

SPECIAL TOWN COUNCIL MEETING NO. 805, NOVEMBER 10, 2010

Mayor Steve Toben called the meeting to order at The Sequoias at 7:00 p.m., noting that this is the fifth year that the Council has held one of its autumn meetings there and explaining what led to the establishment of this tradition. Inviting the large audience to join in, he led the Pledge of Allegiance and Ms. Howard called the roll.

Present: Councilmembers Maryann Derwin, John Richards and Ann Wengert, Vice Mayor Ted Driscoll and Mayor Steve Toben

Absent: None

Others: Angela Howard, Town Manager
Sharon Hanlon, Town Clerk
Sandy Sloan, Town Attorney
Gary Fitzner, Deputy Building Official
Leslie Lambert, Planning Manager

ORAL COMMUNICATIONS [7:05 p.m.]

- (1) Presentation – The Sequoia Green Committee with a report on Sustainability Efforts [*Note: Follows Item 4*]

CONSENT AGENDA [7:06 p.m.]

By motion of Vice Mayor Driscoll, seconded by Councilmember Wengert, Item 3 was approved with the following roll call vote:

Aye: Councilmembers Derwin, Richards and Wengert, Vice Mayor Driscoll and Mayor Toben

No: None

- (3) Ratification of Warrant List of November 10, 2010 in the amount of \$108,983.91

REGULAR AGENDA [7:07 p.m.]

- (2) Minutes of Town Council Meeting of October 27, 2010 [*Removed from Consent Agenda*]

By motion of Councilmember Wengert, seconded by Vice Mayor Driscoll, the minutes were approved as amended 3-0 (with Councilmember Richards and Mayor Toben abstaining).

PUBLIC HEARING [7:15 p.m.]

- (4) Public Hearing - Recommendation by Deputy Building Official – Adoption of the 2010 California Building Code
 - (a) First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Amending Section 15.04.010 [Definitions], Section 15.04.020 [Amendments to the Building Code], and Section 15.040.030 [Additions to the Building Code] of Chapter 15.04 [Building Code] of Title 15 [Buildings and Construction] of the Portola Valley Municipal Code to Adopt an Updated Building Code (Ordinance No. __)

Mr. Fitzer said that every three years, the State adopts a new California Building Standards Code, and the Town enacts an ordinance adopting the code with local amendments. He noted that new standards require installation of carbon monoxide (CO) detectors in residential construction, as well as the longstanding requirement for smoke alarms. Mr. Fitzer said that CO detectors, similar in size and operation to smoke detectors, are also available in combination devices (smoke and CO detection) for as little as \$30.

Recapping the local amendments to the State standards in the Portola Valley ordinance, he said that:

- Portola Valley will continue requiring ignition-resistant materials and construction methods. Initially adopted in June 2009 over concerns about grass fires erupting into conflagrations, this amendment has generated no pushback, Mr. Fitzer said. In fact, he noted that the design community has embraced the regulation, finding ways to modify designs to use ignition-resistant materials and construction methods.
- The Town – again in the interest of reducing the potential for a small fire to grow out of control – will continue its requirement that roof coverings have a Class A fire retardant rating, higher than the State's Class B requirement. The Town adopted this ordinance for the first time in 2003.
- Installation of automatic fire-extinguishing systems will be required in new construction of all occupancy types. In the past, the ordinance required sprinkler systems in all structures of 1,000 square feet or more. Sprinkler system requirements, adopted by reference to San Mateo County construction requirements, took effect shortly after the 1991 Oakland Hills fire.
- A California Plumbing Code requirement for earthquake-actuated shutoff valves in new construction will take effect in Portola Valley. Mr. Fitzer noted that parts costs for these valves range from about \$79 for a ¾-inch diameter gas line (typical in single-family homes) to about \$99 for a 1¼-inch line.

In response to Councilmember Derwin, who said that she was thrilled to see that graywater systems are now approved, Mr. Fitzer indicated that California's Uniform Plumbing Code has recognized graywater systems for a number of years, albeit in an appendix, which left implementation up to local jurisdictions. The San Mateo County Environmental Health Department has now modified and adopted the new California ordinance and is now the local authority for graywater systems. Consequently, if a resident wants a graywater system, the application would go to the San Mateo County Environmental Health Department, which would review and inspect engineering of the system. The Town's involvement would be administrative, because alterations to the existing plumbing system would be minor.

When Councilmember Derwin indicated that there has been trouble in the past getting the county to sign on, Mr. Fitzer said that the Planning Department has had ongoing discussions with the health department, not only in regard to getting the regulations made available but in setting up a procedure to help applicants navigate the bureaucratic maze. He said the goal is to make it as simple and clean as possible for both the design community and residents.

Councilmember Wengert inquired about an exception to requirements in Section 15.04.20.A.1.c.iv), which addresses agricultural buildings. She wondered whether any size limitation is attached to that exception. Mr. Fitzer said no, because it proved problematic to require stables and barns to have sprinkler systems. In the early 1990s, when Portola Valley adopted its sprinkler ordinance by reference to San Mateo County regulations, the exception was similar and there has been no further discussion about it to his knowledge. Councilmember Wengert went on to ask whether there have been any issues involving residents converting agricultural buildings to living space. During his absence from the Town, Mr. Fitzer said that he believes one such situation arose, with a one-time stable converted to a second dwelling unit on a property. At the time, the ordinance exempted second units smaller than 750 square feet.

Mayor Toben opened the public hearing, and with no one coming forward with comments or questions, closed it and brought the issue back to the Council for further discussion.

Councilmember Richards, noting that most of the changes to the State code have been in place for some time, with the exception of the graywater system approval, said that he believes it makes sense to approve the proposed ordinance. He then moved to waive further reading, and introduce the Ordinance of the Town Council of the Town of Portola Valley amending Section 15.04.010 [Definitions], Section 15.04.020 [Amendments to the Building Code], and Section 15.040.030 [Additions to the Building Code] of Chapter 15.04 [Building Code] of Title 15 [Buildings and Construction] of the Portola Valley Municipal Code to Adopt an Updated Building Code (Ordinance No. ___). Vice Mayor Driscoll seconded, and the motion carried 5-0. (Note: The Second Reading will be on the agenda of the Town Council meeting on December 8, 2010.)

PRESENTATION [7:21 p.m.]

(1) Presentation – The Sequoia Green Committee with a report on Sustainability Efforts

Onnolee Trapp, a resident of The Sequoias and chair of its Green Committee, reported on sustainability efforts undertaken by The Sequoias. She said that the facility is directing its sustainability efforts toward improving electrical energy efficiency, reducing water usage, reducing waste and recycling.

The facility's co-generation system, which converts gas to electric power onsite – depending on demand from PG&E – has been in place since 2004, Ms. Trapp said. More recently, an energy audit in October 2009 analyzed repairs and upgrades that could be applied to gas and electric systems. It showed that heating and air conditioning (A/C) systems in the main building would provide the biggest payback; that and many other changes suggested are now in place.

The Sequoias heats water for bathroom, laundry and kitchen use in the apartments, the main building and Health Center, and also provides radiant heat for the apartments. New holding tanks enabling more efficient delivery of hot water at lower boiler temperatures have been installed in half of the apartment buildings over the past several months.

In addition, Ms. Trapp said, a computerized operating system with remote monitoring senses indoor and outdoor temperatures and turns on heat or A/C to levels in programmed thermostats. It has reduced energy use for heating and A/C by 20%. Lighting costs are down 30% thanks to retrofitting fluorescent tube lights with new ballasts and T-8 tubes. Long-lasting, low-wattage LED bulbs have replaced 35-watt halogen bulbs on walkways and in the main building lounge, and instead of 75-watt incandescents, 13-watt compact fluorescent light bulbs (CFLs) now light the hallways. Furthermore, new computerized speed controls on A/C fans in assisted-living buildings and the Skilled Nursing Facility are not only using less energy but also making less noise.

Late August marked the completion of The Sequoias' transformer project, with five new transformers now installed along the perimeter road. Because vibrations from underground boring early in the project ruptured some 1960s-era water pipes, new lines now serve irrigation and fire water needs as well as the facility's buildings. New lawns have replaced those destroyed by excavation, and landscaping plans call for introducing native grasses and drought-tolerant plants and upgrading the sprinkler system over time.

In terms of reduced water usage, the restrooms in The Sequoias' main building were remodeled this summer, Ms. Trapp continued, with motion-activated faucets and hand dryers as well as 1.3-gallons-per-flush toilets. The men's room also has a waterless urinal. The Sequoias will have a Cal Water audit of water usage in kitchens, laundries and apartments this month.

On the waste reduction and recycling fronts, the dining room now supplies lightweight but sturdy reusable plastic containers for takeout meals the residents sometimes enjoy. The Sequoias also bales some 8,000

pounds of cardboard and paper per month, uses compactors to compress trash, and provides a dumpster for garden and lawn cuttings in addition to several large bins for recyclables. The Green Committee posts notices in utility rooms to remind residents what they should not put in for recycling (e.g., Styrofoam), and in laundry rooms to suggest washing a single large load rather than several small loads.

The Sequoias makes it easy for residents to dispose of hazardous wastes, too, including spent batteries, expired and/or unused medications and light bulbs. Although the facility's annual Treasure Sale each September excludes apparel, Ms. Trapp said that this year residents were invited to donate shoes to agencies that help homeless people and job-seekers; in only two months, the effort brought in nearly 200 pairs of shoes and also some warm jackets.

Ms. Trapp said that early this year, students from The Priory worked for community service credits with residents on a Stop Junk Mail Program that Sustainability and Resource Efficiency Coordinator Brandi de Garmeaux had arranged. Another wave of students will be coming to help residents inventory their use of electricity and water, and to identify those who could use low-volume flush toilets, flow-restricting shower heads, etc. Ms. Trapp said that Ms. de Garmeaux is providing considerable advice, resources and support as The Sequoias works toward becoming a Certified Green Business.

Mayor Toben thanked Ms. Trapp for the excellent presentation, and remarking on the apparent ease with which The Sequoias has implemented its sustainability efforts, asked about the obstacles faced and how they were overcome. In response, Ms. Trapp referenced the transformer project. She said there was a lot of yellow tape marking do-not-cross lines, plus puddles and piles of mud to avoid, but people were cooperative. The Green Committee sees many other things to do, including under the "behavior modification" heading – turning off lights when leaving a room, running larger loads of laundry, etc. However, the results of such efforts are difficult to quantify.

In response to a question from Vice Mayor Driscoll, Ira Kurtz, Executive Director of The Sequoias, said that the facility's 20% energy reduction to which Ms. Trapp referred saved about \$80,000.

Councilmember Derwin, who also chairs the Portola Valley Sustainability Committee, reminded the Council that Ms. Trapp serves as a valued member of the Committee. Councilmember Wengert, noting that Ms. Trapp could do a lot of good at a lot of other institutions, asked her whether she'd be taking her show on the road. In response, Ms. Trapp said that the Sustainability Committee in fact is trying to effect changes in behavior in Town residents as well.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS [7:38 p.m.]

(5) Discussion and Report from Town Manager – Mutual Aid Protocol between the Town and The Sequoias Concerning Emergency Response

Ms. Howard indicated that this item gives the Town Council an opportunity to discuss ongoing conversations of the Mayor, Vice Mayor and Mr. Kurtz about providing mutual aid in the aftermath of any major disaster. Discussion has focused on a number of areas, including:

- **Medical Facilities:** In the aftermath of an earthquake or other disaster, the medical facilities at The Sequoias could provide a treatment venue and medical staff for injured Town residents, and also a place where doctors, nurses and other medical personnel could meet to help treat victims.
- **Medical Supplies:** The parties talked about a possible partnership among physicians, the Town and The Sequoias of maintaining a supply of controlled medications at The Sequoias in the event of an emergency.

- Emergency Shelter: The Sequoias might be able to provide temporary shelter and sleeping accommodations for displaced residents, because few facilities in Town can offer that.

One obvious goal, Ms. Howard pointed out, is to formalize these discussions into concrete agreements.

Mayor Toben added that while the wellbeing of its residents would be The Sequoias' first priority in the event of a disaster such as an earthquake, the Town appreciates the stance of the facility's administration in understanding that Portola Valley's ability as a Town to provide medical treatment to residents in need at the Town Center, for example, would also be viable. The idea, he said, is to systematize emergency response and plan for what will happen someday. Tom Feeney, a retired internist who lives at the Portola Valley Ranch, has been responsible for the medical mobilization there and has shared with Mayor Toben information about functions involved in ensuring that supplies are refreshed annually, that appropriate parties know which individuals will respond in the aftermath of a major event, and other steps that may be applicable to a formalized agreement between the Town and The Sequoias. This would include making sure that communications protocols are in place so that Town officials can reach The Sequoias' Citizens Emergency and Preparedness Program (CERPP) Division, which Mayor Toben noted also is ahead of the curve in many ways relative to other areas in Portola Valley. He said that it is important to align efforts of the various institutional players – local government, The Sequoias, the School District, the Priory, etc. – and reach a clear understanding of how they can support each other.

Mayor Toben said that he is encouraged by the fact that in the years he has served on the Town Council he has seen significant progress toward a greater level of emergency readiness, and is confident that progress will continue.

Vice Mayor Driscoll said that in a small town such as Portola Valley, a lot of residents may be unaware that in the event of a major regional emergency they should be prepared to be self-sufficient for a period of 72 hours. This means that everyone must take individual responsibility for being ready, and prepared to spend three days on their own, with no utilities and possibly no access to public services.

Noting that Ms. Howard's November 10, 2010 memo to the Town Council about this item pointed out the need for members of the Town Council, various commissions and committees and CERPP all be trained to perform duties if staff cannot get to work in the event of an emergency, Councilmember Derwin asked about progress in that regard. As one example, Ms. Howard cited efforts to train Councilmembers to work in the Emergency Operations Center (EOC). She also mentioned that both CERPP and the Woodside Fire Protection District are involved in emergency preparedness training programs. In response to Councilmember Wengert's question about next steps in the process of developing the mutual aid protocol with The Sequoias, Ms. Howard said that she and Mr. Kurtz will meet to come up with a letter of intent to formalize a relationship.

- (6) Discussion and Report from Councilmember Derwin – Update on the Proposed Cargill Saltworks Project [7:46 p.m.]

Councilmember Derwin said that on October 12, 2010, Redwood City's Planning, Housing and Economic Development Department released its Notice of Preparation (NOP) of an Environmental Impact Report (EIR) pursuant to the CEQA requirement for the proposed DMB Redwood City Saltworks project. The department also gave notice of three public scoping meetings. Portola Valley's Planning Department received a copy of the 82-page NOP, plus appendix, and now the time has come for the Town Council to weigh in on the document and the project itself, she said.

By way of background, Councilmember Derwin explained that the Saltworks project proposes a mixed-use development to be built on 1,433 acres of tidal marshland located on the shores of San Francisco Bay north of Redwood City and Highway 101, and southeast of Redwood Shores between Marsh Road and Seaport Boulevard. The largest untouched area considered for development in the Bay Area outside

of The Presidio, this parcel is used for salt production by Cargill Inc., a Minnesota-based agribusiness that ranks as the largest privately held company in the U.S., with \$115 billion in revenue in 2009. It would be the largest infill project in the Bay to be built in 50 years.

Before its current use, the parcel contained wetlands and salt ponds, and was defined as such in the Bay Plan, the San Mateo County General Plan, Mineral Resources map and other local, state and federal agency documents. The area supports the endangered salt harvest mouse as well as a number of birds, including the west snowy plover, the California black rail and the California clapper rail. Steelhead, Chinook salmon, green sturgeon and harbor seals also inhabit the area. The tidal marshlands not only provide habitat for plants, fish and wildlife, but natural flood protection and cleaner water.

DMB, the developer, is an Arizona-based real estate company specializing in upscale master-planned communities. As currently designed, the Saltworks project will constitute a small city that would be constructed in phases over the next 20 to 30 years, Councilmember Derwin said. The project at this time calls for 8,000 to 12,000 residential housing units in seven neighborhoods – about 30,000 people. By comparison, Menlo Park has a population of 30,648, with 28,900 in Foster City, 79,000 currently in Redwood City and about 4,500 in Portola Valley. Saltworks would contain up to one million square feet of office space, 140,000 square feet of commercial space, five schools (four elementary, one middle), a library, fire station, churches, sports field, walking and bike paths, a bayside park with an educational interpretive center, boating area, ferry terminal, and transit systems to downtown Redwood City and CalTrain. Saltworks would have three access points off Highway 101. As for traffic impacts, she said 80,000 new car trips are predicted daily, 8,000 at rush hours. The Bohannon Project in Menlo Park, which will be built a bit south of the proposed Saltworks, will worsen the traffic problems.

Since the project would be located on a tidal plane (as it is currently zoned), a massive levee would be needed. On the U.S. Geologic Survey map, the area slated for the project appears in bright red, which signifies the most dangerous in the event of an earthquake, with the ground subject to both rupture and liquefaction. The Bay Conservation and Development Commission (BCDC) recently released amendments to the San Francisco Bay Plan, in which it states that the Bay will rise by 11 to 18 inches by mid-century and 23 to 55 inches by 2100.

Cargill purchased water rights for the proposed development in 2008 from the Nickel Family Water Agency in Kern County, good for 35 years with an option for another 35 years – but the deal requires the participation and approval of other public agencies and may require infrastructure improvements as well. In addition to the purchased Kern County water, supplemental water will be needed from Redwood City. Councilmember Derwin said that stormwater runoff will increase substantially, with the addition of 223 acres of impervious-surface paved city streets, and a wastewater facility will likely be needed.

In all of her reading and note-taking about the subject, Councilmember Derwin recalled and shared some words that struck her: *As the second-largest estuary in North America, the San Francisco Bay defines the character of the Bay Area, and how we treat the Bay defines the character of our society.* So the question, she concluded, is: As a little town with a big reputation for thoughtful, environmentally friendly land use policies, what message does Portola Valley want to deliver to Redwood City about this proposed development?

Councilmember Derwin raised several other questions: Do we want to respond in writing to the NOP? If so, do we want to do so in conjunction with Woodside? Do we want to dedicate staff time to drafting a response? If so, how much time? Do we want the Conservation Committee and the Geologic Safety Committee to review and comment? Do we want to assign a Councilmember to help? Do we want to remind Redwood City of the regional visioning process they promised in January 2009? Do we want to join the ranks of Menlo Park, Belmont, St. Helena and the Midpeninsula Regional Open Space District – and to a lesser extent, Woodside and Atherton – in formally opposing or voicing grave concerns about the project by adopting a resolution?

Ms. Lambert said that Blake Lyon, a Redwood City senior planner who is serving Redwood City as the Saltworks development's project manager, has requested a meeting with Planning Department staff to go over the proposal and the environmental review process. She said that she will set up the meeting.

Considering the objections, issues, concerns and potentially fatal flaws in the forefront, Councilmember Wengert asked what rationale led to the project proposal in the first place, and the benefits it would bring in addition to economic development. In response, Councilmember Derwin said that project proponents say that it will provide much-needed housing near transit and employment centers, which will result in less driving. Residents would be living in a walkable, green community. Mostly, she said, the proposal goes to ABAG's projections on the numbers of people who will require housing over the next 30 years. Furthermore, the fact that it is a huge property would minimize the need to find vacant land for housing development that would be scattered here and there down the Peninsula.

Referring to the good questions that Councilmember Derwin posed, Mayor Toben said that he is uncertain about the direction the Council might take at this time. For now, he said, staff suggests monitoring the project while Woodside continues to take the lead. This would conserve Portola Valley's staff resources and require no specific commitment on the part of the Town Council now. Asked what her preferred course of action would be, Councilmember Derwin said that she'd like to see the Council take a formal position opposing the project in a resolution, recognizing that it would be only a symbolic gesture, to reach consensus on how/whether to respond to the NOP, and to decide how much staff time to authorize. She also wanted to hear what her colleagues on the Council are thinking.

Councilmember Wengert said that this issue seems to beg for a regional approach, since much of the argument centers on the Bay as a regional asset, and small cities and towns banding together. She asked for Councilmember Derwin's insights, as the Council's resident expert on regional politics, about any activities related to this proposal underway at county and regional levels, with C/CAG (City/County Association of Governments), Council of Cities, etc. So far, Councilmember Derwin said, "people are ducking the issue...because it's very awkward to get in the face of your neighbors."

Recapping potential approaches on the table, Mayor Toben identified 1) the staff's recommendation to follow Woodside's lead without investing staff time at this point, or 2) a formal stance in opposition to the project. After just seeing the Town Attorney, Councilmember Derwin said that perhaps the Council could discuss the formal resolution idea and come back to it in a subsequent meeting. Still, she said she believes taking a reading on what Councilmembers are thinking makes sense now. She also said that now would be the appropriate time to decide whether to go with the staff recommendation or instead to work on a response to the NOP, perhaps teaming up with Woodside but maybe also doing some extra work on our own.

Mayor Toben noted that with the item on the agenda as "discussion and report," it might be premature to extemporize on a resolution formally opposing the project at this point. Ms. Sloan said that Councilmember Derwin inferred exactly what she wanted to say; the Council's action might be expressing concerns and direct staff to draft a resolution to that end.

Mayor Toben indicated that the Town has received a number of emails from residents on this issue, as well as a draft of a letter that Jon Silver suggested sending to Redwood City.

Responding to Mayor Toben's invitation for public comments, Jon Silver, Portola Road, said that although he understands that Mr. Lyon's meeting with the Planning Department will be a staff-level meeting, he hopes the meeting will be announced and conducted openly because he would very much like to hear what Mr. Lyon has to say. Mr. Silver recalled that Mel Lane, Bill's brother, was the first chairman of BCDC, which emerged from what was probably the largest and most successful grassroots movement in Bay Area history. From the start, he said that BCDC was designed by the State Legislature to fail, to merely pay lip service to stopping Bay fill. The BCDC was so cumbersome it couldn't work – but Mel Lane made it work. Consequently, the days of turning to Bay fill to solve housing and money problems are

over, Mr. Silver said, adding that certain ideas are so bad that you don't have to study them much to know it makes no sense to spend more money studying them further.

Mr. Silver recalled a proposal that would have subdivided land in the western hills of Portola Valley and built a road through it where there were active landslides. Although the proposed road was technically feasible – with an elevated road supported by piers driven 300 feet down into bedrock – the Town rejected the proposal. Mr. Silver said that the Cargill proposal is similar – unworthy of further study. He added that when Councilmember Wengert asked why this proposal was being pursued in the first place, he wrote a large dollar sign on his notepad. "It's for money," he said, "but the days of pillaging the Bay for money ought to be over." He further said that he believes it to be incumbent on the Town Council to take a position on behalf of the people of Portola Valley and what the Town stands for, saying that Redwood City should not pursue this further. There is adequate information already in the public record showing that this project is not in the public interest.

In addition, Mr. Silver said that he believes it would be constructive and maybe even diplomatic to engage with Redwood City and if they decide go ahead with the EIR, give them a list of things to look at. In Mr. Silver's view, it does not make sense to follow Woodside's lead or to outsource a job to another community. He said that the Town could draft and pass a resolution saying that this project is obviously not in the public interest, and then comment in greater detail later. "If we can't oppose something this bad," he said, "we might as well pack it up and cash in." As for the cost, he said that response could be developed by volunteers, recalling that the Town's initial Ground Movement Potential Map was partly developed by volunteer geologists, and that the trails map was developed by the likes of Dwight Crowder, Herb Dengler and Dieter Walz on their own time. Mr. Silver said that he would be happy to lend his efforts as a volunteer. As far as the political climate goes, Mr. Silver said that politicians who aspire to higher office do not want to alienate potential contributors with deep pockets such as Cargill, so they are not speaking out against it.

Ms. Trapp, a member C/CAG's San Mateo County Congestion Management and Environmental Quality Committee and Transportation Director for the League of Women Voters, said that she has been involved in transportation and land use issues for nearly 30 years. She said that she remembers proposals for development of Bair Island. She described herself as very process-oriented, and noted that in Ms. Lambert's November 10, 2010 memorandum about the Saltworks proposal, once the current scoping period ends, the city will collate all comments and put together the next step, which is the Alternatives Development Report. A second NOP and a second round of scoping meetings will follow. This is all part of the EIR process, Ms. Trapp explained. Comments need to be registered at this stage, though; if the Town wants to participate in later rounds, is important to get in on the record at this level. That alone is reason enough to make some comment, even if it is neutral, Ms. Trapp concluded.

Annaloy Nickum, Alpine Road, acknowledged Marion Softky, who had been a long-time reporter for the *Country Almanac* before she retired, and said that Ms. Softky has some fascinating documents of the Bay Area master plan from the 1960s. She said that we wouldn't recognize the vision this plan projected, but the only reason why is that legions of people over the years fought against it and established a new vision, with Portola Valley people very much in the forefront. She urged the Town Council to take the strongest possible position and to take the lead as much as possible and pass the resolution that Councilmember Derwin suggested. Ms. Nickum said she does not know a lot about Woodside's position, but suspects that it is not as forceful as it needs to be. Accordingly, she said she wants the Town Council to continue the Town's particular vision and leadership, and pass a strong resolution in opposition to the Saltworks project.

Ms. Softky said that she has been following the Saltworks proposal, and has heard a lot of the "fairly conventional" save-it-versus-develop-it arguments. One element that has drawn little attention, though, is how the project would raise the sea level, as Councilmember Derwin pointed out. Ms. Softky said that some of the more drastic estimates in climate change would increase the sea level by 15 to 20 feet, and the water level should be a much more important part of the discussion than it has been. She cited some

excellent presentations by BCDC Executive Director Will Travis, who has said that should sea level rise we will have to spend a lot of money protecting existing infrastructure. In that context, it doesn't make sense to develop new cities in vulnerable areas that also would have to be protected.

Beverly Lipman, Favonio Road, said that long before she came to Portola Valley 20 years ago, Town residents were in the forefront of appreciating and protecting nature – which is what objection to the Saltworks project is all about. She encouraged the Town Council to oppose the proposal.

Phyllis Quilter, Sioux Way, who was the Town's first Park & Recreation Commissioner, said she wanted to second what others have said.

Ward Paine, Mapache Drive, another long-time resident, said that Portola Valley has a reputation as the best environmentally sensitive town or entity on the Peninsula – as well as the East Bay and North Bay. Portola Valley sets the example; not Portola Valley and Woodside, nor Portola Valley and Palo Alto. Portola Valley has more influence than the size of its population might imply, and what the Town does is a lot more important than what many other entities may do. Mr. Paine said that the Town Council ought to be aware of that, and that sitting on its hands, meditating, referring or deferring won't reflect well on the Town's reputation or its leadership capability.

Marilyn Walter, Coyote Hill Road, said that she concurs with Mr. Paine; this is not a time to meditate but to act.

Barbara Seipp, Cheyenne Point, strongly urged the Town Council to take whatever steps necessary to get in on the process involving the Saltworks proposal and have a voice for Portola Valley. It is important for the Council to step forward on behalf of all the citizenry, including those who did not come to this meeting. She said that she hopes to see Woodside do the same, but Portola Valley is its own valuable entity and many places want to emulate what Portola Valley does.

Mary Paine, Mapache Drive, said that two important considerations are not getting enough attention. For one thing, Cargill claims that it wants to build this project so that people can be closer to where they work, but when asked where the low-income housing will be, they said they would not be building low-income housing but rather make land available to Habitat for Humanity. Secondly, Ms. Paine said that the road that would connect Woodside Road to Marsh Road would go over the development's proposed open space; in other words, she said, a freeway would intersect the wetlands that would remain undeveloped.

Janet Larsen, former resident, said that Atherton, where she lives now, has come out in opposition to the Saltworks proposal, as has the Woodside-Atherton Garden Club and 150 elected officials, plus the Sierra Club, the Audubon Society and many others. The traffic impacts alone would be devastating, she said. It took her 30 minutes to drive from Atherton to The Sequoias because I-280 traffic was so heavy. She indicated that the NOP cutoff will come in February, and Woodside does not expect its comments to be ready until the end of January. As a leader, she added, Portola Valley should take a leadership role in strong opposition to the proposal and get it on the record very soon.

Josh Sonnenfeld is a campaign manager with Save the Bay, which has been working to protect and restore San Francisco Bay since 1961. He said that he spends much of his time working with people in Redwood City to oppose the Saltworks project, and these people are excited to have Portola Valley's involvement. Noting that many of them do not feel they have a voice in the process, he added that they are counting on Portola Valley to help give them that voice and make sure their concerns are addressed. He also expressed appreciation for everyone's involvement in this meeting, because it shows that people really do care about the Bay. Born in 1985, Mr. Sonnenfeld said that many others in his generation don't understand what it's taken to bring the Bay back from the brink. He mentioned the establishment of the Don Edwards National Wildlife Refuge, the largest wetlands restoration project on the West Coast and the second largest in the U.S. (after the Everglades) and said that it has approved the Cargill site for acquisition. As with Bair Island, he said, all that's needed to make the salt ponds part of the refuge is for

Redwood City to deny the Saltworks proposal, adhere to its general plan, meet its housing needs downtown and along El Camino Real and other transit corridors, and maintain the momentum of restoring the wetlands and improving the Bay that has been building over the past 40 years. Mr. Sonnenfeld commended the Portola Valley Town Council for even considering action in opposition to the proposal, which he described as a great and necessary step to ensure that viewpoints of the Town's residents are included in the process. He agreed with those who have said it is probably not a good tactic to wait for Woodside, and said it appears to him that Portola Valley is already at the next level, prepared to do more and make sure the regional consensus about the Bay's importance is heard before the NOP deadline (February 28, 2011).

Sandy Patterson, Stonegate Road, thanked the Council for its hard work, deliberations and thoughtful approach to its responsibilities, and urged the Council to show the leadership that it has shown in the past by taking a firm stand now against the Saltworks proposal. Negative impressions of the proposal may even influence Cargill's reaction.

Diana Schilling, The Sequoias, said she has been in Portola Valley for many years, looking at Windy Hill every day. It's there to enjoy thanks in large part to the Midpeninsula Regional Open Space District and all the effort that has gone into preserving that land and preventing overbuilding over the years. "I can't believe that we would invade the Bay," she added.

Mayor Toben closed the public comment period and said that he identified a couple of choice points: 1) to consider a resolution in opposition and/or 2) to undertake the more analytical work toward preparing a formal response to the NOP by February 28, 2011. With that, he invited feedback from the Council.

Councilmember Wengert, noting that this is clearly a precedent-setting issue for Portola Valley, said that hearing from so many residents and hearing again of historic approaches to environmental issues was very beneficial to her. In particular, she said that Ms. Softky's comments about the rising water levels in the Bay had resonated strongly with her, and that she had been concerned when she first heard of this project many years ago, even before we were aware of the impact of global warming. For these reasons, she said she favors a strong statement opposing the project and thinks the timing is right. She also agreed that Portola Valley has been an environmental leader and should continue in that role, but not by discounting the views of other communities. At the same time, she said she favors limiting staff time and out-of-pocket expenses to the extent possible, including consideration of tapping the highly talented community for volunteer help.

Councilmember Richards said he believes strongly in well-considered development projects, including housing. He said it is hard to believe that this proposal is even a possibility in this day and age, with filling the Bay over and done with in 1960. This one is so bad, he said, that he favors making a very strong statement – tonight if possible – and does not favor piggybacking with Woodside. He agreed with Councilmember Wengert that expenditures must be limited, but also said that staff should be used as needed to accomplish the job. He also said that considering Town Planning Consultant George Mader's reputation and the respect he commands, it might be good to enlist his help in some capacity.

Mindful of fiscal concerns and the fact that "the meter could run hard and fast" in working out what the Town wants to say regarding the Saltworks project, Mayor Toben added that we haven't really studied the situation to determine the cost of a full-dress analysis. He also noted that the Town will be incurring expenses in conjunction with formation of the Wireless Task Force, which was not envisioned when the planning budget was finalized. He hopes we can start with the assumption that volunteer help, as Mr. Silver suggested, will be forthcoming.

Councilmember Derwin, describing the NOP as a page-turner, said that she was even more alarmed once she finished it than she was before she started. She said she can't believe anyone would actually buy a house in a toxic area – a feature that she said she had not even mentioned yet. Access will be a nightmare. Presumably properly planned levees could deal with the anticipated rise in sea level; however,

if the levees fail in an earthquake, everything will be underwater. She added that she would commit personal funds to hiring a private investigator to find out who is being paid off if this project manages to get through all the regulatory hurdles. In conclusion, she said she believes it's pretty clear that she favors a strong stand in opposition to the project. While she also believes strongly in shared services, after listening to input tonight, she also agrees that Portola Valley should do its own response. She said that a lot can be accomplished in-house and with committee members who have expertise in various areas.

Vice Mayor Driscoll said that he took a position when he first read about the project six months ago, signing a petition in opposition. "It's pretty straightforward for me," he said, "because aside from any impacts on climate change, it just doesn't make sense to put 12,000 homes on the Bay." However, because he shares concerns about spending much taxpayer money in making a strong statement on behalf of Portola Valley, Vice Mayor Driscoll favors either joining with other agencies that oppose the project or using volunteer labor to minimize the expense.

Mayor Toben said that he is comfortable with the direction in which the Council is leaning, and also is aware that Redwood City's councilmembers face pressures that he may not fully appreciate. Redwood City faces constraints that differ from those in Portola Valley.

Calling for careful deliberation with respect to the medium as well as the message, Mayor Toben explained that he would like to build on Mr. Lyon's offer and form a Town Council subcommittee to meet with a counterpart subcommittee from Redwood City to hear their perspective. He believes it is an appropriate courtesy to let them know that Portola Valley is contemplating an aggressive public position on the issue, while being mindful of what the Redwood City officials may be thinking. Some of them may have serious misgivings about this project. As Mayor Toben put it, "It's just the better part of comity" to give them the opportunity to share their thoughts. He said he'd like to take that step to at least demonstrate respect.

Accordingly, as a sequence, Mayor Toben proposed 1) having a Council representative join the Planning Department representatives who meet with Mr. Lyon and 2) inviting a subcommittee of councilmembers from Redwood City to meet with a Portola Valley Town Council subcommittee to explain where we stand and to learn where they stand. In the meantime, he said, the Council should figure out what to assign to the Planning Department in terms of analysis for developing substantive comments in time for submission by February 28, 2011.

Mayor Toben further indicated that he envisions two documents: 1) a resolution upon which to act at the Council's December 8, 2010 meeting; and 2) following an analysis of what we might commit in terms of staff resources, comments incorporating the Town's stance by the NOP deadline.

Asked for her input, Ms. Howard said that she sees several actions: 1) Ms. Lambert meets with Mr. Lyon; 2) Ms. Howard works with the City Manager of Redwood City to set up a meeting of councilmember subcommittees from both Redwood City and Portola Valley; 3) a formal resolution strongly opposing the project goes on the Town Council agenda for December 8, 2010; 4) Portola Valley responds formally to the NOP; in preparation, Ms. Howard and Ms. Lambert determine how much input is needed from Mr. Mader and authorize the necessary work to bring back to the Town Council on either January 12 or January 26, 2011.

Mayor Toben reiterated comments from Councilmembers who expressed their appreciation for the thoughtfulness, clarity and conviction in the comments made by members of the community.

Mr. Silver said that the January dates Ms. Howard mentioned may be too late to effectively involve any volunteers in the process. He reiterated his request that meetings between Portola Valley and Redwood City representatives be announced and open to the public. Mayor Toben said that he could not commit to open meetings and does not think it is appropriate.

Vice Mayor Driscoll said that it might be appropriate to post on the Town website an invitation for people who might want to volunteer if they want to contribute input on the topic. He suggested perhaps creating an ad hoc committee including those individuals. Mayor Toben, while stressing that he does not oppose input, pointed out that ad hoc committees also take staff time to coordinate and manage.

Councilmember Derwin said that a part of the analysis that Ms. Howard and Ms. Lambert might complete for the Council would be a recommendation of how to use other outside resources. It could help in identifying the right individuals in the community – in what she envisions as a broad group – that could contribute. Mayor Toben said that the point about coordination needs emphasis; it would be better to combine our work with others. He also said that Councilmember Derwin would be the logical person to identify individuals in other jurisdictions who would be good contributors.

(7) Reports from Commission and Committee Liaisons [8:50 p.m.]

(a) Trails and Paths Committee

Vice Mayor Driscoll reported that the Trails and Paths Committee interviewed potential candidates at its November 9, 2010 meeting. He said that he is very impressed by the number of people who are turning out for the nine seats on the Committee. The Mayor and Vice Mayor have about 15 interviews scheduled, including all of the new applicants and all of the incumbents.

(b) Library JPA Governing Board

Councilmember Derwin said that a strategic plan update, budget strategy sessions, the new bookmobile, the recently launched Spanish website and a Food for Fines program were among the items discussed at the recent San Mateo County Library Joint Powers Authority meeting. The first budget strategy session will be held in December. The new bookmobile, which will be launched soon to serve communities that the library doesn't serve, is equipped with a wheelchair lift and features green technology – solar power for electronics, hybrid battery and biodiesel. In Food for Fines, the library will collect nonperishable foods instead of fines for overdue books between November 15 and December 31, 2010.

Councilmember Derwin also reported that for the first time in the history of the San Mateo County Library, a county librarian – Maeve Visser Knoth – was named to serve on the Newbery Award selection committee, a prestigious honor. Also, Portola Valley's library can probably expect higher volume soon, as the Woodside Library will close for renovations from January through March 2011.

(c) Sustainability Committee

Councilmember Derwin indicated that the Sustainability Committee discussed the energy upgrade program at its recent meeting. Acterra finally signed the contract, so they'll be ready to go for their part in the retrofits. The Sustainability Committee received updates from its three subcommittee groups – Focus Group Marketing, Smart Strips and Trip Advisor.

(d) Architectural and Site Control Commission (ASCC)

Councilmember Derwin reported that the ASCC held a field meeting at the Cal Water property where the T-Mobile wireless antenna will reside and decided on a specific location at the site (slightly uphill from the previously designated spot, a little closer to the Kelly residence and a little farther from the Vedders but pretty much equidistant from the two). The ASCC also decided on a 55-foot-tall faux tree and generational plantings. Councilmember Derwin also noted that one of the landscape architects being considered for the project, Tom Klope, was at the site and offered a number of good ideas.

(e) Planning Commission

Councilmember Richards said that the Planning Commission held a study session at its November 3, 2010 meeting, reviewing the proposed update to the General Plan's Housing Element. The topic that generated the most discussion centered on State requirements for housing agricultural workers.

(f) Community Events Committee

Councilmember Wengert reported that the Community Events Committee has finalized plans for the Volunteer Appreciation Holiday Party, which is slated for Friday, December 3, 2010. The Committee has received an application from a prospective new committee member, Meghan Sweet, and is on the lookout for additional recruits.

WRITTEN COMMUNICATIONS [8:58 p.m.]

(8) Town Council 10/29/2010 Weekly Digest – None

- (a) #1 – E-mail to Town Council from Sharon Driscoll regarding donations from the Teen Committee of \$100 to Bill Lane's Memorial Fund for Open Space and \$100 to San Bruno Fire Victim Relief Fund – October 28, 2010

Ms. Howard will move this item to the next Council agenda while clarifying whether the Teen Committee is requesting the Town to make these donations from the General Fund or from the proceeds of its most recent dance. As Mayor Toben pointed out, there are constraints as to what donations can be made from the General Fund if they weren't previously budgeted.

(9) Town Council 11/5/2010 Weekly Digest – None

ADJOURNMENT: [9:00 p.m.]

Mayor

Town Clerk