, and not less than five (5) days apart, a Notice inviting sealed proposals or bids for the construction of said work and improvement and referring to the Plans and Specifications on file in the Office of the Town Clerk, the first of which postings shall be at least ten (10) days prior to the time fixed for opening bids.

Section 5. All proposals or bids shall be accompanied by a certified check payable to the order of the Town, or cash, amounting to ten percent (10%) of the bid, or by a bond in said amount and payable to the Town, signed by a corporate surety or by the bidder and two sureties who shall justify before any officer competent to administer an oath, in double said amount and over and above all statutory exemptions. The check shall be forfeited, or the bond shall become payable to the Town, in case the bidder depositing the same does not, after the contract has been awarded, and within the time specified in said plans and specifications, enter into a contract, in form as set forth in said specifications, with the Town, the faithful performance of which shall be assured by an undertaking in the amount of one hundred percent (100%) of the amount so bid, with sureties satisfactory to the Town, and which shall be accompanied by a payment bond (labor and materials) in a sum not less than one hundred percent (100%) of the amount of said bid.

Section 6. The sealed proposals or bids shall be delivered to the Public Works Director of the Town on or before 1:00 p.m., on the 17th day of May, 2010, or other date as amended by the Town, at the Office of the Town Clerk in the Town Hall, 765 Portola Road, in the Town, said time being not less than ten (10) days from the time of the first publication of said Notice. Bids will be publicly opened, examined, and the Town Manager will take action awarding the contract or rejecting all bids not later than thirty (30) days after the expiration of the time prescribed for the receipt of bids; provided the award may be made after the expiration of the specified times, if the bidder shall not have given to the Council notice in writing of the withdrawal of such bid on proposal.

Section 7. The Town Council of the Town hereby reserves the right to reject any and all bids.

PASSED AND ADOPTED this ___ day of _____, 2010.

Mayor

ATTEST:

Town Clerk



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Council
FROM: George Mader, Town Planner
DATE: April 21, 2009
RE: Open Space Preserve Definition

Recommendations

The council should review this definition and make any modifications council members believe are needed. Following that, the definition should be adopted as a council policy. Subsequently, the definition should be added to the general plan. Addition of the definition to the general plan might be done at the time the town would designate a new open space preserve.

Background

The council considered a memo from the town planner dated 11/4/09 with respect to the definition of open space. The council discussed the memo at its 11/11/09 meeting. After discussion, the council referred the memo to the following committees for review and comment: open space committee, trails and paths committee, parks and recreation committee, conservation committee and emergency preparedness committee. These committees have reviewed the memo and submitted their recommendations. In this memo, we set forth the recommendations contained in the 11/4/09 memo as modified by us based on recommendations from the committees.

Suggested Definition of Open Space Preserve to be Adopted as a Council Policy

1. Open Space Preserves are areas where the character and intended use of the land warrant retaining the land in a natural condition. Such preserves provide visual pleasure and accommodate very limited access and use.
2. Open Space Preserves are named, located and described in the general plan. The descriptions include permitted uses consistent with the provisions of this definition.
3. Permitted outdoor uses are those that do not require structures, other than those provided for elsewhere in this definition, and do not result in modification of the site.

Typical uses include nature study, congregation of residents in time of emergencies, and unorganized activities such as tossing Frisbees and kite flying.

4. Permitted structures include occasional benches, trail and path signs, temporary scientific instruments, and bridges and board walkways in marshy areas for the purpose of viewing natural aspects of the site.

(The Open Space Advisory Committee recommended: "Also permitted are temporary measuring devices such as remote cameras and weather stations to promote studies of the natural history." We simplified this by listing temporary scientific instruments.)

(The trails and paths committee recommended consideration of a "bike hitching rack" at the perimeter of a preserve. Consideration might also be given to allowing a horse hitching rack at the perimeter of a preserve. These would facilitate users arriving by bike or horse. If permitted, they should be limited in space and have a simple defining boundary such as a rail fence. Guidance is needed with respect to these suggestions.)

5. Permitted access is on permeable paths and paths designed for disabled persons.
6. Consideration may be given to allowing existing structures to remain if they are consistent with and enhance the open space character of the land and/or are of historic value.
7. Activities to care for the land such as controlling invasive plants and reducing fire hazards are permitted provided they are undertaken in a manner that balances preservation of the natural vegetation and the need for reduction of fire hazard potential, and are reviewed with input from town committees and staff.
8. Activities that seek to return the land to a prior more natural state are permitted provided such activities are reviewed with input from town committees and staff.
9. Uses in addition to those specified may be permitted by the town council provided such uses are consistent with the purposes of open space preserves as described in this policy statement, and contribute to one's enjoyment of and do not detract from a natural and tranquil setting.

Summary of Review

We believe the definition is consistent with the common concerns of the committees. The suggested additions to item #4, however, were made after circulation of the draft to the committees and therefore not all committees have reviewed these items.

Recommendations

As noted above, after the council has reviewed and made any changes to the definition council members desire, the final definition should be adopted as a council policy. Subsequently, the definition should be added to the general plan. That might be done at the time the town would designate a new open space preserve.

cc. Angela Howard
Sandy Sloan
Leslie Lambert
Open Space Committee
Trails and Paths Committee
Parks and Recreation Committee
Conservation Committee
Emergency Preparedness Committee
Open Space Advisory Committee



From: Cultural Arts Committee
To: Portola Valley Town Council
Subject: Placement of Ceramic Tiles
Date: March 18, 2010

Dear Town Council Members,

The Cultural Arts Committee would like to express their views on the placement of the children's historic ceramic tiles at the Town Center .

We agree the buildings themselves are beautifully designed and are a structural, functional form of art which graces our community. It is our intention to preserve that beauty, the way it blends into the site, its setting and the environment within the Town.

The addition of the ceramic tiles is an enhancement that not only embraces art but the history of the residents in a very personal way. We envision no conflict between the buildings and ceramic tiles. The "earthiness" of the tiles and the natural materials used in the center complement one another by softening the buildings and adding a human element. The tiles are a visual expression by the creative children of the Town on display for all to see and, for which we can collectively be proud.

The Cultural Arts Committee proposes a trial period of three months placing the ceramic tiles in two exterior locations:

- 1) One smaller rectangular framed piece above the water fountain between the bathrooms.
- 2) Two larger pieces outside the two classrooms.

We acknowledge, prior to placement, small repairs and re-framing need to be addressed.

The Artwork is unique to our community; this request need not set a precedent. We have confidence in the judgment of the Town Council to uphold the future integrity of the buildings.

Respectfully,

Jeannie Goldman
Jeannette Louvel
Marie Mangrove
Yvonne Tryce
Deirdre Clark
R. Manca
Susan Thomas

Mimi Brumio
Ju Chaput

April 22, 2010

To: Members of the Portola Valley Town Council

From: Bev Lipman

TOWN OF PORTOLA VALLEY

APR 22 2010

RECEIVED

Dear John, Steve, and Ann, Ted and Maryann:

I am concerned about the possible placement of old children's tiles on the outside walls of our beautiful new Town Center buildings. I understand that this will be coming up for discussion at the Town Council meeting on April 28th.

I was invited to attend a subcommittee meeting of the Town's Cultural Arts Committee to view possible Town Center locations for the tiles. Ted Driscoll and Maryann Derwin as Council Liasons were there, as well as Angie Howard.

The tiles are mounted on several boards, the two largest of which are roughly 3 by 4 feet. I'm not sure what the recommendation of the Arts Committee will be, but a couple of members of the subcommittee were favoring placing the two larger boards on the outside wall of the new Town Center near the rooms often used for science and art classes. At least one member of the Arts Committee, who was not part of the subcommittee, disagreed strongly with this placement. I, too, think it would be a terrible idea to put them there. Although this wall seems to be around the corner and sort of out of the way, it constitutes part of the first view of the Town Center that anyone sees while driving towards the Center from the Alpine Road/Portola Road intersection.

Another placement of mounted tiles which the subcommittee considered is to place the smallest board on the outside wall over the drinking fountain between the bathrooms on that same new building. Visually, this is less intrusive, but the larger question is whether ANY of these tiles belong on the outside of our new Town Center buildings at all.

The answer has to be "no" for several reasons.

These buildings are extremely special, not only because they have achieved the coveted status of LEED Platinum and are some of the greenest nonresidential buildings in the world (and will undoubtedly be icons in the environmental and architectural realms). But, in addition, they are beautiful, spare, sophisticated, contemporary architecture, and as such are emblematic of our forward-looking town.

Didn't we just go through tremendous efforts as a Town to build the new Town Center through amazing efforts to secure private contributions to see that the the Town Center could be rebuilt to replace old school buildings which had housed the Town Center offices until they became uninsurable? Why should we install art work OF ANY KIND on the outside of our elegant new buildings? They could be mistaken for the old elementary school which they replaced!

One argument I heard at the subcommittee meeting was that putting some old tiles on the new buildings would foster a "sense of community" that the Town Center now [assumedly] lacks.

This is nonsense!

I recently visited the Town Center at 5:45 on a Thursday afternoon and the grounds were teeming with people, young and old. Two groups of young people were using the playing fields, little kids were swinging and playing in the playground, a group of adults were having a picnic in the redwood grove nearby, and a cluster of people were just sitting on the grass near the flagpole, chatting. But the best sight was dozens of teenagers, some standing on the bridge over the creek and others having a wonderful (and noisy) time investigating the creek banks.

Many, many community activities for youth as well as for all age groups take place at the Town Center. These range from art and science classes, to amazingly-varied programs at our library, to carefully-planned outdoor spaces for soccer, baseball, tennis or just strolling around on a safe, open campus. And of course, there is our new Community Hall--a wonderful meeting place for groups large and small.

In my view, the boards of children's tiles should be placed on or around our historic schoolhouse or by the children's playground where they can be seen and admired for what they are: charming examples of Portola Valley children's artwork, which have historic importance. The Town's Arts Committee should be applauded for having rescued them.

One could argue that just putting that one small board of tiles over the drinking fountain, as suggested, might be okay. Please, let's not do that. "Bad precedent" is the obvious argument against it. Even if our Town Council says that this will be the only kind of "art" or whatever that will be approved for the outside walls of the new buildings, let's face it new pressures are sure to emerge at some point. The current Council can't be around forever.

And forever is a long time. Let's keep the buildings neat.

Bev Lipman
188 Favonio Road

Cc: Angie Howard
Danna Breen
Leslie Lambert
Larry Strain, Architect

3/26/10
Digest

20 Coyote Hill
Portola Valley, CA 94028
March 21, 2010

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

RE: Proposal to place tiles on Town Center buildings

Dear Council Members:

A great deal of design effort went into designing our new center so that buildings framed the open play fields, with views of the surrounding hillsides unimpaired.

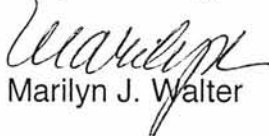
Why jeopardize this design integrity with eye catching colored tiles on the walls?

Even the one proposed for over the drinking fountain will be visible from the road as you drive by. If there MUST be one over a drinking fountain, then over the drinking fountain on the south building facing the playgrounds.

There are several interior spaces suitable for installing the tiles; the art room for instance. And if you MUST have them on the exterior, then certainly the back of the Old Schoolhouse would perhaps be appropriate.

A great deal of collective thought went into these building designs, please, don't set a precedent we may all regret in the coming years.

Very Sincerely,


Marilyn J. Walter

TOWN OF PORTOLA VALLEY

MAR 23 2010

RECEIVED

3/5/10
Digest

TOWN OF PORTOLA VALLEY

MAR 03 2010

RECEIVED

20 Coyote Hill
Portola Valley, CA 94028
March 3, 2010

Town Council
Portola Valley, CA

Re: Tiles on Walls of Community Center

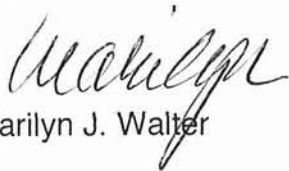
Dear Town Council Members:

I recently read in the minutes of your last meeting that it has been suggested that certain decorative tiles be placed somewhere on the walls of our new Community Center.

I am sure there are many of us who have favorite art work we would like to see displayed. But it belongs on the inside walls.

Please do not install tiles on the walls of our beautiful new Community Center.

Sincerely,



Marilyn J. Walter

Angela Howard

From: bevlipman@sbcglobal.net
Sent: Tuesday, March 16, 2010 11:04 AM
To: Angela Howard
Cc: Maryann Derwin Home
Subject: children's tiles

Angie,

I'm concerned about the possible placement of the old tiles at Town Center. Maryann Derwin said there will be a meeting Thursday morning at 9:00 to discuss them. Do you suppose I could come to the meeting?

Here are my thoughts. Please share them as appropriate. I don't know the members of the Town's Cultural Arts Committee.

To say that I am an appreciator of art is an understatement, as you know, and I hope my husband and I haven't started something untoward with the gift of the large Dengler flower prints for the Town Center lobby. I also love history, especially Portola Valley's; Nancy Lund and I share this view. I do like the idea of installing relevant old children's tiles. The question is "where?"

For years, before the matter of uninsurability of the old Town Center on earthquake traces became an issue, it was hard for me to understand how the government offices for a Town as sophisticated and basically affluent as Portola Valley could be located in an old school building. We needed something elegant, contemporary, and sophisticated--and we certainly got it thanks to enormous efforts and contributions from many, many Town residents.

I don't have a clue as to the location which is proposed for the tiles, but I hope the idea isn't to put them on the outside of any of the new Town Center buildings. Has the Town's Architectural and Site Control Commission been consulted?

Or for that matter, and more importantly, have the Town Center architects been consulted? This should be step one, it seems to me. After all their efforts, it could be a heartbreak for an addition that they would consider inappropriate. This, unfortunately, does happen.

If they got put on an outside wall of the new Town Center, wouldn't it be "back to the vacated elementary school" for the Town? Perhaps a more appropriate location for them would be at one of the Town's public schools. Or over near the historic school and the toddler playground on the Town Center grounds.

Bev Lipman
188 Favonio Road
854-9199

Angela Howard

From: Larry Strain [lstrain@siegelstrain.com]
Sent: Tuesday, February 09, 2010 9:19 AM
To: Angela Howard; Ted Driscoll
Cc: Susi Marzuola; Jim Goring
Subject: Art Tiles

Hi Ted and Angie,

Not sure if you are who I should be sending comments to, but here they are.

Susi, Jim and I looked at the proposed tile display, and here's our 2 cents, (Jim hasn't reviewed this email but we did talk about it yesterday):

(We preface this by acknowledging that these are your buildings, not ours, and that the tiles are pretty cool...)

As you know, lot of thought went into the design of the buildings. Every material, interior and exterior, but especially exterior, was carefully considered by the design team, the ASCC, the ADT, and in many cases the Council. Elements on the facades - windows, doors, vents, signs - were carefully organized and arranged, to create simple, clear facades that contribute to the overall design of each building and the town center as a whole.

We think it would be a mistake to mount the tiles on the exterior of the buildings, especially as currently configured. The displays are different sizes and shapes, they are not shown mounted at a consistent height and while some boards have a lot of room around them, others feel cramped. (We have more trouble with the boards than the tiles.)

Our preference would be somewhere near the playground or perhaps somewhere inside such as in the art or science room.

Thanks,

Larry Strain, FAIA, LEED AP

SIEGEL & STRAIN Architects
1295 59th Street, Emeryville, CA 94608
510.547.8092 x103 fax 510.547.2604
lstrain@siegelstrain.com www.siegelstrain.com



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Brandi de Garneau, Sustainability & Resource Efficiency Coordinator
Sharon Hanlon, Town Clerk

DATE: April 28, 2010

RE: Consideration of Paperless Agenda Packet for Town Council Meetings

SUMMARY:

At the request of Mayor Toben and in an effort to conserve the use of paper, copy machines, printers and staff time, staff has examined the course of action for a “paperless agenda packet” for the Town Council. Toward the end of 2009, the Mayor received a request from the Almanac to make “searchable” all Council agenda items posted to the Town’s website. With that in mind, staff worked together to find a solution to 1) create documents that were searchable for ease of use by the Almanac and public alike; 2) post *all* agenda items to the website and link the items to the Council agenda; and 3) provide Council members with access to an electronic version of the agenda packet at home and in the Council chamber.

Staff has done extensive research to develop the most efficient, cost-effective and fail-proof process for delivering a paperless agenda packet. In the development of this process, staff has already made changes that have improved the process. The remaining steps will be straight forward to implement with a limited amount of funds and training. This is a great opportunity for the Town of Portola Valley to be a leader and to share our knowledge and experience with other cities and towns. Moving to a paperless agenda packet in Portola Valley will not only eliminate the environmental impact associated with printing paper packets, but it will also make our process more efficient and enhance the public’s ability to have input in decisions made by the Town Council.

BACKGROUND:

Survey of Local Cities

To begin our research, staff first took an informal survey of local cities and towns asking a few basic questions: 1) if they were currently providing a paperless agenda packet to their Council; 2) if so, what program or software they were using; and 3) any additional comments they would like to include. Of the twenty cities and towns that reside within San Mateo County, not one Council uses a paperless agenda packet for their Council meetings. Most cities have their agenda packet and associated reports available on their website, but none provide their Council with a paperless packet. This is due to either lack of desire by their Council or lack of project research, funds and implementation. Saratoga, in Santa Clara County, was the only local municipality that uses a paperless packet (of those municipalities that responded to our survey).

Table 1: Paperless Agenda Packet Survey of Local Municipalities

City/Town	Use Paperless	Method/Programs	Comments
Atherton	No		
Brisbane	No		
Colma	No		
Hillsborough	No	Sire Agenda Plus & Granicus	Electronic packet available on town website but Council prefers hard copies
Los Altos Hills	No		No desire by Council at this time
Menlo Park	No		Council has not considered
PVSD	Combination* of electronic and hard copies	Scan files & Webmaster uploads	*Two Board Members bring their own laptops and access agenda through website
Saratoga	Combination** of electronic and hard copies	Use Laserfiche & Granicus	**Laptops are provided; some Council members take notes using "notepad" program; others use a steno pad
Woodside	No		Has never been mentioned

Note: detailed Table provided in Attachment 2

Staff visited the City of Saratoga and Town of Hillsborough to understand how their processes worked using different components of Sire, Laserfiche and Granicus software programs for creating an electronic packet and uploading it to their websites. Staff concluded that these software programs would actually add additional work, time and expense instead of streamlining the agenda creation process. In addition, the Town has an existing "Content Management System," which allows Town staff to easily upload the agenda to the website.

Staff also observed that while most local cities have their agenda packet and associated reports available on their website, the final product is inconsistent: not all agenda packets posted to websites are searchable or bookmarked for easy navigation.

Staff also met with the Superintendent and Webmaster of the Portola Valley School District (PVSD) to learn about their process. We discovered that PVSD has a partial paperless agenda for their Board meetings. PVSD staff scans the Board agenda packet and sends it to their Webmaster for posting to their website (the scanned packet is not searchable). At the Board meetings, a few Board members bring their own laptops to view the packet electronically, while others have a printed copy.

Town Processes

In addition to surveying and visiting local cities, we interviewed pertinent Town staff, elected officials and consultants to learn about the current processes, limitations and possibilities. Our interviews included the Mayor and Town Manager to determine the scope of the paperless agenda packet; the Town Webmaster to discuss the software needs and storage constraints on the website; the Planning Manager and Planning Technicians to discuss the Planning Commission and Architectural & Site Control Commission (ASCC) packets; the Accounting Assistant to learn about the Council Digest; and the Public Works Director and IT Consultants to determine feasible options to extend Internet to the Council chamber. The results of these interviews are reflected in our proposed process described below.

Cost & Environmental Impact

The cost and the environmental impact of the current Town Council packet process were estimated by analyzing the number of meetings held in 2009 and the content of each packet. The Town Council typically meets bi-weekly and for each Council meeting 18 paper agenda packets are produced. In 2009, the average packet consisted of 66 double-sided pages of text, data and/or diagrams. This equates to 26,370 double-sided copies, 52 reams of paper or 5+ cases. The chart below quantifies the amount of paper used to prepare packets in 2009 for meetings of the Town Council, Planning Commission and ASCC. In addition, Table 3 quantifies the environmental impact of the total consumption of paper for the Town Council meetings alone. The proposed paperless agenda packet will eliminate the use of paper by compiling the staff reports and attachments that make up the agenda packet and distributing it via a single PDF. This course of action will help to reduce the amount of paper used in producing the agenda packet and free up staff time that could be directed towards other projects.

Table 2: Analysis of Paper Used to Produce Packets - 2009

Meeting	Packets Distributed	Copies Made (double-sided - not including plans)	Reams of Paper	Cases of Paper	Pounds of Paper	Cost
Town Council	18	26,370	53	5	264	\$290.02
Planning Commission	15	7,515	15	2	75	\$82.65
ASCC	12	14,352	29	3	144	\$157.84
Total		48,237	96	10	482	\$530.51

Table 3: Environmental Impact of Town Council Agenda Packets - 2009



Lifecycle Environmental Impact

The following is a break down of the environmental impact of your choices for different grades of paper

	Baseline Paper
Paper	Uncoated Freesheet (e.g. copy paper)
Quantity	264 pounds
Postconsumer Recycled Content	100%
Wood Use	0 tons
Net Energy	3 million BTU's
Greenhouse Gases	452 lbs CO ₂ equiv.
Wastewater	1,369 gallons
Solid Waste	157 pounds

Source: Environmental impact estimates were made using the Environmental Defense Fund Paper Calculator. For more information visit <http://www.papercalculator.org>.

The following information provides the Council with the anticipated process to deliver a paperless agenda packet, the required equipment and software, and the associated costs.

DESCRIPTION OF PROCESS TO DELIVER PAPERLESS AGENDA PACKET:

After researching, brainstorming, and sharing knowledge, staff has been able to compile, bookmark, link, upload and make searchable all Council and Commission agendas posted to the Town's website. The attached diagram in Attachment 1 outlines the process for delivering the paperless agenda packet. In theory, we have created a "paperless agenda packet," and are operating efficiently from Steps 2 – Step 4.

In this spirit of efficiency, we have developed a process where Town staff and consultants will submit their staff reports to the Town Clerk as a PDF (Step 1). The Town Clerk and Webmaster will take the outlined steps to produce the electronic packet (Step 2-4). Following completion of the electronic packet, staff will send an e-notification to the Town Council, and the current recipients of Council packets, that would include a link to the aforementioned PDF document. You must have Adobe Reader on your computer to open and view the packet. Adobe Reader is available as a free download from Adobe, if the recipient doesn't already have this program.

In the desire to produce a completely paperless agenda packet Council could now use the "notes" feature in the Adobe Reader program. This feature will allow notes to be taken within the document that you then have the option to bring to the Council meeting. After downloading the agenda packet from the website and making desired notes, Council members would save the agenda packet to a flash drive and bring the flash drive to the Council chamber to upload prior to the start of the meeting. There is always the option for Council members to review the agenda packet and create hand written notes to bring to the meeting.

Prior to each Council meeting, staff would upload the agenda packet to each laptop at the dais so Council would have immediate access to the agenda packet (laptops would remain in the Council chamber to be accessible in the future by the Planning Commission and ASCC. If you chose to takes notes using Adobe Reader and save to your flash drive, you would need to bring your flash drive to the meeting and upload prior to the start of the meeting (as described above). Again, the note feature would be available as part of the Council packet so notes could be taken during the meeting, if desired.

Because the Council packet is saved to a file and uploaded to the laptops, it eliminates the worry of Internet failure during a meeting. However, Internet access is included in this proposal for possible Council use to access a site that is referenced in a report. Internet access would also allow public access to the Council packet during a meeting via the Town website.

REQUIRED EQUIPMENT/SOFTWARE AND COST ESTIMATE:

Staff has carefully considered all the possible equipment and software required to develop the most efficient, cost-effective and fail-proof method of delivering the paperless agenda packet to the Council and the public.

With help from our IT Consultants, we have determined that we need 10 laptops: eight for the dais, one as a backup, and one to run the SoniClear recording equipment (as well as for the Town Clerk to view the agenda). The cost for the laptops is outlined below, but this is merely an

estimate and could change once we are able to enter an official purchasing negotiation. Staff recommends purchasing a secure cabinet to store and transport the laptops. Staff is also proposing that we purchase a slightly larger and more horizontally stable screen to enhance the Council's and audience's ability to view projected images.

To determine additional software needs, staff surveyed the current allocation of Adobe Acrobat licenses among Town staff and consultants. Staff also researched the features of different versions of Acrobat. From this research, we discovered that we could use Acrobat PRO to enable the comments feature in Adobe Reader. This eliminates the need to buy Acrobat for the 9 computers at the dais (a savings of \$2,700). Per this process, two staff members need additional copies of Acrobat Standard in order to produce and edit their staff reports as a PDF, the Webmaster needs an upgrade to Acrobat PRO to enable comments in Adobe Reader and we need one additional copy of Acrobat PRO for the staff member who will function as a backup to the Webmaster.

The method we have developed for delivering the paperless agenda packet to the Council eliminates the need for Internet access (and possible failure); however, we are currently researching three options for extending wireless to the Council chamber for public access to the agenda packet:

- Bouncing the Library's public wireless to the Council chamber
- Wiring the Community Hall for Internet and then bouncing it to the Council chamber
- Hard-wiring the Council chamber for Internet and enabling a wireless router

We have discussed these options in detail with the Public Works Director and our IT Consultants. Each option has cost and security considerations. The rough estimates for the second two options are listed below, not accounting for the cost of the router/repeater and security setup by consultants. The Library's technical staff is currently analyzing the feasibility of extending the Library's public wireless to the Council chamber, which we consider the best option.

In addition to the equipment needs, funds need to be allocated for training on Acrobat PRO for the Webmaster and the Webmaster's backup. Time should also be allocated for training of Town staff, Council members and the Town's consultants on using Acrobat PDF and taking notes in Adobe Reader. This training can be done by Town staff and is essential to the success of moving to a paperless agenda packet.

Table 4: Paperless Agenda Packet – Draft Budget

Equipment/Software	Cost Estimate
Laptops (10)	\$10,000 - \$14,000
Acrobat Software (4 copies)	\$700
Cabinet to store laptops and equipment securely	\$1,300
New screen for Council chamber (GreenGuard Certified)	\$150
Flash drives (11)	\$175
Mice – wired to eliminate battery waste (11)	\$250
Surge protectors for laptops (3)	\$100
Training – Acrobat Classes	\$300 + staff time
Estimated Total (excludes Internet to Council Chamber)	\$12,975 - \$16,975

Table 5: Internet to Council Chamber – Cost To Be Determined

Equipment/Setup	Cost Estimate
Router/Repeaters depending on the configuration	TBD
Wireless bounced from Library	TBD
Internet hard-wired to Community Hall & bounced (plus security setup)	\$250 + TBD
Internet hard-wired to Council chamber & wireless enabled (plus security setup)	\$7500 + TBD

CHALLENGES:

In moving toward a paperless agenda packet, two items present a challenge: the Council Digest and closed-session items. The Council Digest often includes large materials, which the Town receives multiple copies of (e.g. Western City Magazine). For now, the Council Digest will be printed and placed in Council members' boxes. We expect to be able to provide a paperless version of the Council Digest in the future, as more materials are provided in an electronic format. Closed-session items will be printed and placed in Council members' boxes along with the Council Digest. In the future, we may be able to provide these items via a secure, password protected PDF.

NEXT STEPS:

We can begin with providing a paperless agenda packet for the Town Council, which could lead to paperless agenda packets for the Planning Commission and ASCC meetings. As we are proposing a process where the laptops will stay onsite, the Planning Commission and ASCC could easily use the laptops to access their agendas in the same fashion as the Council (additional flash drives and training will be needed, but this is a minor expense). As a result of our efforts, the Planning Commission packet is also being provided in its entirety on the Town website, except for project plans. The project plans present a special challenge, but according to the Planning Manager, there is a move toward requesting the project plans in an 11" X 17" format. In addition, we have priced laptops with a 17" screen and proposed the purchase of a larger projection screen, to anticipate the future need for viewing project plans electronically. This would significantly reduce the amount of paper being used, staff's time to produce it and the environmental impact described above.

If the paperless agenda packet is approved by the Council, staff recommends the development of an e-communications policy to address concerns of possible violations of the Brown Act by use of email or texting during Council meetings.

RECOMMENDATION:

As a result of extensive research, brainstorming and initiative, staff has already made changes that have improved the Council agenda packet and enhanced the public's ability to give input on Council decisions. With a limited amount of funds and training, the remaining steps needed to move toward an entirely paperless agenda packet will be easy and straight forward to implement. This is an opportunity for the Town of Portola Valley to be a leader and motivate other cities and towns to follow. Moving to a paperless agenda packet in Portola Valley will not only eliminate the environmental impact associated with printing paper packets, but it will also make the process more efficient and enhance public input.

Staff recommends that the Town Council approve the concept of moving toward a paperless agenda packet and direct the Town Manager to include the necessary equipment, software, training and consulting services to develop the paperless agenda packet in the 2010/2011 budget.

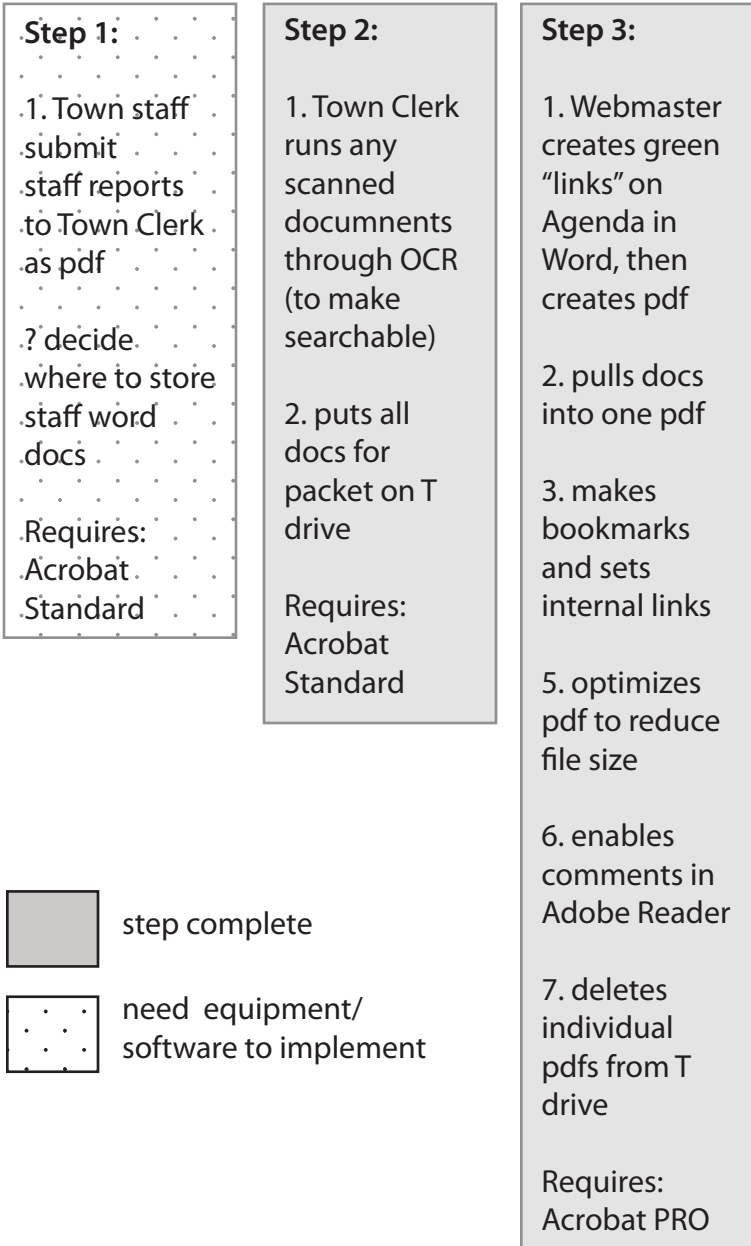
Approved: Angela Howard
Angela Howard, Town Manager

Attachments

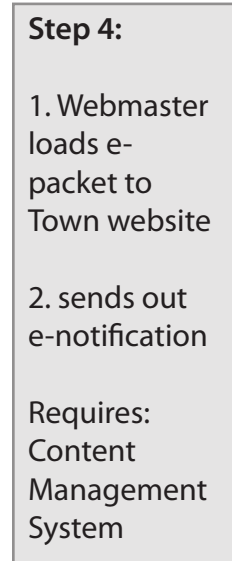
- Attachment 1: Paperless Agenda Packet – Process Diagram
- Attachment 2: Paperless Agenda Packet – Survey of Local Municipalities

Attachment 1: Paperless Agenda Packet - Process Diagram

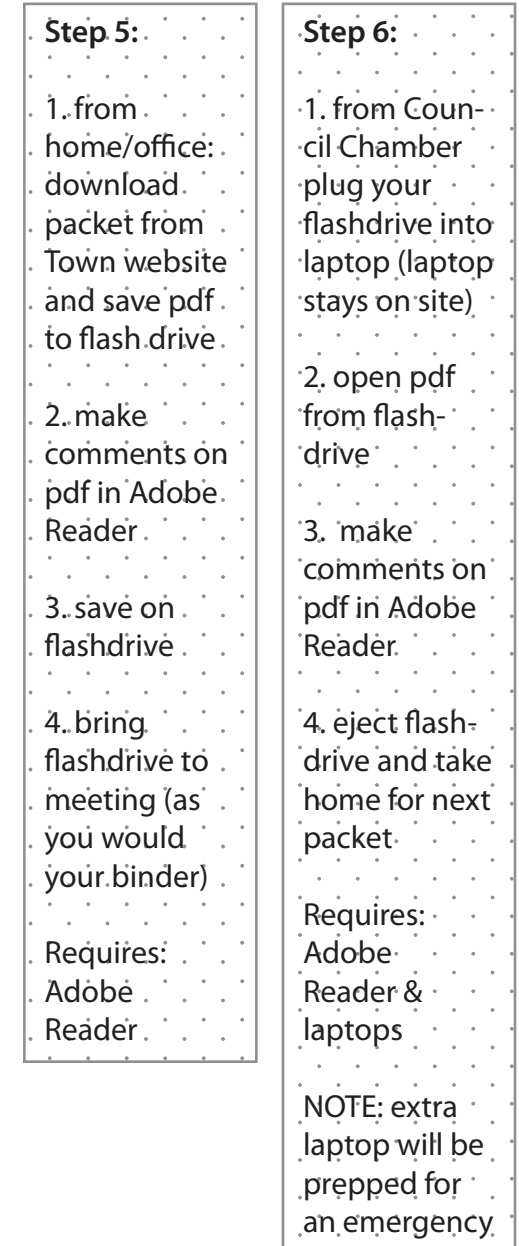
Packet Creation





Packet Uploaded to Website



Packet Electronic Access



-  step complete
-  need equipment/software to implement

Attachment 2: Paperless Agenda Packet - Survey of Local Municipalities

City	Use Paperless	Method/Programs	Comments	Equipment	How is e-packet accessed?	How are notes taken?
Atherton	No					
Brisbane	No					
Colma	No					
Hillsborough	No	Use Sire Agenda Plus to create electronic packet & Granicus to upload to website	Electronic packet available on town website but Council prefers hard copies			
Los Altos Hills	No		No desire by the Council			
Menlo Park	No		Council has not considered			
Portola Valley School District (PVSD)	Combination - two Board Members are paperless, two are not, and one requests both	Completed Board packet is scanned and emailed to: webmaster for posting and others on distribution list who have opted out of hard copy. Confidential portion of packet remain hard copy only	The District looked into this at length, and for now have agreed that this current method cuts down on paper waste significantly. District does not have the resources at current staffing levels to go to AgendaOnline, and not all Board members were comfortable with eliminating hard copies entirely	Board members use their own personal laptops	Email, or online via PVSD website	Small notepads are provided
Saratoga	Yes, both paperless and hard copies	Use LaserFiche to create electronic packet; Granicus for uploading to the website and streaming live meetings		Laptops are provided in Council chamber	Email Council link to packet electronically (IT created link to access with security code)	Provided steno pad and pencils - some use the "notepad" on their laptop
Woodside	No		Has never been mentioned			

TOWN COUNCIL WEEKLY DIGEST

Friday – April 16, 2010

- ☐ 1. Memorandum to Council from Brandi de Garmeaux regarding Spring Business Mixer at the Priory on May 10, 2010 – April 16, 2010
- ☐ 2. Agenda – Ad-Hoc Spring Down Master Plan Committee – Thursday, April 15, 2010
- ☐ 3. Agenda – Special Emergency Preparedness Committee Meeting – Monday, April 19, 2010
- ☐ 4. Agenda – Parks & Recreation Committee Meeting – Monday, April 19, 2010
- ☐ 5. Agenda - Regular Planning Commission Meeting – Wednesday, April 21, 2010
- ☐ 6. Action Agenda – Regular Planning Commission Meeting – Wednesday, April 7, 2010
- ☐ 7. Action Agenda – Special ASCC Field Meeting – Monday, April 12, 2010
- ☐ 8. Action Agenda – Regular Town Council Meeting – Wednesday, April 14, 2010

Attached Separates (Council Only)

- ☐ 1. Invitation to 7th Annual Community Partnership and Volunteer Service Awards on Wednesday, May 5, 2010
- ☐ 2. Invitation to The Sixth Annual Community Honors Dinner on Thursday, May 6, 2010
- ☐ 3. Invitation to Anticipating the Sustainable Communities Strategy of S.B. 375 on Friday, May 14, 2010
- ☐ 4. Invitation to HEART's Executive Briefing and Luncheon on Wednesday, May 12, 2010
- ☐ 5. Information regarding ABAG's Projections 2009 – April 8, 2010
- ☐ 6. Bay Area Air Quality Management District's Air Currents – Spring 2010
- ☐ 7. Comcast California – March 2009
- ☐ 8. Estuary News – April 2010
- ☐ 9. Bay Area Monitor – April/May 2010
- ☐ 10. The Sequoian – April 2010

TOWN COUNCIL WEEKLY DIGEST

Friday – April 23, 2010

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- ☐ 1. Memorandum to Town Council from Angela Howard regarding Special Meeting of the Emergency Preparedness Committee – April 23, 2010
 - ☐ 2. E-mail to Mayor Toben from Matthew Hall regarding 2010 Census – April 16, 2010
 - ☐ 3. E-mail to Angela Howard and Council regarding San Mateo County Charter Review Committee – April 19, 2010
 - ☐ 4. Letter to Town Council from Leigh Ann Maze regarding Midpeninsula Regional Open Space District – April 12, 2010
 - ☐ 5. E-mail to Council from Rebecca Romero regarding LAFCO Cities seat expiring – April 6, 2010
 - ☐ 6. Letter to Brandi de Garreaux regarding 2010 Business Environmental Award – April 14, 2010
 - ☐ 7. Agenda – Special ASCC Field Meeting – Monday, April 26, 2010
 - ☐ 8. Agenda – Special Trails and Paths Committee Meeting – Tuesday, April 27, 2010
 - ☐ 9. Agenda – Conservation Committee Meeting – Tuesday, April 27, 2010
 - ☐ 10. Agenda – Teen Committee Meeting – Friday, April 30, 2010 & possibly Sunday, May 2, 2010

Attached Separates (Council Only)

- ☐ 1. Invitation to attend Stanford University Habitat Conservation Plan's meetings on May 6th, May 13th and May 25, 2010
- ☐ 2. Invitation to HIP Housing's Annual Luncheon on Friday, June 11, 2010
- ☐ 3. Invitation to San Mateo County Central Labor Council's discussion "Two-Tier Pensions: Solution or Setback?" on Saturday, May 8, 2010
- ☐ 4. InnVision News – Spring 2010