



TOWN OF PORTOLA VALLEY

7:30 PM – Regular Town Council Meeting

Wednesday, January 26, 2011

Historic Schoolhouse

765 Portola Road, Portola Valley, CA 94028

REGULAR MEETING AGENDA

7:30 PM – CALL TO ORDER AND ROLL CALL

Vice Mayor Derwin, Mayor Driscoll, Councilmember Richards, Councilmember Toben, Councilmember Wengert

ORAL COMMUNICATIONS

Persons wishing to address the Town Council on any subject may do so now. Please note however, that the Council is not able to undertake extended discussion or action tonight on items not on the agenda.

- (1) **PRESENTATION** - Report from Brandi de Garneau, Sustainability & Resource Efficiency Coordinator, and the Sustainability Committee, with "Introduction to Energy Upgrade Portola Valley: Background, Marketing & Project Plan"

CONSENT AGENDA

The following items listed on the Consent Agenda are considered routine and approved by one roll call motion. The Mayor or any member of the Town Council or of the public may request that any item listed under the Consent Agenda be removed and action taken separately.

- (2) **Approval of Minutes** – Regular Town Council Meeting of January 12, 2011
- (3) **Approval of Warrant List** – January 26, 2011
- (4) **Recommendation by Town Attorney** – Adopt Ordinance Amending the Conflicts of Interest Code
 - (a) Second Reading of Title, Waive Further Reading, and Adopt an Ordinance of the Town Council of the Town of Portola Valley Amending the Appendix to Chapter 2.36 [Conflicts of Interest] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code (Ordinance No. __)
- (5) **Recommendation by Planning Manager** – Adopt Amendments to the Zoning Ordinance to Implement portions of the Town's Housing Element.
 - (a) Second Reading of Title, Waive Further Reading, and Adopt an Ordinance of the Town Council of the Town of Portola Valley Amending Title 18 [Zoning] of the Portola Valley Municipal Code to reflect the Updated Housing Element (Ordinance __)

REGULAR AGENDA

- (6) **Recommendation by Planning Manager** – Adoption of a Resolution in Opposition to the Proposed Cargill Saltworks Project, Amending Resolution 2509-2010 and Discussion of a Formal Response to the Notice of Preparation
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Conveying to the City of Redwood City the Town Council's Opposition to the proposed DMB Redwood City/Saltworks Project as presented in the Notice of Preparation and Support of the Restoration of the Cargill Salt Ponds and their Inclusion in the Don Edwards National Wildlife Refuge (Resolution No. __)
 - (b) Discussion of Formal Response to Notice of Preparation for proposed Cargill Saltworks Project
- (7) **Recommendation by Planning Manager** – Authorization to become a member of the Countywide Sub-Region to Administer the ABAG's Regional Housing Needs Allocation Process (RHNA) as part of the regional Sustainability Communities Strategy
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing the Town of Portola Valley to Become a Member of a Countywide Sub-Region, an Entity that would Locally Administer ABAG's Regional Housing Needs Allocation Process (RHNA) (Resolution No. __)
- (8) **Recommendation by Assistant Town Manager** – Ford Field Refurbishment Project
 - (a) Entering into an Agreement with Carducci & Associates for Completion of Design Work for the Ford Field Refurbishment

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

- (9) **Recommendation by the Trails and Paths Committee** – Proposed change to Committee Charter
- (10) **Appointment by Mayor** – 2011 Commissions and Committees
- (11) **Appointment by Mayor** – 2011 Commission and Committee Council Liaisons
- (12) **Reports from Commission and Committee Liaisons**
There are no written materials for this item.

WRITTEN COMMUNICATIONS

- (13) **Town Council Weekly Digest** – January 14, 2011
- (14) **Town Council Weekly Digest** – January 21, 2011

CLOSED SESSION

(15) **REAL ESTATE NEGOTIATIONS**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8
 Property: Blue Oaks Lots 23, 24, 25 and 26
 Negotiators – Town Attorney and Town Manager

REPORT OUT OF CLOSED SESSION

ADJOURNMENT

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

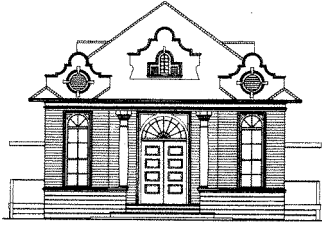
Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley Library located adjacent to Town Hall. In accordance with SB343, Town Council agenda materials, released less than 72 hours prior to the meeting, are available to the public at Town Hall, 765 Portola Road, Portola Valley, CA 94028.

SUBMITTAL OF AGENDA ITEMS

The deadline for submittal of agenda items is 12:00 Noon WEDNESDAY of the week prior to the meeting. By law no action can be taken on matters not listed on the printed agenda unless the Town Council determines that emergency action is required. Non-emergency matters brought up by the public under Communications may be referred to the administrative staff for appropriate action.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only issues you or someone else raised at the Public Hearing(s) described in this agenda, or in written correspondence delivered to the Town Council at, or prior to, the Public Hearing(s).



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

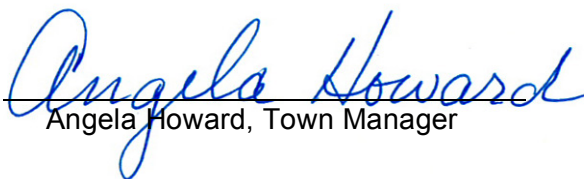
FROM: Brandi de Garneau, Sustainability & Resource Efficiency Coordinator;
Town Sustainability Committee

DATE: January 26, 2011

RE: Introduction to Energy Upgrade Portola Valley: Background, Marketing & Project Plan

The Sustainability Committee and I would like to present the attached program plan for Energy Upgrade Portola Valley – Portola Valley’s new home energy assessment and upgrade campaign!

The program background, marketing strategy and project plan for Energy Upgrade Portola Valley will be presented at the Council Meeting on January 26, 2011. The Sustainability Committee and I look forward to your response and feedback.

Approved: 
Angela Howard, Town Manager

Attachments

- Attachment 1: Portola Valley Systems and Solutions Matrix for Greenhouse Gas Emissions Reductions
- Attachment 2: Driving Demand for Home Energy Improvements – Executive Summary & Key Lessons for Program Designers

ENERGY UPGRADE PORTOLA VALLEY PROGRAM PLAN

DRAFT FOR COUNCIL REVIEW - JANUARY 2011

For more information, please contact

Brandi de Garneau, Sustainability & Resource Efficiency Coordinator, Town of Portola Valley

PROGRAM SUMMARY

Portola Valley is undertaking an Energy Upgrade Portola Valley campaign! In March 2010, the Town of Portola Valley (Town) formed a Sustainability Committee (Committee) to develop a program that encourages residents to complete energy and water efficiency upgrades on their homes. The Committee has spent the last nine months studying principles of community-based social marketing and conducting market analysis to develop a program that delivers a consistent message while encompassing the Energy Efficiency and Conservation Block Grant (EECBG) funded program, Acterra Green@Home High Energy Home (Acterra HEH), and the Energy Upgrade California program.

The main objective of Energy Upgrade Portola Valley is to reduce greenhouse gas emissions in the residential sector. To achieve this objective, the Committee has developed a multi-faceted marketing strategy targeted at identified innovators in Portola Valley and designed to build market demand. The initial aim is to find 90 homes that will undertake energy upgrades as part of San Mateo County's 1,000 home initiative and 150 "high energy"-using homes to complete energy improvements as part of the Acterra HEH by March 2012. The marketing strategy for Energy Upgrade Portola Valley includes three primary components:

- 1) Peer-to-peer contact through identified town leaders to influence their neighbors to complete an energy upgrade
- 2) Contractor/agency/merchant partnerships to deliver a consistent marketing message that encourages upgrades while residents are making a major purchase or renovation decision
- 3) Community-wide umbrella marketing campaign including smart strip incentive to generate program awareness and "buzz."

BACKGROUND

In October 2007, the Council adopted a resolution in support of Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. From October 2006 through December 2008, the Town's Climate Protection Task Force met regularly in sub-committees and plenary group to work on recommendations for a comprehensive energy savings plan for the Town. In January 2009, the Federal Government

Energy Upgrade Portola Valley Program Plan

created a stimulus program aimed at reducing energy use and reigniting the economy. The stimulus funds changed the landscape for implementing an energy efficiency program and, as a result, most local home energy improvement companies changed their business models. In March 2010, the Town formed a Sustainability Committee whose primary mission is to develop an energy and water efficiency upgrade program that takes advantage of available funding and ensures residents receive a consistent and compelling message.

PROGRAM FRAMEWORK

Energy Upgrade Portola Valley Framework

Acterra Green@Home High Energy

- for homes that have an average monthly PG&E bill of \$525 or more
- focused on "plug loads"
- will refer residents to in-home assessment if analysis shows opportunity for energy savings

Energy Upgrade California

- standardizing retrofit package (does not include water conservation directly)
- training and certifying contractors
- rebates through PG&E

Web-Based Audit (150)

Who: Acterra
Cost: Paid for by Town's EECBG grant
Rebate: n/a

Analysis: Analysis of last 12 months of gas and electricity data together with characteristics of home (e.g. occupancy, sq ft, pool) and seasonal anomalies

Through this analysis identify how much energy is going to these four categories:

- heating/cooling
- water heating
- standby/base loads = on all the time (e.g. cable box)
- variable/plug loads = intermittent (e.g. coffee maker)

Upgrade: specific recommendations for each category based on findings (e.g. plug loads addressed with smart strips); referral to Energy Upgrade for customers with relevant issues.

Basic Package Measures "Prescriptive"

Who: BPI Certified Contractor to Perform Combustion Safety Test
Cost: Varies by contractor
Rebate: \$1,000

Analysis: Blower door and duct blaster test

Upgrade:

1. Air sealing
2. Attic insulation
3. Duct test and seal
4. Domestic hot water heater pipe wrap insulation
5. Low-flow showerhead with, or in addition to, thermostatic valve control
6. Combustion Safety Test (pre-work and post-sealing)

Advanced Package "Performance"

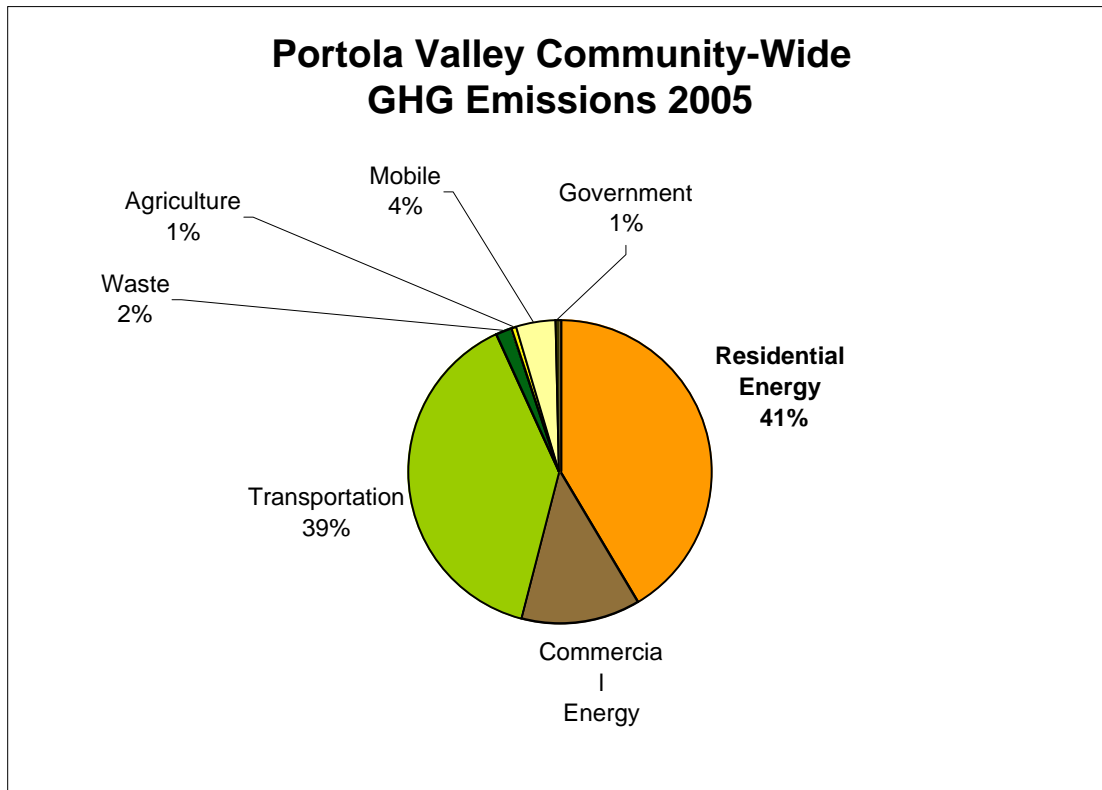
Who: BPI Certified Contractor
Rebate: Up to \$4,000; rebate amount is determined by the specified reduction in your home's energy consumption

Analysis: In-home energy assessment; required savings reduction will be based on a comparison of your home's energy/thermal usage prior to and following completion of improvements

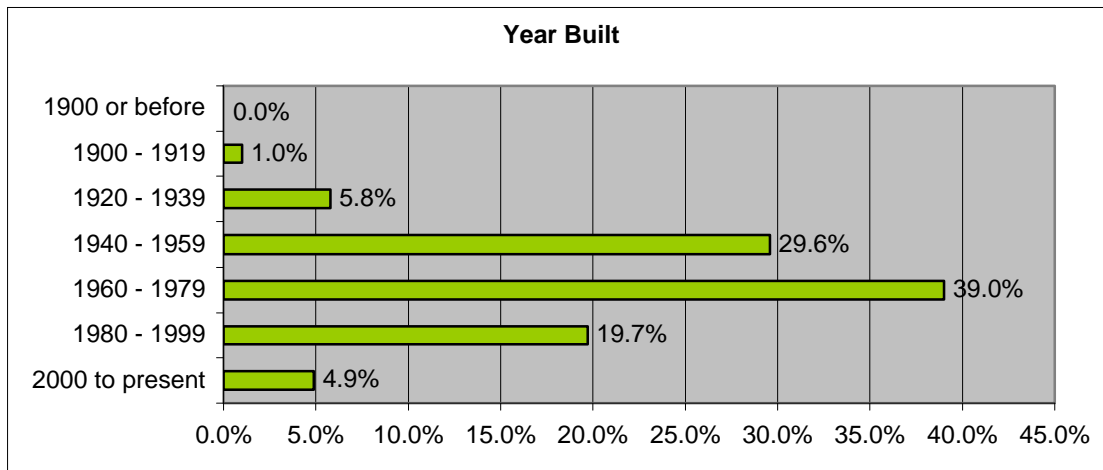
Upgrade: 6 measures from Basic Package (as feasible) plus additional measures determined by assessment (e.g. wall insulation, proper sizing of HVAC systems, energy efficiency windows)

RESIDENTIAL SECTOR AS A TARGET

In October 2007, the Metrics Sub-committee of the Climate Protection Task Force completed a preliminary, community-wide greenhouse gas emissions inventory that revealed the residential sector as prime target for emissions reductions. This was confirmed by the 2005 baseline community-wide inventory completed by the County in March 2010. Note in the chart below that 41% of community-wide emissions are attributed to the residential sector.



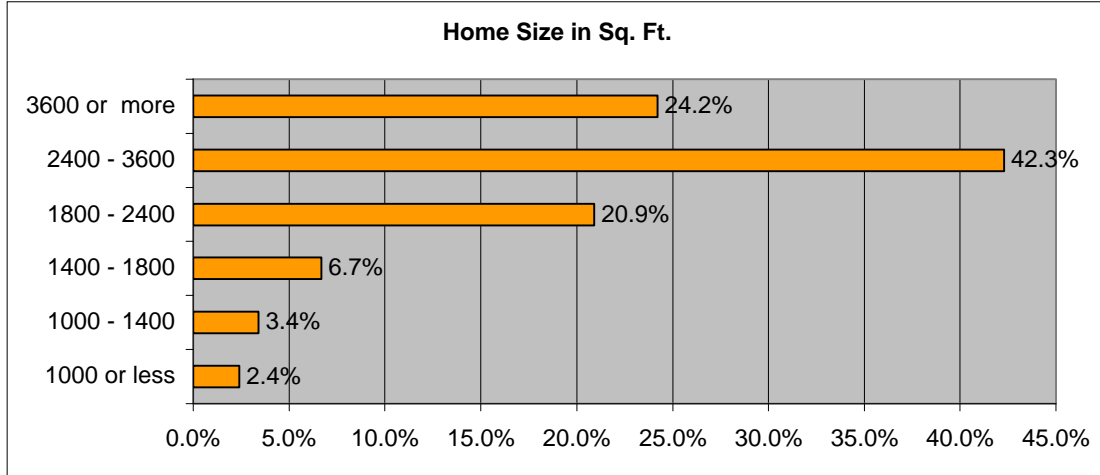
In Portola Valley, the existing housing stock in particular is ripe for implementing energy- and water-saving measures and will be targeted through the Energy Upgrade California Basic and Advanced Packages. The graph below shows that ~75% of the housing stock was built before the Energy Efficiency Standards for Residential and Nonresidential Buildings were established in 1978 (a.k.a Title 24, Part 6, “Energy Code”). The actual percentage is more likely 60 – 65% due to the number of homes that are torn down and rebuilt each year.



Source: http://www.zillow.com/local-info/CA-Portola-Valley-homes/r_16583/

Energy Upgrade Portola Valley Program Plan

In the graph below, note that Portola Valley also has a high percentage of larger homes, which correlates with the percentage of homes built under the Energy Code. While these larger homes may have been built to more stringent energy efficiency standards, they typically have more “plug loads,” such as multiple television sets or specialty appliances. The Acterra HEH program will target these larger, high-energy using homes.



Source: http://www.zillow.com/local-info/CA-Portola-Valley-homes/r_16583/

RECENT ACTIVITIES AND ACHIEVEMENTS

As is demonstrated in the comprehensive list below, the Town is committed to reducing greenhouse gas emissions across all sectors both community-wide and in government operations. Included in the Appendix is a matrix of the Town Systems and the associated emissions reduction efforts. Staff and Town Committees are focusing on measures that will have lasting impact on energy and water use. Outlined below are highlights of recent efforts:

- From 2005 to 2009, Portola Valley achieved a 3.41% reduction in community-wide electricity use (includes residential, commercial and government).
- In December 2010, the Town fully implemented a procedure for “Paperless” Town Council Agenda Packets.
- In July 2010, the Town adopted a Green Building Ordinance that includes commercial and residential new construction, additions and remodels.
- In June 2010, the Town collaborated with California Water Services, the Holland/Yates Family and Earth Saver’s Club For Kids, to install a native sod demonstration plot at the Town Center.

Energy Upgrade Portola Valley Program Plan

- In May and June 2010, the Town's Safe Routes to School Coalition reported to the Town Council and Portola Valley School Board on recommendations gathered from a parent survey that would increase biking, walking, busing and carpooling to school. As a result, the Town made significant improvements to the trails, the School District joined an innovative program called CarpooltoSchool.com and the Coalition created guides on car-less alternatives for getting to school including a new Safe Routes to School map.
- In May 2010, the Town Hall and Library were certified as green businesses by the Bay Area Green Business program.
- In March 2010, the Town recruited 10 volunteers forming a Sustainability Committee to assist in meeting its greenhouse gas emissions reduction targets; the Committee includes the Sustainability Coordinator, a Town council member and a representative from Acterra.
- In March 2010, the Town adopted a Water Conservation in Landscaping Ordinance to reduce outdoor water use. The Town's Ordinance allows less turf than the California State Ordinance. The Town also adopted an Indoor Water Ordinance to address indoor water use.
- In November 2009, the Portola Valley Town Center was certified as a LEED Platinum project, the highest green building standard.
- In January 2009, the Town Council adopted a Sustainability Element as an amendment to the General Plan. The Sustainability Element includes six overarching goals with objectives, and illustrative policies and practices organized under: Transportation, New Buildings, Existing Building Stock, Water Resources, Living Environment and Community Education and Involvement.
- In April 2009 and 2010, the Town hosted an Annual Earth Day Fair to provide the community with the tools and resources they need to make their homes more efficient, to conserve resources and to live more sustainably
- In the Fall 2008, the Town hosted a Green Speaker Series focusing on global issues featuring three world class speakers. In 2009 and 2010, the Town hosted speaker series focusing on local issues featuring thirteen leaders in the Bay Area.

For a complete chronology of climate protection initiatives in the Town, visit:

<http://www.portolavalley.net/index.aspx?page=253>

VISION AND OBJECTIVES

OVERARCHING VISION

- Assist Portola Valley residents in saving energy and money and increasing the comfort and health of their homes
- Position Portola Valley as a leader in reducing greenhouse gas emissions to meet adopted AB 32 reductions targets
- Support and actively participate in the statewide Energy Upgrade California program and regional energy reduction efforts in the residential sector

OBJECTIVES

The following objectives are based on the Sustainability Committee's analysis of issued permits and the home energy improvements that need to be completed by 2020 to meet the Town's greenhouse gas emissions reduction goals for the residential sector. The Town will create a new permit for the Basic & Advanced Energy Upgrade packages, which will be tracked through the permit database. The Sustainability Committee will set interim targets, to evaluate program strategies and adjust as necessary to meet program goals.

- Engage residents in up to 150 Acterra Green@ Home High Energy Home Assessment and implement measures that will result in a 25,000 kWh¹ total reduction per year by December 31, 2011. Interim targets to be set and monitored on May 30, 2011 and August 30, 2011.
- Engage residents in home energy improvements utilizing the Energy Upgrade California rebate program to complete at least 40 "Advanced Package" upgrades and 50 "Basic Package" upgrades by December 31, 2011. In addition, encourage residents to install 200 smart strips and 100 CFL bulbs by December 31, 2011. Interim targets to be set and monitored on May 30, 2011 and August 30, 2011.
- Create market demand to engage residents in completing the following home energy improvements by December 31, 2020, which will reduce greenhouse gas emissions by ~2,058 tons per year and meet the AB 32 goal of 1990 emissions levels by 2020 (in the residential sector).

¹ This is the goal required by the California Energy Commission, 1 kWh/year reduction for every dollar spent. Portola Valley was allotted \$25,000 through the Energy Efficiency and Conservation Block Grant for small cities.

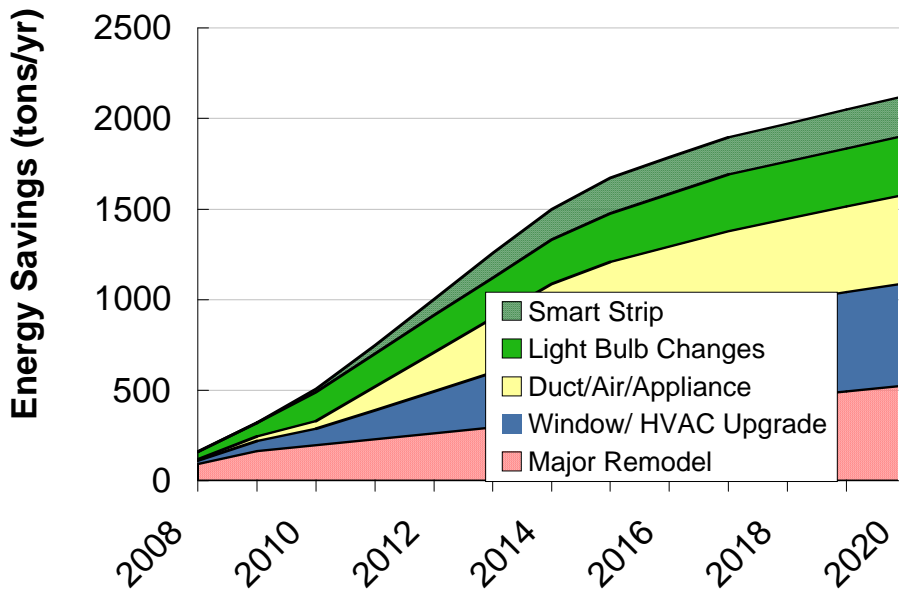
Energy Upgrade Portola Valley Program Plan

Year	Major Remodel	Advanced Package: Window/HVAC Upgrade	Basic Package: Duct/Air/Appliance	Smart Strip	Light Bulb Changes
2011	10	40	50	200	100
2012	10	40	50	300	100
2013	10	40	50	300	100
2014	10	40	50	200	100
2015	10	40	10	200	100
2016	10	20	10	30	100
2017	10	20	10	30	100
2018	10	10	10	30	20
2019	10	10	10	30	20
2020	10	10	10	30	20
	100	310	280	1460	1310

Source: Stefan Unnasch, Sustainability Committee

GOAL SETTING

The specific objectives for the Energy Upgrade Portola Valley are based on data analysis conducted by Sustainability Committee Member, Stefan Unnasch, who also completed the greenhouse gas emissions inventory for the Climate Protection Task Force Metrics Sub-Committee. The energy savings and associated greenhouse gas emissions reductions have been calculated for the listed measures. The cumulative total of the measures listed in the goal is illustrated in the graph below. Note that the reductions add up to the goal of 2,058 tons CO2 per year reduced. The goals for the Acterra HEH are based on \$25,000 in EECBG funds the Town designated to Acterra as the primary applicant.



Source: Stefan Unnasch, Sustainability Committee

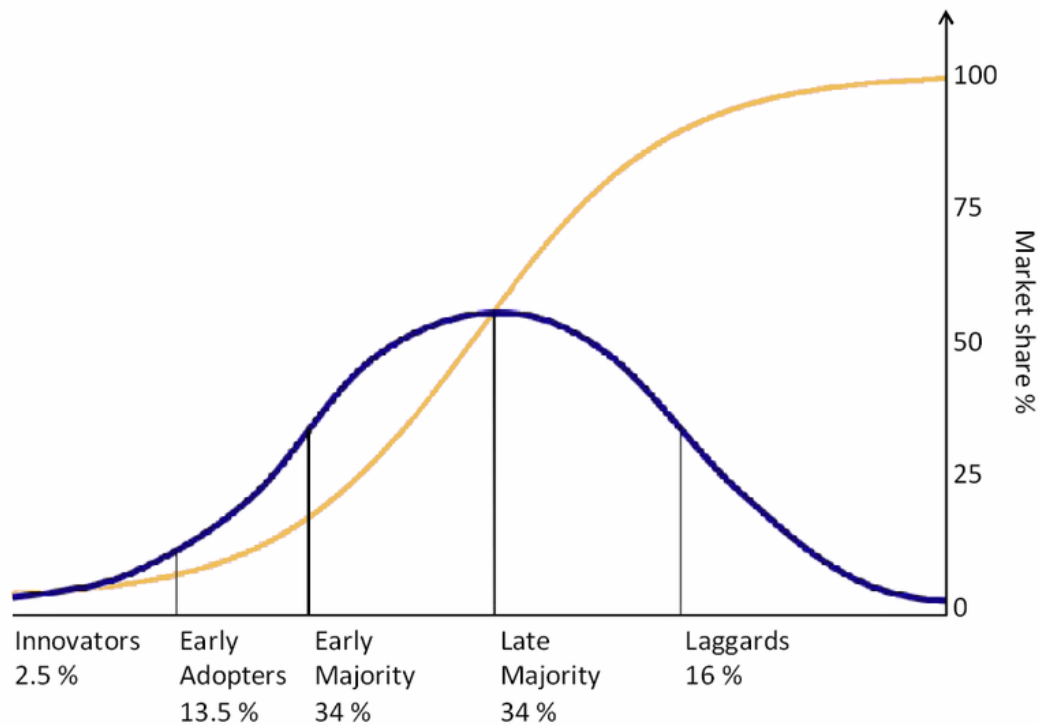
RESEARCH/MARKET ANALYSIS

Over the last nine months, the Committee has conducted extensive research and market analysis to determine the target audience for Energy Upgrade Portola Valley. This research has included a detailed study of community-based social marketing techniques using Doug McKenzie-Mohr's book, "Fostering Sustainable Behavior," the recent report from the Berkeley Lab – Driving Demand for Home Energy Improvements (Driving Demand), insights from the 2010 Behavior in Energy and Climate Change Conference and findings from Strategic Business Insights (SBI) on the results of their market research for San Mateo County (as well as participation in an "ideation" workshop). In addition, the Committee learned of relevant barriers and benefits to its residents in a Focus Group held in December 2010 with homeowners who had not completed an energy assessment or upgrade.

Multiple sources site "Innovators" as the best target for implementing energy efficiency programs – the Driving Demand report, Fostering Sustainable Behavior and David Gershon, author of Low Carbon Diet and Empowering Change. Below is a graph that shows the pattern of adoption for new technologies according to Everett Rogers, author of "The Diffusion of Innovations." SBI also concluded in its market research that Innovators are the best targets for the Energy Upgrade California program. SBI has a framework for segmenting adults in eight distinct types using a specific set of psychological traits and key demographics that drive consumer behavior, called VALS segments. Using extensive survey data, SBI mapped the VALS segments for San Mateo County. According to this "GeoVALS" data, Portola Valley has the highest percentages of Innovators in San Mateo County – 49%.

Each member of the Sustainability Committee took the VALS survey and scored either Innovator/Thinker or Innovator/Achiever. The Committee then studied the results of the SBI research and held several brainstorming sessions to develop a comprehensive list of over 100 names of town leaders and Innovator types including neighborhood and local networks. The first component of the marketing strategy for Energy Upgrade Portola Valley will engage this list of Innovators in energy assessments and upgrades and then promote the program through direct contact with their peers – other Innovators. Innovators are most receptive to green products and services. In an initial Pilot Program, we will test three messages to entice Innovators to attend a meeting at a neighbor's home. The partnership component of the Energy Upgrade Portola Valley is designed to help ensure that the Innovators have a positive experience with their energy upgrade and are willing to model their success through stories at events and marketing media, encouraging the next group – Early Adopters – to participate.

Diffusion of Innovations, According to Everett Rogers



In the graph above, the solid blue line represents groups of consumers adopting technology and the yellow line represents the total market share of the innovation.

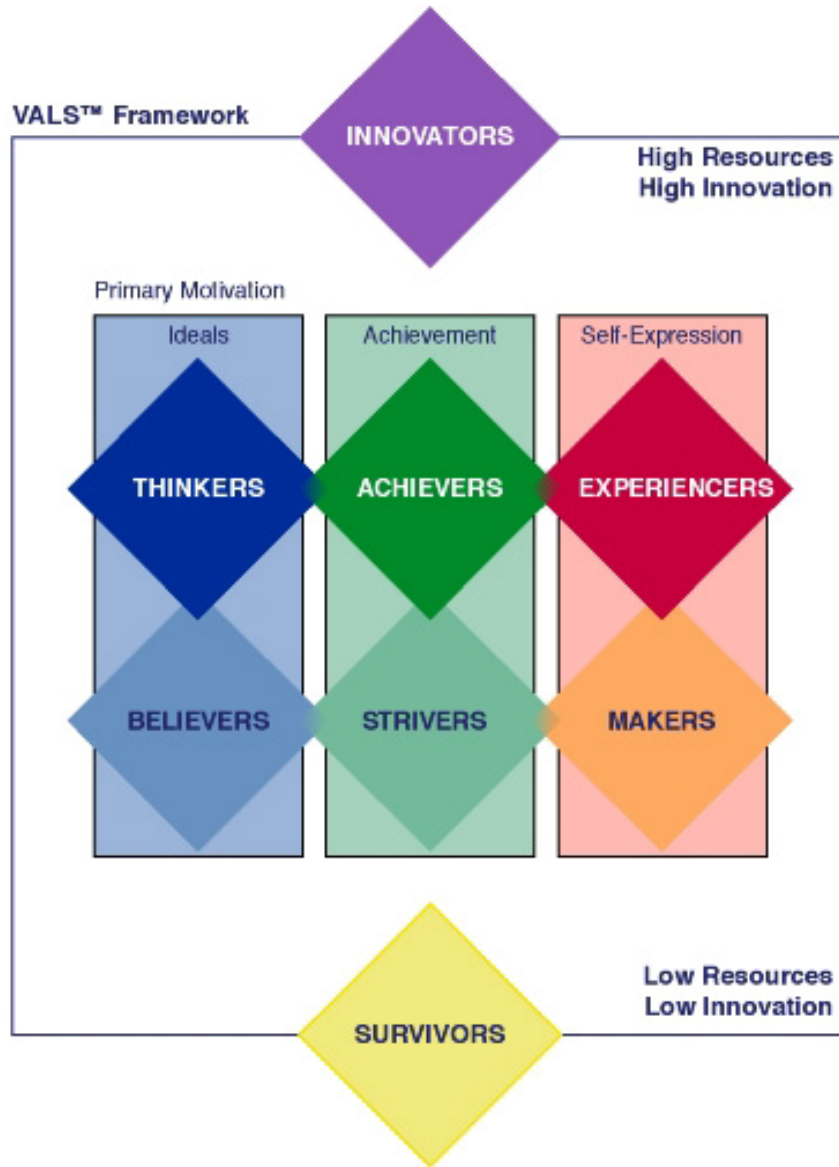
Source: Image created by Tungsten, Wikimedia Commons

INNOVATOR PROFILE

Innovators are successful, sophisticated, take-charge people with high self-esteem. Because they have such abundant resources, they exhibit all three primary motivations in varying degrees. They are change leaders and are the most receptive to new ideas and technologies. Innovators are very active consumers, and their purchases reflect cultivated tastes for upscale, niche products and services.

Image is important to Innovators, not as evidence of status or power but as an expression of their taste, independence, and personality. Innovators are among the established and emerging leaders in business and government, yet they continue to seek challenges. Their lives are characterized by variety. Their possessions and recreation reflect a cultivated taste for the finer things in life.

Energy Upgrade Portola Valley Program Plan



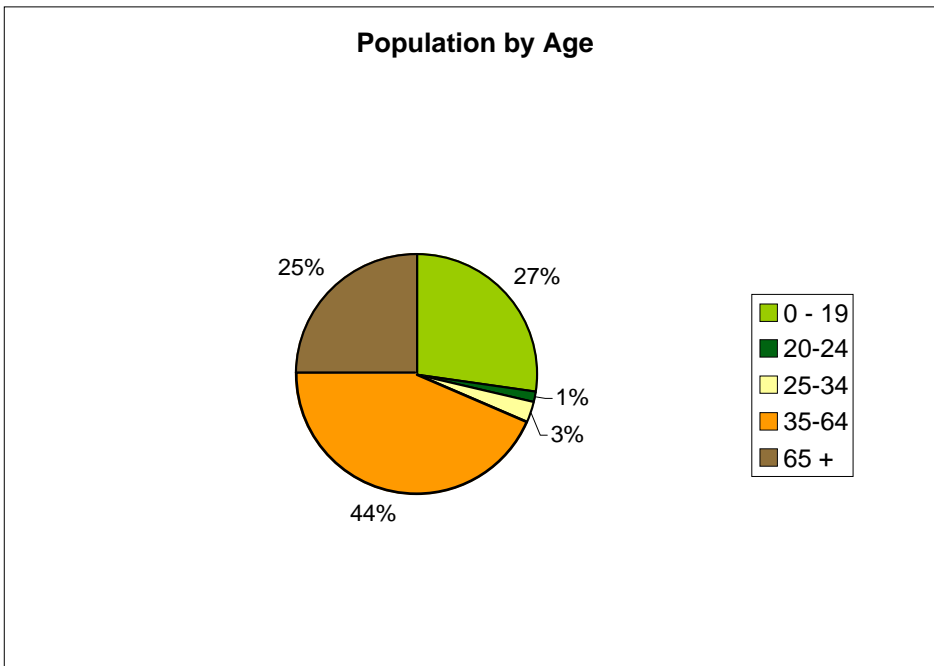
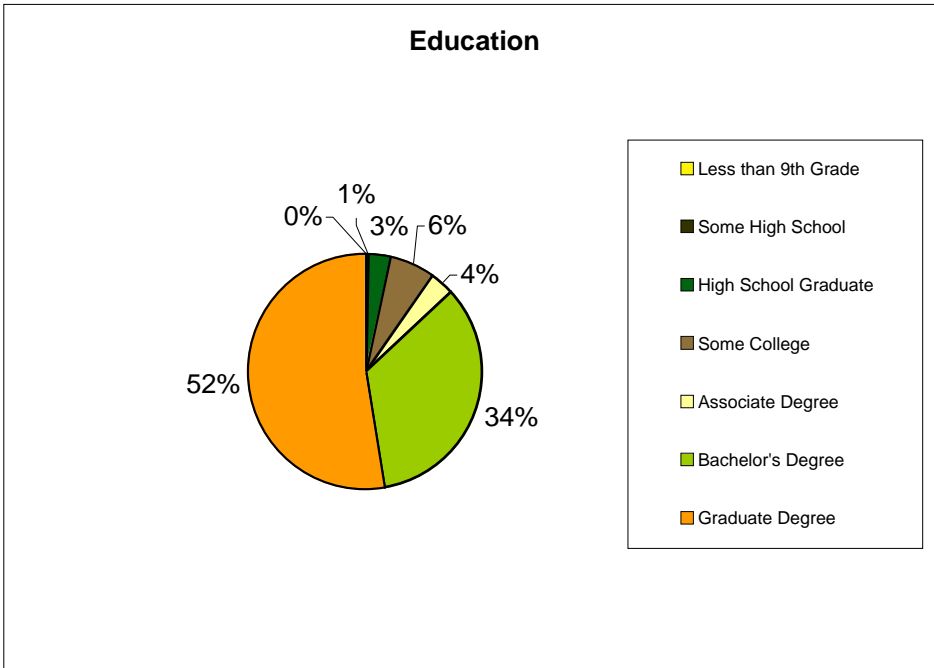
Source: SBI <http://www.strategicbusinessinsights.com/vals/ustypes/innovators.shtml>

DEMOGRAPHICS AND MARKET SIZE

- Number of homes in Portola Valley in 2010: 1,768
- Innovator Demographics
 - 10% of U.S. adults; 12% of California adults
 - Median age: 45
 - Highest education: Bachelor's degree = 32% Postgraduate = 61%
 - Highest median household income = \$121,000
 - Own home = 81%

Energy Upgrade Portola Valley Program Plan

- Population in Portola Valley by Education & Age



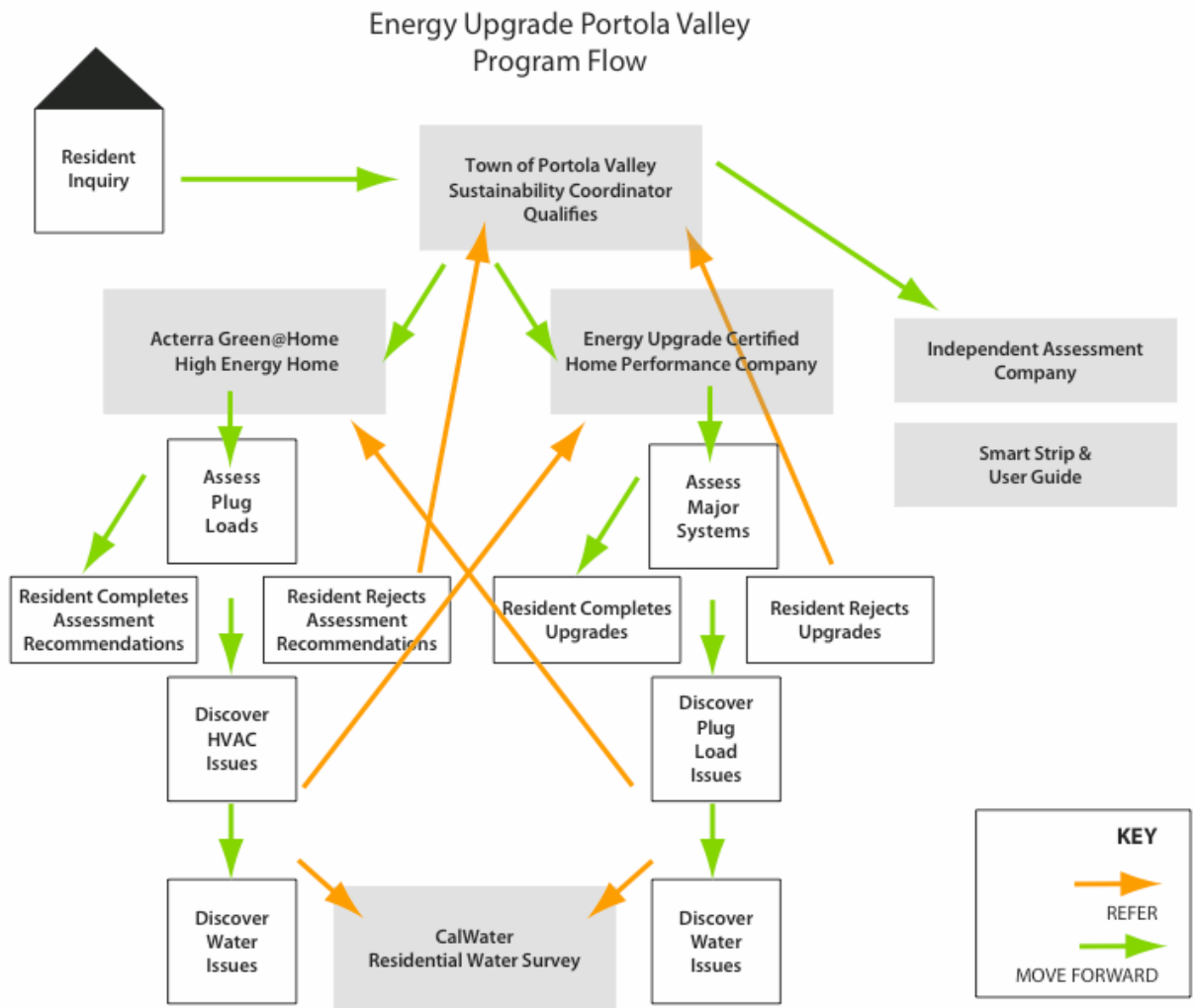
Source: U.S. Census Bureau, 2005-2009 American Community Survey

Energy Upgrade Portola Valley Program Plan

PROGRAM DESIGN

The Sustainability Committee has developed a program design that not only overcomes the challenge of incorporating two unique assessment and upgrade programs, it also draws on the complementary strengths of each program, it engages additional partner agencies and provides the most comprehensive service possible to Portola Valley residents. As shown in the diagram below, the Sustainability Coordinator will act as the portal for residents interested in getting a home energy assessment and upgrade. This will enable screening of residents for the Acterra HEH program and guiding them to the program that best meets their expressed needs.

The second element of the program design engages the companies who are certified to perform assessments and upgrades for Energy Upgrade California. The Town will send a Letter of Interest to the certified home performance companies inviting them to partner with the Town to provide additional information to residents on CalWater’s residential water survey, referrals to the Acterra HEH, provide feedback on leads generated from the Town, provide aggregate reports on findings and offer a reduced assessment fee to residents of Portola Valley.



MARKETING STRATEGY

Energy Upgrade Portola Valley employs a multi-faceted marketing strategy designed to ensure repeated consumer “touch,” remove specific barriers, increase benefits, measure and analyze results, adapt as necessary to meet the program goals and motivate continued demand for home energy upgrades. According to Berkeley Lab’s report, *Driving Demand for Home Energy Improvements*, “The majority of people need to be exposed to a product message at least three times on separate occasions to buy into it...It is important to layer traditional and non-traditional marketing and outreach strategies to deliver multiple customer touches in a comprehensive way that builds program awareness and drives residents toward investing in home energy improvements.”² The marketing strategy for Energy Upgrade Portola Valley includes three primary components:

- 1) Peer-to-peer contact through identified town leaders to influence their neighbors to complete an energy upgrade
- 2) Contractor/agency/merchant partnerships to deliver a consistent marketing message that encourages upgrades while residents are making a major purchase or renovation decision
- 3) Community-wide umbrella marketing campaign including smart strip incentive to generate program awareness and “buzz.”

In the first component of marketing strategy, town leaders will get a home energy assessment, complete an energy upgrade and then invite their neighbors to their house to learn about their experience. Leaders will also act as the “eyes and ears” of the program, providing timely feedback and explaining the program to their peers. “Research shows it is more effective to use direct, personalized information provided by relevant role models, direct contact with consumers and outreach through local networks.”³ This approach will be piloted with three to five town leaders to test specific messages and strategies for bridging the gap between the assessment and upgrade. The Pilot Program will also study the specific barriers at each step in the process. Materials will include: smart strips and user guide, CFLs, appliance timers and energy monitoring device.

For the second component of the marketing strategy, the Town will develop partnerships with contractors, agencies and local merchants to deliver specific marketing messages to residents when they are making a major purchase (e.g., furnace replacement) or renovation decision. According to *Driving Demand*, “High energy use is not a problem that most people are actively looking to solve. Instead,

² *Driving Demand for Home Energy Improvements*; Fuller, M., C. Kunkel, M. Zimring, I. Hoffman, K.L. Soroye, and C. Goldman. LBNL-3960E. September 2010. p. 60.

³ *Driving Demand*, p. 21.

Energy Upgrade Portola Valley Program Plan

identify a problem that the customer actually has. Hit a “touch point” that they are thinking about already.”⁴ Town Staff has identified the most frequently permitted projects and is developing “Did You Consider” flyers to educate residents on potential energy savings opportunities to consider during the decision-making process. In addition, the Sustainability Committee has identified common “touch points” and potential partners that would interact with residents to address the touch points. The Town will employ a marketing trainer to conduct a workshop for partners that includes training on how to market energy upgrades to homeowners, delivering a consistent marketing message, information on the Energy Upgrade California program including available rebates and the Town’s permitting process. Materials will include: Did You Consider flyers, program flyers, rebate information and “Answer” reference card including marketing message and commonly asked questions.

The third main component of the marketing strategy is an umbrella advertising campaign to build community “buzz” and program awareness through traditional media outlets (e.g. local paper, direct mail and flyers), online and social media (e.g., community listserv, Facebook), targeted emails to residents subscribed to the Green Events email list, outreach at community events (e.g., Earth Day Fair), and panel discussions with home energy improvement companies and local leaders. This component also includes a Home Energy Detective Loaner Kit to build awareness of one’s home and an incentive for the first 50 residents who apply for a permit and receive final inspection for the Basic or Advanced Package. Materials include: Home Energy Detective Loaner Kit, smart strips and user guide, banners, post cards and program flyers.

⁴ Driving Demand, p. 48.

Energy Upgrade Portola Valley Program Plan

POTENTIAL PARTNERS AND CHANNELS OF DISTRIBUTION

The matrix below illustrates the identified “touch points,” partners and potential distribution strategies for delivering the marketing message to both the contractor and their customers.

Hot Issue/Touch Point	Trigger	Partners	Distribution Strategies
Comfort	too cold/hot	Acterra	Agencies
Duct/Air Sealing/Insulation	comfort issues, furnace replacement	Arborists	• CalWater - refer when conduct residential water survey
Health	asthma/allergies	Architects/ Designers (and their contractors)	
Hot Water Recirculation Pump	convenience, water conservation	Building Inspector	Contractors
Irrigation	repairs, new landscaping	Contractors (e.g. window, HVAC, mold remediation, swimming pool)	• hand out info w/permit application
Light Bulb Changes	old bulb burns out, energy savings	Doctors	• send info in June w/business license info
Major Appliance Replacement (e.g. furnace)	breakdown	Gardeners	• send email
Minor Appliance Replacement (e.g. washer)	breakdown	Interior Designers	• handouts at counter
Remodels	new homeowner , change in family, aesthetics	Landscape Architects/ Designers	• marketing/training meeting with contractors
Re-Roofing	roof leak, reached life span, solar installation	Merchants (local & specialty)	Homeowners
Seismic Strengthening	remodel or addition, new homeowner	PG&E (rebates)	• residential data report
Solar PV	energy savings, environmental	Planning Department	• Town website - new property owner page
Solar Thermal	pool heating, energy savings	Realtors	• Town website - new project page
Swimming Pool Pump	breakdown, new pool installation, noise issues, energy savings	San Mateo County	• hand out info w/permit application
Techie Appliances	breakdown, purchase new equipment, amenities	Service Companies (e.g. pool cleaning)	• planning staff suggests when answering questions
Windows	comfort/noise issues, leaks, dry rot, remodel, aesthetics	Soils Engineer	• handouts at counter
		State	• PV Forum Post - if you're considering...
			Merchants
			• work with owner to stock products
			• install "shelf talkers"
			• train staff
			Realtors
			• afternoon coffee with realtors to discuss program
			• realtors talk to clients

TOWN POLICIES AND INCENTIVES

The Committee worked closely with Town Staff to develop the following proposal for a streamlined permitting PV process and potential incentives that are both meaningful to residents and fiscally feasible.

- Permitting Process: Town Staff recommends that two new permits be developed for Energy Upgrade Portola Valley. These permits will allow tracking of program participation and verification of work completed.
 - Basic Package Permit with \$50 flat fee
 - Advanced Package Permit with \$100 flat fee

Energy Upgrade Portola Valley Program Plan

- Incentives: Town Staff proposes the following incentives, which will have minimal fiscal impact.
 - Fast track permits that have to leave Town Hall for approval
 - Train Planning Department staff to act as an “Energy Concierge” to guide residents through the energy upgrade process
 - Offer a smart power strip to the first 50 residents who file and complete final inspection for Basic or Advanced Package permit

BUDGET 2011 - 2012
Material Expenses Proposal:

Item/ Materials Expense	Projected Cost
Home Energy Detective Loaner Kit (addresses barrier: homeowner believes he/she already knows everything about his/her home) (\$110 per kit x 10)	\$1,100
Pilot Program – direct install of appliance timer and/or CFL at time of assessment (test: small concession leads to big concession) (\$25 for both x 20)	\$500
Pilot Program – smart strip with user guide for attendees to gathering at town leader’s home (test: commitment) (\$50 ea x 20)	\$1,000
Pilot Program - Energy Use Display Device (e.g., TED) Incentive to complete energy upgrade (test: tool to “see” improvements) (\$250 ea x 20)	\$5,000
Smart Strip Incentive for first 50 residents who file and complete final inspection for Basic or Advanced Package permit	\$2,500
Smart Strip User Guide* (400) and Posters* – 11” x 17” (10)	\$610
Smart Strip Display - Portable	\$500
“Did You Consider” Tri-Fold Brochures* - 6 subjects (\$150 for ea 100 x 6)	\$900
Graphic Designer to Create Template for “Did You Consider” Brochures	\$1,125
Program Banners (2 - printed on recyclable, recycled material) (\$350 ea + shipping)	\$750
Program Posters* – 11” x 17” (30)	\$65
Alright Sans Font for marketing material headings, taglines and subheads (per state guidelines)	\$300
“Answer” Card* for Program Messaging (250 – 4” x 9”)	\$170
Marketing Trainer for Contractor/ Partner Workshop	\$400
Direct Mail Marketing (\$600 for postcard* mailer & postage included in 2010-11 budget)	
Community-Wide Launch at Earth Day Fair (\$1,586 included in 2010-11 budget)	
Total	\$13,395.00

*Items will be printed on recycled paper at a local, green printer

Energy Upgrade Portola Valley Program Plan

STAFF ROLES**Outline of responsible staff, their duties for the Energy Upgrade Portola Valley, and qualifications.**

Staff	Project Duties & Qualifications
Sustainability Coordinator	Program development & management, outreach and marketing; extensive experience with community-based social marketing techniques; developed and implemented community-wide residential water conservation and recycling programs
Sustainability Intern	Program development & outreach; environmental program development & outreach, desire to interact with community members
Committee Chair and Council Member, Maryann Moise Derwin	Program development & management, Town Council liaison, Did You Consider Flyer development (Sub-committee); public relations, C/CAG Resource Management and Climate Protection Committee Member
Sustainability Committee Member, Angela Hey	Program management, marketing, Pilot Program development (Sub-committee); web development, social networking, graphic design, marketing strategy
Sustainability Committee Member, Virginia Bacon	Graphic design & Did You Consider Flyer development (Sub-committee); artistic media, real estate, recent experience with home energy upgrade
Sustainability Committee Member, Danna Breen	Pilot Program development (Sub-committee), Town Leader development; native gardener & designer, Architectural & Site Control Commissioner
Sustainability Committee Member, John Mashey	Smart Strip Guide & Display development (Sub-committee); computer scientist, writer on climate issues; energy usage analysis, energy seminars
Sustainability Committee Member, Judith Murphy	Did You Consider Flyer development (Sub-committee); retired Pediatrician; interest in water issues and children's health
Sustainability Committee Member, Onnolee Trapp	Smart Strip Guide & Display development (Sub-committee), liaison to Sequoias (250 – unit retirement facility); extensive experience with community program development, implementation and outreach
Sustainability Committee Member, Stefan Unnasch	Smart Strip Guide & Display development (Sub-committee), program metrics and data analysis; engineer and environmental consultant
Sustainability Committee Member, Lance Vaughan	Pilot Program development (Sub-committee), incentive development, Home Energy Detective Loaner Kit development; sales and marketing background, recent personal experience with home remodel
Planning Technician	Did You Consider Flyer development (Sub-committee) & Energy Concierge; developed green building flyers and assists residents through the planning process
Planning & Building Assistant	Energy Concierge & tracking; assists contractors and residents, maintains permit database

Energy Upgrade Portola Valley Program Plan

LAUNCH PLAN

PHASE 1: Pilot the Program. Enlist at least three residents who will be our allies and are willing to complete an energy assessment, upgrade and host a party for their neighbors. When inviting his or her neighbors to the party, each resident will test a different message (e.g., health/comfort, energy savings, environmental).

PHASE 2: Engage contractors/merchants/agencies to develop partnerships and equip with tools for delivering marketing message to their customers.

PHASE 3: Launch community-wide umbrella marketing campaign at Earth Day on April 16th, 2011.

TIMELINE

Action Item/ task	Expect start/ end date	Estimated total hours to complete	Staff Person Responsible
Pilot Program Development	December 2010/ February 2011	100 hrs	Sustainability Coordinator & Pilot Sub-committee
Permit Fees to Town Council for Approval	February 2011	2 hrs	Planning Manager
Letter of Interest to Upgrade Companies	February 2011	10 hrs	Sustainability Coordinator
Conduct Pilot Program	February 2011/ May 2011		Pilot Sub-committee
Complete Partner Engagement Matrix	February 2011	3 hrs	Sustainability Coordinator
Home Energy Detective Loaner Kit	Ready for checkout by April 2011	10 hrs	Sustainability Intern & Committee
Did You Consider Flyers	December 2010/ March 2011 (for Workshop)	60 hrs	Did You Consider Sub-committee
Smart Strip Guide and Display	November 2010/ April 2011	20 hrs	Smart Strip Sub-committee
Contractor/Partner Engagement & Workshop	February 2011/ March 2012 (Workshop in March 2011)	20 hrs	Sustainability Coordinator
Printed Marketing Materials	February 2011/ April 2011	20 hrs	Sustainability Coordinator
Umbrella Advertising Campaign Development	February/ April 2011	60 hrs	Sustainability Coordinator
Analyze Interim Targets	May 2011	5 hrs	Sustainability Coordinator
Innovator Panel Discussion	May 2011/September 2011	10 hrs	Sustainability Intern
Analyze Interim Targets	September 2011	3 hrs	Sustainability Coordinator
Analyze Interim Targets	December 2011	3 hrs	Sustainability Coordinator
Analyze Program Results and Complete Grant Reporting	March 2012	5 hrs	Sustainability Coordinator

Energy Upgrade Portola Valley Program Plan

SUCCESS METRICS

The Sustainability Committee will collect data on the effectiveness of different marketing and outreach approaches using the following metrics:

- # of participants at each stage of program and conversion rate between stages
 - # parties held, # invited, # attended meeting, # signed up for assessment, # completed assessment, # completed upgrade
- # homes program reached
- # participated as a % of target audience (Acterra & Energy Upgrade)
- Return on Investment cost per home upgraded
- How much energy was actually saved

APPENDIX

Attachment 1: Portola Valley Systems and Solutions Matrix for Greenhouse Gas Emissions Reductions

Attachment 2: Driving Demand for Home Energy Improvements – Executive Summary & Key Lessons for Program Designers

Links

- Driving Demand: <http://drivingdemand.lbl.gov/>
- Behavior in Energy and Climate Change Conference: <http://peec.stanford.edu/events/2010/becc/>
- Fostering Sustainable Behavior & Community-Based Social Marketing: <http://www.cbsm.com/public/world.lasso>
- VALS Framework & Survey: <http://www.strategicbusinessinsights.com/vals/ustypes.shtml>

Portola Valley Systems and GHG Reduction Solutions

Attachment 1

SYSTEM	RESIDENTIAL - NEW CONSTRUCTION & REMODELS	RESIDENTIAL - EXISTING BUILDINGS	COMMERCIAL	SCHOOLS
Energy				
Electricity	BIG GPR; encourage solar	Energy Upgrade Portola Valley	Green Business Program, San Mateo Ccounty Energy Watch	Energy Audits & Retrofit; Adding Solar
Natural Gas	BIG GPR; encourage solar thermal	Energy Upgrade Portola Valley	Green Business Program; San Mateo Ccounty Energy Watch	Energy Audits & Retrofit; retrofit
Water				
Indoor	Green Building Ordinance; Indoor Water Ordinance	Calwater Residential Water Surveys; Water Conservation Kits; Outreach Programs	Green Business Program; CalWater Voluntary Audits	CalWater Voluntary Audits; retrofit
Outdoor	Green Building Ordinance; Outdoor Water Ordinance	Calwater Residential Water Surveys; Outreach Programs	Green Business Program; CalWater Voluntary Audits	CalWater Voluntary Audits; retrofit
Wastewater	reduce inflow			
Waste				
Garbage & Recycling		Annual Audit of Services; Outreach & Events	Green Business Program; New Commercial Recycling Guide & Outreach	
Composting		Composting Workshop; Outreach	Potential Food Waste Pilot Program	
Deconstruction	C&D Ordinance; Green Building Ordinance			
Transportation				
Commute				Safe Routes to School Program
Local				Safe Routes to School Program
Commercial				

Executive Summary

Policy makers and program designers in the U.S. and abroad are deeply concerned with the question of how to scale up energy efficiency to a level that is commensurate both to the scale of the energy and climate challenges we face, and to the potential for energy savings that has been touted for decades. When policy makers ask what energy efficiency can do, the answers usually revolve around the technical and economic potential of energy efficiency – they rarely hone in on the element of energy demand that matters most for changing energy usage in existing homes: the consumer. A growing literature is concerned with the behavioral underpinnings of energy consumption. We examine a narrower, related subject: How can millions of Americans be persuaded to divert valued time and resources into upgrading their homes to eliminate energy waste, avoid high utility bills, and spur the economy?

With hundreds of millions of public dollars¹ flowing into incentives, workforce training, and other initiatives to support comprehensive home energy improvements², it makes sense to review the history of these programs and begin gleaning best practices for encouraging comprehensive home energy improvements. Looking across 30 years of energy efficiency programs that targeted the residential market, many of the same issues that confronted past program administrators are relevant today: How do we cost-effectively motivate customers to take action? Who can we partner with to increase program participation? How do we get residential efficiency programs to scale?

While there is no proven formula – and only limited success to date with reliably motivating large numbers of Americans to invest in **comprehensive** home energy improvements, especially if they are being asked to pay for a majority of the improvement costs – there is a rich and varied history of experiences that new programs can draw upon. Our primary audiences are policy makers and program designers – especially those that are relatively new to the field, such as the over 2,000 towns, cities, states, and regions who are recipients of American Reinvestment and Recovery Act funds for clean energy programs. This report synthesizes lessons from first generation programs, highlights emerging best practices, and suggests methods and approaches to use in designing, implementing, and evaluating these programs. We examined 14 residential energy efficiency programs, conducted an extensive literature review, interviewed industry experts, and surveyed residential contractors to draw out these lessons.

¹ Public funds supporting home energy improvements include those provided by the American Recovery and Reinvestment Act, ratepayer funds collected in many states to support energy efficiency, and general program funds provided by federal agencies such as the Department of Energy and the Environmental Protection Agency, and local and state entities such as State Energy Offices.

² These improvements are known by many names, including residential energy efficiency retrofits or home performance retrofits. We use the terms “home energy improvements” or “home energy upgrade” throughout this report because we believe it is less confusing and has more positive connotations for homeowners new to this topic than other names used. We also use the term “energy assessment” instead of “energy audit”.

Marketing and Outreach Lessons

- **It is not enough to provide information, programs must *sell something people want*** – High home energy use is not currently a pressing issue for many people; find a more appealing draw such as health, comfort, energy security, competition, or community engagement to attract interest.
- **Time spent *studying the target population is important*** – A blanket marketing campaign to reach “everyone” will likely be ineffective and expensive, especially at the start of a program. Find and target early adopters. Tailor messages to this audience. Demographics can help segment the market and select optimal strategies, but you can also segment the market by personal values, interest in hot issues such as health concerns, or likelihood of getting savings.
- **Partner with *trusted messengers*** – Larger subsidies and more voluminous mailings don’t necessarily win over more customers. Programs can and should have a local face, with buy in from community leaders. Tapping trusted parties, such as local leaders and local organizations, builds upon existing relationships and networks.
- **Language is powerful** – Avoid meaningless or negatively-associated words like “retrofit” and “audit”. Use words and ways of communicating that tap into customers’ existing mental frames. Encourage program staff and contractors to use specific vivid examples, personalize the material wherever possible, frame statements in terms of loss rather than gain, and induce a public commitment from the homeowners.
- **Contractors are program *ambassadors*** – Contractors, more than any other party, are the people sitting across the kitchen counter making the final sales pitch to a homeowner – contractors are often the public face and primary sale force for the program. Most programs that succeed in performing a significant number of energy upgrades have worked closely with contractors. Conversely, poor first impressions or shoddy work by contractors can reflect poorly on the program.
- **One touch is not enough** – The advertising industry’s “three-times convincer” concept means that the majority of people need to be exposed to a product message **at least** three times before they buy into it. Energy efficiency is an especially tough product – it can be expensive and can’t be readily touched, tasted, or seen – and that calls for a layered marketing and outreach approach that achieves multiple touches on potential participants.

Program Design and Implementation Lessons

- **Make it easy, make it fast** - Offer seamless, streamlined services – package incentives, minimize paperwork, and pre-approve contractors – give people fewer reasons to decide against home improvements by making it simple.
- **Contractors should be full partners** – Contractors are the key point of sale for home energy improvements. They already understand the traditional renovation and home improvement market, and have access to customers who may initially want to replace a furnace but may be open to other improvements. It's imperative to design a program that contractors want to sell – and convince them that the opportunity is worth the time and money to get the appropriate training and equipment.
- **Rebates, financing and other incentives do matter** – Program experience shows that incentives do motivate the choice to do home upgrades, and can be extremely important to get a program off the ground.
- **A well-qualified workforce and trustworthy work are vital** – Promoting a program aggressively before contractors can handle the workload can lead to disgruntled customers. Solid performance builds trust with customers by reliably producing energy savings, as well as the health, safety, and comfort benefits of home energy improvements.
- **Persistence and consistency are valuable** – It takes time for partnerships to take root, for word to reach consumers, and for contractors to respond to the opportunity. Consistent programs that last for more than a year or two can create a more robust market for home energy improvements; ephemeral programs can undermine trust.
- **Know success and failure by measuring it, and experiment to figure out what works** – Designing for data collection and evaluation at the start allows mid-stream adjustments, better selection among strategies, and knowing success when it arrives. It is important to pilot strategies before launching full-scale programs and to test a variety of strategies to learn what works.

In retrospect, many of these lessons seem obvious: Forge strong local partnerships. Find out what people care about. Speak their language. Sell something people want. Be trustworthy. But our case studies, interviews, and literature review also reflect an increasingly nuanced evolution in understanding how behavioral and marketing insights can be applied to reduce energy use in the residential market. Success will require multifaceted approaches that acknowledge a deeper understanding of what motivates homeowners and contractors. Effective programs will tend to be tailored to the location, thoughtfully researched and piloted, personalized to the target audience, and more labor-intensive than simple incentive programs. Just as there is no single, monolithic customer, there is no silver bullet for driving demand for home energy improvements – but past experience and research offer policy makers and program designers a strong foundation on which to build.

This Executive Summary is part of a larger report available here: <http://drivingdemand.lbl.gov/>

Key Lessons for Program Designers

“Retrofits” are a Tough Sell

- Programs must make an appealing case to potential customers, many of whom are not currently interested in upgrading their homes.
- Demands on homeowners, particularly around time and effort, must be minimized. Try to consolidate the number of steps required. Participants drop out with each additional step and with each time delay.

Success Requires a Holistic Approach

- A comprehensive approach to energy efficiency market development is required. This will require the long-term commitment of funding and effort by program funders and implementers.

Lessons from Behavioral Research

- Behavioral science research and practical application confirm that simply providing information and financing is insufficient to incentivize widespread energy improvements.
- Social norms, competition, public commitment and feedback may all be useful tools to guide program design.
- Programs that opt for a small concessions approach need to make sure that the participant understands upfront that this is just the first step – and the fewer steps the better.

Identify the Target Audience

- Use focus groups and market segmentation research to identify the target audience; understand the specific barriers and effective messages to reach this audience.
- Focus on the early adopters in the beginning stages of a program.
- Identify and recruit the opinion leaders in the community to model the program’s benefits.

Sell Something People Want

- Selling something the customer wants is vital to program success. Messages about home comfort, cost and energy savings, health, and community pride may be effective in engaging potential customers.
- Programs should consider creative uses of incentive funds – what will get the target audience’s attention?

Language Matters

- Words have power – programs should choose the language they use carefully. The terms “audit” and “retrofit” are not effective.
- Communication style matters, and this can require training to get right. Programs should consider using vivid examples, personalizing information, using statements of loss rather than gain, and inducing a commitment from the homeowners.

Engage Trusted Messengers

- Encourage peer-to-peer conversations to generate “buzz” going within the community
- Ask for the support of local organizations, especially nonprofits
- Allow the local community to have ownership of the program

Work Closely With Contractors

- Contractors need to buy into the program – they are often the primary sales force for home energy improvements, and should be prepared to sustain the market if public support ramps down.
- Leveraging contractors’ existing relationships to deliver program messages can be a cost-effective way to increase demand for comprehensive energy upgrades.
- Quality assurance is vital – customers are likely to view private contractors as extensions of the program, and the quality of the contractors’ work will significantly impact program success.

One Touch Is Not Enough

- Outreach campaigns need to repeatedly “touch” potential participants.
- Programs should take steps to ensure residents are receiving consistent messages, especially if there are multiple program messengers.

Design and Evaluate Programs to Learn What Works

- Collect data on the effectiveness of different marketing and outreach approaches. Incorporate processes for evaluating these metrics into program design, and use this information to adjust program delivery.
- Look at the **all in** costs of the program – including all direct and indirect staff time, incentives, marketing materials, etc – and come up with a cost per home upgraded. How does this return on investment compare to other strategies available?

TOWN COUNCIL MEETING NO. 807, JANUARY 12, 2011

Vice Mayor (Acting Mayor) Maryann Derwin called the meeting to order at 7:31 p.m. and led the Pledge of Allegiance. Ms. Howard called the roll.

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

Absent: Mayor Ted Driscoll

Others: Angela Howard, Town Manager
Janet McDougall, Assistant Town Manager
Sharon Hanlon, Town Clerk
Sandy Sloan, Town Attorney
Tom Vlastic, Town Planner
Karen Kristiansson, Senior Planner
Stacie Nerdahl, Administrative Services Officer

ORAL COMMUNICATIONS

Town Attorney Sloan noted that Item 5, noticed as a Public Hearing and described correctly, should have been placed under Public Hearings rather than on the Consent Agenda.

CONSENT AGENDA [7:32 p.m.]

- (1) Minutes of Town Council Meeting of December 8, 2010 [*removed from Consent Agenda*]
- (2) Ratification of Warrant List of December 22, 2010 in the amount of \$84,380.38
- (3) Ratification of Warrant List of January 12, 2011 in the amount of \$103,844.85
- (4) Recommendation by Assistant Town Manager – COPS Funding 2010-2011
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Continuing the Supplemental Law Enforcement Services Fund Through Citizens Options for Public Safety Program and Maintaining a Separate Budget Account for 2010-2011 Fiscal Year (Resolution No. 2511-2011)

By motion of Councilmember Richards, seconded by Councilmember Wengert, the Consent Agenda (Items 2, 3 and 4) was approved with the following roll call vote:

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

No: None

- (5) Recommendation by Town Attorney – Adopt Ordinance Amending the Conflicts of Interest Code [*removed from Consent Agenda*]

REGULAR AGENDA [7:35 p.m.]

- (1) Minutes of Town Council Meeting of December 8, 2010 [*removed from Consent Agenda*]

By motion of Councilmember Toben, seconded by Councilmember Richards, the minutes were approved as amended 3-0-1 (Councilmember Wengert abstaining).

PUBLIC HEARING

- (5) Recommendation by Town Attorney – Adopt Ordinance Amending the Conflicts of Interest Code [*moved from Consent Calendar*]
- (a) First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Amending the Appendix to Chapter 2.36 [Conflicts of Interest] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code (Ordinance No. __)

Ms. Sloan indicated that 2004 was the last time Portola Valley amended its Conflicts of Interest ordinance. Some position names have changed since that time, the consultant disclosure category has been clarified, and formatting changes introduced.

Vice Mayor (Acting Mayor) Derwin invited Councilmembers' questions and comments, and opened and closed the public hearing with no one coming forward. She brought the matter back to the Council. Councilmember Wengert moved the introduction of the Ordinance of the Town Council of the Town of Portola Valley Amending the Appendix to Chapter 2.36 [Conflicts of Interest] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code (Ordinance No. __). Councilmember Toben seconded, and the motion carried 4-0.

- (6) Public Hearing – Recommendation by Planning Manager – Public Hearing on the Proposed Amendments to the Zoning Ordinance to implement portions of the Town's Housing Element
- (a) First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Amending Title 18 [Zoning] of the Portola Valley Municipal Code to reflect the Updated Housing Element (Ordinance __)

Ms. Kristiansson, explaining that some of the proposed changes in the ordinance are needed to comply with State law, indicated that amendments would:

- Allow emergency shelters on church property;
- Allow residential care facilities for up to six people by right in residential districts and seven or more people with a conditional use permit in C-C and A-P districts;
- Make regulations for farm worker housing, transitional housing and supportive housing consistent with State law;
- Allow staff-level review of certain types of second units;
- Permit the Town Council to waive or reduce fees in developments that earmark 50% or more of their units for moderate-income housing;
- Improve accommodations for people with disabilities.

Proposals include changing the definition of households, allowing ramps to extend into required yards and instituting a reasonable accommodations ordinance whereby people with disabilities could seek reductions in Town standards if they need such reductions to enjoy and use their homes. The amendments also would allow taller second units with ASCC approval, regardless of whether the units are attached to accessory structures.

Ms. Kristiansson noted that the proposed amendments also include replacing the word "church" with "religious institution," removing golf courses from the list of conditional uses for the R-E districts, and eliminating references to the second-unit amnesty program.

Ms. Kristiansson explained that most of the amendments were considered as part of the Housing Element and were found to have no significant impact. None of the amendments would affect the use or the development potential of land; several of the amendments are merely procedural. The project was determined to be exempt from CEQA.

Councilmember Wengert inquired about the source of definitions of household, church and so forth – the State? The County? She said they are appropriate for contemporary situations.

Ms. Kristiansson said that several sources were used. The definitions of transitional and supportive housing are much like the State definitions. For the definition of household, the Town Attorney's office had considerable input. Ms. Howard pointed out that in 1980 the California Supreme Court ruled that municipalities could not define household as including people being related by blood or marriage.

Vice Mayor (Acting Mayor) Derwin opened and closed the public hearing with no comments made. She brought the matter back to the Council. Councilmember Richards said he attended a number of Planning Commission meetings on this subject, found it covered very carefully and thoroughly and is satisfied with the result. Vice Mayor Derwin said that it's good to know this has been vetted by the Planning Commission.

Councilmember Richards moved to Read the First Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Amending Title 18 [Zoning] of the Portola Valley Municipal Code to reflect the Updated Housing Element (Ordinance ____). Councilmember Toben seconded, and the motion carried 4-0.

(7) Recommendation by Administrative Services Officer – Review of FY 2009–2010 Annual Audit [7:45 p.m.]

Ms. Nerdahl said that after the past few years, with all of the extra activity involved in the Town Center, the FY 2009-2010 audit was an easy one. She indicated that Town assets, which increased by nearly \$700,000, consist basically of capital assets, cash and stock, and that the increase over the previous year is due primarily to the increased valuation of capital assets and the stock. She noted that the stock valuation changes considerably; at the end of the previous fiscal year, the stock was valued at \$198,000 and was up to \$319,000 at the end of FY 2009-2010 – but is now back down to \$198,000.

In reference to the General Fund balance, Ms. Nerdahl indicated a significant decrease, with revenues lower than budgeted and expenses a little higher because some Town Center expenses rolled over into 2009-2010. As of June 30, 2010, \$1.9 million was unreserved and undesignated; in comparison with the years before the Town Center project, that is about \$400,000 more. The Town's liabilities decreased by more than 30%, a result of no more pensions payable. Liabilities are now back to normal – basically accounts payable, refundable applicant deposits and compensated absences.

Ms. Nerdahl discussed fluctuations in the Statement of Net Assets (pages 5-6 in Maze & Associates' Management's Discussion and Analysis) in terms of prior years' numbers being slightly inflated because of the Town Center project. Similarly, she said, fluctuations in the Statement of Activities (pages 6-7) were due in part to the Town Center project, as well as economic factors – including popular classes and increasing building permit activity. She reported that expenses for consultants were lower in 2009-2010 than in the prior year, which also included expenses related to the Town Center. Total net assets at the end of FY 2009-2010 were \$38.2 million (page 6). The Condensed Statement of Capital Assets (page 8) indicates changes in three categories: land improvements, buildings and infrastructure.

The Statement of Agency Funds Net Assets (page 21) tracks maintenance history and the remainder of the Portola Valley Community Fund (PVCF) that was created to track fundraising for the Town Center project. Ms. Nerdahl said that when the fiscal year ended on June 30, 2010, the PVCF had a negative balance of some \$26,000; one pledge fulfillment since that time brought in about \$20,000 and the final pledge is on its way in.

Ms. Nerdahl called the Council's attention to Note 2-D, Cash and Investments (pages 27-28), pointing out where the auditors indicated, "The value of the common stocks has been volatile with its price ranging from about \$2.11 per share to about \$6.07 per share. . . ." She said that the Finance Committee has had some discussion about how and when to liquidate the stock because it has been so volatile. As for Note 4-A, Current Interfund Balance (page 31), she said that the Grants Special Revenue Fund owed the General Fund \$19,600 as of June 30, 2010. That balance, which involved the American Recovery and Reinvestment Act (ARRA) funds that Portola Valley received, has been paid. Ms. Nerdahl said that Note 5, Loan Receivable (page 31), references a Wayside II loan. Per the original payment schedule on file, it is two years ahead of schedule, in part because the borrowing was less than first indicated, interest rates have been low, property tax revenue has been slightly more than forecast, and ongoing expenses have been nil.

In terms of Note 7, PERS Pension Plan (pages 33-34); Ms. Nerdahl noted that the CALPERS required employer contribution rate for 2009-10 was 13.075%, down from 14.073% the prior year. As of July 1, 2011, it will go up to 13.845%. Councilmember Toben, referring to a statement in the report indicating that the Town pays employee contributions as well as its own, asked whether it is common for municipalities to pay the employee contribution. In response, Ms. Nerdahl said that according to the information she has seen, it appears that the majority of municipalities do pay the employee contribution. Pointing out a new table (page 34) in the audit, Ms. Nerdahl said that the Town can be reassured that its net pension obligation is zero.

Referring to the General Fund Schedule of Revenues, Expenditures and Changes in Fund Balance (Budget and Actual) for the fiscal year ended June 30, 2010 (page 38), Ms. Nerdahl explained that it shows how the final numbers came in against the original budget and offered reasons for some of the variances – in property taxes, sales taxes, franchise fees, utilities users taxes, contributions, licenses and permits, service charges and fees, capital improvements, and other items. She said that she has requested information from Cal Water as to how its franchise fee was determined.

In response to a query from Councilmember Toben, Ms. Nerdahl said that the Finance Committee had no substantive comments or questions on the financial statements and/or the audit – no red flags or issues they wanted to explore.

By motion of Councilmember Toben, seconded by Councilmember Richards, Council voted 4-0 to accept and file the Basic Financial Statements for fiscal year 2009-2010.

- (8) Recommendation by Assistant Town Manager – Ford Field Refurbishment Project [8:05 p.m.]
 - (a) Discussion of Project Scope – Consideration of Granting Nonconforming ("Grandfathered") Status for Batting Cage relative to Creek Setback Ordinance

Referencing her January 6, 2011 memorandum to the Town Council, Ms. McDougall said that staff is getting ready to bring forward a contract for the design work for Ford Field refurbishment, which should go to the Town Council at its January 26, 2011 meeting. She explained that the ASCC had some concerns about the batting cage, two storage containers, and some fencing being located within the recently established creek setback area. She and Planning Manager Leslie Lambert met with Jeff Aalfs and Jeff Clark, who were appointed as an ASCC subcommittee to work with staff and others to help advance the project, and discussed grandfathering these elements if the Council agrees. The results of a topographical survey should provide good information about the precise location of the top of the creek bank and its high-water mark relative to the placement of these elements.

In response to Councilmember Wengert, Ms. McDougall affirmed that the encroachment would not increase from what it is currently. The footprint will remain essentially the same – perhaps even a bit smaller, but the height would be reduced. In response to Councilmember Richards, she said that sections of the creek bank have eroded, and she agreed that there is no prospect of stabilizing the creek bank through the C-1 Trail improvement project. However, she added that some time in the future, the Town may be able to implement a Phase II for Ford Field, making some minor improvements to the parking area and perhaps some creek bank stabilization.

Councilmember Wengert asked whether the term "grandfathering" implies that waiving the setback requirements would be granted in perpetuity or for this particular project. Because the term means legal nonconforming, Ms. Sloan said that the waiver theoretically could remain forever – even though the Town controls the property.

In response to Vice Mayor Derwin's invitation for public comment, Tim Goode, with the Alpine Little League, said that information about the storage area being within the newly established creek setback came as a surprise, and that area is vitally important to the Little League. In addition to storing pitching machines and equipment there, it is their source of power. He said that he does not want to delay the project, but if the structure is grandfathered, he wanted to know if they could still find an equally secure solution at Ford Field to solve storage issues. Wooden storage lockers next to the bleachers are not very secure, with the locks being broken constantly.

Vice Mayor Derwin asked what the current refurbishment plan envisions for storage. Ms. McDougall clarified that storage at Ford Field currently serves the entire Alpine West Menlo Little League in all of its locations – La Entrada, Barkley Field, McCovey Field and Ford Field. Discussion at ASCC and some residents have revealed a desire to scale the facility at Ford Field back to just what's needed for Portola Valley. What may be appropriate, she said, is to go back to the Parks & Recreation Committee for a few options that identify what needs to be stored at Ford Field. As for storage under the bleachers, she said that the design team can be tasked with coming up with a recommendation for structures that are secure. Other sites in other communities may be available for off-season storage.

Councilmember Richards asked whether grandfathering is necessary if another storage solution emerges. Ms. McDougall said yes. Councilmember Richards indicated he had no problem with it. Councilmember Wengert said there were so few other options in that location that the grandfathering would be a reasonable exception. Vice Mayor Derwin said that the Council would accept the staff recommendation in regard to the batting cage and directed staff to pursue other options for storage as suggested by Ms. McDougall.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(9) Reports from Commission and Committee Liaisons [8:20 p.m.]

(a) Emergency Preparedness Committee

Councilmember Toben reported that he would be unable to attend the Emergency Preparedness Committee meeting on January 13, 2011, but he met with Committee Chair Chris Raanes to discuss the year's agenda. He said that it is clear to him that a significant emphasis will be on "Household Preparedness" to enhance residents' level of preparedness. Councilmember Toben noted that a lot of the burden falls on Ms. Howard's shoulders as Director of Emergency Operations. A Fifth Wednesday program is scheduled for March 30, 2011.

(b) Finance Committee

Councilmember Wengert indicated that the Finance Committee discussed the audit and employee contributions for health care at its December meeting. Ms. Howard and Ms. Nerdahl also participated in that meeting. Councilmember Wengert expects that the ultimate recommendation that will come to the

Town Council from the Finance Committee after a robust discussion about employee contributions would be to begin a small employee contribution – probably 12.5% of the premium for employees' eligible dependents. Councilmember Wengert added that while there is great appreciation for the fact that Portola Valley has one of the best staffs anywhere and the financial problems other communities are facing may not currently affect the Town, it is nevertheless important to take a new role in managing for the future, including offering healthcare plans that are more comparable to those in the private sector.

(c) Architectural and Site Control Commission (ASCC)

Although she was unable to participate in the joint Planning Commission/ASCC site meeting earlier in the day, Councilmember Wengert attended the Architectural and Site Control Commission (ASCC) meeting of December 13, 2010. She reported that the potential subdivision of the Shorenstein property, which proposes dividing the 11.6-acre parcel into three lots, generated considerable discussion. She explained that a number of neighbors have expressed concerns about roads, access, changes and so forth.

(d) Planning Commission

Councilmember Richards said that he visited the Shorenstein property, where he expects the proposed subdivision to test the Town's ordinances. He also attended the Planning Commission's meeting on December 15, 2010, when the Commission continued consideration of a Conditional Use Permit for the Neely/Myers project. The primary focus of the discussion concerned precedents for obtaining open space commitments or other community benefits in exchange for additional allowances for floor area and impervious surfaces. Of the four or five buildings proposed, he said that staff recommended approval of only a couple of them.

(e) Trails and Paths Committee

Councilmember Richards reported that the Trails and Paths Committee met on January 11, 2011, for the first time with its group of new members. He said that it was very positive, with a lot of energy. Ms. Howard agreed that it's a wonderful group, full of great ideas, from field trips to Committee-led trail hikes to picnics and work parties. The group's new meeting time is in the morning on the second Tuesday of the month. Susan Gold remains the Chair.

(f) Library JPA Governing Board

Vice Mayor Derwin said that she attended a productive budget study session along with three members of the Library JPA Governing Board as well as staff. The plan is to reduce the structural deficit to zero by FY 2017-2018. Recommendations will go back to the Operations Committee. About 88% of its revenue comes from property taxes. The organization already has reached agreements with AFSCME and is currently negotiating with SEIU. Vice Mayor Derwin said that they are pushing for a two-tier retirement system. She also reported that \$1.4 million is returned annually to the three donor cities, including Portola Valley.

(g) San Mateo County Council of Cities

The Council of Cities/City Selection Committee meeting in December was cancelled because the City Selection portion was not noticed properly. A nominee for the South Bay seat on the Bay Conservation Development Commission was needed by the first week of January 2011, and the ABAG President would not change that date. Accordingly, the Committee got together on January 5, 2011, and learned that there was also a West Bay seat to fill. Kelly Fergusson will be interviewed for the South Bay seat and Mark Addiego for the West Bay seat.

(h) C/CAG) City/County Association of Governments

Vice Mayor Derwin reported that the Bay Conservation Development Commission Executive Director Will Travis gave what she described as a brilliant presentation on sea level rise at the C/CAG meeting. In addition, C/CAG talked about the State budget deficit, indicated that funds from Measure M, which will bring in vehicle registration fee funds, will start being collected in May of 2011, and expressed concerns about being able to sell bonds for the San Mateo County Smart Corridor project.

(i) Sustainability Committee

Vice Mayor Derwin said that the Sustainability Committee held two meetings, one on December 20, 2010 and then again on January 10, 2011, to finalize a presentation scheduled for the January 26, 2011 Town Council meeting and roll out its project in February. They named the program Energy Upgrade Portola Valley to align with Energy Upgrade San Mateo County and Energy Upgrade California. They are putting together a loaner kit that includes an infrared gun, a device to check kilowatt output and other items so people can investigate energy issues in their own homes. If grant money is forthcoming, the loaner kit may even include a camera, according to Vice Mayor Derwin.

She said that Portola Valley needs to reduce greenhouse gas (GHG) emissions by 21,000 tons a year to be consistent with AB 32. She also said that Building & Planning Assistant CheyAnne Brown has analyzed all permits issued over the past 10 years to determine patterns, because it is important to reach people about sustainability efforts before they come to the permit counter. The Sustainability Committee's group assignment is for each to find two people agreeable to be part of a sub-pilot group participate in an energy audit and do a retrofit.

WRITTEN COMMUNICATIONS [8:50 p.m.]

(10) Town Council December 10, 2010 Weekly Digest

- a) #7 – San Mateo County Sheriff's Office Town of Portola Valley Crime Activity Report for July through September 2010

Councilmember Toben asked the reason for such a discrepancy in the numbers of traffic citations between the first quarter and second and third quarters. First-quarter citations (January – March) totaled 427, versus 265 in the second quarter (April – June) and 296 in the third quarter (July – September). He pointed out that moving citations were down at least 40% (from 356 in Q1 to 201 in Q2 and 203 in Q3). He also noted that "enforcement stops" were down dramatically (from 382 in Q1 to 194 in Q2 and 146 in Q3). He suggested asking Lt. Larry Schumaker about it.

(11) Town Council December 17, 2010 Weekly Digest

- a) #2 – Memorandum to Council from Howard Young regarding Alpine Road C-1 Path – General Update – December 10, 2011

Ms. Howard noted that she has asked Public Works Director Howard Young to periodically provide the Town Council and the Trails and Paths Committee with updates on the C-1 Trail. If the last couple of permits are approved, she said the Town hopes to go out to bid in April and start construction in June.

- b) #3 – Memorandum to Council from Howard Young regarding Town Center – Additional site lighting along pedestrian corridors – General Update – December 10, 2011

Ms. Howard said that the Town Center outdoor lighting phase is complete, and staff will continue to monitor the situation.

- c) #6 – Memorandum to Council from Judy King requesting a certificate of appreciation for Tom Rogers, a Portola Valley resident who volunteers at Filoli – December 16, 2011

Staff will send a letter explaining the rationale behind the Town's reluctance to fulfill such requests.

(12) Town Council December 24, 2010 Weekly Digest

- a) #1 – Memorandum to Town Council from Janet McDougall regarding Status of Work at Triangle Park – December 22, 2011

Vice Mayor Derwin said that the memo was helpful, because residents ask about it from time to time.

(13) Town Council January 17, 2011 Weekly Digest – None

ADJOURNMENT: [9:00 p.m.]

Mayor

Town Clerk

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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

MIKE & PATTI AGOFF	Winter Instructor Fee	11577	01/26/2011	
			01/26/2011	
2341 KEHOE AVENUE	0016		01/26/2011	
SAN MATEO	BOA	44398	01/26/2011	0.00
CA 94403				8,712.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	8,712.00	0.00

Check No.	44398	Total:	8,712.00
Total for	MIKE & PATTI AGOFF		8,712.00

ALMANAC	December Advertising	11549	01/26/2011	
			01/26/2011	
PO BOX 1610	0048		01/26/2011	
MENLO PARK	BOA	44399	01/26/2011	0.00
CA 94302				638.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4320	Advertising	638.00	0.00

Check No.	44399	Total:	638.00
Total for	ALMANAC		638.00

ARROWHEAD MT SPRING WATER	December Statement	11550	01/26/2011	
			01/26/2011	
P.O. BOX 856158	463		01/26/2011	
LOUISVILLE	BOA	44400	01/26/2011	0.00
KY 40285-6158	00L5743876004			88.71

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	88.71	0.00

Check No.	44400	Total:	88.71
Total for	ARROWHEAD MT SPRING WATER		88.71

AT&T	December Statements	11551	01/26/2011	
			01/26/2011	
PO BOX 989048	441		01/26/2011	
WEST SACRAMENTO	BOA	44401	01/26/2011	0.00
CA 95798-9048				249.95

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	249.95	0.00

Check No.	44401	Total:	249.95
Total for	AT&T		249.95

BALANCE HYDROLOGICS INC.	C-1 Trail	11578	01/26/2011	
			01/26/2011	
800 BANCROFT WAY	945		01/26/2011	
BERKELEY	BOA	44402	01/26/2011	0.00
CA 94710-2227	206203-1010,1210			7,412.20

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

96-00-4528	C-1 Trail	7,412.20	0.00	
		Check No. 44402	Total:	7,412.20
		Total for	BALANCE HYDROLOGICS INC.	7,412.20

BRAD BELDNER	Winter Instructor Fee	11552	01/26/2011	
425 STANFORD AVENUE	581		01/26/2011	
PALO ALTO	BOA	44403	01/26/2011	0.00
CA 94306				860.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-58-4246	Instructors & Class Refunds	860.00	0.00	
		Check No. 44403	Total:	860.00
		Total for	BRAD BELDNER	860.00

MARLON BISHOP	Winter Instructor Fee	11553	01/26/2011	
48 CLINTON STREET	2035		01/26/2011	
REDWOOD CITY	BOA	44404	01/26/2011	0.00
CA 94062				1,256.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-58-4246	Instructors & Class Refunds	1,256.00	0.00	
		Check No. 44404	Total:	1,256.00
		Total for	MARLON BISHOP	1,256.00

BOB-WIRE ELECTRIC	Conduits Sealed, Town Hall	11579	01/26/2011	
PO BOX 808	0024		01/26/2011	
REDWOOD CITY	BOA	44405	01/26/2011	0.00
CA 94064	13003			313.60

GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4346	Mechanical Sys Maint & Repair	313.60	0.00	
		Check No. 44405	Total:	313.60
		Total for	BOB-WIRE ELECTRIC	313.60

CITY OF MILLBRAE	Dinner Meeting, Derwin	11554	01/26/2011	
PAT CRILLY			01/26/2011	
COMMUNITY CENTER	438		01/26/2011	
MILLBRAE	BOA	44406	01/26/2011	0.00
CA 94030				38.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4327	Educ/Train: Council & Commissn	38.00	0.00	
		Check No. 44406	Total:	38.00
		Total for	CITY OF MILLBRAE	38.00

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

CITY OF REDWOOD CITY	IT Support, December 2011	11555	01/26/2011	
			01/26/2011	
P.O. BOX 3629	586		01/26/2011	
REDWOOD CITY	BOA	44407	01/26/2011	0.00
CA 94064-3629	BR25309			1,799.50

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4216	IT & Website Consultants	1,799.50	0.00

Check No.	44407	Total:	1,799.50
Total for	CITY OF REDWOOD CITY		1,799.50

CLARK'S PEST CONTROL	Pre-Emergent on Trails	11556	01/26/2011	
			01/26/2011	
P.O. BOX 1480	607		01/26/2011	
LODI	BOA	44408	01/26/2011	0.00
CA 95241-1480				5,425.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4270	Trail Surface Rehabilitation	5,425.00	0.00

Check No.	44408	Total:	5,425.00
Total for	CLARK'S PEST CONTROL		5,425.00

CLEANSTREET	December & Quarterly Clean	11580	01/26/2011	
			01/26/2011	
1937 W. 169TH STREET	0034		01/26/2011	
GARDENA	BOA	44409	01/26/2011	0.00
CA 90247-5254	62660			4,187.76

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4262	Street Sweeping & ROW Mowing	614.65	0.00
20-60-4262	Street Sweeping & ROW Mowing	2,762.21	0.00
20-60-4266	Litter Clean Up Program	810.90	0.00

Check No.	44409	Total:	4,187.76
Total for	CLEANSTREET		4,187.76

CONTEMPORARY ENGRAVING CO.	Name Plates	11557	01/26/2011	
			01/26/2011	
425 LAMBERT AVE	0191		01/26/2011	
PALO ALTO	BOA	44410	01/26/2011	0.00
CA 94306				65.55

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	65.55	0.00

Check No.	44410	Total:	65.55
Total for	CONTEMPORARY ENGRAVING CO		65.55

CSMFO	2011 Renewal	11558	01/26/2011	
			01/26/2011	
1215 K STREET	918		01/26/2011	
SACRAMENTO	BOA	44411	01/26/2011	0.00
CA 95814				110.00

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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
05-64-4322	Dues	110.00	0.00
		Check No. 44411	Total: 110.00
		Total for CSMFO	110.00

DEL RIO ROOFING	Reissue C&D Refund (Void #43844)	11559	01/26/2011
HOLD AT COUNTER	630		01/26/2011
	BOA	44412	01/26/2011
			0.00
			1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	1,000.00	0.00
		Check No. 44412	Total: 1,000.00
		Total for DEL RIO ROOFING	1,000.00

DFM ASSOCIATES	2011 Elections Code	11581	01/26/2011
10 CHRYSLER	465		01/26/2011
IRVINE	BOA	44413	01/26/2011
CA 92618-2008			0.00
			53.26

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	53.26	0.00
		Check No. 44413	Total: 53.26
		Total for DFM ASSOCIATES	53.26

GARY FITZER	Reimb for Certification Renewals	11560	01/26/2011
765 PORTOLA ROAD	447		01/26/2011
PORTOLA VALLEY	BOA	44414	01/26/2011
CA 94028			0.00
			110.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4322	Dues	110.00	0.00
		Check No. 44414	Total: 110.00
		Total for GARY FITZER	110.00

FRANCOTYP-POSTALIA, INC.	Meter Rental, 1/9 - 4/8	11561	01/26/2011
PO BOX 4272	0172		01/26/2011
CAROL STREAM	BOA	44415	01/26/2011
IL 60197-4272	R1100441377		0.00
			88.49

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4314	Equipment Services Contracts	88.49	0.00
		Check No. 44415	Total: 88.49
		Total for FRANCOTYP-POSTALIA, INC.	88.49

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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

GERARDO JANITORIAL (DBA)	Winter Cleaning of TC Bldgs	11562	01/26/2011	
GERARDO MENDOZA			01/26/2011	
P.O. BOX 187	0074		01/26/2011	
REDWOOD CITY	BOA	44416	01/26/2011	0.00
CA 94064	766			3,680.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4344	Janitorial Services	3,680.00	0.00

Check No.	44416	Total:	3,680.00
Total for	GERARDO JANITORIAL (DBA)		3,680.00

GUZZARDO PARTNERSHIP INC	C-1 Trail	11582	01/26/2011	
			01/26/2011	
181 GREENWICH STREET	0339		01/26/2011	
SAN FRANCISCO	BOA	44417	01/26/2011	0.00
CA 94111	10544/1			4,347.37

GL Number	Description	Invoice Amount	Amount Relieved
96-00-4528	C-1 Trail	4,347.37	0.00

Check No.	44417	Total:	4,347.37
Total for	GUZZARDO PARTNERSHIP INC		4,347.37

JORGENSON SIEGEL MCCLURE & FLEGEL	November Statement (Reissue) (Orig #44296 Void)	11589	01/26/2011	
			01/26/2011	
1100 ALMA STREET	0089		01/26/2011	
MENLO PARK	BOA	44397	01/26/2011	0.00
CA 94025				10,022.90

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4182	Town Attorney	6,732.00	0.00
96-00-4528	C-1 Trail	650.00	0.00
96-54-4186	Attorney - Charges to Appls	2,640.90	0.00

Check No.	44397	Total:	10,022.90
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JORGENSON SIEGEL MCCLURE & FLEGEL	December Statement	11563	01/26/2011	
			01/26/2011	
1100 ALMA STREET	0089		01/26/2011	
MENLO PARK	BOA	44418	01/26/2011	0.00
CA 94025				5,962.50

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4182	Town Attorney	3,916.00	0.00
96-00-4528	C-1 Trail	100.00	0.00
96-54-4186	Attorney - Charges to Appls	1,946.50	0.00

Check No.	44418	Total:	5,962.50
Total for	JORGENSON SIEGEL MCCLURE &		15,985.40

KDSA CONSULTING LLC	Spam Filtering, Jan, 2011	11564	01/26/2011	
			01/26/2011	
1600 OSGOOD STREET	555		01/26/2011	
N. ANDOVER	BOA	44419	01/26/2011	0.00
MA 01845	011755			75.00

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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
05-64-4311	Internet Service & Web Hosting	75.00	0.00
		Check No. 44419	Total: 75.00
		Total for KDSA CONSULTING LLC	75.00

JACKIE WHITTIER KUBICKA	Community Hall Deposit Refund	11565	01/26/2011
51 HILLBROOK DRIVE	342		01/26/2011
PORTOLA VALLEY	BOA	44420	01/26/2011
CA 94028			0.00
			1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4226	Facility Deposit Refunds	1,000.00	0.00
		Check No. 44420	Total: 1,000.00
		Total for JACKIE WHITTIER KUBICKA	1,000.00

KUTZMANN & ASSOCIATES	December Plan Check	11566	01/26/2011
39355 CALIFORNIA STREET	0090		01/26/2011
FREMONT	BOA	44421	01/26/2011
CA 94538			0.00
			3,206.16

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4200	Plan Check Services	3,206.16	0.00
		Check No. 44421	Total: 3,206.16
		Total for KUTZMANN & ASSOCIATES	3,206.16

LEAGUE OF CA CITIES	Annual Dues for 2011	11567	01/26/2011
LEAGUE OF CALIFORNIA CITIES			01/26/2011
1400 K STREET	0093		01/26/2011
SACRAMENTO	BOA	44422	01/26/2011
CA 95814	105833		0.00
			2,929.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4322	Dues	2,929.00	0.00
		Check No. 44422	Total: 2,929.00
		Total for LEAGUE OF CA CITIES	2,929.00

MAZE & ASSOCIATES	Audit Services FYE 6/30/10	11568	01/26/2011
	Final Billing		01/26/2011
3478 BUSKIRK AVENUE	879		01/26/2011
PLEASANT HILL	BOA	44423	01/26/2011
CA 94523	25640		0.00
			321.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4180	Accounting & Auditing	321.00	0.00
		Check No. 44423	Total: 321.00
		Total for MAZE & ASSOCIATES	321.00

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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

STEVE NEWMAN	C&D Deposit Refund	11569	01/26/2011	
			01/26/2011	
20 BOW WAY	781		01/26/2011	
PORTOLA VALLEY	BOA	44424	01/26/2011	0.00
CA 94028				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	1,000.00	0.00

Check No.	44424	Total:	1,000.00
Total for	STEVE NEWMAN		1,000.00

NEXTEL COMMUNICATIONS	December Field Cellular	11570	01/26/2011	
			01/26/2011	
P.O. BOX 4181	0200		01/26/2011	
CAROL STREAM	BOA	44425	01/26/2011	0.00
IL 60197-4181				149.14

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	149.14	0.00

Check No.	44425	Total:	149.14
Total for	NEXTEL COMMUNICATIONS		149.14

O. NELSON & SON	C-1 Trail, Locate Gas Main	11583	01/26/2011	
			01/26/2011	
3355 TRIPP ROAD	634		01/26/2011	
WOODSIDE	BOA	44426	01/26/2011	0.00
CA 94062	128			1,998.00

GL Number	Description	Invoice Amount	Amount Relieved
96-00-4528	C-1 Trail	1,998.00	0.00

O. NELSON & SON	Storm Clean-Up	11584	01/26/2011	
			01/26/2011	
3355 TRIPP ROAD	634		01/26/2011	
WOODSIDE	BOA	44426	01/26/2011	0.00
CA 94062	129			1,728.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4271	Storm Damage	1,728.00	0.00

Check No.	44426	Total:	3,726.00
Total for	O. NELSON & SON		3,726.00

PG&E	Allowance Adjustment	11585	01/26/2011	
			01/26/2011	
BOX 997300	0109		01/26/2011	
SACRAMENTO	BOA	44427	01/26/2011	0.00
CA 95899-7300	7054591-8			2,861.56

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	2,861.56	0.00

Check No.	44427	Total:	2,861.56
Total for	PG&E		2,861.56

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST
 JANUARY 26, 2011

Date: 01/19/2011
 Time: 11:25 am
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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

PRINTING SYSTEMS INC.	Tax Forms 2010	11571	01/26/2011	
			01/26/2011	
12005 BEECH DALY	0216		01/26/2011	
TAYLOR	BOA	44428	01/26/2011	0.00
MI 48180	62527			76.95

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	76.95	0.00

Check No.	44428	Total:	76.95
Total for	PRINTING SYSTEMS INC.		76.95

ROTO-ROOTER PLUMBERS	Main Drain, Town Center	11586	01/26/2011	
			01/26/2011	
5672 COLLECTION CENTER DR	360		01/26/2011	
CHICAGO	BOA	44429	01/26/2011	0.00
IL 60693	19316069297			328.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	328.00	0.00

Check No.	44429	Total:	328.00
Total for	ROTO-ROOTER PLUMBERS		328.00

SAN MATEO CO INF SERVICES	Nov/Dec County MW Line	11572	01/26/2011	
			01/26/2011	
455 COUNTY CENTER, 3RD FLOOR	0307		01/26/2011	
REDWOOD CITY	BOA	44430	01/26/2011	0.00
CA 94063				152.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4152	Emerq Preparedness Committee	152.00	0.00

Check No.	44430	Total:	152.00
Total for	SAN MATEO CO INF SERVICES		152.00

SPANGLE & ASSOCIATES	T-Mobile, 10/22 - 11/18	11587	01/26/2011	
			01/26/2011	
770 MENLO AVENUE	0121		01/26/2011	
MENLO PARK	BOA	44431	01/26/2011	0.00
CA 94025-4736				5,835.10

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4198	Planner - Charges to Appls	5,835.10	0.00

Check No.	44431	Total:	5,835.10
Total for	SPANGLE & ASSOCIATES		5,835.10

SHELLY SWEENEY	Winter Instructor Fee	11573	01/26/2011	
			01/26/2011	
285 GRANDVIEW DRIVE	407		01/26/2011	
WOODSIDE	BOA	44432	01/26/2011	0.00
CA 94062				3,168.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	3,168.00	0.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST
 JANUARY 26, 2011

Date: 01/19/2011
 Time: 11:25 am
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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

Check No.	44432	Total:	3,168.00
Total for	SHELLY SWEENEY		3,168.00

TOWNSEND MGMT, INC	December Applicant Charges	11574	01/26/2011	
P.O. BOX 24442	609		01/26/2011	
SAN FRANCISCO	BOA	44433	01/26/2011	0.00
CA 94124				2,755.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	2,755.00	0.00

TOWNSEND MGMT, INC	C-1 Trail, Inspection	11588	01/26/2011	
P.O. BOX 24442	609		01/26/2011	
SAN FRANCISCO	BOA	44433	01/26/2011	0.00
CA 94124				190.00

GL Number	Description	Invoice Amount	Amount Relieved
96-00-4528	C-1 Trail	190.00	0.00

Check No.	44433	Total:	2,945.00
Total for	TOWNSEND MGMT, INC		2,945.00

US POSTMASTER	Renew Bulk Mail Permit #581	11575	01/26/2011	
3855 BOHANNON DRIVE	0287		01/26/2011	
MENLO PARK	BOA	44434	01/26/2011	0.00
CA 94025				185.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4316	Postage	185.00	0.00

Check No.	44434	Total:	185.00
Total for	US POSTMASTER		185.00

WOLFPACK INSURANCE	February Dental/Vision Premium	11576	01/26/2011	
SMALL BUSINESS BENEFIT PLAN	0132		01/26/2011	
BELMONT	BOA	44435	01/26/2011	0.00
CA 94402				2,256.20

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4090	Health Ins Dental & Vision	2,256.20	0.00

Check No.	44435	Total:	2,256.20
Total for	WOLFPACK INSURANCE		2,256.20

Total Invoices:	41	Grand Total:	86,634.90
		Less Credit Memos:	0.00
		Net Total:	86,634.90
		Less Hand Check Total:	10,022.90
		Outstanding Invoice Total:	76,612.00

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
January 26, 2011

Claims totaling \$86,634.90 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: January 14, 2011

RE: Adoption of an Ordinance Amending the Conflicts of Interest Code

At its January 12, 2011 meeting, the Town Council considered and voted to approve the amendment to the appendix of Chapter 2.36 [Conflicts of Interest] of Title 2 [Administration and Personnel] 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 the appendix of Chapter 2.36 [Conflicts of Interest] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code.

Approved: _____
Angela Howard, Town Manager

ORDINANCE NO. 2011-

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY AMENDING THE APPENDIX TO CHAPTER 2.36 [CONFLICTS OF INTEREST] OF TITLE 2 [ADMINISTRATION AND PERSONNEL] OF THE PORTOLA VALLEY MUNICIPAL CODE

WHEREAS, the Political Reform Act, Government Code Section 81000, et. seq., requires state and local government agencies to adopt and promulgate conflict of interest codes and review those codes biennially;

WHEREAS, the Town of Portola Valley (“Town”) last updated its conflict of interest codes in 2004 and since that time the title of a number of Town positions have changed; and

WHEREAS, the Town desires to amend the Appendix to Chapter 2.36 [Conflicts of Interest] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code to reflect current position titles and disclosure requirements.

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

1. Amendment of Code. The Appendix to Chapter 2.36 [Conflicts of Interest] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code is hereby amended to read as follows:

APPENDIX TO CHAPTER 2.36

**DESIGNATED POSITIONS
AND DISCLOSURE OBLIGATIONS**

DESIGNATED PUBLIC OFFICIALS

- Member of Town Council
- Planning Commissioner
- Town Manager
- Town Attorney

OTHER DESIGNATED EMPLOYEES, INCLUDING CONSULTANTS SERVING IN THESE POSITIONS

- Member of the Architectural and Site Control Committee

Assistant Town Manager
Assistant to Town Attorney
Town Engineer
Public Works Director
Town Planner
Deputy Town Planner
Planning Manager
Town Geologist
Consultant (if so determined)

DISCLOSURE CATEGORIES

Disclosure Category 1: Full Disclosure - All investments, business positions, interests in real property and sources of income, including gifts, loans and travel payments.

Disclosure Category 2: Limited Disclosure - The Town Manager may determine in writing that a particular consultant is required to provide Limited Disclosure. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination of the Town Manager is public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

REQUIRED DISCLOSURES FOR DESIGNATED POSITIONS

Designated Position	Disclosure Category
Member of Town Council	1
Planning Commissioner	1
Town Manager	1
Town Attorney	1
Member of the Architectural and Site Control Committee	1
Assistant Town Manager	1
Assistant to Town Attorney	1
Town Engineer	1
Public Works Director	1
Town Planner	1
Deputy Town Planner	1
Planning Manager	1
Town Geologist	1
Consultant	2

2. Environmental Review. This Ordinance is not a project for the purposes of the California Environmental Quality Act.

3. Effective Date: Posting. This Ordinance shall become effective thirty (30) days after the date of its adoption and shall be posted within the Town of Portola Valley in three (3) public places.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

By: _____
Mayor

ATTEST:

APPROVED AS TO FORM:

Town Clerk

Town Attorney



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Sharon Hanlon, Town Clerk

DATE: January 14, 2011

RE: Adoption of an Ordinance Amending the Zoning Ordinance to Implement portions of the Town’s Housing Element

At its January 12, 2011 meeting, the Town Council considered and voted to approve amending Title 18 [Zoning] of the Portola Valley Municipal Code to reflect the updated Housing Element.

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 Title 18 [Zoning] of the Portola Valley Municipal Code to reflect the updated Housing Element.

Approved: _____
Angela Howard, Town Manager

ORDINANCE NO. 2011-

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY AMENDING TITLE 18 [ZONING] OF THE PORTOLA VALLEY MUNICIPAL CODE TO REFLECT THE UPDATED HOUSING ELEMENT

WHEREAS, the Town of Portola Valley (“Town”) adopted an updated housing element in December 2009, which calls for a number of changes to be made to the Town’s zoning ordinance; and

WHEREAS, zoning amendments to implement the changes called for in Programs 3, 4, 6, 9, 11 and 12 were drafted and presented to the Planning Commission at a study session on November 3, 2010; and

WHEREAS, the Planning Commission held a duly noticed public hearing on these zoning amendments on December 1, 2010; and

WHEREAS, after due consideration of the amendments, public comments, and the staff report, the Planning Commission found that the proposed amendments are in general conformity with the general plan, and that public necessity, convenience and general welfare require the proposed amendments; and

WHEREAS, the Planning Commission recommended that the Town Council adopt the proposed zoning ordinance amendments; and

WHEREAS, the Town Council held a duly noticed public hearing to consider the zoning ordinance amendments on January 12, 2011; and

WHEREAS, at its meeting of January 12, 2011, the Town Council carefully considered the zoning ordinance amendments, comments made at the public hearing, and the staff report; and

WHEREAS, the Town desires to amend Title 18 [Zoning] of the Portola Valley Municipal Code to reflect the updated housing element;

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

1. Amendment of Code. Section 18.04.23 [Household] of Chapter 18.04 [Definitions] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended to read as follows:

18.04.23 Household. "Household" means one or more people living together as the functional equivalent of a family where the residents share a single kitchen and

form a single housekeeping unit by sharing living expenses, chores and/or meals, and are a close group with social and economic commitments to each other.

2. Addition of Code. Sections 18.04.153 [Emergency Shelter], 18.04.405 [Religious Institution], 18.04.415 [Residential Care Facility], 18.04.515 [Supportive Housing], and Section 18.04.523 [Transitional Housing] are hereby added to Chapter 18.04 [Definitions] of Title 18 [Zoning] of the Portola Valley Municipal Code to read as follows:

18.04.153 Emergency Shelter. An “emergency shelter” provides temporary housing, usually for six months or less, with minimal supportive services for homeless persons.

18.04.405 Religious Institution. A facility such as a church, mosque, temple or synagogue run by a nonprofit establishment, organization or association intended to advance or promote religious purposes or beliefs. Activities at such institutions shall be limited to those related to the purpose of the institution and may include religious activities, office space, living space for clergy and other members of religious orders who carry out their primary duties on site, religious education classes and other similar activities customarily associated with religious institutions.

18.04.415 Residential Care Facility. “Residential Care Facility” means an establishment which is maintained and operated to provide 24-hour non-medical residential care and supervision to children or adults.

18.04.515 Supportive Housing. “Supportive housing” is housing with no limit on length of stay, that is occupied either by adults with low-income having one or more disabilities or by individuals eligible for services provided under the Lanterman Developmental Disabilities Act (Welfare and Institutions Code, Section 4500 *et seq.*), and that is linked to on- or off-site services that assist the supportive housing residents in retaining the housing, improving their health, and maximizing their abilities to live, and when possible, work in the community.

18.04.523 Transitional Housing. “Transitional housing” is housing that is intended to be occupied for a limited period, usually between six and twenty-four months, in order to provide stability for residents so that they can transition into permanent housing.

3. Addition of Code. Chapter 18.11 [Reasonable Accommodation for Individuals with Disabilities] is hereby added to Title 18 [Zoning] of the Portola Valley Municipal Code to read as follows:

18.11.010 – Purpose. The purpose of this section is to establish a procedure that individuals with disabilities can use to request reasonable accommodation in the town’s laws, standards, policies, practices and procedures, so that the individuals will

have equal access to housing in accordance with the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act. In addition, this section describes the process that shall be used to consider and decide on such requests.

18.11.020 Applicability and Eligibility.

- A. An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.
- B. A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice or procedure acts as a barrier to fair housing opportunities.

18.11.030 Notice of Availability. To ensure that individuals with disabilities are aware of the reasonable accommodation procedure, notice of the availability of reasonable accommodation shall be prominently displayed at public information counters in Town Hall, advising the public of the availability of the procedure for eligible individuals. Forms for requesting reasonable accommodation shall be available to the public at Town Hall.

18.11.40 Request for Reasonable Accommodation

- A. Requests for reasonable accommodation shall be in writing and provide the following information:
1. Name, address and telephone number of the individual(s) requesting reasonable accommodation;
 2. Name and address of the property owner(s);
 3. Address of the property for which accommodation is requested;
 4. Description of the requested accommodation and the regulation, policy or procedure for which accommodation is sought; and
 5. Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.
- B. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- C. A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.
- D. If an individual needs assistance in making the request for reasonable accommodation, the jurisdiction will provide assistance to ensure that the process is accessible.

18.11.50 Review and Decision

A. The reviewing authority for requests for reasonable accommodations shall be the Town Planner or his/her designee.

B. The written decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following criteria:

1. Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;
2. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;
3. Whether the requested accommodation would impose an undue financial or administrative burden on the town;
4. Whether the requested accommodation would require a fundamental alteration in the nature of the jurisdiction's land use and zoning or building program;
5. The potential impact of the requested reasonable accommodation on surrounding properties; and
6. The potential for other reasonable accommodation with less impact on neighbors and/or the town.

C. In granting the request or granting the request with modifications, the reviewing authority may impose any conditions of approval that are reasonable and necessary to ensure that the reasonable accommodation is consistent with the criteria in subsection B above.

D. The reviewing authority shall issue a written decision on a request for reasonable accommodation within forty-five (45) days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth in Subsection B above.

E. If necessary to reach a determination on the request for reasonable accommodation, the reviewing authority may request further information from the applicant consistent with fair housing laws, specifying in detail the information that is required. In the event that a request for additional information is made, the forty-five (45) day period to issue a decision is stayed until the applicant responds to the request.

F. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the reviewing authority's findings on the criteria set forth in subsection B, above. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below. The written decision shall be sent to the applicant by certified mail.

G. The written decision of the reviewing authority shall be final unless an applicant appeals it to the jurisdiction's planning commission.

H. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

18.11.060 Appeal.

- A. An applicant or any abutting neighbor may appeal an adverse decision within thirty (30) days of the date of the reviewing authority's written decision.
- B. The appeal shall be in writing and shall state the grounds for the appeal. If an individual needs assistance in filing an appeal on an adverse decision, the jurisdiction will provide assistance to ensure that the appeals process is accessible.
- C. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- D. The appeal shall be heard by the town council in a public hearing, with notice given to all property owners of land directly abutting the proposed site.
- E. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

4. Amendment of Code. Sections 18.12.020 [Principal uses permitted], 18.12.030 [Conditional use permitted], and 18.12.040 [Accessory uses permitted] of Chapter 18.12 [R-E (Residential Estate) District Regulations] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended to read as follows:

18.12.020 Principal uses permitted. Principal uses permitted in the R-E district shall be as follows:

- A. Uses permitted by Section 18.36.010;
- B. Single family dwellings, including residential care facilities for six or fewer persons, supportive housing for six or fewer persons, and transitional housing for six or fewer persons;
- C. Temporary uses permitted by Section 18.36.030;
- D. Public school or other public building when located in conformance with the general plan.

18.12.030 Conditional use permitted. The following uses shall be permitted only when a conditional use permit is granted therefor as provided in Chapter 18.72:

- A. Uses permitted by Section 18.36.020;
- B. Crop and tree farming and truck gardening, including sale of products grown exclusively on the premises;
- C. Nurseries and greenhouses used only for the propagating and cultivating of plants, provided no retail sale be allowed;
- D. The following when located on an arterial or expressway as shown on the general plan:
 - 1. Religious institution,
 - 2. Private noncommercial club or recreation facility,

3. Not used,
 4. Private or parochial elementary or secondary schools,
 5. Group living accommodations for senior citizens provided such facilities in the town shall not in total at any time provide accommodations for a greater number of occupants than the number estimated to be equivalent to the total demand generated by town residents for similar facilities, regardless of locations, during the ensuing ten-year period,
 6. Boarding stables, subject to the provisions of the stable ordinance,
 7. Nursery schools and day care centers;
- E. Residential planned unit developments as regulated by Chapters 18.44 and 18.72;
- F. On parcels of ten acres or more, two single-family dwellings may be permitted and on parcels of one hundred acres or more three single-family dwellings may be permitted, provided that in each instance it is demonstrated to the satisfaction of the planning commission that were the land to be subdivided the requirements of the subdivision title could be met with the dwellings and accessory structures in the locations approved as a part of the conditional use permit;
- G. Horticulture and grazing of cattle;
- H. Not used;
- I. Not used;
- J. Wineries which include all or any combination of the following:
1. Growing of grapes,
 2. Importation of grapes for the purpose of establishing and sustaining a winery operated for the purpose of producing wine from grapes grown on the premises,
 3. Making of wine,
 4. Wholesale and retail trade of wine produced exclusively on the premises,
 5. Winery buildings and related structures;
- K. Publicly-owned park, recreation or open space areas when located in conformance with the general plan.
- L. Employee housing for qualified agricultural uses, as permitted under the California Employee Housing Act (Health and Safety Code Section 17000 *et seq.*).

18.12.040 Accessory uses permitted. Accessory uses permitted in the R-E district shall be as follows:

- A. Accessory uses, as permitted by Section 18.36.040 and Chapter 18.40;
- B. One second unit on a parcel of one acre or larger subject to the following provisions:
 1. All provisions of Title 18 (Zoning) pertaining to this district prevail unless otherwise provided for in this subsection B.
 2. A second unit shall comply with all provisions of the site development and tree protection ordinance, set forth in Chapter 15.12.

3. The parcel already contains an existing single-family dwelling or the second unit is being built simultaneously with a new single-family dwelling that will be the principal dwelling.
4. The second unit is attached to the principal dwelling, at the ground floor level or in a basement, and does not exceed a floor area of four hundred square feet. Second unit floor area is inclusive of any basement area, but exclusive of garage or carport area. Second units that are larger than four hundred square feet in floor area, that require a permit under Chapter 15.12, the Site Development and Tree Protection Ordinance, or that are located above the first story are subject to Architectural and Site Control Commission (ASCC) approval per Chapter 18.64.
5. Whether attached or detached from the principal dwelling, the second unit floor area may exceed four hundred square feet subject to ASCC approval per Chapter 18.64. In such cases, however, the second unit floor area may not exceed seven hundred fifty square feet.
6. Second units up to 750 square feet may be created by converting space within an existing home. When created within the first floor of an existing home, or including an addition of 400 square feet or less, such second units may be permitted solely with a zoning permit, and without review of the ASCC. However, staff at their discretion may refer an application to the ASCC if the application includes proposals for doors, windows or other exterior improvements that could potentially have a significant effect on the aesthetics of the structure.
7. The second unit complies with the definition of dwelling unit in Section 18.04.150.
8. The second unit is served by the same vehicular access to the street as the principal dwelling and complies with off-street parking requirements for dwellings set forth in Section 18.60 except that parking spaces do not have to be covered, guest spaces are not required and tandem parking is permitted.
9. The second unit shall have the same address as the principal dwelling.
10. A second unit shall not exceed a height, as defined in Section 18.54.020, of eighteen feet with a maximum height of twenty-four feet. A second unit may be permitted to a height of twenty-eight feet and a maximum of thirty-four feet subject to ASCC approval per Chapter 18.64.
11. The second unit shall have colors, materials and architecture similar to the principal dwelling. Architecture not similar to the architecture of the principal dwelling is subject to ASCC approval per Chapter 18.64.
12. Color reflectivity values shall not exceed forty percent except that trim colors shall not exceed fifty percent. Roofs shall not exceed fifty percent reflectivity.
13. Exterior lighting on the structure shall not exceed one light fixture per entry door. Each fixture shall be fitted with only one bulb and the bulb wattage shall not exceed seventy-five watts incandescent light if frosted or otherwise diffused, or twenty-five watts if clear. Each fixture shall be

manually switched and not on a motion sensor or timer. Path lights, if any, shall be the minimum needed for safe access to the second unit and shaded by fixtures that direct light to the path surface and away from the sky.

14. Landscape plantings shall be selected from the town's list of approved native plants and shall adhere to the town's landscaping guidelines.

15. An application for a second unit shall be referred to the town geologist, director of public works, fire chief and, if dependent on a septic tank and drain field, to the county health officer in accordance with town policies.

16. An application for a second unit shall supply all information required by Section 18.64.040 A.1--13.

17. Second units on parcels with frontage on Portola Road or Alpine Road, both of which are identified as local scenic corridors in the general plan, are subject to ASCC approval per Chapter 18.64 to ensure consistency with the general plan.

C. Equestrian facilities serving a single residential dwelling including stables, corrals, exercise rings, and the like, provided that (i) requirements of the stable ordinance, Chapter 6.12, shall apply, (ii) for a corral, the sum of the maximum depth of cut and maximum height of fill shall not exceed six feet and (iii) corrals and riding rings shall be set back a minimum of twenty feet from property lines.

D. The renting of rooms and/or the providing of table board in a dwelling as an incidental use to its occupancy as a dwelling, provided that not more than one paying guest is accommodated. Provided further that this shall not be construed as authorizing the establishment of any rest home, convalescent home, boarding home, or any other institution of a type which requires any state or local license, nor any other operation which tends to change the character of the property involved or of the neighborhood;

E. Home Occupation. The conduct of an art or profession, the offering of a service, or the handcraft manufacture of products subject to the following conditions:

1. Such occupations shall be conducted entirely by resident occupants.

2. The floor area used for such occupations shall not exceed that equivalent to one-fourth of the floor area of the main residence but shall not be more than four hundred square feet in any case.

3. No products shall be sold or stocked for sale other than those finished products which are produced on the premises.

4. There shall be no unusual external alteration of the dwelling to accommodate a home occupation, and the existence of a home occupation shall not be apparent beyond the boundaries of the parcel.

5. There shall be no show window, window display, or sign to attract customers or clients.

6. There shall be no emission readily discernible at the property lines of sound, vibration, odor, electrical interference, light, dust, waste, or other properties not normally associated with residential occupancies.

7. No motor power other than electrically operated motors shall be used in connection with a home occupation. The horsepower of any single motor

shall not exceed one-half horsepower, and the total horsepower of such motors shall not exceed one horsepower.

8. Automobile, pedestrian or truck traffic attendant to such occupations shall not be other than on an infrequent or occasional basis, and shall not be significantly in excess of the normal amount required for residential uses in the district. Vehicles or equipment of types not normally accessory to a dwelling shall not be parked or stored in any exterior location.

9. In the case of a physician, surgeon, or dentist, the use shall be subordinate to the use of an office located elsewhere unless the practice is of such restricted nature as to involve only occasional visits by patients.

10. The uses permitted under this subdivision shall not include a commercial photo studio, beauty parlor or barbershop, or any similar service enterprise; or a music school, dancing school, business school, or other school of any kind with organized classes or similar activity.

F. Private swimming pools, cabanas, tennis courts, and similar recreation facilities;

G. Private garages, carports, and parking areas;

H. Signs as permitted and regulated by Chapter 18.40;

I. The sale of agricultural products grown on the premises, provided that no building or structure is maintained specifically for such purposes;

J. Household pets and domestic animals permitted by town ordinances;

K. Emergency shelters for up to 10 individuals only when located on a parcel with a conditional use for a religious institution, subject to a zoning permit.

Architectural and Site Plan Review shall be required for the design of the emergency shelter unless the shelter is located within an existing structure, but no discretionary approval shall be required. Emergency shelters shall comply with the following standards:

1. Temporary shelter shall be available to residents for no more than 60 days. Extensions up to a total stay of 180 days may be permissible if no alternative housing is available.

2. On-site management shall be provided during the hours of shelter operation.

3. Emergency shelters may include common space for the exclusive use of the guests, and office and meeting space for the exclusive use of emergency shelter staff.

4. Each shelter shall have a designated outdoor smoking area that is not visible from the street or from adjacent properties. The outdoor smoking area may be screened by vegetation.

5. On-site parking may be provided as shared parking with the church use. If separate on-site parking is needed, the maximum amount required shall be 0.35 parking spaces per one bed plus one space per staff member on duty when guests are present.

5. Amendment of Code. Sections 18.14.020 [Principal uses permitted] and 18.14.030 [Conditional use permitted] of Chapter 18.14 [R-1 (Single Family Residential)]

District Regulations] of Title 18 [Zoning] of the Portola Valley Municipal Code are hereby amended to read as follows:

18.14.020 Principal uses permitted. Principal uses permitted in the R-1 district shall be as follows:

- A. Uses permitted by Section 18.36.010;
- B. Single family dwellings, including residential care facilities for six or fewer persons, supportive housing for six or fewer persons, and transitional housing for six or fewer persons;
- C. Temporary uses permitted by Section 18.36.020;
- D. Public school when located in conformance with the general plan.

18.14.030 Conditional use permitted. The following uses shall be permitted only when a conditional use permit is granted therefor as provided in Chapter 18.72:

- A. Uses permitted by Section 18.36.020;
- B. Residential planned unit developments as regulated by Chapters 18.44 and 18.72
- C. Landscaping, open space, growing of plants and similar low intensity uses each of which is attendant to adjoining uses in the C-C district, provided such uses are not required to meet the requirements of Chapters 18.42 and 18.48 through 18.60;
- D. Publicly-owned park, recreation or open space areas when located in conformance with the general plan.

6. Amendment of Code. Sections 18.16.020 [Principal uses permitted] and 18.16.030 [Conditional use permitted] of Chapter 18.16 [M-R (Mountainous Residential) District Regulations] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended to read as follows:

18.16.020 Principal uses permitted. Principal uses permitted in the M-R district shall be as follows:

- A. Uses permitted by Section 18.36.010;
- B. Single family dwellings, including residential care facilities for six or fewer persons, supportive housing for six or fewer persons, and transitional housing for six or fewer persons;
- C. Temporary uses permitted by Section 18.36.020;

18.16.030 Conditional uses permitted.

- A. Uses permitted by subsections A, B, C, D(2), D(6), E, F, G, I, J and L of Section 18.12.030.
- B. Publicly-owned recreation or open space areas when located in conformance with the general plan.

7. Amendment of Code. Section 18.20.030 [Conditional use permitted] of Chapter 18.20 [C-C (Community Commercial) District Regulations] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended to read as follows:

18.20.030 Conditional uses permitted. The uses listed in this section shall be permitted only when a conditional use permit is granted therefor as provided in Chapter 18.72:

- A. Uses permitted by Section 18.36.020;
- B. Commercial planned unit developments as regulated by Chapter 18.44 and 18.72, provided any such development conforms to the floor area limitations of Section 18.54.052;
- C. The following convenience goods and consumer service establishments, provided any such establishment conforms to the floor area limitations of Section 18.54.052:
 - 1. Apparel shops,
 - 2. Automobile service stations for only the sale of gasoline, oil, and new accessories, and services including washing, lubrication, installation of accessories, motor tune-ups, and minor automotive repairs. Used tires accepted in trade on the premises may be resold;
 - 3. Bakeries, including baking for sale on premises only,
 - 4. Banks, including drive-in facilities;
 - 5. Barbershops,
 - 6. Beauty shops,
 - 7. Drug stores,
 - 8. Eating and drinking places except drive-ins and except establishments with entertainment and dancing;
 - 9. Food stores,
 - 10. Garment pressing, repair, and alteration,
 - 11. Gift shop,
 - 12. Hardware stores,
 - 13. Laundromats and self-service dry cleaning establishments,
 - 14. Laundry and dry cleaning pick-up stations,
 - 15. Liquor stores, package only,
 - 16. Nurseries for the propagation and/or sale of plants, shrubs, and trees,
 - 17. Saddlery,
 - 18. Shoe repair,
 - 19. Variety stores, limited price;
- D. Business offices and professional offices that meet the domestic needs for the residents of the town and its spheres of influence or that provide services to other businesses or institutions in the town or its sphere of influence meeting such domestic needs. All office uses are subject to the limitations of Sections 18.20.050 and the floor area limitations of Section 18.54.052. When approving an office use, the conditional use permit shall expressly indicate, as specifically as possible, the type of office use being permitted, such as the type of medical practice or type of legal practice;

- E. Educational, cultural, institutional, and recreational uses such as churches, nursery schools, private clubs, or recreational facilities;
- F. Existing single-family dwellings as interim uses for periods of time approved by the planning commission, such periods to be the time estimated until the property will be needed for nonresidential uses permitted by this section;
- G. Personal offices pursuant to the following provisions:
 1. Personal offices as defined and treated in this section are established as a separate type of use.
 2. Personal offices shall be no larger than three hundred fifty square feet, no less than one hundred fifty square feet and shall be occupied by no more than two persons; however, the ratio of occupants to floor area shall not exceed one person per two hundred square feet of floor area on a cumulative basis. If parking is provided in excess of one space per two hundred square feet of floor area up to one space per one hundred fifty square feet of floor area, the ratio of occupants to floor area may be the same as the ratio of parking spaces to floor area.
 3. At the time a conditional use permit is issued for personal offices, the permit shall indicate which offices are so designated and may not be altered without the approval of the planning commission, but such determination need not be subject to a public hearing.
 4. The total floor area approved for all personal offices in the town in the C-C and A-P districts combined shall not exceed five thousand square feet.
 5. A zoning permit shall be applied for and approved prior to occupancy of a personal office which will verify compliance with the foregoing provisions. Annually thereafter, concurrent with the issuance and renewal of business licenses for personal offices, information shall be submitted by the occupant of the personal office which verifies compliance with the foregoing provisions. A fee may be charged by the town for the processing of such annual compliance information.
 6. If a business conducted in personal offices meets the test that the majority of the business serves the town and its spheres of influence, it is subject to the provisions of this ordinance that pertain to offices in general except that it must in addition conform to subsection G 1 through 5 above.
 7. If the primary occupant of a personal office is a resident of the town or its spheres of influence, the provision of such space is deemed to meet the criteria of serving primarily the town and its spheres of influence. In such a case, the occupant may conduct a personal business which need not meet the test of serving primarily the town and its spheres of influence. Such a business, however, shall not attract other than occasional traffic by other than the occupants and shall be separate from other businesses conducted in personal offices.
- H. Residential care facilities for seven or more individuals;
- I. Any other use which is determined by the commission, as provided in Chapter 18.38, to be of the same character as other uses permitted by this section,

provided that a use found to be of the same character as another use must meet the floor area limitations of that use as set forth in Section 18.54.052.

8. Amendment of Code. Section 18.22.030 [Conditional use permitted] of Chapter 18.22 [A-P (Administrative Professional) District Regulations] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended to read as follows:

18.22.030 Conditional uses permitted. Conditional uses permitted in the A-P district shall be as follows:

- A. Uses permitted by Section 18.36.020;
- B. Administrative-professional planned unit developments as regulated by Chapters 18.44 and 18.72, provided any such development conforms to the floor area limitations of Section 18.54.052;
- C. Administrative and professional offices that meet the domestic needs of the residents of the Town and its spheres of influence or which provide services to other businesses or institutions in the Town or its spheres of influence meeting domestic needs, provided any such establishment conforms to the floor area limitations of Section 18.54.052;
- D. Medical and dental clinics, provided any such clinic conforms to the floor area limitations of Section 18.54.052;
- E. Physical therapy and fitness training, provided any such use conforms to the floor area limitations of Section 18.54.052;
- F. Veterinary clinics, provided any such clinic conforms to the floor area limitations of Section 18.54.052;
- G. Real estate and insurance offices, provided any such office conforms to the floor area limitations of Section 18.54.052;
- H. Convenience goods and consumer service establishments permitted by Section 18.20.030 C 1 and 3 through 19, subject to the requirements of Section 18.22.050 C, and provided any such establishment conforms to the floor area limitations of Section 18.54.052;
- I. Uses permitted by Section 18.20.030 G;
- J. Residential care facilities for seven or more individuals;
- K. Any other use which is determined by the commission, as provided in Chapter 18.38, to be of the same character as other uses permitted by this section, provided that a use found to be of the same character as another use must meet the floor area limitations of that use as set forth in Section 18.54.052.

9. Amendment of Code. Section 18.26.030 [Conditional uses permitted] of Chapter 18.26 [O-A (Open Area) District Regulations] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended to read as follows:

18.26.030 Conditional Uses Permitted. The following uses are permitted only when a conditional use permit is granted therefor as provided in Chapter 18.72.

- A. Uses permitted by Section 18.36.020;

- B. Barns and agricultural equipment storage sheds exceeding one story in height;
- C. Private and commercial recreation uses and buildings;
- D. Residential uses as provided for in the residential and combining districts shown in parentheses in association with the O-A designation on the zoning map, subject to a height limit of twenty-six feet, and when developed as a residential planned unit development;
- E. Employee housing for qualified agricultural uses as set forth in California Health and Safety Code Section 17021.6;
- F. Any other use which is determined by the planning commission, as provided in Chapter 18.38, to be of the same general character as the above permitted uses.

10. Amendment of Code. Section 18.34.070 [Waiver of fees] of Chapter 18.34 [Administration] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended to read as follows:

18.34.070 Waiver of fees. Any fees required under this title may be waived by the council for:

- A. Any public body, district or agency of federal, state, county or municipal government, or
- B. Any applicant for a conditional use permit for an existing use, when a use permit issued by the county was in effect on the date the ordinance codified in this section became effective, provided that such is permitted as a conditional use under this title.
- C. Any residential development project with 10 or more units in which at least 50% of the dwelling units will be price-restricted to be affordable to households with incomes at moderate incomes or below, as defined by the California Department of Housing and Community Development. A development agreement shall be used to grant any fee waiver under this subsection. The development agreement shall set forth the total number of units in the development project, the number of affordable units to be included, and the level of affordability of the units, as well as the amount of fees to be waived. The development agreement shall be prepared to the satisfaction of the town attorney. The Council's determination as to whether and what portion of fees to waive shall be based on the following criteria:
 1. The mix of units by income level;
 2. The extent to which the units are anticipated to serve populations in town with a particular need for affordable housing in the town, such as senior citizens and people who work in town;
 3. The expected financial impact on the town of waiving fees; and
 4. The financial feasibility of the project if some or all of the fees are not waived.

10. Amendment of Code. Section 18.46.030 [Replacement of involuntarily damaged or destroyed nonconforming structure or structure occupied by a nonconforming use] of Chapter 18.46 [Nonconforming Structures and Uses] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended to read as follows:

18.46.030 Replacement of involuntarily damaged or destroyed nonconforming structure or structure occupied by a nonconforming use.

A. A nonconforming structure or a structure occupied by a nonconforming use that is involuntarily damaged to less than fifty percent of the structure's current appraised value at the time of damage, may be repaired or reconstructed up to the same height, floor area, building coverage, yard, special building setbacks and impervious surfaces that existed prior to the structure being damaged, provided all other provisions of the zoning regulations are complied with and the extent of the nonconformity is not enlarged.

B. If damage meets or exceeds 50% of a structure's current appraised value at the time of damage, and such structure complied with height and floor area limitations when constructed or was legalized through the provisions of the town's former second unit amnesty program, such structure may be reconstructed or replaced up to the same height, floor area, building coverage and impervious surfaces that existed prior to the structure being damaged, provided all other provisions of the zoning regulations are complied with, the extent of nonconformity is not enlarged and the design is approved by the architectural and site control commission as provided for in Chapter 18.64. In all other cases, if damage meets or exceeds fifty percent of a structure's appraised value, restoration or reconstruction of such structure shall conform to all other provisions of the zoning regulations in effect at the time of such restoration or reconstruction.

11. Amendment of Code. Section 18.52.070 [Exceptions — Certain features projecting into yard] of Chapter 18.52 [Yards] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended to read as follows:

18.52.070 Exceptions — Certain features projecting into yard. The following enumerated features may project into required yards as set forth in this section, provided that, in a case of an interior side yard, the projection shall not exceed one-fifth of the required least width of side yard:

A. Cornices, canopies, eaves or any other similar architectural features may project a distance not exceeding three feet;

B. An uncovered stair and necessary landings may project a distance not to exceed six feet provided that such stair and landings shall not extend above the entrance floor of the building except for a railing not to exceed three feet in height;

C. Ramps used to provide handicapped access to a structure may extend into any required yards, including railings and guardrails in conformity with Title 24 standards for handicap access.

12. Environmental Review. This Ordinance is not a project for the purposes of the California Environmental Quality Act.

13. Effective Date: Posting. This Ordinance shall become effective thirty (30) days after the date of its adoption and shall be posted within the Town of Portola Valley in three (3) public places.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

By: _____
Mayor

ATTEST:

APPROVED AS TO FORM:

Town Clerk

Town Attorney

6(a)



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Leslie Lambert, Planning Manager

DATE: January 26, 2011

RE: Adoption of Resolution in Opposition to the Proposed DMB Redwood City Cargill Saltworks Project

On December 8, 2010, the Town Council unanimously (Wengert absent) adopted Resolution No. 2509-2010 conveying to the City of Redwood City the Town Council's opposition to the proposed DMB Redwood City/Saltworks Project. Resolution No. 2509-2010 is attached for your review.

After the adoption of Resolution No. 2509-2010, Councilmember Toben requested that the Town Council consider adding additional language to the Resolution. The additional language is shown in italics on the proposed Resolution for your consideration.

Recommendation:

It is recommended that the Town Council consider the proposed additional language added to the Resolution conveying to the City of Redwood City the Town Council's opposition to the proposed DMB Redwood City/Saltworks Project. This proposed Resolution, if approved, would supersede and replace Resolution No. 2509-2010.

Approved:


Angela Howard, Town Manager

RESOLUTION NO. _____-2011

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY
 CONVEYING TO THE CITY OF REDWOOD CITY THE TOWN COUNCIL'S
 OPPOSITION TO THE PROPOSED DMB REDWOOD CITY/SALTWORKS PROJECT
 AS PRESENTED IN THE NOTICE OF PREPARATION AND
 SUPPORT OF THE RESTORATION OF THE CARGILL SALT PONDS
 AND THEIR INCLUSION IN THE DON EDWARDS NATIONAL WILDLIFE REFUGE

WHEREAS, San Francisco Bay is a natural treasure that defines our region, providing recreation, beauty and vital habitat for a vibrant ecosystem, its future should be thoughtfully stewarded to ensure that the Bay Area remains a healthy place to live; and

WHEREAS, In May 2009, the City of Redwood City received a development application from DMB Redwood City Saltworks for a 1,436-acre mixed use project to be located in the San Francisco Baylands; and

WHEREAS, the era of filling in San Francisco Bay is over – we stopped that destruction forty years ago – the proposed project seeks to reverse the longstanding regional policies that sought to repair and protect the bay and its wetlands; and

WHEREAS, the proposed project would result in an increase of up to 12,000 housing units for an increase in population of approximately 32,040 people. Further, the initial estimates describe as many as 83,000 new daily car trips including over 8,000 new trips an hour during rush hour; and

WHEREAS, the proposed project is located on a tidal plain where housing is not permitted, a number of significant land use entitlements and approvals from Redwood City would be required including: General Plan Amendment, Specific Plan Amendment, Zoning Code Amendment, Development Agreement and Large Lot Subdivision Map. Further, the proposed project must be approved and/or permitted by at least 25 federal, state, and local agencies; and

WHEREAS, the San Francisco Bay's wetlands, marshes, and salt ponds are a regional asset, evidenced by the federal government's approval of the Cargill salt ponds within the expansion boundary of the Don Edwards National Wildlife Refuge. Further, when salt ponds are restored to tidal marsh, they provide wildlife habitat, natural flood control protection and cleaner water for all the residents of the Bay Area; and

WHEREAS, Redwood City projects a critical water shortage by 2030, the applicant has acquired water rights from the Nickel Family in Kern County guaranteeing water until 2079, but delivering the water to the proposed project requires an exchange with an intermediary water agency that receives both Hetch Hetchy and State Water Project water, and whether such an unprecedented long-term exchange is both possible and reliable remains to be seen; and

WHEREAS, we, as current elected officials, understand the pressures cities face to solve the housing and jobs imbalance in San Mateo County by proposing housing near jobs; and

WHEREAS, development projects, such as that proposed by DMB Redwood City Saltworks, that encroach upon the San Francisco Bay will pose a variety of serious environmental issues and aesthetic concerns as well as adverse infrastructure impacts such as traffic gridlock, questionable water availability, flooding from sea level rise in a time of climate change, all of which affect the health and public safety of our residents; and

WHEREAS, over 100 current and former elected officials from all nine Bay Area counties and organizations and agencies agree and are opposed to the project, believing that the San Francisco Bay is essential to our region, that the bay belongs to all of us, and that we **all** must protect it; and

***WHEREAS**, Section 15270(b) of the California Environmental Quality Act permits a public agency to conduct an initial screening of a proposed development project for quick disapproval prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved; and*

***WHEREAS**, the Notice of Preparation for the proposed DMB Redwood City Saltworks project dated October 12, 2010 reveals the project to be so patently flawed on environmental grounds that it cannot be approved in any form resembling the proposal; and*

NOW, THEREFORE BE IT RESOLVED THAT, the Town Council of the Town of Portola Valley does hereby:

1. Declare that the San Francisco Bay is a true regional asset to be protected by all residents in the region.
2. Formally indicate that the Portola Valley Town Council is extremely concerned about the proposed DMB Redwood City Saltworks project and intends to maintain access to all pertinent information about the project as the review process unfolds.
3. Indicate that the Portola Valley Town Council will keep the proposed project under close scrutiny throughout the environmental and public review process.
4. *Declare that the Portola Valley Town Council requests that prior to the initiation of the CEQA process, Redwood City determine that the project cannot be approved and deny the application.*
5. Declare, that the Portola Valley Town Council opposes the proposed project as described in the Notice of Preparation and Initial Study and supports the restoration of the Cargill salt ponds and their inclusion in the Don Edwards National Wildlife Refuge.

PASSED AND ADOPTED by the Town Council of the Town of Portola Valley, California at a meeting thereof held on the 8th day of December 2010 by the following vote of the members thereof:

This Resolution hereby supersedes and replaces Resolution 2509-2010 adopted on December 8, 2010.

AYES:
NOES:
ABSENT:
ASTAIN:

Mayor of the Town of Portola Valley

ATTEST:

Clerk of the Town of Portola Valley

RESOLUTION NO. 2509-2010

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY
CONVEYING TO THE CITY OF REDWOOD CITY THE TOWN COUNCIL'S
OPPOSITION TO THE PROPOSED DMB REDWOOD CITY/SALTWORKS PROJECT
AS PRESENTED IN THE NOTICE OF PREPARATION AND
SUPPORT OF THE RESTORATION OF THE CARGILL SALT PONDS
AND THEIR INCLUSION IN THE DON EDWARDS NATIONAL WILDLIFE REFUGE

WHEREAS, San Francisco Bay is a natural treasure that defines our region, providing recreation, beauty and vital habitat for a vibrant ecosystem, its future should be thoughtfully stewarded to ensure that the Bay Area remains a healthy place to live; and

WHEREAS, In May 2009, the City of Redwood City received a development application from DMB Redwood City Saltworks for a 1,436-acre mixed use project to be located in the San Francisco Baylands; and

WHEREAS, the era of filling in San Francisco Bay is over – we stopped that destruction forty years ago – the proposed project seeks to reverse the longstanding regional policies that sought to repair and protect the bay and its wetlands; and

WHEREAS, the proposed project would result in an increase of up to 12,000 housing units for an increase in population of approximately 32,040 people. Further, the initial estimates describe as many as 83,000 new daily car trips including over 8,000 new trips an hour during rush hour; and

WHEREAS, the proposed project is located on a tidal plain where housing is not permitted, a number of significant land use entitlements and approvals from Redwood City would be required including: General Plan Amendment, Specific Plan Amendment, Zoning Code Amendment, Development Agreement and Large Lot Subdivision Map. Further, the proposed project must be approved and/or permitted by at least 25 federal, state, and local agencies; and

WHEREAS, the San Francisco Bay's wetlands, marshes, and salt ponds are a regional asset, evidenced by the federal government's approval of the Cargill salt ponds within the expansion boundary of the Don Edwards National Wildlife Refuge. Further, when salt ponds are restored to tidal marsh, they provide wildlife habitat, natural flood control protection and cleaner water for all the residents of the Bay Area; and

WHEREAS, Redwood City projects a critical water shortage by 2030, the applicant has acquired water rights from the Nickel Family in Kern County guaranteeing water until 2079, but delivering the water to the proposed project requires an exchange with an intermediary water agency that receives both Hetch Hetchy and State Water Project water, and whether such an unprecedented long-term exchange is both possible and reliable remains to be seen; and

WHEREAS, we, as current elected officials, understand the pressures cities face to solve the housing and jobs imbalance in San Mateo County by proposing housing near jobs; and

WHEREAS, development projects, such as that proposed by DMB Redwood City Saltworks, that encroach upon the San Francisco Bay will pose a variety of serious environmental issues and aesthetic concerns as well as adverse infrastructure impacts such as traffic gridlock, questionable time of climate change, all of which affect the health and public safety of our residents; and

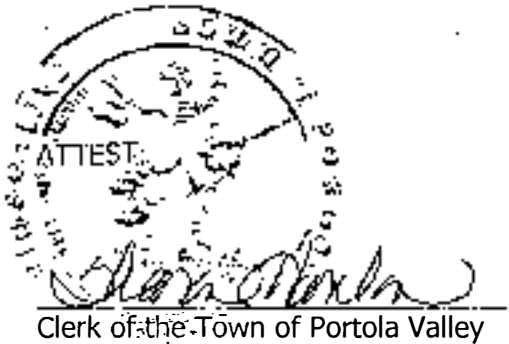
WHEREAS, over 100 current and former elected officials from all nine Bay Area counties and organizations and agencies agree and are opposed to the project, believing that the San Francisco Bay is essential to our region, that the bay belongs to all of us, and that we **all** must protect it; and

NOW, THEREFORE BE IT RESOLVED THAT, the Town Council of the Town of Portola Valley does hereby:

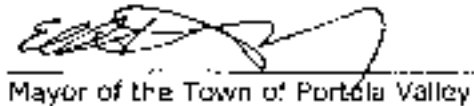
1. Declare that the San Francisco Bay is a true regional asset to be protected by all residents in the region.
2. Formally indicate that the Portola Valley Town Council is extremely concerned about the proposed DMB Redwood City Saltworks project and intends to maintain access to all pertinent information about the project as the review process unfolds.
3. Indicate that the Portola Valley Town Council will keep the proposed project under close scrutiny throughout the environmental and public review process.
4. Declare, that the Portola Valley Town Council opposes the proposed project as described in the Notice of Preparation and Initial Study and supports the restoration of the Cargill salt ponds and their inclusion in the Don Edwards National Wildlife Refuge.

PASSED AND ADOPTED by the Town Council of the Town of Portola Valley, California at a meeting thereof held on the 8th day of December 2010 by the following vote of the members thereof:

AYES: Councilmembers Richards and Toben, Vice Mayor Derwin and Mayor Driscoll
 NOES: None
 ABSENT: Councilmember Wengert
 ASTAIN: None



Clerk of the Town of Portola Valley



Mayor of the Town of Portola Valley



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Town Council
FROM: Tom Vlastic, Town Planner
DATE: January 20, 2011
RE: Draft Letter, Notice of Preparation, Redwood City "Saltworks" Project

As council members are aware, there has been considerable concern expressed over the subject project and a town resolution on it was passed in December that is before the council at its January 26, 2011 meeting for some modification before being forwarded to Redwood City. As council members are also likely aware, a Notice of Preparation (NOP) for this project has been in circulation since October and is presented as part of the first of two planned NOP "scoping" periods. Comments relative to the first NOP are now due by March 31, 2011 and the attached draft letter has been prepared for Council consideration at the January 26, 2011 meeting. The council should review the draft and provide direction for modifications and additions. These would be made as may be directed before the letter is sent to Redwood City.

The letter has been drafted for signature by the mayor. It reflects not only concerns raised during recent council meetings but also input received at a study session with residents and council member Derwin on December 1, 2010 and our review of the NOP and initial study. It should be noted that a number of other specific comments might be added, but almost all proposed project components are already recognized in the initial study as having "potentially significant impacts" and, therefore, requiring further, comprehensive analysis through any EIR/EIS process. Thus, we have tried to frame the comments to focus on the overall inappropriateness of the project in terms of the critical planning and environmental issues and to also reflect the town's regional perspective relative to land use planning which has direct bearing on the land use framework for the Bay region.

As noted in the draft letter and project materials previously shared with the council, a second NOP process is tentatively planned by Redwood City for the second half of this year. Thus, a second round of review efforts can be expected.

TCV

Attach,

cc. Angela Howard, Town Manager
Leslie Lambert, Planning Manager
Sandy Sloan, Town Attorney
Planning Commission

- DRAFT -



Town of Portola Valley

765 Portola Road
Portola Valley, CA 94028
(650) 851-1700

January 26, 2011

Redwood City Planning, Housing and Economic Development Department
Attn: Blake Lyon, Senior Planner
1017 Middlefield Road
Redwood City, CA 94063

Subject: "Saltworks" Project Scoping Comments, SCH#2010102016

Dear Mr. Lyon:

The Portola Valley Town Council and the citizens of the community thank the Redwood City City Council and its staff for providing us with the opportunity to become more informed on the "Saltworks" project. The October 2010 Notice of Preparation (NOP) and Initial Study and outreach efforts made by City representatives, particularly by you and City Council members, have assisted us in better understanding the status of the proposal and City processing of it. The following comments are provided based on what we currently know about the project and our *extreme concerns* over the potential for impacts it could have on San Francisco Bay and the greater region. As the project details and additional environmental analysis are developed, we intend to stay informed and to offer additional input.

We want thank you again for the time you spent on November 19, 2010 meeting with members of our staff and Council member Maryann Derwin to update us on the project and clarify some of the initial study data. Further, our then Mayor, Steve Toben, and myself had the opportunity to meet on December 3, 2010 with your Mayor Jeff Ira and Vice Mayor Alicia Aguirre to discuss the proposal and particularly some of the challenges facing Redwood City, including flooding along the bayfront and lack of funding to restore the Cargill wetlands without a private source of capital. The input from these meetings has been seriously considered as we have formulated comments on this first "Notice of Preparation" and initial study document. Further, we have considered specific input from Town citizens, as described later in this letter, and concerns raised by numerous other agencies and officials over the past several months on the project, much of which is contained on your "Saltworks" website.

Overview of Portola Valley Comments and Environmental Concerns

Portola Valley takes a cautious role in commenting on land use and planning activities in its neighboring communities and respects the burdens decision makers face in dealing with their unique conditions. There are times, however, where the potential impacts of a proposal are so far reaching, with significant regional consequences, and require so many public concessions that it is impossible to not raise strong reactions and concerns. The Saltworks project is certainly one of these proposals and this is underscored by the scope of regional citizen and official reaction that your City has already received in response to the NOP. The public controversy that is now well documented makes it critical that the environmental review process be complete, thorough and factual. It should provide a clear basis for ensuring the most environmentally appropriate alternative is defined even if that alternative is not the one desired by the project proponents.

To help place our comments in perspective, it is important to understand that from its incorporation, Portola Valley has carefully considered its regional place in its land use decision-making. In particular, it views the Town's hillsides of the Santa Cruz Mountains as a regional resource and has worked with area citizens, within and outside of the Town, to protect these hillsides, including Windy Hill, due to their visual and open space importance to the greater region. The east facing slopes of these hillsides, and the San Andreas Fault Zone at their base, in particular, help set the limits to development and the open space framework for the Bay area as does the San Francisco Bay and the Bay wetlands. These are unique features that establish the environmental character of the region and make the Bay Area the special and attractive place it is to raise families and live, work and play, as well as do business.

To protect the hillsides, Portola Valley has carefully crafted its general plan and land use regulations and pursued other efforts that have resulted in much of this Bay region "visual backdrop" to now be in the public hands of the Mid-Peninsula Regional Open Space District. The physical constraints and natural resources of these lands have been continually recognized in the town's planning efforts, and Windy Hills stands out as an open space landmark in the Midpeninsula and greater region.

The environmental sensitivity and significance of the Saltworks lands to the Bay and the region is at least of similar importance as the Fault zone and slopes of the Santa Cruz Mountains. These Bay lands deserve similar public efforts for permanent protection. The scope of existing local and regional land use planning provisions and zoning regulations that must be changed to accommodate the DMB Associates/Cargill proposal to convert sensitive lands is unprecedented relative to contemporary land use actions. In fact, much of the contemporary planning efforts and authority for regulation of land use in California have been in direct response to historic decisions that were made in conflict with protection of sensitive lands. Further, the California Environmental Quality Act (CEQA) requirements we make use of today were adopted to specifically protect the state's unique setting and environment against such proposals.

There is no question that the filling and loss of sensitive Bay lands will cause potential for significant impacts that conflict with both state and regional policies and the general plan and zoning provisions in Redwood City. It is difficult to understand, based on your initial study alone, how any benefits from changing the local land use provisions to allow for this project could outweigh the impacts that can be appreciated even at this early stage of project discussion.

The October 2010 NOP and initial study recognize the potential for impacts with most all checklist items identified as having a "potentially significant impact," including all "Mandatory Findings of Significance" (Section 7.18). Further, your environmental documents set forth a fairly complicated process with two NOP and scoping periods. It is hoped that the project will be refined prior to the second scoping period to reduce the number of "potential significant impacts," and be more consistent with current City plans and regulations as well as regional and state objectives for protection of San Francisco Bay.

Portola Valley Community Input and Town Council Resolution No. _____

During the course of Portola Valley consideration of the October 2010 NOP, the town council received significant community input and, in light of initial comments and concerns, conducted a work session with citizens on December 1, 2010. The written communications we have received are transmitted with this letter. Additionally, a number of local residents attended the December 1st afternoon work session, and the consensus of input from this was that the project should not proceed and that the salt ponds should be restored and included in the Don Edwards National Wildlife Refuge. The comments offered at the December 1st meeting are very similar to those set forth in the written communications provided with this letter and/or the specific comments offered below.

As a result of the foregoing, the Portola Valley Town Council did, on December 8, 2010 adopt a resolution that was amended on January 26, 2011 relative to the project. The attached Resolution No. _____, not only states concerns with the project and potential environmental impacts, but also declares that the Town Council, "opposes the proposed project as described in the Notice of Preparation and Initial Study and supports the restoration of the Cargill salt ponds and their inclusion in the Don Edwards National Wildlife Refuge."

This resolution clearly reflects the input we have received from our citizens, many of whom have worked extensively to protect not only the regional resources in Portola Valley but also the Bay, Coast, and other natural resources in California and beyond.

Specific Comments in response to the NOP

While the attached resolution provides the Town's overriding position on the Saltworks project, the following specific comments are offered on the NOP/Initial Study and underscore those presented above. Additional and more specific comments will be offered during the second NOP process assuming Redwood City decides to continue consideration of the Saltworks proposals. At the same time, as our resolution states, it is hoped that provisions in Section 15270(b) of CEQA will be exercised to conclude a "quick disapproval" of the project on the environmental grounds that it should not be approved in any form resembling the current plans.

The following comments recognize that the NOP and Initial Study already characterize most aspects of the project, including proposed traffic and transportation conditions, as having "potential for significant impact" and anticipate that the second NOP and the EIR/EIS efforts will fully pursue evaluations leading to alternatives which substantially reduce potential for these "significant impacts."

1. **Unprecedented Scope of Project.** The San Francisco Bay and its sensitive bay lands are viewed as a State public resource and protection and restoration is critical to the health of the Bay. Significant progress has been made, particularly since the adoption of CEQA regulations in the early 1970's, to protect and enhance the health of the Bay. This proposal, if authorized in anything like its current form, will set a contemporary precedent for a different view of the bay lands environment, i.e., that it can be traded, at least in part, for development. Any environmental impact report (EIR/EIS) needs to fully consider the precedent setting impacts of any such approval relative to the authorizations of the various and numerous agencies involved and also the growth inducing impacts for other, similar salt pond, Bay land areas. The far-reaching, growth inducing precedents and related potential impacts on Bay health could be overwhelming and should be fully understood by Redwood City and *all* responsible agencies before any action is considered to authorize the project or any portion of it.
2. **Public controversy, burdens for public tracking and comment.** The significant public controversy on "Saltworks" is already well established for the record. Further, the defined NOP/EIR/EIS process will extend the public review and tracking timeline likely over a period of a number of years. This was confirmed in your comments at the November 19, 2010 meeting with our staff and officials where you suggested that the environmental review process would likely extend over at least a five-year period, and this timeframe could be extended with legal challenges.

Given the scope of public concern, considerable resources in other communities will need to be expended over the review timeline to keep informed of and comment on the project. This burden would be considerably reduced if the project were appropriately modified to respond to comments before any second NOP period.

Again, we appreciate the outreach efforts of Redwood City. Nonetheless, considerable effort and commitment of public resources by other agencies and communities will be needed during a time when such resources are scarce. The work of your staff is being compensated by the developer, but there are no funds to offset the costs to other concerned communities and agencies that don't have direct responsibility for actions on the project. Adjusting the project to address identified regionally impacting environmental concerns is, therefore, essential to minimizing the time and cost other non-responsible agencies will need to commit to this process.

3. **Emergency response.** Initial Study Section 7.8, Hazards and Hazardous Materials, item g) concludes that the project would have no potential impact on an adopted emergency response plan or emergency evacuation plan. We seriously question this conclusion, and any EIR/EIS document needs to fully evaluate potential impacts relative to emergency response.

The initial study points out that the proposed development would be protected by what is now estimated to be a 300-foot wide, 10 to 14-foot high levee system that is in an area subject to natural hazards including flooding and strong seismic forces. The initial study also finds that essentially all geologic factors associated with the site and project have potential for significant impacts (Section 7.6). These include fault rupture, ground shaking and liquefaction.

The following proposed uses would be placed in this potentially significant hazardous setting, to be protected by the planned levee system:

8,000 to 12,000 dwelling units (including 19 acres of high density residential)
 32,000+ residents
 1,000,000 sf of new office space with attendant worker population
 140,000 sf of neighborhood mixed-use space with attendant workers and shoppers
 Four (4) new elementary schools and one middle school with attendant teachers and staff
 15,000 sf library with patrons and staff
 Public facilities plant (on site waste water treatment) and fire station
 Place of worship
 Recreational and cultural facilities including, 4-H Club, education center, boating center and "research center"
 Necessary roads and utility lines (gas, electric, water, etc.)

In the event of a major disaster, it is highly unlikely that the staffing of one fire station would be adequate to provide emergency response needs for the project. If the disaster were a major seismic event with significant ground shaking, that caused a breach of the levee and/or utility distribution systems (gas and water mains), the emergency response needed for the project area would be significant and would require services from well beyond the area. The response needs could well be extraordinary and could potentially divert emergency response teams from other areas needing assistance. The EIR/EIS must evaluate emergency response requirements and the impacts these would have on the existing plans of the critical response agencies, particularly public agencies. With a major earthquake, it is likely that all agencies would be "stretched," and this underscores the risk that is being considered in placing such a new community in what the initial study acknowledges is a significant natural hazard area.

Based on disaster response analysis, mitigations should be identified to ensure that this development would not cause extraordinary emergency response demands. If this is not possible, then project alternatives not requiring development in such sensitive and risky areas need to be identified and pursued. Otherwise, the proposal could be exposing the region to New Orleans/Katrina like disaster.

In any case, any project review should ensure that the costs for protection of the project and proposed improvements and restoration after a natural disaster do not become a public burden, as it is likely that such burden would fall well beyond the borders of the project or City. (Others have also raised concern about the ability to obtain private insurance for development in this setting. The insurance consequences need to be fully evaluated and understood so, again, the burden does not fall on the public.)

4. **Water supply.** As we understand the current proposal, potable water supply would be from unique agreements that would provide project water for up to 70 years. These agreements would be linked to transfer of water rights from Kern County and, as the initial study notes, "may require infrastructure improvements necessary to facilitate transfer." These "improvements" and potential impacts of the construction of the "improvements" need to be defined and analyzed. Further, uncertainty of longer-term water supply and potential impacts relative to possible future demand on local water supply resources need to be fully evaluated. It is conceivable that without longer-term assurance of water supply, the project could significantly impact water resources now identified or anticipated to meet other local areas needs and this could also impact

emergency response plans. There should be options to ensure that water supply will be actually guaranteed in a dependable way for the longer-term and that burdens are not left for future resolution. In addition, the potential for secondary impacts on water resources diverted from other areas, as a result of any proposed agreements, should be considered in the environmental review process.

5. **Flood control and levee system design criteria.** The proposed flood control and levee system is intended to deal with current flooding problems and also anticipate rising sea levels as a result of global warming (Section 7.6 of the initial study). Many comments have raised issue with the adequacy of the design relative to criteria used for sea level estimates and also for depending on such a system to ensure the safety of proposed new area occupants and development from flooding. The environmental analysis needs to clearly and fully anticipate the substantial potential impacts that come from rising sea levels, increased rainfalls, and a major earthquake and ensure that the levee and flood control systems can withstand the combination of events and conditions that clearly seem possible. Further, the USGS has recently identified the potential for a super storm and this should be considered in the environmental analysis. While it may be possible to characterized engineering responses to accommodate the worst-case scenarios, the impacts of the such engineering solutions/construction need to be properly evaluated to determine if the mitigations themselves add to the destruction of the Bay environment and health.
6. **Construction impacts.** The initial study correctly identifies significant potential for construction impacts over at least a 30-year period. These include initial noise, vibration, traffic, and air and water quality impacts associated with the massive grading operations to construct the site and levee system and extend to, for example, noise from the use of pile drivers to support foundation systems and other improvements expected to continue over a 20-30-year period. These construction impacts, while recognized, need to be fully evaluated and appreciated as the construction work will also be exposed to risks from earth movement and flooding, and a natural disaster could occur during the levee construction process that could have potential for major impacts on the Bay lands and water quality.
7. **Land use and Planning impacts (Initial Study Section 7.10).** The initial study identifies significant potential for potential land use impacts including those associated with traffic and transportation. The study concludes, however, that the project would not "divide an established community," but does proceed to identify significant potential impacts associated with land use plans and zoning as well as habitat conservation plans. In particular, the initial study notes that the project site is identified as "Salt Pond, Managed Wetland" in the BCDC Bay Plan and that a "major permit" from BCDC appears to be needed. The initial study comments go on to discuss identified concerns over incompatible land uses if the project were to proceed as well as traffic impacts.

From a more regional perspective and based on the initial study comments, while the project may not divide an established development, e.g., the mobile home community referenced, it would extend development beyond current urban limits, including attendant traffic, and could impact the cohesiveness of existing communities. Thus, any EIR/EIS analysis should consider the potential impacts on the cohesiveness and quality of the greater community as a result of extending development as proposed.

To be clear, this is not an "in-fill" development and does not concentrate development along existing transportation corridors. The potential impacts and consequences of the proposed mitigation measures needed to extend development as planned need to be fully reviewed, evaluated and appreciated.

8. **New Town and Housing concepts and alternatives for concentration of development along transportation corridors.** The proposed 50/50 project has been characterized by the applicant as the best way to restore 50% of the 1,436 project acres as wetlands. As noted above, and in the comments from Portola Valley citizens, the environmental costs for this 50% wetlands contribution are considered inappropriate and excessive. The efforts to achieve protection from natural hazards for the proposed new residences and improvements will be extraordinary at a minimum and have yet to be shown to be consistent with ensuring the health of the Bay and Bay lands environment.

The environmental analysis needs to fully consider project alternatives that concentrate new development along the established transportation corridors, particularly the CalTrain line. Potential for intensifying development along the corridor needs to be fully evaluated as does the potential for addressing housing needs without the requirement to fill the Bay lands. Further, alternatives to achieving existing land use plans, including those of the BCDC need to be explored, including options for bay lands restoration and protection as permanent open space.

Thank you again for the opportunity to comment on the NOP and Initial Study. We know the City faces a huge decision-making burden with this project and hope that, prior to release of the second NOP, the project can be substantially refined or modified to avoid many of the concerns that surround the current project description. At this point, Portola Valley must conclude that the potential environmental consequences of the project are so significant, even as currently understood, to respectfully ask Redwood City to consider actions it could take to not pursue the project further. If this is not possible, we again appreciate your willingness to carefully and fully respond to the all the comments you have received on the first NOP/Initial Study effort and would look forward to the opportunity to continue to be informed of and comment on the project as processing proceeds.

Respectfully yours,

Ted Driscoll,
Mayor

Attach.

cc. Mayor Ira, and member of the Redwood City City Council
Angela Howard, Town Manager
Sandy Sloan, Town Attorney
Tom Vlasic, Town Planner
Leslie Lambert, Planning Manager



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Leslie Lambert, Planning Manager

DATE: January 26, 2011

RE: Review and approval of a Resolution authorizing the Town of Portola Valley to become a member of a Countywide Sub-Region, an entity that would locally administer ABAG's Regional Housing Needs Allocation Process (RHNA) as part of the Regional Sustainable Communities

Background and Discussion:

In 2006 and 2007, the Town worked with City/County Association of Governments of San Mateo County (C/CAG) and the County of San Mateo Housing Department to facilitate the formation and operation of a Sub-Region for San Mateo County that included the 20 cities and the County. The purpose of the Sub-Region was to receive a Sub-Regional allocation for housing and for the Sub-Region to determine the allocation for each land use agency. These allocations were then to be used for each agency's 2009 Housing Elements. The process was successful and resulted in a much more positive engagement with the cities and the County.

SB 375 has established the requirement for a Sustainable Communities Strategy to reduce the greenhouse gas emissions from small trucks and automobiles. This is being addressed at the regional level by the Joint Policy Committee (JPC) that includes the Association of Bay Area Governments (ABAG), Metropolitan Transportation Commission (MTC), Bay Conservation Development Commission (BCDC), and Bay Area Air Quality Management District (BAAQMD). Part of this strategy is to link land use and transportation decisions. It is important that all the transportation and land use agencies in San Mateo County work together to define what can realistically be accomplished in San Mateo County. Every eight years the Sustainable Communities Strategy and the Regional Housing Needs Assessment (RHNA) must be consistent. The establishment of the initial Sustainable Community Strategy will also include an update to the RHNA even though it was done in 2007. The new cycle will be eight years instead of seven.

State Law

State law now allows cities within the County to join together to form a "Sub-Region", a consortium that would administer the State mandated RHNA program at a local level. Each member jurisdiction of a Sub-Region must submit a Resolution to ABAG requesting authority to locally administer the program by March 16, 2011. ABAG would then adopt a Resolution approving the formation of the Sub-Region. This process would establish the housing numbers to be used in each city or county as part of the Housing Element update for 2012. C/CAG would like to form a Sub-Region consisting of all cities and the County.

Mayor and Members of the Town Council
January 26, 2011
Page Two

Composition of a Sub-Region

A Sub-Region may be comprised of two or more contiguous cities. C/CAG has indicated interest in supporting this effort if the individual cities and the County are interested. Therefore, C/CAG is coordinating the creation of a countywide Sub-Region that includes most if not all the cities and County. C/CAG is committed to provide facilitation and staff support as necessary.

Timeline

The Sub-Region needs to be formed by March 16, 2011.

Procedures

Sub-Regions must follow the same substantive and procedural rules and guidelines that ABAG follows when distributing housing allocations. Sub-Regions must also enter into an agreement with ABAG that specifies the process, timing, and other terms and conditions for administering the local housing needs determination process.

Local Control

This will allow local control. Creating a Sub-Region in San Mateo County to administer the allocation process significantly increases local control. Members of the Sub-Region will have the flexibility to negotiate with other members for adjustments to their allocations. Jurisdictions that want fewer units might offer incentives to other jurisdictions that might accept additional units. Incentives could include cash payments to help subsidize the cost of providing services for new development or the costs of roadway and transportation improvements. Or, perhaps, jurisdictions that want fewer units could be required to make cash payments to the Housing Endowment and Regional Trust of San Mateo County to help build more housing in the County. This concept of swaps and credits can be developed through the Sub-Regional delegation process. Since it is also part of the Sustainable Communities Strategy the Sub-Region will be balancing three variables Housing, Employment, and Location.

Recommendation:

Town Staff recommends that the Town Council review and approve Resolution No. ____-2011, authorizing the Town of Portola Valley to become a member of a Countywide Sub-Region, an entity that would locally administer ABAG's Regional Housing Needs Allocation Process (RHNA) as part of the Regional Sustainable Communities Strategy in accordance with staff recommendation.

Approved:



Angela Howard, Town Manager

RESOLUTION NO. _____-2011

RESOLUTION AUTHORIZING THE TOWN OF PORTOLA VALLEY
TO BECOME A MEMBER OF A COUNTYWIDE SUB-REGION,
AN ENTITY THAT WOULD LOCALLY ADMINISTER
ABAG'S REGIONAL HOUSING NEEDS ALLOCATION PROCESS (RHNA)

WHEREAS, SB 375 requires the development of a Sustainable Community Strategy including consistency every eight years with the Regional Housing Needs Allocation Process; and

WHEREAS, the Association of Bay Area Governments (ABAG) is required by State law to administer the Regional Housing Needs Allocation program in the Bay Area; and

WHEREAS, ABAG has begun preliminary work on developing the program with the objective of completing the program in August of 2012; and

WHEREAS, State Law allows administration of the program to local jurisdictions who create sub-regions for the purposes of distributing housing need allocations among the members of the sub-region; and

WHEREAS, a sub-region is defined as two or more cities in a County or any combination of geographically contiguous local governments; and

WHEREAS, the Town of Portola Valley desires to become part of a sub-region in San Mateo County; and

WHEREAS, the City/County Association of Governments of San Mateo County (C/CAG) will facilitate in the sub-region; and

WHEREAS, each member of a sub-region must adopt a resolution authorizing its inclusion in the sub-region; and

WHEREAS, adopted resolutions must be sent to ABAG by March 16, 2011; and

WHEREAS, ABAG must adopt a resolution approving the sub-region; and

NOW, THEREFORE, BE IT RESOLVED that the Town of Portola Valley agrees to participate in the process to establish realistic housing allocations among the sub-region (cities and the County) for use in the next housing element that is due in 2012. Adoption of this resolution indicates the Town Council's intention to participate in the sub-region process for San Mateo County and to designate the City/County Association of Governments of San Mateo County (C/CAG) as the official representative of the San Mateo County sub-region. This resolution is submitted to the Association of Bay Area Governments (ABAG) for inclusion in the Resolution designating the sub-region.

PASSED AND ADOPTED at the regular meeting of the Town Council of the Town of Portola Valley on January 26, 2011.

By: _____
Mayor Ted Driscoll

Attest: _____
Clerk of the Town of Portola Valley



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Council

FROM: Janet McDougall, Assistant Town Manager

DATE: January 26, 2011

RE: **Entry Into Agreement with Carducci & Associates for Completion Of Design Work for Ford Field Refurbishment Project**

Recommended Action:

Authorize entry into the proposed agreement with Carducci & Associates to complete design work in connection with the refurbishment project.

Issue Statement and Discussion:

At its December 8, 2010 meeting, the Town Council authorized staff to seek proposals from qualified firms to complete plans for the Ford Field refurbishment plan.

As a result of the solicitation process staff received proposals from Callander Associates, Carducci & Associates and Verde Design, all of whom are recognized firms specializing in sports/athletic field design. Staff has determined that Carducci & Associates can best meet the Town's needs at the lowest cost, with a contract cost of \$25,500.00. Carducci & Associates designed the softball field at the Town Center and is already familiar with the Town's design guidelines; this will certainly be a benefit as the design process moves forward.

Approved:

A handwritten signature in blue ink that reads "Angela Howard". The signature is written in a cursive, flowing style.

Angela Howard, Town Manager

Attachment – Proposed Agreement-Carducci & Associates

AGREEMENT FOR DESIGN SERVICES – FORD FIELD

THIS AGREEMENT is made and entered into this 26th day of January, 2011 by and between the Town of Portola Valley, a municipal corporation, ("Town") and Carducci & Associates ("Consultant").

RECITALS

A. The Town desires to retain the professional consulting services of Consultant as an independent contractor to provide construction plan development and design services to the Town in connection with refurbishment of Ford Field, as described in more detail in Exhibit A. Consultant will work with the Town to develop plans and specifications suitable to solicit competitive bids and ultimately construct improvements to Ford Field.

B. Consultant represents that it is fully qualified to perform such services by virtue of its experience and the training, education and expertise of its principals and employees.

NOW, THEREFORE, in consideration of performance by the parties of the promises, covenants and conditions contained herein, the parties hereby agree as follows:

1. SCOPE AND LEVEL OF SERVICES. The nature, scope and level of the specific services to be performed by Consultant are as set forth in detail in Exhibit A attached hereto.

2. TIME OF PERFORMANCE. The services shall be performed on a timely, regular basis in accordance with the Schedule of Performance included in Exhibit A.

3. STANDARD OF PERFORMANCE. As a material inducement to the Town to enter into this Agreement, Consultant hereby represents and warrants that it has the qualifications and experience necessary to undertake the services to be provided pursuant to this Agreement. Consultant shall perform all work to the highest professional standards and in a manner reasonably satisfactory to the Town. Consultant hereby covenants that it shall follow the highest professional standards in performing all services required hereunder and will perform the services to a standard of reasonable professional care.

4. COMPLIANCE WITH LAW. All services rendered hereunder by Consultant shall be provided in accordance with all ordinances, resolutions, statutes, rules and regulations of the Town, and any federal, state or local governmental agency having jurisdiction in effect at the time the service is rendered.

5. TERM. This Agreement is effective on the date set forth in the initial paragraph of this Agreement and shall remain in effect until the services required

hereunder have been satisfactorily completed by Consultant, unless earlier terminated pursuant to Section 17, below.

6. COMPENSATION. The Town agrees to compensate Consultant for its services according to the fee schedule set forth in Exhibit A, to a maximum of Twenty-Three Thousand, Five Hundred Dollars (\$23,500.00). The Town also agrees to compensate Consultant for its out-of-pocket expenses to the extent authorized in Exhibit A. In no event shall the total compensation and costs payable to consultant under this Agreement exceed the sum of Twenty-Five Thousand, Five Hundred Dollars (\$25,500.00), unless specifically approved in writing by the Town Council.

7. METHOD OF PAYMENT. Consultant shall invoice the Town for work performed after each task is completed as set forth in Exhibit A. Payments to Consultant by Town shall be made within thirty (30) days after receipt by Town of Consultant's itemized invoices.

8. REPRESENTATIVE. William Fee is hereby designated as the representative of Consultant authorized to act on its behalf with respect to the services specified herein. It is expressly understood that the experience, knowledge, capability and reputation of William Fee were a substantial inducement for Town to enter into this Agreement. Therefore, William Fee shall be responsible during the term of this Agreement for directing all activities of Consultant and devoting sufficient time to personally supervise the services hereunder. The representative may not be changed by Consultant without the express written approval of the Town.

9. INDEPENDENT CONTRACTOR. Consultant is, and shall at all times remain as to the Town, a wholly independent contractor and not an agent or employee of Town. Consultant shall receive no premium or enhanced pay for work normally understood as overtime, nor shall Consultant receive holiday pay, sick leave, administrative leave, or pay for any other time not actually worked. The intention of the parties is that Consultant shall not be eligible for benefits and shall receive no compensation from the Town except as expressly set forth in this Agreement. Consultant shall have no power to incur any debt, obligation, or liability on behalf of the Town or otherwise act on behalf of the Town as an agent. Neither the Town, nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall at no time, or in any manner, represent that it or any of its agents or employees are in any manner employees of the Town. Consultant agrees to pay all required taxes on amounts paid to Consultant under this Agreement, and to indemnify and hold the Town harmless from any and all taxes, assessments, penalties, and interest asserted against the Town by reason of the independent contractor relationship created by this Agreement. Consultant shall fully comply with the worker's compensation law regarding Consultant and Consultant's employees. Consultant further agrees to indemnify and hold the Town harmless from any failure of Consultant to comply with applicable worker's compensation laws. The Town shall not have the right to offset against the amount of any fees due to Consultant under this Agreement any amount due to Town from

Consultant as a result of Consultant's failure to promptly pay the Town any reimbursement or indemnification arising under this Section.

10. CONFIDENTIALITY. Consultant, in the course of its duties, may have access to financial, accounting, statistical and personal data of private individuals and employees of the Town. Consultant covenants that all data, documents, discussion, or other information developed and received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Consultant without written authorization by the Town. The Town shall grant such authorization if disclosure is required by law. Upon request, all Town data shall be returned to the Town upon the termination of this Agreement. Consultant's covenant under this Section shall survive the termination of this Agreement.

11. OWNERSHIP OF MATERIAL. The Town acknowledges the Consultant's construction documents, including electronic files, as instruments of professional service. Nevertheless, the final construction documents prepared under this Agreement shall become the property of the Town upon completion of the services and payment in full of all monies due to the Consultant. The Town shall not reuse or make any modification to the construction documents without the prior written authorization of the Consultant. The Town agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Consultant, its officers, directors, employees and subconsultants against any damages, liabilities or costs, including reasonable attorneys' fees and defense costs, arising from or allegedly arising from or in any way connected with the unauthorized reuse or modification of the construction documents by the Town or any person or entity that acquires or obtains the construction documents from or through the Town without the written authorization of the Consultant. The documents are not intended to be fit for any other use or any reuse on other projects. The Town is aware that differences may exist between the electronic files delivered and the printed hard-copy construction documents. In the event of a conflict between the signed or sealed hard-copy construction documents prepared by the Consultant and electronic files, the signed or sealed hard-copy construction documents shall govern. Under no circumstances shall delivery of the electronic files for use by the Town be deemed a sale by the Consultant, and the Consultant makes no warranties, either express or implied, of merchantability and fitness for any particular purpose. In no event shall the Consultant be liable for any loss of profit or any consequential damages as a result of the Town's use or reuse of the electronic files.

12. CONFLICT OF INTEREST. Consultant covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which may be affected by the services to be performed by Consultant under this Agreement, or which would conflict in any manner with the performance of its services hereunder. Consultant further covenants that, in performance of this Agreement, no person having any such interest shall be employed by it. Furthermore, Consultant shall avoid the appearance of having any interest which would conflict in any manner with the performance of its services pursuant to this Agreement. Consultant agrees not to accept any employment or representation during the term of this Agreement which is or may make Consultant "financially interested" (as provided in California Government Code Sections 1090 and

87100) in any decision made by the Town on any matter in connection with which Consultant has been retained pursuant to this Agreement. Nothing in this section shall, however, preclude Consultant from accepting other engagements with the Town.

13. ASSIGNABILITY; SUBCONTRACTING. The parties agree that the expertise and experience of Consultant are material considerations for this Agreement. Consultant shall not assign, transfer, or subcontract any interest in this Agreement, nor the performance of any of Consultant's obligations hereunder, without the prior written consent of the Town Council, and any attempt by Consultant to do so shall be void and of no effect and a breach of this Agreement.

14. INDEMNIFICATION.

14.1. For matters not arising out of Consultant's professional services, to the fullest extent permitted by law, Consultant shall indemnify, defend (with independent counsel approved by the Town) and hold harmless the Town, and its elective or appointive boards, officers, employees agents and volunteers against any claims, losses, or liability that may arise out of or result from damages to property or personal injury received by reason of, or in the course of work performed under this Agreement due to the acts or omissions of Consultant or Consultant's officers, employees, agents or subcontractors. The provisions of this Section survive completion of the services or the termination of this Agreement. The acceptance of such services shall not operate as a waiver of such right of indemnification.

14.2 With regard to Consultant's professional services, Consultant agrees to use that degree of care and skill ordinarily exercised under similar circumstances by members of Consultant's profession, including without limitation adherence to all applicable safety standards. To the fullest extent permitted by law, Consultant shall indemnify, defend and hold harmless the Town, and its elective or appointive boards, officers, and employees from and against all liabilities, including without limitation all claims, losses, damages, penalties, fines, and judgments, associated investigation and administrative expenses, and defense costs, including, but not limited to, reasonable attorneys' fees, court costs and costs of alternative dispute resolution regardless of nature or type that arise out of, pertain to, or relate to the negligence, reckless, or willful misconduct of Consultant or Consultant's officers, employees, agents or subcontractors. The provisions of this Section survive completion of the services or the termination of this Agreement. Following any determination, judicial or stipulated, of Consultant's liability, Consultant shall be responsible only for the amount of such defense, costs or damages equal to the finally determined percentage of liability based upon the comparative fault of Consultant, and Consultant shall be entitled to reimbursement and contribution from the Town for the amount of defense, costs or damages equal to the percentage of liability of the Town as determined. The acceptance of said services and duties by Town shall not operate as a waiver of such right of indemnification.

14.3 The Town does not and shall not waive any rights that they may possess against Consultant because of the acceptance by the Town or the deposit with

the Town of any insurance policy or certificate required pursuant to this Agreement. This hold harmless and indemnification provision shall apply regardless of whether or not any insurance policies are determined to be applicable to the claim, demand, damage, liability, loss, cost or expense.

15. INSURANCE REQUIREMENTS. Consultant agrees to have and maintain the policies set forth in Exhibit B entitled "INSURANCE REQUIREMENTS," which is attached hereto and incorporated herein. All policies, endorsements, certificates, and/or binders shall be subject to approval by the Town Attorney as to form and content. These requirements are subject to amendment or waiver only if so approved in writing by the Town Attorney. Consultant agrees to provide Town with a copy of said policies, certificates, and/or endorsements before work commences under this Agreement. A lapse in any required amount or type of insurance coverage during this Agreement shall be a breach of this Agreement.

16. SUSPENSION. The Town may, in writing, order Consultant to suspend all or any part of Consultant's services under this Agreement for the convenience of the Town, or for work stoppages beyond the control of the Town or the Consultant. Subject to the provisions of this Agreement relating to termination, a suspension of work does not void this Agreement. In the event that work is suspended for a period exceeding 120 days, the schedule and cost for completion of the work will be adjusted by mutual consent of the parties.

17. TERMINATION.

17.1 This Agreement may be terminated by either the Town or Consultant following five (5) days written notice of intention to terminate. In the event the Agreement is terminated, Consultant shall be paid for any services properly performed to the last working day the Agreement is in effect. Consultant shall substantiate the final cost of services by an itemized, written statement submitted to the Town. The Town's right of termination shall be in addition to all other remedies available under law to the Town.

17.2 In the event of termination, Consultant shall deliver to the Town copies of all reports, documents, computer disks, and other work prepared by Consultant under this Agreement, if any. If Consultant's written work is contained on a hard computer disk, Consultant shall, in addition to providing a written copy of the information on the hard disk, immediately transfer all written work from the hard computer disk to a soft computer disk and deliver said soft computer disk to Town. Town shall not pay Consultant for services performed by Consultant through the last working day the Agreement is in effect unless and until Consultant has delivered the above described items to the Town.

18. CONSULTANT'S BOOKS AND RECORDS. Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other

records or documents evidencing or relating to charges for services, supplies, materials, or equipment provided to Town for a minimum period of three (3) years, or for any longer period required by law, from the date of final payment to Consultant pursuant to this Agreement.

19. NON-WAIVER OF TERMS, RIGHTS AND REMEDIES. Waiver by either party of any breach or violation of any one or more terms or conditions of this Agreement shall not be deemed to be a waiver of any other term or condition contained herein or a waiver of any subsequent breach or violation of the same or any other term or condition. Acceptance by the Town of the performance of any work or services by Consultant shall not be deemed to be a waiver of any term or condition of this Agreement. In no event shall the Town's making of any payment to Consultant constitute or be construed as a waiver by the Town of any breach of this Agreement, or any default which may then exist on the part of Consultant, and the making of any such payment by the Town shall in no way impair or prejudice any right or remedy available to the Town with regard to such breach or default.

20. NOTICES. Any notices, bills, invoices, reports or other communications required or permitted to be given under this Agreement shall be given in writing by personal delivery, by facsimile transmission with verification of receipt or by U.S. mail, postage prepaid, and return receipt requested, addressed to the respective parties as follows:

To Town:

Town Manager
Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028
Fax: (650) 851-4677

To Consultant:

William Fee
Carducci & Associates
555 Beach Street, Fourth Floor
San Francisco, CA 94133
Fax: (415) 674-0999

Notice shall be deemed communicated on the earlier of actual receipt or forty-eight (48) hours after deposit in the U.S. mail, the date of delivery shown on deliverer's receipt, or by acknowledgment of facsimile transmission.

21. NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY. In the performance of this Agreement, Consultant shall not discriminate against any employee, subcontractor or applicant for employment because of race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental handicap, or medical condition. Consultant will take affirmative action to ensure that employees are treated without regard to race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental handicap, or medical condition.

22. ATTORNEYS' FEES; VENUE. In the event that any party to this Agreement commences any legal action or proceeding to enforce or interpret the provisions of this Agreement, the prevailing party in such action or proceeding shall be

entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which the successful party may be entitled. The venue for any litigation shall be San Mateo County.

23. COOPERATION. In the event any claim or action is brought against the Town relating to Consultant's performance or services under this Agreement, Consultant shall render any reasonable assistance and cooperation which Town might require.

24. EXHIBITS, PRECEDENCE. All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement.

25. PRIOR AGREEMENTS AND AMENDMENTS; ENTIRE AGREEMENT. This Agreement, and any other documents incorporated herein by specific reference, represent the entire and integrated agreement between the Town and Consultant. This Agreement supersedes all prior oral and written negotiations, representations or agreements. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may only be modified by a written amendment duly executed by the parties to this Agreement. Any amendment relating to compensation for Consultant shall be for only a not-to-exceed sum.

IN WITNESS WHEREOF, the Town and Consultant have executed this Agreement effective as of the date written above.

TOWN:

CONSULTANT:

By: _____
Mayor

By: William E. Fee
Name (printed): William E. Fee
Title: Principal
EIN 94-2363816

ATTEST:

Town Clerk

Revised January 5, 2011
Revised December 22, 2010
November 22, 2010
Job Number: TPV10-01

EXHIBIT A

Ford Field Refurbishment 3399 Alpine Road at Westridge Drive Portola Valley, CA

PROJECT DESCRIPTION

Landscape architectural services for the refurbishment of approximately a 2-acre site containing Ford Field, a 200' deep natural turf baseball field used for Little League baseball games. It is adjacent to Los Trancos Creek.

Based on the request for proposal dated December 10, 2010, the Town would like to refurbish the field, keeping the field in its current location and alignment. The field should be regraded to improve drainage and planarity. The backstop should be replaced. The dugouts should be replaced. The existing oak tree on the first base side should be protected and may require the dugout to be relocated to minimize impact to the existing tree. If affordable, the dugouts may have a roof similar to dugouts at Entrada. The existing batting cage should be replaced and have a lower roof and be similar to the batting cage at Woodside High School. The backstop and fences should be similar to the backstop and fencing that was used at Portola Valley Town Center. The creek should be protected and a "bioswale" is required to filter stormwater from the field before it enters the creek. The existing parking lot will remain undisturbed as much as practical. An accessible path of travel constructed of stabilized decomposed granite will be included from the existing parking lot to the field facilities. The budget for the project is approximately \$302,000.00. Refer to attached exhibits "A" through "D", showing refurbishment plan, photos of existing conditions, scope of work, limit of work, project description, timeline and comments from Town committees.

A. SERVICES

1. Consultation

Meetings are included in the base contract for the purpose of discussing design program, budgets and coordination with the Owner.

2. Proposed Site Plan

- a. Site visit and observation of visible existing conditions and review of existing documents.
- b. Prepare a proposed site plan to be reviewed and approved by the Owner's Representative.
- c. Coordination with governing agency for landscape planting, irrigation or site issues applicable to this Contract.

3. Construction Documents

- a. Preparation of detailed construction drawings, which incorporate to the greatest degree possible comments from Committees/Commissions and can be utilized to bid/construct the project with a maximum of up to three (3) add alternates.

- b. Specifications: Final specifications will be in Construction Specification Institute format.
- c. Cost evaluation for the work based on our best opinion of costs at the date of the estimate.
- d. Elevations depicting both current and after construction conditions for comparison purposes.
- e. Development and obtainment of samples of proposed materials and colors to be used.
- f. Attendance at one (1) Parks & Recreation Committee meeting and (1) joint ASCC/Planning Commission meeting to present project and receive comments.

B. SERVICES NOT INCLUDED IN THE BASE CONTRACT

1. Structural, electrical, geotechnical and civil engineering. (Available as needed as an additional service. See list below.)
2. Creek restoration.
3. Post occupancy tasks and preparation of record drawings in ACAD format.
4. Design of parking lot beyond improvements needed for ADA parking spaces and ADA path of travel.
5. Topographic and boundary survey.
6. Arborist report.
7. Grant application preparation.
8. LEED certification.
9. Services related to CEQA.
10. Services related to stream alteration agreement.
11. Offsite improvements.
12. Bidding and Construction Administration

The Town of Portola Valley is to provide:

1. Written comments affecting the design of the refurbishment provided by the various Town committees, the Architectural and Site Central Commission and Planning Commission.
2. Services required to obtain required permits from agencies other than the Town of Portola Valley.
3. Topographic survey.
4. Boundary survey.
5. Assessors parcel map.
6. Geotechnical assessment and recommendations, if required.
7. Services required for structural engineering, electrical engineering, geotechnical engineering and civil engineering.
8. Record drawings of existing improvements.
9. Information showing location and size of points of connection for electricity, irrigation controller, irrigation water and potable water.
10. List of requirements and location of electrical receptacles.
11. Creek setback requirements.
12. Construction management and inspection.
13. Printing of review and construction documents.
14. List of storage requirements.
15. Arborist report.
16. Map showing size, invert elevation and locations of storm drain outfall from Ford Field into Los Trancos Creek.
17. Separate improvements to the existing parking lot to provide accessible parking spaces.
18. Coordination with PG& E if needed.
19. Obtain Stream Alteration Agreement from the State of California Department of Fish and Game, if needed.

C. COMPENSATION

1. Fees

a. Consultation	\$ 5,000.00
b. Construction documents	\$15,000.00
Elevations depicting both current and after construction conditions.	\$ 1,000.00
Material samples and colors	\$ 500.00
Attend (1) one Parks & Recreation Committee Meeting	\$ 1,000.00
Attend (1) Joint ASCC/Planning Commission Meeting	\$ 1,000.00
Subtotal	\$23,500.00
c. Direct expenses (reimbursable expenses)	\$ 2,000.00
Total	\$25,500.00

2. Additional Services Available:

These services are available on an as needed basis. The fees shown are estimates. The final scope and fees of additional services are to be determined based on more accurate definition of scope by owner.

Civil Engineering:

a. Prepare topography survey, including location of top of bank	\$5,000.00
b. Storm water calculations for 10-year or 25-year storm	\$1,000.00

Electrical Engineering:

a. Site visit by electrical engineer to review existing electrical system, determine code compliance and make recommendations	\$1,000.00
b. Coordination with PG & E for new PG & E electrical service	\$5,000.00

Structural Engineering:

We suggest reuse of the design of the Portola Valley Town Center design without additional structural engineering calculations, if needed, structural engineering calculations can be provided based on California Building Code Allowances per the following estimate:

a. Backstop foundations	\$500.00
b. Chain Link fence batting cage foundations	\$500.00
c. Fencing foundations	\$500.00
d. Bleachers with storage	\$500.00
e. Dugout with roof (similar to Entrada)	\$1,000.00
	<u>\$3,000.00</u>

Geotechnical Engineering:

a. Limited geotechnical investigation: provide two (2) borings near the backstop and provide recommendations for drilled piers. (Refer to attached exhibit "E".)	\$4,000.00
--	------------

Assist Owner in the bidding procedure as requested	\$2,000.00
Construction Administration	\$6,000.00

Construction Administration may include reviewing contractor's submittals, responding to contractor's request for information, providing supplemental information and eight (8) visits to the site at intervals appropriate to the stages of job construction and at completion

to determine general conformity of the work to the plans and specifications. This is not a full-time or exhaustive inspection and the Landscape Architect shall not be responsible for job safety, construction methods or sequences, or work that has been negligently and incorrectly installed by the contractor.

- a. Respond to Requests for Information.
- b. Review contractor's submittals.
- c. Provide supplemental information and clarifications as required.
- d. Attend up to eight (8) site visits during construction
- e. Site observation and punchlist prior to the commencement of the contractor's maintenance period.
- f. Site observation and punchlist for acceptance of contractor's work.
- g. Further site visits, if requested, will be billed as additional services per the hourly rate listed herein.

Additional services at monthly intervals.

3. Reimbursable Expenses:

- a. Reimbursable expenses are in addition to the compensation for basic and additional services and include actual expenditures made by the Landscape Architect in the interest of the project for the expenses in the following subparagraphs:
 - i. Expense of transportation in connection with the project.
 - ii. Expense of reproductions, delivery and handling of drawings, specifications and other documents.
 - iii. Expense of renderings, model and special graphics beyond those listed in Services as requested by the Client.
 - iv. Expense of soil tests, surveys or special consultants.
- b. Reimbursable expenses will be at direct cost times a multiple of 1.10 (10%). Mileage is billed at published Internal Revenue rate.

4. Billing

- a. Billings are due within thirty (30) days of the invoice date. Billings are payable upon presentation and are past due thirty (30) days from the invoice date. A finance charge of 1 1/2% per month, or the maximum amount allowed by law, will be charged on past due accounts. Legal expenses necessary for the collection of delinquent fees will be paid to the prevailing party.
- b. Failure to honor any of the billing within this time will justify cessation of further services.

D. ADDITIONAL SERVICES

1. Additional services, which may include soil tests and additional site visits, if requested and authorized in writing by the Owner or Client beyond those listed under Items A1 to 5f will be on an hourly basis charged at:

Landscape Architect	
▪ Principal	\$145.00/Hour
▪ Landscape Architect	\$ 95.00/Hour
▪ Clerical/Word processing	\$ 55.00/Hour

Civil Engineer	\$200.00/Hour
Structural Engineer	\$200.00/Hour
Electrical Engineer	\$200.00/Hour
Geotechnical Engineer	\$200.00/Hour

2. If, after the preliminary landscape plan has been approved, the Client makes a decision which, for its proper execution, involves additional services and expenses for changes in the drawings, specifications, or other documents, or if the Landscape Architect be put to labor or expense by delays caused by the client or a contractor, or by the delinquency or insolvency of either, or as a result of damage by fire or casualty, the Landscape Architect is to be paid by the Client for such additional services, expenses, or legal fees that may be incurred.

Exhibit "A"

REFURBISHMENT PLAN

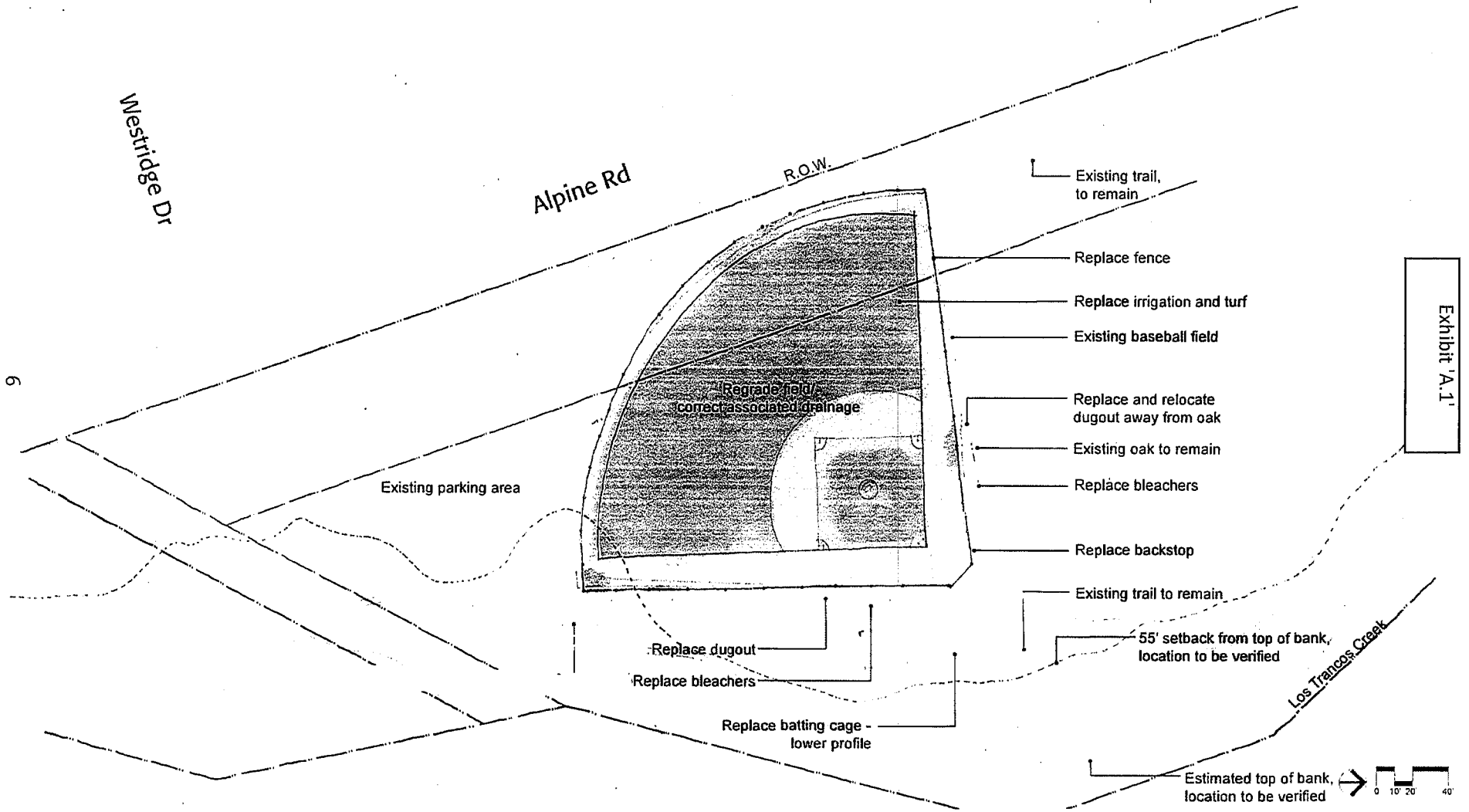


Exhibit 'A.1'

9

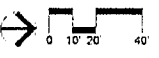


Exhibit 'B'

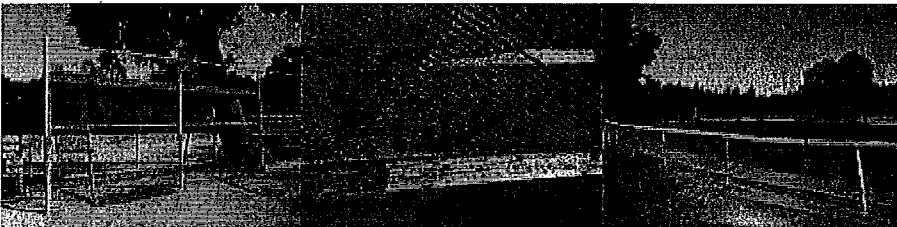
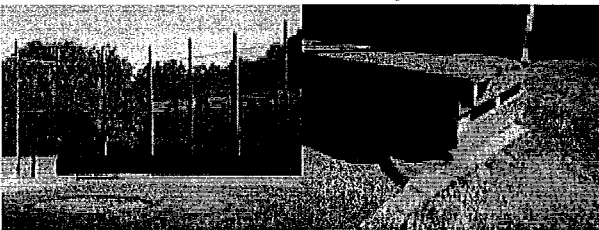
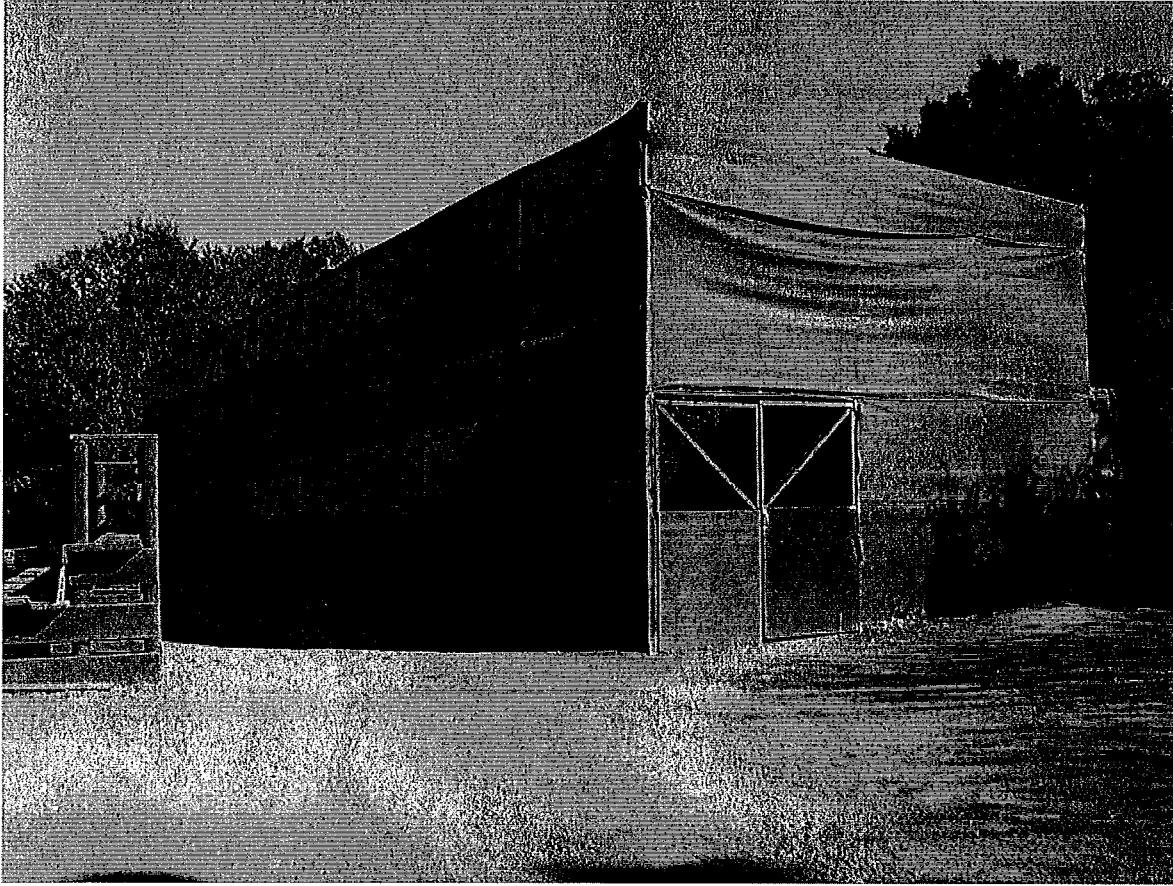


Exhibit 'C'

SCOPE OF WORK

Ford Field Refurbishment Plans

Utilizing information provided by the Town, including preliminary comments received from various Town committees, the Architectural and Site Control Commission (ASCC) and Planning Commission, Consultant shall develop full plans suitable for obtaining all necessary project approvals for a refurbishment of Ford Baseball Field.

Services to be provided by Consultant shall include:

1. Development of a proposed site plan
2. Preparation of detailed construction drawings, which incorporate to the greatest degree possible, comments from Committees/Commissions and can be utilized to bid/construct the project
3. Elevations depicting both current and after construction conditions for comparison purposes
4. Development and obtainment of samples of proposed materials and colors to be used
5. Attendance at one Parks & Recreation Committee meeting and one joint ASCC/Planning Commission meeting to present project and receive comments

It is expected the design work will commence on or about January 14, 2011 and be completed no later than February 25, 2011. Meetings to present the design to the Parks & Recreation Committee and the ASCC/Planning Commission are anticipated to occur in early March and early April respectively.

It is anticipated the project will be constructed during the summer of 2011, contingent upon the availability of funding.

Project Timeline

October 18	Parks & Recreation Committee/Field User Comments
October 26	Conservation Committee comments
November 9	Trails & Paths Committee comments
November 22	ASCC comments
January 12, 2011	Report to Town Council with recommendation to enter into contract with design firm
January 14, 2011 - February 25, 2011	Design firm completes preliminary drawings
March 7	Parks & Recreation Committee - Special meeting
March 21	ASCC for approval
April 20	Planning Commission for approval
May 3 - May 20	Finalize construction drawings
June 8	Town Council authorize bid process
June 22	Project out to bid
July 15	Bid packages due
August 10	Town Council award of bid
September 1	Commencement of construction
November 15	Construction complete (excluding sod establishment)
December 31, 2011	All grant reports and reimbursement submittals due to state
April 1, 2011	Field re-opens for play

FORD FIELD REFURBISHMENT PLAN

In April of 2009, the old oak tree located adjacent to and overhanging the home team dugout at Ford Field became a source of concern relative to safety of players within the dugout and surrounding area. Following consultation with a number of arborists and carefully considering a number of perspectives, the Town Council directed that a support post be installed, the tree's canopy be cut back, and the dugout was ordered closed.

Callender Associates, a consulting firm, was engaged by the Town to conduct a series of meetings to garner input from the community to develop a master plan for Ford Field which would result in moving the dugout away from the tree, improving field conditions, and generally updating the aging infrastructure of the field. A number of public meetings were held and a preferred design was developed. However, in the end, a number of site constraints, together with issues relating to the sun angle, made significant changes to the field both challenging and costly.

Just after the realization that the location of the field could not be shifted without exacerbating existing sun angle issues, the Town learned that state grant funds for recreation projects that had previously been frozen are once again available. A subcommittee of the Parks & Recreation Committee reviewed preliminary cost estimates to complete a refurbishment project, as opposed to a complete tear down/reconstruction of the field, and decided it made sense to capture any grant funds available and move forward with field refurbishment immediately.

The Town submitted applications for funding totaling \$232,212, and funding approval from the state has been obtained. It is important to note that this funding will only be available for use during the 2011 construction season.

All project comments and approvals must be obtained quickly to allow demolition and construction to occur during the June 15 – October 10, 2011 timeframe. The objective now is to receive comments from the Parks & Recreation Committee, the ASCC, Conservation and Trails Committees regarding the scope of the project. Once these comments are obtained, staff will recommend the Town Council retain a design firm to complete design/construction drawings. Upon completion of the drawings, the project will go back to the Parks & Recreation Committee for final comment, and will then be referred to the ASCC and Planning Commission for project approvals. Finally, the project will proceed to the Town Council for final approval and authorization for the project to be publicly bid.

Obviously, time is of the essence in order to secure all approvals, construct the project during the 2011 construction season and submit all paperwork to the State of California no later than December 31, 2011, in compliance with the state grant requirements.

A site map of the field indicating elements of the project is attached as Exhibit "A". In addition, photographs of the existing conditions of the field that the Town seeks to replace are attached as Exhibit "B".

Project Description

The Ford Field refurbishment project will include only the following components:

- Demolition of existing infrastructure & field
- Re-grading of field to improve drainage
- Backstop replacement
- Relocation/construction of dugouts
- Replacement of bleachers (with storage below)
- Reconstruction of batting cage (shorter height/smaller mass)
- Replacement of fencing surrounding field
- Replacement of infield mix
- Installation of new irrigation system
- Installation of new sod

Ford Field Refurbishment Plan

Comments From Portola Valley Town Committees

Comments from Parks & Recreation Committee (10/18/10)

Backstop

No clam shell

Reduce number of poles

12-16 foot height (reduced from 25) (Like la Entrada)

Black chain link with netting over the top

Footer Board

Reduce height to 1 foot

Dugouts

Relocate to current area of spectator stands

Place both home and visitor dugouts equal distance from home plate

Make them 3-4 feet deeper

Cement Pad

Black chain link

Roof

Shelf inside for helmets/mits

Bleachers

Behind home plate

Score area to be incorporated into stands directly behind home plate

Make them longer and ADA compliant

Area beneath bleachers to be designed as additional storage area

Batting Cage

12 foot high (reduced from 16)

Black chain link surround with netting on inside, 2 feet inside perimeter

Concrete pad covered with Astroturf

Cover on top to block sun and debris

Irrigation

Add sprayers to water infield

Grass Type

Little League has requested Bermuda Grass

Comments from Conservation Committee (10/26/10)

Drainage

Regrading of field must not create adverse conditions for the creek (i.e. potential for fertilizer, etc. flowing into the creek). A Bio swale or some other approach should be installed to protect the creek.

Any work that is done relative to the parking area should also employ appropriate creek protection.

Reuse of Materials

If possible, use of existing materials should be explored (i.e. old telephone poles incorporated into existing backstop). This will be considered, but is unlikely, due to condition of wood and poles). Staff believes there may be an opportunity for creative re-use of one or more pole will be considered relative to bird habitat.

Protection of Oak Tree

The Oak tree which overhangs the existing home team dugout should be protected throughout construction.

Grass/sod Type

Bermuda grass or other invasive species must not be used. (Town staff would like to see uniformity relative to grass species used on all fields.)

Field Location

Recognizing the field must remain in essentially the same location due to sun angles and other issues, tapering of the third-base foul area away from the creek should be strongly considered.

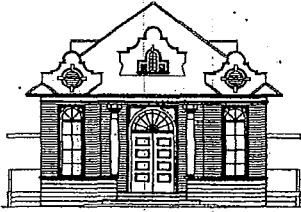
Comments from Trails & Paths Committee (11/9/10)

Batting Cage

Consider noise that emanates from the batting cage & mitigate through design, if possible.

Overall Design

Design should minimize impacts on the trail, and should consider the trail user experience.



MEMORANDUM

TOWN OF PORTOLA VALLEY

To: Janet McDougall, Assistant Town Manager
From: Tom Vlastic, Town Planner
Date: November 23, 2010
Subject: ASCC and Planning Commission November 22, 2010 Comments on Plans for Ford Field Refurbishment

At a special site meeting attended by ASCC and planning commissioners on November 22, 2010; a number of comments were provided in response to your November 17, 2010 memorandum on the Ford Field project and also the comments you offered during the site meeting. The ASCC confirmed these comments at the 11/22 regular evening meeting and offered some additional observations and suggestions. The comments in this memo summarize the input provided during the November 22nd meetings.

Attendance

ASCC members Warr, Aalfs, Breen and Clark attended the site meeting along with planning commission representatives McIntosh and Von Feldt. All ASCC members were present at the evening meeting, including commissioner Hughes.

Comments and Suggestions

At the evening ASCC meeting, the comments presented below were confirmed and the ASCC also agreed that members Aalfs and Clark would make themselves available, on behalf of the ASCC, to you and other town officials to assist, as may be appropriate and desired, in developing the specific plans for Ford Field refurbishment.

The comments developed yesterday were divided into three categories, those that should be incorporated into the refurbishment plans, those that would be desirable if possible and budget allows, and those that should be addressed apart, or irrespective of how the field planning efforts proceeds. As a preamble to the comments, however, ASCC members strongly supported this effort and timely implementation so that grant funds can be captured.

Comments recommended to be incorporated into the planning effort

1. The top of creek bank needs to be accurately surveyed so that conformity with the required zoning ordinance setbacks can be determined. It appears that the batting cage and storage container are now in the setback area. The site plan data provided with the

11/17 report does not appear to fully conform to site conditions. It may be necessary to consider both creek setback options, i.e., from top of bank and also from the ordinary high water line.

2. The storage container should be no larger than needed to serve the storage demands of this facility. It should not store materials for support of little league activities outside of the town. The container should be integrated with the other improvements, perhaps under the bleachers, and painted in a color that is in harmony with the site.
3. The backstop design used for the town center should be used for this project. It was designed to be the minimum facility needed, considering a number of factors, and the town has already been through the design effort on it.
4. Mass the dugouts, bleachers, scoring facility and batting cage behind the backstop so that visual impacts are minimized. Further, use only a transparent design for the batting cage. It is possible that creek setback limitations may force consideration of placing the batting cage toward the first base side or immediately behind the backstop. Care will need to be exercised to integrate the required facilities in such a way that the massing is minimized and the required setbacks respected.
5. Screen the existing outhouse like was done for the similar facility at Rossotti Field.
6. Do not use Bermuda grass, and support conservation committee recommendations for use of same turf at all town playing fields.
7. Use only environmentally friendly fertilizer.
8. Protect creek from any field runoff. Support conservation committee recommendations regarding, for example, use of a Bio swale.
9. Reuse at least one of the existing backstop poles someplace on site for woodpeckers.
10. If any new signage is planned this should be explained and provided for ASCC consideration.

Comments on items to be considered if possible and permitted by budget

1. Consider the addition of permanent toilet facilities. There should be permanent toilets for a facility as important and used as Ford Field.
2. Develop/implement an appropriate drainage plan for the parking area.
3. Consider a system for on-site water collection and reuse.
4. Provide for the extension of public gathering places beyond the ball field facilities. Consider a plan for picnic tables and play areas in the more open parts of the property to the north of the field. This could enhance the overall usefulness of the site to town residents.

Items that should be addressed in any case

1. Star Thistle is a problem on the property and should be removed as soon as possible, i.e., now when removal can be more easily accomplished. Perhaps this could be a little league project.
2. The "no parking" signs along Alpine Road should be removed as they create visual clutter in the scenic corridor and appear to not be needed. Parking is only an issue on Little League opening day and the signs are ignored at that time.

In suggesting that Clark and Aalfs be available to assist with the field planning process, ASCC members concurred the intent was to get as much benefit out of the process for the town as possible, including possibly a somewhat larger field.

Please let me know if you have any questions on the above comments.

TCV

cc. Carter Warr
Leslie Lambert

EXHIBIT 'D'





Exhibit 'E'

► Geotechnical ► Geoenvironmental ► Special Inspection

FEE MATRIX
Limited Geotechnical Investigation
Ford Field Backstop
Alpine Road, Portola Valley, California
Proposal No. 10-396 dated December 22, 2010

1) Mark Borings, Obtain Drilling Permit, Notify USA

Sr. Project Engineer, estimate	4 hrs	@	\$135 /hr	\$540
Mileage	40 mi	@	\$1	\$40
Subtotal 1				\$580

2) Subsurface Exploration

West Coast Exploration, estimate+15%	4 hrs	@	\$165 /hr	\$660
Engineer/Geologist (to log borings), estimate	4 hrs	@	\$115 /hr	\$460
Supplies for drilling, cement, etc.	1	@	\$100	\$100
Mileage	40 mi	@	\$1	\$40
Subtotal 2				\$1,160

3) Laboratory Testing

Direct shear tests @ natural moisture content	4 tests	@	\$50 test	\$200
Saturated Direct shear tests	2 tests	@	\$60 test	\$120
Plasticity Index tests	1 test	@	\$150 test	\$150
Moisture-density tests	4 tests	@	\$30 test	\$120
Subtotal 3				\$590

4) Engineering Analysis, Letter Report, and Supervisory Review

Sr. Project Engineer, estimate	8 hrs	@	\$150 /hr	\$1,200
Supervisory Engineer, estimate	1 hr	@	\$200 /hr	\$200
Drafting (logs, for internal use only), estimate	2 hrs	@	\$75 /hr	\$150
Clerical, estimate	1 hrs	@	\$50 /hr	\$50
Subtotal 4				\$1,600

TOTAL ESTIMATED FEE \$3,930

SCOPE OF SERVICES:

1. Mark borings, notify Underground Service Alert & obtain the drilling permit from San Mateo Co. Enviro. Health.
2. Drill, log, and sample two borings to a depth of 15 feet with a truck-mounted drilling rig.
3. Design and conduct a laboratory testing program consisting of direct shear, classification, & moisture/density tests.
4. Perform engineering analysis to develop recommendations for the design and construction of drilled pier foundations.
5. Prepare a letter report summarizing our findings, opinions, and recommendations including seismic parameters for the site, and foundation pier recommendations (min. depth, dia., allowable skin friction, and lateral resistance). Note that a letter report does not contain a vicinity map, site plan, a geologic map, a fault map, or the boring logs.

► www.baggengineers.com

► phone: 650.852.9133 ► fax: 650.852.9138 ► info@baggengineers.com
 847 West Maude Avenue, Sunnyvale, California 94085-2911

EXHIBIT B

(INSURANCE REQUIREMENTS)

Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to or interference with property which may arise from, or in connection with, the performance of the work hereunder and the results of that work by the Consultant, its agents, representatives, employees or subcontractors.

1. **MINIMUM SCOPE OF INSURANCE.** Coverage shall be at least as broad as:

1.1 Insurance Services Office (ISO) Form No. CG 0001 covering Commercial General Liability on an "occurrence" basis, including products-completed operations, personal injury and advertising injury.

1.2 Insurance Services Office Form (ISO) No. CA 0001 covering Automobile Liability, Code 1 (any auto), or if Consultant has no owned autos Code 8 (hired autos) and Code 9 (non-owned autos).

1.3 Workers' Compensation Insurance as required by the Labor Code of the State of California and Employer's Liability Insurance.

1.4 Errors and Omissions Liability Insurance appropriate to the Consultant's profession. Architects' and Consultants' coverage is to be endorsed to include contractual liability.

2. **MINIMUM LIMITS OF INSURANCE.** Consultant shall maintain limits no less than:

2.1 **Commercial General Liability.** (Including products-completed operations, personal & advertising injury) One Million Dollars (\$1,000,000) per occurrence. If Commercial General Liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

2.2 **Automobile Liability.** One Million Dollars (\$1,000,000) combined single limit per accident for bodily injury and property damage.

2.3 **Workers' Compensation and Employer's Liability.** Workers' compensation insurance with Statutory Limits as required by the Labor Code of the State of California, and Employer's Liability Insurance with One Million Dollars (\$1,000,000) per accident for bodily injury or disease.

2.4 Errors and Omissions Liability. One Million Dollars (\$1,000,000) per occurrence or claim, Two Million Dollars (\$2,000,000) aggregate.

3. DEDUCTIBLES AND SELF-INSURED RETENTIONS. Any deductibles or self-insured retentions must be declared to, and approved by, the Town. At the option of the Town, either: the Consultant shall purchase insurance to reduce or eliminate such deductibles or self-insured retentions as respects the Town, its officials, employees, agents and contractors; or the Consultant shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses in an amount specified by the Town. The Town may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

4. OTHER INSURANCE PROVISIONS.

4.1 General Liability and Automobile Liability Coverages. The General Liability and Automobile Liability insurance policies required pursuant to Sections 1.1 and 1.2 shall contain or be endorsed contain the following provisions:

4.1.1 The Town, its officials, employees, agents, contractors and volunteers are covered as additional insureds with respect to liability arising out of work or operations performed by, or on behalf of, the Consultant including materials, parts or equipment furnished in connection with such work or operations, and products and completed operations of the Consultant on premises owned, leased or used by the Consultant. The coverage shall be at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 and CG 23 37 if later versions used.

4.1.2 The Consultant's insurance coverage is the primary insurance as respects the Town, its officials, employees, agents, contractors, and volunteers. Any insurance or self-insurance maintained by the Town, its officials, employees, agents, contractors, and volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

4.1.3 The Insurance Company agrees to waive all rights of subrogation against the Town, its elected or appointed officers, officials, agents, and employees for losses paid under the terms of any policy which arise from work performed by the Town's insurer.

4.1.4 Coverage shall not be canceled by either party, except after thirty (30) days prior written notice (10 days for non-payment) by regular mail has been given to the Town.

4.1.5 Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Town, its officials, employees, agents or contractors.

4.1.6 Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

4.2 Worker's Compensation Insurance. The Worker's Compensation Policy required pursuant to Section 1.3 shall contain or be endorsed to contain the provisions set forth in subsections 4.1.3 and 4.1.4 above.

4.3 Acceptability of Insurers. All required insurance shall be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the Town.

4.3 Claims Made Policies. If any of the required policies provide claims-made coverage, the Town requires that coverage with a Retroactive Date prior to the contract effective date, or extended reporting period, be maintained by Consultant for a period of 5 years after completion of the contract.

5. VERIFICATION OF COVERAGE. Consultant shall furnish the Town with original certificates and amendatory endorsements affecting coverage required by this clause. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the Town before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive Consultant's obligation to provide them. The Town reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications, at any time.

Proof of insurance shall be mailed to the following address:

Town of Portola Valley
Attn: Town Clerk
765 Portola Road
Portola Valley, CA 94028

6. SUBCONTRACTORS. Consultant shall include all subcontractors as insureds under its policies or shall require and verify that all subcontractors maintain insurance meeting all the requirements of this contract.

TO: Mayor and Members of the Town Council
FROM: Susan Gold, Chair, Trails and Paths Committee
RE: Charter Change—Trails and Paths Committee
DATE: January 13, 2011

At our Trails and Paths Committee meeting on January 11, 2011, we discussed an Agenda item, Change in Meeting Day/Time.

After careful consideration we unanimously agreed to change our meeting time to 8:15am. Our meeting day will remain the same, the second Tuesday of each month, or as needed.

Please schedule this item on the next Town Council Agenda.

With your approval we are all looking forward to meeting at our new time, 8:15am on Tuesday, February 8, 2011.

Thank you for considering this change to our Charter.

PROPOSED

Trails and Paths Committee Charter

Objectives

The Town recognizes the need for a system of trails and paths to provide passageways for people, whether on foot, horseback or bicycle. It is the Trails Committee's objective that these trails be safe and pleasant and that they provide access to all parts of the Town including our schools, the Town Center and areas of scenic beauty, as consistent with the General Plan.

Duties and Functions

1. Advises the Town Council and Staff on all aspects of Town trails and paths and trail easements including promotion, preservation, planning, maintenance, repair and improvement. The Town Manager will administer work by Town Staff and Committee members.
2. Ensures the preservation of trails and trail easements and their appropriate uses and reports any infringements or deleterious use.
3. Reviews the Trails and Paths Committee budget.
4. Reviews new Town developments and proposes new Town trails; advises on all aspects of trails and path planning and suggests appropriate usage guidelines.
5. Periodically reviews current usage guidelines.
6. Coordinates educational programs on trail use safety for the community.
7. Coordinates occasional volunteer trail work days with approval and under the supervision of Town Staff.
8. Encourages activities that promote the safe enjoyment of trails by diverse users.

Responsible to:

Town Council

Coordinates with:

Planning Commission
Architectural and Site Control Commission
Building Inspector

Town Engineer

Trail Users

Other Town Staff, Town Committees as needed

Outside agencies: Stanford University, Midpeninsula Regional Open Space and other agencies as needed.

Membership

Nine members, appointed by the Mayor with Council concurrence, who represent the broad diversity of the trail user community. One year terms, rotating chair and vice chair selected by the committee.

Meetings

Second Tuesday of each month at 8:15 a.m., or as needed.

~~Place and time to be determined~~



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Sharon Hanlon, Town Clerk

DATE: January 21, 2011

RE: **Commission and Committee Reappointments for 2011**

Annually the Mayor needs to reappoint all committee members that are interested in serving their respective committees. The Town Council then needs to confirm the appointments.

Staff has provided a complete list of those committee members who have expressed interest in reappointment for both standing and ad-hoc committees.

Attachment

TOWN OF PORTOLA VALLEY **Committee and Commission Memberships – January 2011**

Planning Commission – 5 Members

Gilbert, Denise (R)
McIntosh, Arthur “Chip” (R)
McKitterick, Nate (R)
Von Feldt, Alexandra (R)
Zaffaroni, Leah (R)

Architectural and Site Control Commission – 5 Members

Aalfs, Jeff (R)
Breen, Danna (R)
Clark, Jeff (R)
Hughes, Craig (R)
Warr, Carter (R)

Ad-Hoc Springdown Master Plan Committee

Bourne, Jane (R)
Davis, Lynne (R)
DeStaebler, Marge (R)
Gold, Susan (R)
Goodstein, Stan and Carol (A)
Heiple, Paul (R)
Myers, Jon (R)
Nielsen, Gary (R)
Silver, Jon (R)
Smith, Mary (R)
Von Feldt, Alexandra (R)
Walter, Ron (R)
White, Phil and Cindie (A)

Cable and Utilities Undergrounding Committee – 7 Members

Buja, Christopher (R)
Lavine, Kenneth (R)
Lee, Merijane (R)
Melnychuck, Paul (R)
Pun, Ting (R)
Van Rensselaer, Cort (R)

VACANCY

Community Events Committee – 9 Members

Bray, Michael (R)
Mobley, Karen (N)
Raines, Diana (R)
Schmidt, Jason (R)

VACANCIES

Conservation Committee – 9 Members

Bourne, Jane (R)
DeStaebler, Marge (R)

Conservation Committee (cont'd)

Eastman, Jean (R)
 Eckstrom, Don (R)
 Heiple, Paul (R)
 Kearney, Ann (N)
 Murphy, Judith (N)
 Plunder, Marianne (R)
 Walz, Dieter (R)

Cultural Arts Committee – 12 Members

Breiner, Mimi (R)
 Chaput, Sue (R)
 Clark, Deirdre (R)
 Fowler, Jeannette (R)
 Fulkerson, Paige (N)
 Margolin, Marie (R)
 Marra, Steve (R)
 Thomas, Susan (R)
 Tryce, Yvonne (R)

VACANCIES

Emergency Preparedness Committee – 5-11 Members

Boice, John (R)
 Howes, David (R)
 Kabcenell, Derry (R)
 Kopf-Sill, Anne (R)
 Raanes, Chris (R)
 Rothrock, Ray (R)
 Taylor, Craig (R)

Finance Committee – 5 Members

Nielsen, Gary (R)
 Savage, George (R)
 Takei, Michele (R)
 Urban, William (R)

VACANCY

Geologic Safety Committee – 5 Members

Breiner, Sheldon (R)
 Fournier, Robert (R)
 Tabor, Rowland (R)
 Vedder, Jack (R)
 Wrucke, Chet (R)

Historic Resources Committee – 5 Members Minimum

Anderson, Rick (R)
 Ashley, Ellen (R)
 Coulson, Harriet (R)
 Fowler, Jeannette (R)
 Hamilton-Lowengart, Lynn (R)

Historic Resources Committee (cont'd)

Lipman, Jim (R)
 Lund, Nancy (R)
 Quilter, Phyllis (R)

Nature and Science Committee – 5- 9 Members

Beigler, Foster (N)
 Browne, Andrew (R)
 Field-Barth, Leslie (R)
 Heiple, Paul (R)
 Joi, Treena (R)
 Pierce, Andrew (R)
 Robb, Jan (R)
 Tryce, Yvonne (R)

Open Space Acquisition Advisory Committee – 7 Members Maximum

Kabcenell, Charlene (R)
 McIntosh, Arthur “Chip” (R)
 Nielsen, Gary (R)
 Paine, Ward (A)
 Taylor, Craig (R)
 Treichel, Jeanie (R)
 Walter, Ron (R)
 Wick, Karin (R)

Parks and Recreation Committee – 13 Members

Bowen, Lindsay (R)
 Brandman, Craig (R)
 Feldman, Kathy (R)
 Haskell, Wendi (R)
 Myers, Jon (R)
 Wilson, Jane (R)

VACANCIES**Public Works Committee – 5 Members Minimum**

Bowen, Lindsay (R)
 Eisberg, Bud (R)
 Fil, Joe (R)
 Hedlund, Steve (R)
 Paris, Mark (R)
 Patterson, Wil (R)
 Peyton, Brad (R)

Sustainability Committee – 7 Members Minimum

Bacon, Virginia (N)
 Breen, Danna (N)
 Hey, Angela (N)
 Mashey, John (N)
 Murphy, Judith (N)
 Unnasch, Stefan (N)
 Vaughan, Lance (N)

Teen Committee – 9 Members Minimum

Driscoll, Sharon (R)
Humphreys, Avery (R)
Moore, Ellen (R)
Moore, Katherine (R)
Putnam, Katie (N)
Reid, Georgia (R)
Sarwal, Ruth (R)
Savoca, Georgia (R)
Savoca, Kate (R)

Traffic Committee – 8 Members

Buja, Christopher (R)
Martinez, Sonia (R)

VACANCIES

Trails and Paths Committee – 9 Members

Coleman, Joe (N)
Davis, Lynne (N)
Ferrari, Ellie (R)
Gold, Susan (R)
Hasko, Judith (N)
Paris, Judy (N)
Reiss, Sally Ann (N)
Siegel, Catherine (N)
Sweeney, Shelly (N)

(Advisory members are not included in membership count)

2011 Council Liaison Appointments

<i>Type</i>	<i>Organization</i>	<i>Role</i>	<i>When Meets</i>
Ted Driscoll (Mayor)			
Town	<u>Geologic Safety Committee</u>	Liaison	as announced
Town	<u>Traffic Committee</u>	Liaison	1 st Thursday at 8:15 am
Town	<u>Trails and Paths Committee</u>	Liaison	monthly, or as needed
Town	<u>Emergency Preparedness Committee</u>	Alt	2 nd Thursday at 8:00 am
Town	<u>Conservation Committee</u>	Alt	4 th Tuesday at 8:00 pm
Town	<u>Finance Committee</u>	Alt	as announced
Regional	<u>ABAG</u>	Rep	as needed
Town	<u>The Sequoias</u>	Liaison	as needed
County	<u>Council of Cities</u>	Alt	3 rd or 4 th Friday, 6 or 6:30 pm
Town	<u>P.V. School District</u>	Alt	as needed
Regional	<u>League of CA Cities</u>	Alt	monthly
County	<u>City/County JPA C/CAG</u>	Alt	2 nd Thursday, 7 pm
Maryann Derwin (Vice Mayor)			
Town	<u>Community Events Committee</u>	Liaison	as announced
Town	<u>Cultural Arts Committee</u>	Liaison	as announced
Town	<u>Sustainability Committee</u>	Liaison	3 rd Monday at 4:00 pm
Town	<u>Teen Committee</u>	Liaison	as announced
Town	<u>Town Newsletter</u>	Liaison	as needed
Town	<u>ASCC</u>	Alt	2 nd and 4 th Mondays at 7:30 pm
Town	<u>Historic Resources Committee</u>	Alt	as announced
Town	<u>Parks & Recreation Committee</u>	Alt	3 rd Monday at 7:30 pm
Town	<u>Friends of the Library</u>	Liaison	alternate/odd months, last Thursday at 7:15 pm
Regional	<u>Library JPA</u>	Liaison	1 st Monday at 8:00 am
Regional	<u>League of CA Cities</u>	Rep	monthly
County	<u>Climate Action Program - County & C/CAG</u>	Liaison	as announced
County	<u>City/County JPA C/CAG</u>	Rep	2 nd Thursday, 7 pm
County	<u>Council of Cities</u>	Rep	3 rd or 4 th Friday, 6 or 6:30 pm
County	<u>FireWise Committee</u>	Rep	3 rd Tuesday at 4:00 pm
John Richards			
Town	<u>ASCC</u>	Liaison	2 nd and 4 th Mondays at 7:30 pm
Town	<u>Cable & Utilities Undergrounding Committee</u>	Liaison	alternate/odd months, 2 nd Thursday at 8:15 am
Town	<u>Conservation Committee</u>	Liaison	4 th Tuesday at 8:00 pm
Town	<u>Historic Resources Committee</u>	Liaison	as announced
Town	<u>Cultural Arts Committee</u>	Alt	as announced
Town	<u>Public Works Committee</u>	Alt	as announced
Town	<u>Open Space Acquisition Advisory Committee</u>	Alt	as announced
Town	<u>Geologic Safety Committee</u>	Alt	as announced
Town	<u>Community Events Committee</u>	Alt	as announced
Town	<u>Springdown Master Plan (Ad-Hoc)</u>	Liaison	as announced
Regional	<u>MROSD</u>	Alt	as needed
County	<u>Emergency Services Council</u>	Liaison	quarterly
County	<u>Housing Endowment and Regional Trust (HEART) of San Mateo County</u>	Liaison	bi-annually

<i>Type</i>	<i>Organization</i>	<i>Role</i>	<i>When Meets</i>
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Ann Wengert

Town	<u>Finance Committee</u>	Liaison	as announced
Town	<u>Nature and Science Committee</u>	Liaison	alternate/even months, 2 nd Thursday at 4:00 pm
Town	<u>Planning Commission</u>	Liaison	1 st and 3 rd Wednesdays at 7:30 pm
Town	<u>Public Works</u>	Liaison	as announced
Town	<u>Cable & Utilities Undergrounding Committee</u>	Alt	alternate/odd months, 2 nd Thursday at 8:15 am
Town	<u>Teen Committee</u>	Alt	as announced
Town	<u>Friends of the Library</u>	Alt	alternate/odd months, last Thursday at 7:15 pm
Town	<u>Springdown Master Plan (Ad-Hoc)</u>	Liaison/Chair	as announced
Regional	<u>Airport Roundtable</u>	Alt	1 st Wed., 7 pm
Regional	<u>Library JPA</u>	Alt	1 st Monday 8:00 am
Town	<u>P. V. School District</u>	Liaison	as needed
County	<u>Los Trancos/Vista Verde</u>	Rep	as needed
Regional	<u>MROSD</u>	Liaison	as needed
County	<u>West Bay Sanitary Dist.</u>	Special	as needed
Other	<u>Stanford University</u>	Liaison	as needed

Steve Toben

Town	<u>Emergency Preparedness Committee</u>	Liaison	2 rd Thursday at 8:00 am
Town	<u>Open Space Acquisition Advisory Committee</u>	Liaison	as announced
Town	<u>Parks & Recreation Committee</u>	Liaison	3 rd Monday at 7:30 pm
Town	<u>Planning Commission</u>	Alt	1 st and 3 rd Wednesdays at 7:30 pm
Town	<u>Nature and Science Committee</u>	Alt	alternate/even months, 2 nd Thursday at 4:00 pm
Town	<u>Trails and Paths Committee</u>	Alt	monthly, or as needed
Town	<u>Traffic Committee</u>	Alt	1 st Thursday at 8:15 am
Regional	<u>Airport Roundtable</u>	Rep	1 st Wed., 7 pm
Regional	<u>Woodside Fire Protection District</u>	Liaison	as needed
Regional	<u>ABAG</u>	Alt	as needed
Other	<u>Stanford University</u>	Alt	as needed
County	<u>FireWise Committee</u>	Rep	3 rd Tuesday at 4:00 pm

#12

There are no written materials for this item.

TOWN COUNCIL WEEKLY DIGEST

Friday – January 14, 2011

-
- ☐ 1. Copies of letters to/from Anna Eshoo from/to Ray LaHood regarding the eligibility of Positive Train Control for funding under the High-Speed Intercity Passenger Rail Program – January 6, 2011
 - ☐ 2. Letter to Council from Ron Walter regarding the establishment of a Nature Trail along the existing Dengler Trail and trails that lead up to it
 - ☐ 3. E-mail from Marianne Plunder resigning from the Emergency Preparedness Committee – January 11, 2011
 - ☐ 4. Notice that the Portola Valley Town Hall will be closed on Monday, January 17, 2011 in observance of Martin Luther King Jr. Day
 - ☐ 5. Notice of Reorganization of the City Council of Palo Alto
 - ☐ 6. Notice of Cancellation of the Parks and Recreation Committee Meeting scheduled for Monday, January 17, 2011
 - ☐ 7. Agenda – Regular Planning Commission Meeting – Wednesday, January 19, 2011
 - ☐ 8. Action Agenda – Regular ASCC Meeting – Monday, January 10, 2011
 - ☐ 9. Action Agenda – Regular Town Council Meeting – Wednesday, January 12, 2011

Attached Separates (Council Only)

- ☐ 1. Invitation to attend Packard 101 on March 24 – 25, 2011
- ☐ 2. Invitation to attend a Lunar New Year Celebration on Saturday, February 5, 2011
- ☐ 3. 2010 League of California Cities Annual Report
- ☐ 4. The Sequoian – January 2011



*Congress of the United States
House of Representatives
Washington, D. C. 20515*

*Anna G. Eshoo
Fourteenth District
California*

January 6, 2011

The Honorable Ray LaHood, Secretary
Department of Transportation
1200 New Jersey Avenue SE
Washington, D.C. 20590

Dear Secretary  LaHood,

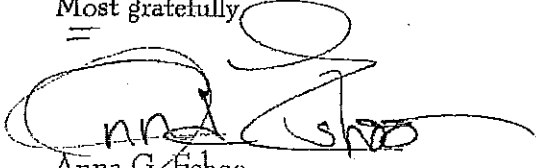
Thank you for responding to the November 16, 2010, letter from the Bay Area Congressional Delegation 'Working Group' about Positive Train Control (PTC).

Your clear statement that PTC is eligible for funding under the High-Speed Intercity Passenger Rail Program (HSIPR) is very good news. Funding PTC on the Peninsula, through HSIPR or appropriate future grants, will provide many benefits, including enhanced worker and passenger safety, as well as improved operation efficiency.

The PTC project is important not only to the Bay Area Congressional Delegation Working Group, but also for constituents that depend on the essential services provided by Caltrain. PTC is mandated by law and the Peninsula corridor is ready and able to implement this critical program with additional federal funds.

Your attention to this request is greatly appreciated, and I wish you and your family every blessing in the new year.

Most gratefully


Anna G. Eshoo
Member of Congress

cc: Members, Bay Area Congressional District
California State Senator Joe Simitian
California State Assemblymember Paul Fong
California State Assemblymember Richard Gordon
California State Assemblymember Jerry Hill
Mayors and Council Members of Cities located in the 14th CD (Atherton, Belmont, East Palo Alto, Los Altos, Los Altos Hills, Menlo Park, Mountain View, Palo Alto, Redwood City, Sunnyvale, Woodside)
Mayors and Council Members of Cities located near the 14th CD (Burlingame, Foster City, Millbrae, San Mateo, South San Francisco)
San Mateo County Board of Supervisors
Santa Clara County Board of Supervisors
San Mateo County Transit District
Californians Advocating Responsible Rail Design
Silicon Valley Leadership Group
Bay Area Council
Community Coalition on High Speed Rail
Silicon Valley Bike Coalition
California Rail Foundation
Transportation Solutions Defense and Education Fund
Bay Rail Alliance



THE SECRETARY OF TRANSPORTATION
WASHINGTON DC 20590

JAN 06 2010

December 22, 2010

The Honorable Anna G. Eshoo
U.S. House of Representatives
Washington, DC 20515

Dear Congresswoman Eshoo:

Thank you for your letter, cosigned by your congressional colleagues, emphasizing the importance of Positive Train Control (PTC) to the San Francisco Bay Area and requesting that the Federal Railroad Administration consider funding PTC from any relevant future grants.

I can assure you that PTC is eligible for funding as a component of otherwise eligible projects under the High-Speed Intercity Passenger Rail (HSIPR) Program. The Department will give full consideration to any application for PTC investments submitted for the Bay Area in future merit-based competitions for HSIPR funding.

Thank you for your interest in high-speed and intercity passenger rail. I look forward to working with you to ensure its success in California. A similar response has been sent to each cosigner of your letter. If I can provide further information or assistance, please feel free to call me.

Sincerely yours,



Ray LaHood

2

Mayor Ted Driscoll and Town Council
Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028

Dear Council members;

The Open Space Acquisition Advisory Committee recommends that the Town Council approve the establishment of a Nature Trail along existing Portola Valley Open Space trails. Upon approval, the Open Space Committee will provide the funding for and undertake all necessary activities to complete the Nature Trail, in coordination with the Conservation and Trails & Paths Committees.

The proposal is outlined in the following pages. If there are any questions, please contact me at (415) 515-6754. Thank you for your consideration.

Sincerely,

Ron Walter
Chairman, Open Space Acquisition Advisory Committee

Portola Valley Nature Trail

Nature of Request:

The Open Space Acquisition Advisory Committee seeks the approval of the Portola Valley Town Council to establish a nature trail along the existing Dengler Trail and trails that lead up to it.

Purpose of Request:

The Committee believes that the Dengler Nature Trail will call attention to the assets the Town has acquired over the years with the Open Space Acquisitions program and promote their usability. Of the seven sites in the Open Space portfolio, Dengler was selected because of the variety of habitats and physical accessibility. The concept was unanimously approved by the Open Space Committee. All costs associated with building the nature trail will be covered by Open Space funds.

Attributes of the Selected Site:

The trail has many attractive attributes that make it a perfect setting for a nature trail. The trail contains a large variety of plant life that can be viewed along a two-mile trail, which is easily accessed from either Hayfields Road or Santa Maria Avenue, where parking is limited but sufficient. The trail is fairly wide, well maintained and generally flat or undulating. The environment is peaceful with lush vegetation, and gives one the feeling of being far away from Town. There is a sense of remoteness because of the fallen trees, the abundance of lichens and fern glades and profuse undergrowth. It's a great place to spend an hour or two communing with nature and learning about the flora that is native to our valley, as well as some interesting geologic features. There are already picnic tables and several benches along the route to enhance the experience.

Plants and Other Trail Features:

Just a sampling of the observable flora includes: our local trees (redwood, valley and coast live oak, madrone, bay laurel, buckeye, Douglas fir, hazelnut and willow); both sword and coastal wood ferns; numerous woodland plants such as gooseberry, snowberry, elderberry, mugwort, oceanspray, irises, orchids, thimbleberries, asters, sticky monkey flower, hairy bird's beak, soap plant; and, of course, poison oak.

Example of recent landslides can be observed, as well as wood rats' nests and evidence of sapsuckers at work.

Physical Requirements to Establish Trail:

The Open Space Committee envisions the following items would be necessary to establish the nature trail:

- 12-18 small redwood signs each identifying a particular feature
- 2-3 directional signs to keep folks moving in the right direction
- 1 sign identifying the start of the nature trail
- 1 sign box to hold and recycle trail brochures (see below).

These signs will be small and understated yet sturdy enough to last. We envision small redwood placards on short redwood posts similar to those at Wunderlich Park and Monte Bello Preserve. Lettering would be carved in the wood and painted.

Supplemental Educational Enhancement:

To supplement the signs, we will publish a brochure that young and old can take with them along the trail to learn more about the plants and other features. We will utilize the extensive expertise of a number of local experts to identify interesting characteristics and attributes. We might be able to include some Dengler prints in the brochure as well.

Estimate of Cost:

Estimates of the cost of the project are still being developed, but we expect the cost to be between \$10,000 and \$20,000 for the signs and accompanying brochure.

Coordination with Other Town Committees:

Open Space has already worked with the Conservation Committee on the trail concept, and is in the process of seeking endorsements from them as well as from the Trails & Paths Committee.

Going Forward: Steps to Establish the Nature Trail:

If the Open Space Committee receives approval, the next steps will be to make a more comprehensive inventory of trail features and recommend the selection of specific marker sites to the Council.

Once the sites are established, we'll proceed with the manufacture of the signs, research for the brochure, installation of the signs and publication of the brochure, and some marketing to the Town's residents at the conclusion of the installation.

From: marianne plunder [mplunder@finemech.com]
Sent: Tuesday, January 11, 2011 6:28 PM
To: craanes@comcast.net
Cc: Sharon Hanlon
Subject: FW: EPC

Hi Chris,

Due to my ongoing scheduling conflict on Thursday mornings I am resigning from the EPC committee.

I would love to stay on but as I cannot come to the monthly meeting it does not make much sense. Feel free to call on me when you are short of hands, I very much enjoyed the committee and its work.

Marianne

4

PORTOLA VALLEY TOWN HALL



WILL BE CLOSED

**Monday,
January 17, 2011**

**In observance of Martin Luther
King Jr. Day**

In Case of Emergency: Sheriff's Office: 911

5



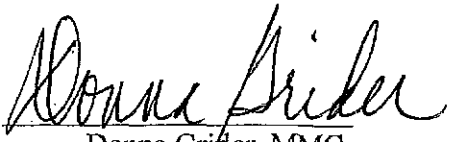
NOTICE OF COUNCIL REORGANIZATION

At its special meeting held on Tuesday, January 4, 2011, the City Council of the City of Palo Alto reorganized as follows:

	<u>Term Expires</u>
Mayor Sid Espinosa	December 31, 2012
Vice Mayor Yiaway Yeh	December 31, 2012
Council Member Patrick Burt	December 31, 2012
Council Member Karen Holman	December 31, 2014
Council Member Larry Klein	December 31, 2014
Council Member Gail A. Price	December 31, 2014
Council Member Greg Scharff	December 31, 2014
Council Member Greg Schmid	December 31, 2012
Council Member Nancy Shepherd	December 31, 2014

Regular Council meetings are held at 7:00 p.m. on the first three Mondays of each month. City Hall's address is 250 Hamilton Avenue, Palo Alto CA 94301. Access Palo Alto's web page at <http://www.cityofpaloalto.org>.

Dated: January 10, 2011


 Donna Grider, MMC
 City Clerk



Parks & Recreation Committee
Notice of Cancellation
Monday, January 17, 2011

PARKS AND RECREATION COMMITTEE MEETING

NOTICE OF CANCELLATION

Monday, January 17, 2011

The Parks and Recreation Committee meeting regularly scheduled for Monday, January 17, 2011 has been cancelled.



7

TOWN OF PORTOLA VALLEY
REGULAR PLANNING COMMISSION MEETING
765 Portola Road, Portola Valley, CA 94028
Wednesday, January 19, 2011 – 7:30 p.m.
Council Chambers (Historic Schoolhouse)

AGENDA

Call to Order, Roll Call

Commissioners McIntosh, Von Feldt, Zaffaroni, Chairperson Gilbert, and Vice-Chairperson McKitterick

Oral Communications

Persons wishing to address the Commission on any subject, not on the agenda, may do so now. Please note, however, the Commission is not able to undertake extended discussion or action tonight on items not on the agenda.

Regular Agenda

1. *Public Hearing:* Request for Modification to Town's Geologic and Movement Potential Maps, 95 Cheyenne Point, Berman
2. *Public Hearing:* Request for Modification to Town's Geologic and Movement Potential Maps, 45 Tagus Court, Morton-Bours/Kawaja
3. *Preliminary Review:* Lot Line Adjustment, 20 & 30 Toro Court, Mills/Johnston
4. *Public Hearing:* Continued Consideration - Conditional Use Permit X7D-169, Request to Permit Additional Floor Area and Impervious Surface Area on 229-acre Parcel, 555 Portola Road, Spring Ridge LLC (Neely/Myers)
5. *Preliminary Review:* Set Site Meeting for Soccer Field Turf Conversion, 302 Portola Road, The Priory

Nomination of Chair and Vice-Chairpersons

Commission, Staff, Committee Reports and Recommendations

Approval of Minutes: December 15, 2010

Adjournment

ASSISTANCE FOR PERSONS WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Technician at 650-851-1700 ext. 211. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours.

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley branch of the San Mateo County Library located at Corte Madera School, Alpine Road and Indian Crossing.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge a proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing(s) described later in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

This Notice is posted in compliance with the Government Code of the State of California.

Date: January 14, 2011

CheyAnne Brown
Planning & Building Assistant



TOWN OF PORTOLA VALLEY
 ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)
 Monday, January 10, 2011
 7:30 PM – Regular ASCC Meeting
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

ACTION

7:30 PM - REGULAR AGENDA*

1. Call to Order: 7:30 p.m.
2. Roll Call: Aalfs, Breen, Clark, Hughes, Warr (**Warr absent. Also present: Tom Vlasic Town Planner; Carol Borck Planning Technician**)
3. Oral Communications: **None.**

Persons wishing to address the Commission on any subject, not on the agenda, may do so now. Please note, however, the Commission is not able to undertake extended discussion or action tonight on items not on the agenda.

4. Old Business:
 - a. Conditional Use Permit X7D-170, Installation of a Wireless Communication Antenna Facility, Golden Oak Drive at Peak Lane, T-Mobile West Corporation *Continued to January 24, 2011 meeting* **Continued to 1/24/11 meeting.**
 - b. Continued Architectural Review for Residential Redevelopment – New Residence, Swimming Pool, and Related Site Improvements, and Site Development Permit X9H-623, 727 Westridge Drive, Wang *Continued to January 24, 2011 meeting* **Continued to 1/24/11 meeting.**
5. New Business:
 - a. Review for Conformity with Conditional Use Permit X7D-63, Main Building Transformer Relocation, 501 Portola Road, The Sequoias Portola Valley *Continued to January 24, 2011 meeting* **Continued to 1/24/11 meeting.**
 - b. Architectural Review and Site Development Permit X9H-622, Proposed Residential Additions and Modifications, 95 Cheyenne Point, Berman **Project approved subject to geo map modification approval by the Planning Commission and conditions to be met to the satisfaction of staff prior to building permit issuance.**
 - c. Architectural Review of Plans for Residential Additions, 151 Crescent Avenue, Wigley **Project approved as submitted.**
 - d. Review for Conformity with Provision of Conditional Use Permit X7D-87, Proposed Installation of Photovoltaic Panels, 19501 Skyline Boulevard, Thomas Fogarty Winery **Project approved subject to conditions to be met to staff prior to building permit issuance.**

6. Approval of Minutes: December 13, 2010 **Approved as submitted.**
7. Adjournment **8:09 p.m.**

*For more information on the projects to be considered by the ASCC at the Special Field and Regular meetings, as well as the scope of reviews and actions tentatively anticipated, please contact Carol Borck in the Planning Department at Portola Valley Town Hall, 650-851-1700 ex. 211. Further, the start times for other than the first Special Field meeting are tentative and dependent on the actual time needed for the preceding Special Field meeting.

PROPERTY OWNER ATTENDANCE. The ASCC strongly encourages a property owner whose application is being heard by the ASCC to attend the ASCC meeting. Often issues arise that only property owners can responsibly address. In such cases, if the property owner is not present it may be necessary to delay action until the property owner can meet with the ASCC.

WRITTEN MATERIALS. Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours.

ASSISTANCE FOR PERSONS WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Technician at 650-851-1700, extension 211. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

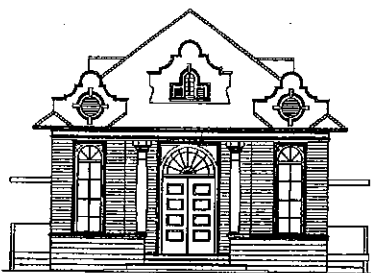
PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge a proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing(s) described later in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

This Notice is Posted in Compliance with the Government Code of the State of California.

Date: January 7, 2011

CheyAnne Brown
Planning & Building Assistant



TOWN OF PORTOLA VALLEY

7:30 PM – Regular Town Council Meeting
 Wednesday, January 12, 2011
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

ACTION AGENDA

7:31 PM – CALL TO ORDER AND ROLL CALL

Vice Mayor Derwin, Mayor Driscoll, Councilmember Richards, Councilmember Toben, Councilmember Wengert

Absent – Mayor Driscoll

ORAL COMMUNICATIONS

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.

None

CONSENT AGENDA (7:32 pm)

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 December 8, 2010

Approved as Amended 3-0-1, Councilmember Wengert abstained

- (2) **Ratification of Warrant List** – December 22, 2010

- (3) **Approval of Warrant List** – January 12, 2011

- (4) **Recommendation by Assistant Town Manager** – COPS Funding 2010-2011

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Continuing the Supplemental Law Enforcement Services Fund Through Citizens Options for Public Safety Program and Maintaining a Separate Budget Account for 2010-2011 Fiscal Year (Resolution No. 2511-2011)

Items 2, 3 and 4 Approved 4-0

Item #5 was moved to the Regular Agenda

- ~~(5) **Recommendation by Town Attorney** – Adopt Ordinance Amending the Conflicts of Interest Code~~

- ~~(a) **First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Amending the Appendix to Chapter 2.36 [Conflicts of Interest] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code (Ordinance No. ___)**~~

REGULAR AGENDA (7:35 pm)

- (5) **Recommendation by Town Attorney** – Adopt Ordinance Amending the Conflicts of Interest Code

- (a) **First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Amending the Appendix to Chapter 2.36 [Conflicts of Interest] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code (Ordinance No. ___)**

First Reading of Ordinance, Approved 4-0
Second Reading scheduled for the January 26 Council meeting

PUBLIC HEARING

- (6) **PUBLIC HEARING - Recommendation by Planning Manager** – Public Hearing on the proposed Amendments to the Zoning Ordinance to implement portions of the Town's Housing Element.

- (a) **First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Amending Title 18 [Zoning] of the Portola Valley Municipal Code to reflect the Updated Housing Element (Ordinance ___)**

First Reading of Ordinance, Approved 4-0
Second Reading scheduled for the January 26 Council meeting

- (7) **Recommendation by Administrative Services Officer – Review of FY 2009–2010 Annual Audit (7:45 pm)**

Audit Review Accepted 4-0

- (8) **Recommendation by Assistant Town Manager – Ford Field Refurbishment Project (8:05 pm)**

- (a) Discussion of Project Scope – Consideration of Granting Non-conforming (“Grandfathered”) Status for Batting Cage relative to Creek Setback Ordinance

Council approved proposed “Grandfathered” status

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS (8:20 pm)

- (9) **Reports from Commission and Committee Liaisons**

There are no written materials for this item.

Councilmember Toben – Emergency Preparedness Committee to focus on “Household Preparedness” in 2011 and noted a fifth Wednesday meeting scheduled for March 30, 2011

Councilmember Wengert – Finance Committee discussed the audit and employee contribution for health care. The Planning Commission held preliminary review of proposed subdivision for the Shorenstein property

Councilmember Richards – Planning Commission discussed the Shorenstein Property and continued consideration of Conditional Use Permit for the Neely/Myers project. Trails and Paths Committee met. It was a successful first meeting with new members

Vice Mayor Derwin – Library JPA held a budget study session. Council of Cities/City Selection meeting in December cancelled the City Selection portion due to improper noticing, held instead on January 5, 2011. C/CAG heard a presentation by Bay Conservation Development Commission Director on sea level rise. The Sustainability Committee met to finalize presentation scheduled for the January 26 Council meeting.

WRITTEN COMMUNICATIONS (8:50 pm)

- (10) **Town Council Weekly Digest – December 10, 2010**

#7 – Councilmember Toben asked the reason for such a discrepancy between 1st quarter and 2nd & 3rd quarter citation numbers

- (11) **Town Council Weekly Digest – December 17, 2010**

#2 – Town Manager noted if permits are approved the goal is to go out to bid in April and for construction to begin in June

#3 – Town Manager noted that town center outdoor lighting phase is complete, staff will continue to monitor

#6 – Staff will send letter of decline

- (12) **Town Council Weekly Digest – December 24, 2010**

- (13) **Town Council Weekly Digest – January 7, 2011**

ADJOURNMENT: 9:00 pm

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.

14

TOWN COUNCIL WEEKLY DIGEST

Friday – January 21, 2011

-
- ☐ 1. Memorandum to Town Council from Janet McDougall with attachment of Mayor Driscoll's letter to Judy King regarding Requests for Council Recognition – January 19, 2011
 - ☐ 2. Letter to Town Council from Brad Peyton regarding a memorial tree for Al Bertschinger – January 20, 2011
 - ☐ 3. E-mail to Town Council, Angela Howard, Janet McDougall and Howard Young from Ashlie Simpson regarding PG&E's hiring of an additional Government Relations Representative for San Mateo County – January 20, 2011
 - ☐ 4. Letter to Town Council from Carlos Romero requesting support for his appointment to the Metropolitan Transportation Commission's San Mateo County cities seat – January 8, 2011
 - ☐ 5. San Mateo County Sheriff's Office Crime Activities for the Town of Portola Valley – Yearly Comparisons for 2010
 - ☐ 6. Agenda – Community Events Committee Meeting – Monday, January 24, 2011
 - ☐ 7. Agenda – Special ASCC Field Meeting – Monday, January 24, 2011
 - ☐ 8. Agenda – Conservation Committee Meeting – Tuesday, January 25, 2011
 - ☐ 9. Agenda – Special Trails and Paths Committee Meeting – Thursday, January 27, 2011
 - ☐ 10. Action Agenda – Regular Planning Commission Meeting – Wednesday, January 19, 2011

Attached Separates (Council Only)

- ☐ 1. Invitation to attend Cocktails/Music/Casino/Raffle benefiting Ombudsman on March 5, 2011
- ☐ 2. Invitation to attend the State of the City Address for Palo Alto on Monday, January 24, 2011
- ☐ 3. Invitation to attend San Mateo County 211 Day on Friday, February 11, 2011
- ☐ 4. Invitation to attend An Evening of History Film Premiere and Exhibit Opening on Thursday, February 17, 2011
- ☐ 5. Invitation to attend the public lecture "Archaeopteryx – Bringing the Dino-Bird to Life on January 25, 2011
- ☐ 6. Information for Prospective Public Board Members of HEART
- ☐ 7. San Mateo County Mosquito and Vector Control's "Entomology Report" – November/December 2010



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Janet McDougall, Assistant Town Manager

DATE: January 19, 2011

RE: Requests for Council Recognition

At its January 12, 2011 meeting, the Town Council briefly discussed a request from the Peninsula Arts Council that the Town award Certificates of Appreciation to two local residents for their contributions to the arts. Following that discussion, the Council directed staff to send a letter to the Arts Council explaining the Town's long-held practice of declining to accommodate requests for recognition. A copy of the letter is attached.

Staff anticipates that we will once again be contacted very soon by Jorge Jaramillo of the San Mateo County Hispanic Chamber of Commerce, requesting the Town name an honoree for the annual Diversity Awards. You may recall that the Town participated in 2009 by honoring Fr. Eugene Konkel, and in 2010 highlighting achievements of Mauricio Simbeck.

In light of the Council's recent discussion regarding Council recognition, staff requests clarification concerning the Town's continued participation in the Diversity Awards, and if it is determined the Town will continue to participate, we would welcome the names of any prospective award recipients.

Attachment – Letter to Judy King

TOWN of PORTOLA VALLEY



COUNCIL:

Ted Driscoll - Mayor
Maryann Moise Derwin - Vice Mayor
E. John Richards
Steve Toben
Ann Wengert

January 18, 2011

TOWN OFFICERS:

Angela Howard
Town Manager
Sandy Sloan
Town Attorney

Ms. Judy King
Peninsula Arts Council
10 Twin Pines Lane
Belmont, CA 94002

Re: Request for Certificates of Appreciation

Dear Ms. King:

Thank you for your letter requesting the Town provide Certificates of Appreciation for Tom Rogers and Jenna Scandalios.

We are pleased the Arts Council has chosen to recognize Tom and Jenna for their contributions to the arts. However, the Town of Portola Valley does not typically issue proclamations and other honors such as what you have proposed. We are a small town governed by volunteers and managed by a lean staff. We try very hard to stay focused on the issues that directly impact our residents. For cities with a practice of issuing proclamations, it is easy to become inundated with requests such as this, and discriminating among the multitude of causes and organizations seeking endorsement is a challenge. If we were a large city where such proclamations would be meaningful and staff was sufficient to work up these items, we would be in a different position.

I'm sorry we are unable to accommodate your request.

Sincerely,

Ted Driscoll
Mayor

January 20, 2011

Portola Valley Town Council,

On behalf of gardeners of Portola Valley I would like the Council to consider a memorial tree for Al Bertschinger who owned and operated Al's Nursery for nearly 50 years.

It has been over two years since Al's death as required by the town's memorial policy.

A perfect place for the tree is where the town has removed a broken oak at the front of town center.

The Portola Valley Garden Club would provide and plant a Coast Live Oak (*Quercus agrifolia*), donated by Al's Nursery, and install a small plaque.

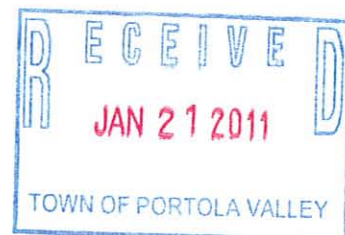
Al and Eleonore Bertschinger opened the nursery in December 1959 as one of the first businesses in Portola Valley, preceding the Town's incorporation. At one time, Al was responsible for the care of our sports fields and donated time and materials towards Corte Madera School's annual graduation. Over the years, he helped many Portola Valley residents answer their gardening questions

Thank you for your consideration.

Sincerely,



Brad Peyton
President
Portola Valley Garden Club



3

Janet McDougall

From: Simpson, Ashlie [ARST@pge.com]
Sent: Thursday, January 20, 2011 4:46 PM
To: Ted Driscoll; Maryann Derwin; John Richards; Steve Toben; Ann Wengert; Angela Howard; Howard Young; Janet McDougall
Cc: Cogan, James
Subject: PG&E Hires Additional Government Relations Representative for San Mateo County

Hello,

I wanted to take this opportunity to introduce a new addition to the PG&E Government Relations team in San Mateo County. Jim Cogan comes to PG&E from a lengthy career with the City of San Jose, working for various City Council Members.

Jim will be the primary contact for southern and central cities in the County, while continuing to work closely with me and Kathy Lavezzo on a number of broader issues. Below is Jim's contact information and I hope you welcome him to San Mateo County.

Jim Cogan
Government Relations
Pacific Gas and Electric Company
Office: (650) 598-7392
Cell: (650) 339-8171
Fax: (650) 598-7509
Email: JCCZ@pge.com

I will continue to represent PG&E in the northern and coastal areas, while focusing on issues relating to the San Bruno Fire. As always, feel free to contact me or Jim if you have any questions.

Thank you,
Ashlie

Ashlie R. Simpson
Government Relations
Pacific Gas and Electric Company
San Bruno Office: (650) 794-2780
San Francisco Office: (415) 972-5201
Cell: (415) 238-3953
Email: ARST@pge.com

4



City of East Palo Alto

January 8, 2011

Dear San Mateo County Mayors and Council Members:

I write to you to seek your support for the Metropolitan Transportation Commission's (MTC) San Mateo County cities seat being vacated by Sue Lempert in February, 2011.

I am drawn to serve on the MTC by a deep commitment and a faith in regional transportation planning coupled with appropriate land use, sound land use development, and a firm respect for the environment. This commitment stems from a true sense that as a diverse nine county region we can and must cooperate and arrive at reasoned, rational decisions that will prepare our cities and the region to address the urban and rural growth challenges we face. Without a comprehensive blueprint that we can support as San Mateo cities for developing our transit, roadways, and non-motorized forms of transportation, we are exposed to even greater uncertainty as to our ability to maintain a livable region for our children and grandchildren to come.

I believe I am well prepared to serve on the MTC given my past service on its advisory bodies, my educational background at Stanford and Harvard where I studied urban economics, urban planning, and transportation studies, and my professional background as an affordable housing developer and land use consultant. In particular, as an affordable housing developer who has developed housing throughout the Bay Area and California, I am keenly aware of the need to balance growth and transportation issues with the environment and with market forces.

More specifically, I would like to highlight my three and a half years as a member of MTC's advisory bodies, which I left in March of 2010. During this time I fully acquainted myself with the structure and workings of the MTC, attending not just advisory committee meetings, but MTC sub-committee and MTC commissioner meetings. I was also involved extensively as an MTC advisor with providing input and feedback to the commissioners on the development of the Regional Transportation Plan, a 20 year comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle and pedestrian facilities. The process for updating the plan is again commencing and it is vital that San Mateo cities have someone at the table who can participate fully from the inception in this sometimes arcane process of transportation planning prioritization and resource allocation.

For the third year in a row I am East Palo Alto's representative on CCAG where transportation, planning, and sustainability issues are brought to this body of diverse countywide perspectives. I

am well aware of the diversity among San Mateo cities and of the numerous needs and sometimes divergent concerns of our cities. As a member of CCAG I have listened and struggled with the rest of you to find solutions and craft positions that address local and regional needs without acrimonious debate and disunity.

I am by nature a deliberative and consultative person. If selected as our MTC representative I will always bring issues affecting our county to the cities in San Mateo for discussion and debate. Only through reasoned discourse, respectful of all positions, and an openness to innovative and collaborative solutions can we assure as cities, counties, and as a region that we will meet the challenges posed by our need to grow sustainably.

Please feel free to contact me should you have any questions concerning my candidacy. I am always delighted to discuss issues of policy and implementation with any of you. I may be reached at (650) 328-4363 or by e-mail: cromero_ezln@yahoo.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carlos Romero', with a stylized flourish extending to the right.

Carlos Romero
Mayor, City of East Palo Alto

5

San Mateo County Sheriff's Office

Crime Activities

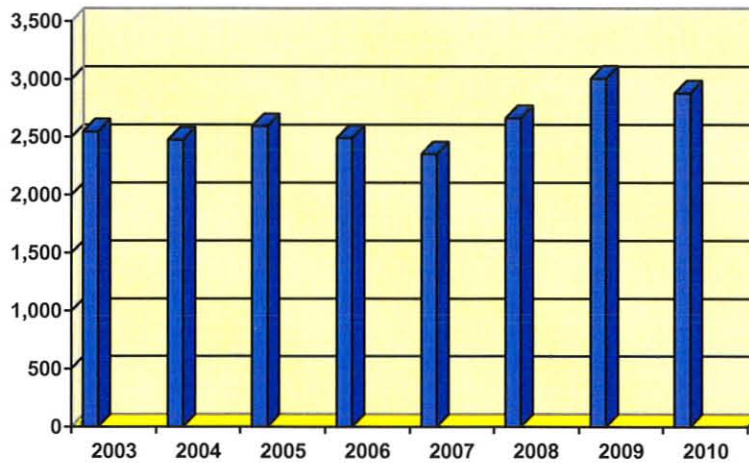
Town of Portola Valley
Beat 31

Yearly Comparisons for 2010

Total reported and self-initiated CAD activities:

	2003	2004	2005	2006	2007	2008	2009	2010
Activities	2,548	2,475	2,595	2,494	2,353	2,664	3,003	2,876

Activities per Year



San Mateo County Sheriff's Office

Crime Activities

Town of Portola Valley
Beat 31

Yearly Comparisons for 2010

Crime related – reported and self-initiated CAD activities:

Type	2003	2004	2005	2006	2007	2008	2009	2010
Homicide	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0
Assault	4	2	2	0	2	6	5	2
Burglary - Other*	9	15	16	12	18	11	14	2
Burglary - Auto	18	27	28	20	10	13	2	6
Theft	40	6	18	8	4	5	12	6
Auto Theft	2	1	0	0	0	0	0	0
Arson	0	0	0	0	1	0	0	0
Kidnap	0	0	0	0	0	0	0	0
Missing Person or Runaway	8	19	10	6	4	9	8	8
Firearm Discharge	15	8	6	5	2	2	5	6
Suspicious Circumstance**	179	123	170	147	132	150	207	152
Disturbances (F/N)***	90	49	40	51	39	53	37	30
Drug Activities	2	3	1	4	1	2	2	1
Vandalism	44	0	2	3	2	3	1	1
Intoxicated Person	2	2	1	4	0	4	0	0
Alarm Commercial	36	44	52	37	55	46	36	19
Alarm Other	378	344	382	362	332	368	351	306
Emergency Medical	9	12	15	14	13	28	9	21
Domestic Violence	6	1	0	4	3	6	2	3

* Commercial / Residential

** Includes suspicious persons and vehicles

*** (F) Family / (N) Neighbor

San Mateo County Sheriff's Office

Crime Activities

Town of Portola Valley
Beat 31

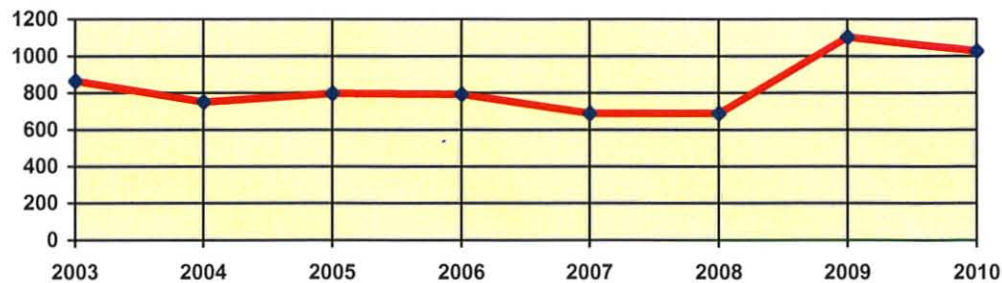
Yearly Comparisons for 2010

Traffic related - reported and self-initiated CAD activities:

Type	2003	2004	2005	2006	2007	2008	2009	2010
Enforcement Stops	653	554	643	642	543	508	936	853
Drunk Driving	5	5	4	4	10	9	8	11
Abandoned Vehicles	4	5	3	4	4	1	4	2
Vehicles Towed	2	1	3	2	1	2	1	1
Traffic Investigation*	134	145	109	98	85	136	115	126
Accidents - Total	64	39	33	40	44	30	35	31
Property	40	26	19	22	31	20	24	20
Injury	24	13	14	18	13	10	11	11
Total Traffic Activities	862	749	795	790	687	686	1,099	1,024

*Includes investigation of speeding vehicles, reckless drivers, parking violations, traffic hazards, traffic controls, etc.

Traffic related activities



San Mateo County Sheriff's Office

Crime Activities

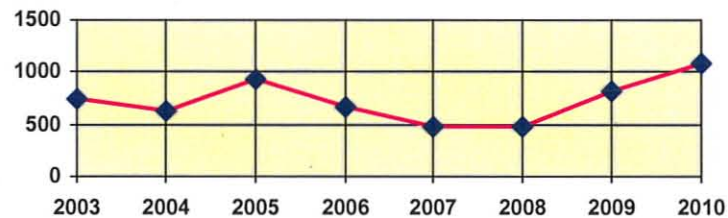
Town of Portola Valley
Beat 31

Yearly Comparisons for 2010

Citations Issued:

Type	2003	2004	2005	2006	2007	2008	2009	2010
Citations Issued - Moving	728	630	891	630	471	399	652	833
Citations Issued - Parking	4	3	31	28	4	50	63	30
Citations Issued - Bicycles	N/A	N/A	N/A	N/A	N/A	19	102	223
Total Citations Issued	732	633	922	658	475	468	817	1,086

Citations Issued



Arrests:

Type	2003	2004	2005	2006	2007	2008	2009	2010
Total Arrests	N/A	9	6	11	12	N/A	N/A	15



Town of Portola Valley
COMMUNITY EVENTS COMMITTEE MEETING
Monday, January 24, 2011 – 5:00 PM
Historic Schoolhouse
765 Portola Road
Portola Valley, CA 94028

AGENDA

1. Call To Order
2. Roll Call
3. Oral Communications
4. Approval of Minutes from November 4, 2010 (hand-out at meeting)
5. Vote on Meghan Sweet becoming a new Committee member
6. Old Business
7. New Business
8. Selection of dates for 2011 Events
 - a) Town Picnic
 - b) Blues & BBQ
 - c) Volunteer Appreciation Party
9. Reorganization of committee
10. Adjourn

Enclosures - Application from Meghan Sweet

***Committee members please confirm attendance (yes or no) to Chair, Michael Bray at michael@braycentral.com or (650) 851-8177.**



TOWN OF PORTOLA VALLEY
ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)
Monday, January 24, 2011
Special Field Meeting (time and place as listed herein)
7:30 PM – Regular ASCC Meeting
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

SPECIAL JOINT PLANNING COMMISSION/ASCC FIELD MEETING*

4:00 p.m., 302 Portola Road Preliminary Review and comment on the scope of plans for refurbishment, including use of artificial turf, of a portion of The Priory playing fields ***Field meeting has been cancelled and needs to be rescheduled*** (ASCC review to continue at Regular Meeting)

7:30 PM - REGULAR AGENDA*

1. Call to Order:
2. Roll Call: Aalfs, Breen, Clark, Hughes, Warr
3. Oral Communications:

Persons wishing to address the Commission on any subject, not on the agenda, may do so now. Please note, however, the Commission is not able to undertake extended discussion or action tonight on items not on the agenda.

4. Old Business:
 - a. Continued Review – Conditional Use Permit (CUP) X7D-170, Installation of a Wireless Communication Antenna Facility, Golden Oak Drive at Peak Lane, T-Mobile West Corporation *Continued to February 14, 2011 meeting*
 - b. Continued Architectural Review for Residential Redevelopment – New Residence, Swimming Pool and Related Site Improvements, and Site Development Permit X9H-623, 727 Westridge Drive, Wang
 - c. Review for Conformity with Conditional Use Permit X7D-63 and Architectural Review, Main Building Transformer Relocation/Replacement, 501 Portola Road, The Sequoias Portola Valley
5. New Business:
 - a. Proposed Lot Line Adjustment X6D-211, 20 and 30 Toro Court, Mills-Johnston
 - b. Preliminary Consideration – Review for Conformity with Provisions of Conditional Use Permit (CUP) X7D-30 and Site Development Permit for Field Grading, Refurbishment and Upgrading of School Play Fields, Including Use of Artificial Turf, 302 Portola Road, The Priory School *Review of this item is continued and a site meeting date will be set.*

6. Other Business:
 - a. City of Palo Alto Referral, Temporary Use Permit (TUP) Request, "Portola Vineyards," Winery Concert Series, 850 Los Trancos Road, Leonard Lehmann
 - b. Annual Election of ASCC Chair and Vice Chair
7. Approval of Minutes: January 10, 2010
8. Adjournment

*For more information on the projects to be considered by the ASCC at the Special Field and Regular meetings, as well as the scope of reviews and actions tentatively anticipated, please contact Carol Borck in the Planning Department at Portola Valley Town Hall, 650-851-1700 ex. 211. Further, the start times for other than the first Special Field meeting are tentative and dependent on the actual time needed for the preceding Special Field meeting.

PROPERTY OWNER ATTENDANCE. The ASCC strongly encourages a property owner whose application is being heard by the ASCC to attend the ASCC meeting. Often issues arise that only property owners can responsibly address. In such cases, if the property owner is not present it may be necessary to delay action until the property owner can meet with the ASCC.

WRITTEN MATERIALS. Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours.

ASSISTANCE FOR PERSONS WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Technician at 650-851-1700, extension 211. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge a proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing(s) described later in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

This Notice is Posted in Compliance with the Government Code of the State of California.

Date: January 21, 2011

CheyAnne Brown
 Planning & Building Assistant



TOWN OF PORTOLA VALLEY
Conservation Committee
Tuesday, January 25, 2011 - 8:00 PM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

AGENDA

1. **Call to Order**
2. **Oral Communications**
3. **Approval of Minutes** – November 23, 2010 (No quorum for December meeting)
4. **Old Business**
 - A. Update from website subcommittee and doc subcommittee
 - B. Update Town Open Space parcel management/owners
 - Shady trail parcel / access chain / restoration
 - Regular checks on use and condition
 - C. Tip of the month and Schedule of Events 2011
5. **New Business**
 - A. Weeding checklist / Heiple
 - B. SOD Spraying status
 - C. Dengler Nature Trail
 - D. CUP 555 Portola Road/Westridge Committee letter
 - E. Site permits
 - 95 Cheyenne Point
 - 727 Westridge
 - 9 Redberry
 - 1260 Westridge Drive subdivision
 - F. Tree permits
6. **Announcements**
7. **Adjournment**

Enclosure – Letter from Westridge ASC

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TOWN OF PORTOLA VALLEY
Special Trails and Paths Committee Meeting
Field Trip to the Dengler Preserve
Thursday, January 27, 2011 - 1:00 PM
Meet at the Historic Schoolhouse at 1 PM
765 Portola Road, Portola Valley, CA 94028

AGENDA

1:00 PM – Meet at the Historic Schoolhouse

1. Call to Order
2. Oral Communications
3. Walk Trail
4. Discuss Open Space Acquisition Committee's Nature Trail Proposal
5. Adjourn



10

TOWN OF PORTOLA VALLEY
REGULAR PLANNING COMMISSION MEETING
 765 Portola Road, Portola Valley, CA 94028
 Wednesday, January 19, 2011 – 7:30 p.m.
 Council Chambers (Historic Schoolhouse)

ACTION
AGENDA

Call to Order, Roll Call 7:33 p.m

Commissioners McIntosh, Von Feldt, Zaffaroni, Chairperson Gilbert, and Vice-Chairperson McKitterick **(All Present. Also Present: John Richards Town Council Liaison, Tom Vlasic Town Planner, Leslie Lambert Planning Manager, Ted Sayre Town Geologist Representative)**

Oral Communications

Persons wishing to address the Commission on any subject, not on the agenda, may do so now. Please note, however, the Commission is not able to undertake extended discussion or action tonight on items not on the agenda.

Marilyn Walter re: Portola Road Scenic Corridor

Regular Agenda

1. *Public Hearing:* Request for Modification to Town's Geologic and Movement Potential Maps, 95 Cheyenne Point, Berman **Unanimously approved map modification request**
2. *Public Hearing:* Request for Modification to Town's Geologic and Movement Potential Maps, 45 Tagus Court, Morton-Bours/Kawaja **Unanimously approved map modification request**
3. *Preliminary Review:* Lot Line Adjustment, 20 & 30 Toro Court, Mills/Johnston **Commission offered comment, application will continue to be processed**
4. *Public Hearing:* Continued Consideration - Conditional Use Permit X7D-169, Request to Permit Additional Floor Area and Impervious Surface Area on 229-acre Parcel, 555 Portola Road, Spring Ridge LLC (Neely/Myers) **Public Hearing Conducted, Commission offered comment on CUP proposal, voting unanimously to deny the CUP due to lack of findings and inability under CEQA**
5. *Preliminary Review:* Set Site Meeting for Soccer Field Turf Conversion, 302 Portola Road, The Priory **Commission could not attend 1/24 site meeting, requesting site meeting on February 1st or 2nd - Staff will coordinate with applicant, ASCC and Planning Commission**

Nomination of Chair and Vice-Chairpersons
McKitterick nominated and approved as Chair
Zaffaroni nominated and approved as Vice Chair

Commission, Staff, Committee Reports and Recommendations
Verification of attendance at February 2nd meeting

Approval of Minutes: December 15, 2010
Approved with changes

Adjournment 9:32 p.m.

ASSISTANCE FOR PERSONS WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Technician at 650-851-1700 ext. 211. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours.

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley branch of the San Mateo County Library located at Corte Madera School, Alpine Road and Indian Crossing.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge a proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing(s) described later in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

This Notice is posted in compliance with the Government Code of the State of California.

Date: January 14, 2011

CheyAnne Brown
Planning & Building Assistant

#15

There are no written materials for this item.