

TOWN COUNCIL MEETING NO. 832 DECEMBER 14, 2011

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

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

Absent: None

Others: Jeff Aalfs, Incoming Councilmember
Angela Howard, Town Manager
Barbara Powell, Interim Assistant Town Manager
Stacie Nerdahl, Administrative Services Officer
Sharon Hanlon, Town Clerk
Sandy Sloan, Town Attorney
Tom Vlastic, Town Planner
George Mader, Planning Consultant
Brandi de Garneau, Sustainability & Resource Efficiency (SURE) Coordinator

ORAL COMMUNICATIONS

None.

REORGANIZATION OF THE TOWN COUNCIL [7:35 p.m.]

(a) Installation of Councilmembers

Ms. Hanlon administered the oath of office to Councilmember Wengert and incoming Councilmember Jeff Aalfs.

(b) Election of Mayor

Councilmember Richards nominated former Vice Mayor Derwin to serve as Mayor for next year. Seconded by Councilmember Wengert, Maryann Derwin was elected Mayor by a vote of 4-0-1 (Derwin abstained).

(c) Election of Vice Mayor

Councilmember Wengert nominated Councilmember Richards to serve as Vice Mayor for next year. Seconded by Councilmember Aalfs, John Richards was elected Vice Mayor by a vote of 4-0-1 (Richards abstained).

New Mayor Comments

Mayor Derwin thanked outgoing Mayor Driscoll for his services as Mayor during 2011, a year that has presented a number of internal staff challenges. Despite all of the life difficulties he's dealt with, she said that he never stops seeking solutions for problems and never loses his quirky sense of humor. She said that she'd especially miss her weekly meetings with him and Ms. Howard.

She also welcomed Jeff Aalfs as the newest Councilmember, telling him that she hoped he'd find life as a public servant in Portola Valley both rewarding and stimulating, and indicating that he'd find the Town a place that takes democracy "to a whole new level."

As she looks toward the new year, Mayor Derwin said she anticipates a time of transition as the Town bids adieux to Ms. Howard and welcomes her successor. She said that she looks forward to the new Green Towns SunShares group buy program, to seeing Portola Valley as one of the first communities in the region – perhaps in the state – to complete its Climate Action Plan using the CAP Template and Tool Package, to more summer concerts, more star parties, more monthly Conservation Committee tips on the *PV Forum*, and perhaps even a refurbished baseball facility at Ford Field.

Mayor Derwin indicated, too, that she hopes to build on the excellent work of outgoing Councilmember Toben on the emergency preparedness front, to complete the Blue Oaks below market-rate (BMR) housing units, and with the newly reconfigured Bicycle, Pedestrian and Traffic Safety Committee, to see cycling become safer while making the Town more bicycle-friendly.

In the tradition of outgoing Mayor Driscoll, she said, she promises to hold a joint meeting with the Planning Commission and also a late summer meeting in the Redwood Grove.

COUNCIL RECOGNITION: Former Mayor and Councilmember Steve Toben [7:40 p.m.]

Mayor Derwin offered a tribute to outgoing Councilmember Steve Toben. She said that she'd be hard-pressed to find a more inspirational colleague, who is also thoughtful, analytical, articulate, intellectually formidable, unyieldingly focused and good-humored. He's demonstrated a deep commitment to finding common ground in thorny situations, she continued, using his mediation and conflict-resolution talents to resolve disagreements while always encouraging open discussion from various perspectives.

She said that as Mayor, Councilmember Toben left his mark on Portola Valley, with the award-winning Town Center campus, ongoing efforts to upgrade the Town's emergency preparedness and establish sustainability as a framework to guide policy. As Portola Valley's representative on the SFO Airport/Community Roundtable, she went on, Councilmember's Toben's tireless advocacy for greater accountability, vindicated by a recent San Mateo County Grand Jury report ("County Officials Need to Make Noise about Aircraft Noise," dated July 6, 2011), basically led to a paradigm shift in the way the Roundtable will operate going forward.

Outgoing Mayor Driscoll described Councilmember Toben's work on the Roundtable, spanning approximately 10 years, as a Herculean task, and said that the Town is indebted to him for shepherding not only the Emergency Preparedness Committee and the Parks and Recreation Committee but also the Portola Valley Community Fund in its efforts to raise money for the Town Center project.

Councilmember Richards said that his association with Councilmember Toben has been delightful and instructive. Councilmember Wengert thanked him in particular for his leadership by example and for setting the bar so high. She also credited Councilmember Toben with articulating his views so diplomatically, persuasively and courageously, always coming to meetings well-prepared, bringing his keen insight to myriad issues and respecting everyone's views. She said that a Winston Churchill quote makes her think of Councilmember Toben: "We make a living by what we get; we make a life by what we give."

New Councilmember Aalfs said his only regret about filling Councilmember Toben's spot on the Town Council is not being able to actually work with him. He remarked on Councilmember Toben's zeal in pursuing various thorny topics to the Town's great benefit. He said he's admired Councilmember Toben's insights, fresh perspectives and ability to distill issues down to the crux of the matter.

Gary Nielsen, Piñon Drive, singled out Councilmember Toben's mediation skills. He said that being such an excellent listener contributed to his excellence as a negotiator, addressing such challenging matters as barking dogs, leafblowers and trails. He said the Town thanks him effusively for that and other things he's accomplished.

Planning Commissioner Arthur McIntosh said he's appreciated Councilmember Toben's listening capacity more than anyone else he's ever known. He also indicated that without Councilmember Toben's contributions and ability to touch people, the Town Center wouldn't be what it is.

Beth Rabuczewski, Alpine Road, said that she moved to Portola Valley about 15 years ago, but it wasn't until after she got involved with the Town Center project that she realized what a talented and amazing group of people – with Councilmember Toben at the head of the list – giving so much time to making the Town a spectacular, magical place to live.

Ron Walter, Shawnee Pass, thanked Councilmember Toben for being such an inspiration to volunteers and for the calm, steady demeanor he's brought to leading the Town through difficult issues.

Town Planning Consultant George Mader expressed how much he and Town Planner Tom Vlasic have appreciated Councilmember Toben's support and the time he spent reviewing their work. Mr. Vlasic echoed Mr. Mader's comments and those of Councilmember Wengert, pointing out that it's not always comfortable being challenged, but Councilmember Toben consistently raised the bar. Particularly from a professional standpoint, Mr. Vlasic said, he's been grateful for that.

Councilmember Toben said that it's been a profoundly great honor to be part of the tradition of public service in this community and be in the lineup of those who have contributed to the Town, standing on the shoulders of people who envisioned its future and participating in the Town's collective intelligence. He expressed special appreciation for the staff's commitment, professionalism and high standards. He assured everyone that he won't disappear and will continue to be supportive, but it's time for him to go.

CONSENT AGENDA [7:55 p.m.]

- (1) Approval of Minutes: Regular Town Council Meeting of November 9, 2011 [*removed from Consent Agenda*]
- (2) Ratification of Warrant List: November 23, 2011 in the amount of \$78,701.45
- (3) Ratification of Warrant List: December 14, 2011 in the amount of \$477,162.13
- (4) Recommendation by Planning Manager: Request for approval of documents to accept modification to Private Open Space Easement (POSE) for Blue Oaks Subdivision Lot 28, Stritter
 - (a) Adoption of a Resolution of the Town of Portola Valley Accepting Grant of Private Open Space Easement on Blue Oaks Subdivision Lot 28 (Resolution No. 2538-011)
 - (b) Adoption of a Resolution of the Town of Portola Valley to Abandon a Portion of the Private Open Space Easement on Blue Oaks Subdivision Lot 28 (Resolution No. 2539-011)

By motion of Councilmember Wengert, seconded by Councilmember Driscoll, Items 2-4 on the Consent Agenda were approved with the following roll call vote:

Aye: Councilmembers Aalfs, Driscoll, and Wengert, Vice Mayor Richards, Mayor Derwin.

No: None.

REGULAR AGENDA

- (1) Approval of Minutes: Regular Town Council Meeting of November 9, 2011

Councilmember Driscoll moved to approve the minutes, as amended, of the Regular Town Council Meeting of November 9, 2011. Seconded by Vice Mayor Richards, the motion carried 4-0-1 (Aalfs abstained).

- (5) Recommendation by Town Planner: Adoption of Resolution regarding California Environmental Quality Act (CEQA) requirements of Historic Buildings [8:00 p.m.]

- (a) Adoption of a Resolution of the Town of Portola Valley Establishing Procedures for the Evaluation of Historic Resources Pursuant to CEQA (Resolution No. 2540-2011)

Mr. Mader, recalling that this topic has been discussed off and on since about 2005, said that the proposed resolution, prepared with input from the Town Attorney, would put in place a procedure for reviewing potentially historic resources. Reading from an earlier memorandum to the Planning Commission (from May 2011), he said, "CEQA requires jurisdictions to evaluate potential historic resources when a permit to change a resource is applied for in order to determine if it may, in fact, be historically significant. The Public Resources Code of California states that to be historically significant, a resource should normally be at least 50 years old in order to judge its significance."

According to Mr. Mader, CEQA indicates that criteria for judging potentially historic resources include whether the resource:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Is associated with the lives of people important in the past.
- Embodies distinctive characteristics of type, period, region or methods of construction.
- Represents the work of an important creative individual or possesses high artistic value.
- Has yielded pre-history or history or is likely to do so.

Indicating that earlier Town Council guidance suggested that the Planning Department was on the right track before preparing the resolution, he said that the question of human remains had been vetted, and he has encouraged consideration of having an archeologist outline areas in Town with the highest probability of containing such remains. Mr. Mader explained that the Town Attorney suggested he contact Laura Jones, a Stanford archeologist, whose input is also reflected in the resolution – particularly in regard to flat areas along creeks as being the most likely places. As also discussed by the Council, he added, it's incumbent on any parties who undertake grading work to report any human remains discovered to the coroner and to the Town.

As to the resolution itself, Mr. Mader reported a mistake in the first operative clause. It should read, "Be it resolved that the following procedures for evaluation of historic resources in the Town in compliance with the requirements of Sections 15064.5-15065 of the California Government Code are adopted."

In closing, Mr. Mader said that the procedure outlined can be administered by staff at the counter, that further studies can be pursued as appropriate, that Town Historian Nancy Lund has expressed willingness to take any referrals, and that ASCC would be another resource.

Ms. Sloan added that she thinks it's a good idea to have a basic framework such as that proposed, because other communities have been caught with their guard down when people have come in with applications to demolish what turned out to be historic structures or other resources.

Councilmember Wengert said she's a bit concerned that the resolution doesn't embody an appropriately vetted list that includes the names of notable architects and designers. Mr. Mader said that the Planning Commission recommended having such a list as a supplement to the resolution rather than being included as part of it so that it would be available to staff for making judgments as applications come in. Ms. Sloan said that a list with names such as Bernard Maybeck and Julia Morgan could be developed, but suggested that it would be nearly impossible to make it a completely definitive document. In many cases, it would be necessary to hire an architect who specializes in historical buildings or an architectural historian to evaluate a property. She also recalled everyone being surprised when an architectural historian pronounced that Portola Valley's Historic Schoolhouse wasn't historically significant, but only a good example of schools typical of its era.

Councilmember Wengert said her concern is about how to even begin filtering for a list of notables. Mr. Mader said that he'd prefer a longer list to draw upon than a shorter one. Vice Mayor Richards stated that this situation is somewhat related to what a potential homeowner faces in terms of geologic issues when considering a property purchase. Councilmember Aalfs, who indicated that disclosure reports might also include information pertinent to a property's potential historic significance, said that while the list of notables may not belong in the resolution itself, the resolution certainly should contain a reference to it.

Ms. Howard said that the resolution could come back to the Council with the list as an attachment or exhibit.

Councilmember Wengert pointed out that the impact on existing homeowners is more worrisome to her than that of new buyers, because she can foresee situations that might unduly affect them. She noted that when they purchased their homes, they may have had no idea of who may have lived in them in the past and completely unaware of other potential implications in the sense of them being historic properties. In that context, she suggested that with a shorter list, it would be easier for people to determine whether they might be affected. Or, Councilmember Aalfs suggested, it could be a longer list coupled with a more stringent process for evaluation.

In response to Councilmember Driscoll's questions, Ms. Sloan said that if the federal government owned a building in Town, any Portola Valley rules governing historic structures wouldn't apply at all. Federal, state and/or county rules could supersede the Town's rules, but that would not be the case with the historic Hawthornes Property, which was bequeathed by the late Frederick N. Woods III to the Midpeninsula Regional Open Space District (MROSD) and will be part of the Windy Hill Open Space Preserve. Although there are some exceptions for the school district, she said that typically local agencies would have to comply with Town rules.

Mr. Vlastic said that the Town is in the position of having to make judgments about historic resources at this time, so some criteria must be applied. For this reason, he considers it important to get a procedure on the books – even if the list isn't ready for publication. The procedures in the resolution, he explained, would at least provide the Planning Department with a tool for sifting through applications that are submitted.

Vice Mayor Richards moved to adopt a Resolution of the Town of Portola Valley Establishing Procedures for the Evaluation of Historic Resources Pursuant to CEQA. Seconded by Councilmember Aalfs, the motion carried 5-0.

Councilmembers concurred with Mayor Derwin's request to consider Item 8 next.

(8) Discussion and Council Action: Request by the Portola Valley Women's Club for recognition as a Community/Neighborhood Sponsored Local Group [8:20 p.m.]

Ms. Powell noted the presence of two Portola Valley Women's Club representatives. She said that Club Secretary Marianne Plunder approached the Town about using Community Hall and other Town facilities for club activities and events. Recognition of the organization as a Community/Neighborhood Sponsored Local Group would make this possible (with the requisite deposit, insurance certificate and hold-harmless agreement).

Club President Dale Lachtman, Willowbrook Drive, told the Council a non-dues-paying organization with current membership of about 130, the Club formed in July 2011 to foster more social interaction for women. In addition to social meetings, members are considering a lecture series, which led to the idea of using Community Hall facilities.

In response to Mayor Derwin's questions, Ms. Lachtman said that the club currently meets quarterly. The lectures might be held twice a year or in between meetings. She said that members haven't yet discussed whether the lectures would be open to the public or limited to members and their guests. Ms. Howard indicated that any function in a public room is normally open to anyone who wants to attend unless it's a private event and the facility is rented.

Councilmember Wengert moved to approve the Portola Valley Women's Club request for recognition as a Community/Neighborhood Sponsored Local Group. Seconded by Vice Mayor Richards, the motion carried 5-0.

(6) Recommendation by Administrative Services Officer: Review of Annual Audit for FYE 6/30/11 [8:25 p.m.]

As her December 14, 2011 memorandum to the Council explained, Ms. Nerdahl said, two things had an impact. The Town implemented provisions of Governmental Accounting Standards Board (GASB) Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions. This affected how some of the information is presented. GASB-4, she said, provides clearer fund balance classifications. Although perhaps an ordeal for larger government agencies to implement, she added, for Portola Valley applying GASB 54 basically meant reclassifying fund balances from different "designations" within the General Fund to "assigned" fund balances. The loan receivable with the Wayside II Road Maintenance District and the Town's stock donation are now part of a so-called "nonspendable" fund balance, she explained, and as a result, the Town's Governmental Funds Balance Sheet (page 15 of the report) is a much cleaner presentation than it had been in previous years. (The detail of the Town's fund balances appears on page 35; the Wayside II loan balance, per Note 5 on page 34, is about \$90,000.)

Ms. Nerdahl said the previous financial statement reported value of the stock donation at \$319,000. During their site visit, the auditors settled on the latest Smith Barney valuation for the year-end figure – \$83,000. Indicative of market volatility, she pointed out that as of September 30, 2011, the valuation fell as low as \$60,000. It was \$101,000 on October 31, 2011, and \$100,000 on the most recent statement

In response to a question from Councilmember Aalfs, Councilmember Driscoll explained that one contributor to the Town Center project had donated restricted stock in a company that he'd helped take public. At the time, it was valued between \$1.4 million and \$1.5 million. While the Town was still locked in, Councilmember Driscoll added, the value shot up to \$2.5 million.

Ms. Nerdahl said that the report's condensed Statement of Activities shows how the Town's net assets changed during the fiscal year. She pointed out a decrease of some \$276,000 from FYE 6/30/10, attributing part of it to canceling Blues & BBQ this year, which eliminated more than \$100,000 in revenues. Among the reasons for the decline in the Grants and Contributions category, she said, is that

the stream of pledges ended. On the other hand, she added, the Town's sporting league revenue was up \$23,000 for FYE 6/30/11.

In terms of expenses, Ms. Nerdahl said that Parks & Recreation expenses declined by 9.6%, in part due to cost-savings field maintenance procedures that Recreation Facilities Coordinator Tony Macias implemented and decreased class activity. Town Center Facilities expenses increased substantially, due largely to fully capitalizing the Town Center construction project in the prior fiscal year but then having to back out about \$200,000 that was actually paid out in FYE 6/30/11.

The report contains a new note, Note 6B (page 36), General Fund Minimum Balance Policy, which pertains to the policy the Town Council approved at its July 27, 2011 meeting. The policy calls for maintaining at least 60% of its annual budgeted operating expenditures in the General Fund's unrestricted fund balance. For FYE 6/30/11, Ms. Nerdahl said, the Town was well above that threshold, at 68%.

Ms. Nerdahl also addressed the Town's performance against the budget plan in terms of the General Fund. In the Revenue section, she again indicated the investment loss and income lost due to the cancellation of Blues & BBQ, noting that the Town Picnic was canceled as well. Absent those figures alone, Ms. Nerdahl stated, the Town would have been on target. She noted that across the board, expenditures were lower than budgeted, and that General Government expenditures in particular were nearly \$100,000 less. Again, part of the reason was the cancellation of Blues & BBQ; in addition, the fee study planned was not completed. As for Capital Improvement Program expenditures, the Town Center lighting project came in considerably lower than anticipated.

Councilmember Driscoll, who said that he sees a lot of audits, complimented staff on "a very clean audit." Councilmember Wengert, who has worked with the Finance Committee, concurred that Ms. Nerdahl and Ms. Howard do a "fabulous job" with some arcane regulations.

Councilmember Aalfs moved to accept the annual audit report for FYE 6/30/11 as submitted. Seconded by Councilmember Wengert, the motion carried 5-0.

- (7) Recommendation by Sustainability Coordinator: Request for Approval of 2005 Baseline Greenhouse Gas Emissions for Government Operations and Community-Scale Inventories and Report on Energy Use and Emissions from 2005 through 2010 [8:45 p.m.]

As Ms. de Garmeaux explained, the Government Operations emissions inventory was completed by ICLE—Local Governments for Sustainability (founded in 1990 as the International Council for Local Environmental Initiatives) through a grant and collaborative process involving Joint Venture: Silicon Valley Network (JVSV), Sustainable Silicon Valley (SSV), the City/County Association of Governments (C/CAG) and Town staff. The inventory of Community-Scale emissions was completed through a grant from C/CAG with support from San Mateo County RecycleWorks, CO₂ San Mateo County, a program funded in part by the Bay Area Air Quality Management District (BAAQMD), and Town staff.

She said that 2005 was selected as the baseline year because data from PG&E was available to compare to data from 2008 and 2009, and going back further than 2005 risked having insufficient comparable data. Also, the California Air Resources Board (ARB) recognizes that many communities don't have access to data going back as far as the state's 1990 baseline, so 2005 is increasingly becoming the standard for such inventories.

Ms. de Garmeaux showed pie charts illustrating 2005 emissions. In the Government Operations inventory, Employee Commute accounted for 46% of emissions, while Building & Facilities accounted for 37%. She said that the Town Center is expected to shrink the latter piece of the pie in 2010, resulting in a proportionately larger Employee Commute piece. According to the Community-Scale 2005 inventories (completed for 20 communities in San Mateo County), Residential Energy accounted for 41% of Portola

Valley's emissions in 2005, with the other most significant components being Transportation/Local Roads (39%) and Commercial Energy (13%).

The County is still sorting out whether transportation-related emissions should be measured in terms of vehicle miles traveled or gallons of fuel sold; the metric selected could ultimately affect the percentages. Meanwhile, Portola Valley has been focusing its efforts on reducing emissions in this sector through the Energy Upgrade Portola Valley Program. The Climate Action Plan, she added, will help target additional efforts in this and other areas.

Electricity emissions of greenhouse gases (GHG), Ms. de Garmeaux explained, are based on factors from PG&E that change year to year, depending on the fuel mix to create the power drain. Based on the factors in effect from 2005 through 2009, she pointed out that emissions dropped from 2005 to 2006, then climbed in 2007 and 2008, and have gone down ever since. She noted that 2010 data are estimates. PG&E's use of the factors result in possible increases in emissions when the fuel mix is more heavily weighted toward coal in a particular year, she added.

She noted, too, that electricity use has declined in every sector – residential, Town government, commercial and school district – since 2005, with a total decrease of nearly 6%. In the Town government sector, she reported drops of 39% in emissions, 28% in natural gas use and 28% in electricity use. The school district also achieved significant emissions reductions, she said.

Ms. de Garmeaux said that natural gas is a large contributor to GHG emissions, with CO₂ emissions increasing nearly 19% since 2005. The increase from 2009 to 2010 was significant, she added, climbing from 2,703 to 2,949 metric tons.

In terms of the Town Council's commitment relative to AB32 (the Global Warming Solutions Act) and the U.S. Mayors' Climate Protection Agreement, Portola Valley has met the goal of 2000-level emissions by 2010 in Government Operations, and is only one metric ton away from meeting the AB32 goal for 2020. Reaching the 2050 goal will be more of a challenge, Ms. de Garmeaux said, because such big reductions have been achieved already in the Building & Facilities sector.

Although Community-Scale reductions have not fared as well, Ms. de Garmeaux said that going forward; several statewide initiatives should help contribute to significant reductions in the transportation, electricity and waste sectors. Initiatives in the commercial sector – including a 2,000-lightbulb retrofit at The Priory and solar installations at the schools – should produce significant reductions in 2011 energy data as well, she said. She said that The Sequoias and Alpine Hills also have been implementing energy-efficiency measures. The 2011 numbers will be available in about June 2012, she said.

In response to Councilmember Aalfs, Ms. de Garmeaux said that The Priory installed its banks of freestanding solar panels two or three years ago, but the impact of that change has not been measured. She explained that she's been working with The Priory on benchmarking to improve data tracking.

To complete the 2010 GHG emissions inventory, Ms. de Garmeaux said she's been working with peers in five other communities, tapping C/CAG grant money for a consultant and creating a Climate Action Plan Template and Tool to forecast future emissions inventories as well as measuring progress. The template and tool were recently named the "Regional Integrated Climate Action Planning Suite" – RICAPS – which is about to be introduced throughout San Mateo County. Portola Valley staff plans to use the tool to complete the 2010 GHG emissions inventory early next year, and Ms. de Garmeaux said that JVSV Network also has offered to help with its completion. She recommended waiting to decide on future interim targets until the results are available.

Mayor Derwin asked Ms. de Garmeaux to talk about how many cities will be using RICAPS in the next year. Ms. de Garmeaux explained that although the County hopes all of its cities will use this tool to

complete their CAPS, Portola Valley is one of five communities set to receive \$10,000 in additional technical support because they participated in its development.

While the Town has been addressing the primary GHG emission sources in both residential and commercial sectors, Ms. de Garneau continued, it's also made great strides in addressing them in Government Operations, leading to a 14% reduction since 2005. She said that completing the CAP using RICAPS will clarify the impacts of specific measures and provide a path for meeting future targets.

She said staff recommends that the Council establish 2005 as the baseline year by which to measure future emission targets, approve the baseline GHG emissions for Government Operations and Community-Scale Inventories, and approve the Energy Use and Emissions Report for 2005-2010.

Vice Mayor Richards noted that collecting data and ensuring its accuracy are major factors and asked whether embodied energy from construction of new town facility and residences are included in the inventories. Ms. de Garneau replied that embodied energy hasn't been included, explaining that the inventories are intended as estimates to help assess progress and develop plans for future emissions reductions.

In terms of methodology for transportation-related emissions, Councilmember Aalfs asked which metric Portola Valley would prefer. Ms. de Garneau said that intuition tells her that Portola Valley's emissions would be lower if the metric were based on fuel purchases rather than vehicle miles traveled, but she hasn't seen any of the County's data in that respect (which would be based on taxes collected on gasoline sales).

Councilmember Wengert asked how Portola Valley has fared in relation to the various residential sector initiatives undertaken. Ms. de Garneau outlined participation levels in three programs:

- Energy Upgrade Portola Valley: Three people have completed the home energy upgrade process, and another three are currently involved in it.
- Acterra High-Energy Homes Program: Between 29 and 34 households are taking part. Some glitches emerged when PG&E transferred its data to OPower, a company that enables utility customers to compare their usage to their neighbors and thus evaluate their energy efficiency. During the transition, customers could not access their data, she explained, and the actual transition broke the link between PG&E's data and Acterra's data. The timing was unfortunate because Portola Valley was engaged in a number of marketing efforts at the same time.
- Green Towns SunShares group buy program: 29 people have signed up so far. Ms. de Garneau said that she's targeting 50 participants before sending out a request for proposals (RFP), so it appears that program will be a successful one.

Councilmember Aalfs said he checked with Planning Technician CheyAnne Brown for information about the number of permits issued for furnace replacements. Only 10 such permits were issued in 2010, he said, and with furnaces lasting 10 to 15 years, the number should be in the neighborhood of 100 to 150 in an average year. He asked what "combination of carrots and sticks" might ensure that furnace work gets done and gets done properly to lower the GHG emissions. Ms. de Garneau said that work is under way on another Energy Upgrade Program "Did You Consider" pamphlet that focuses on furnaces. She said the hope is that it will help educate the community and also advise residents that they need permits to replace furnaces, windows, etc. Councilmember Driscoll suggested that a potential carrot would be to either waive permit requirements for furnace replacements or charge only a nominal fee for these permits. Councilmember Aalfs said that the permit fee is \$60 or \$70, but requiring a permit is important to ensure that the new furnace is appropriate for the home.

Several Councilmembers expressed their appreciation for Ms. de Garneau's report and commended her for leading the way in the Town's efforts on the sustainability front. Mayor Derwin said that she wants Ms. de Garneau to represent Portola Valley at next year's Behavior, Energy and Climate Change Conference (BECC). One of the sponsors, she pointed out, is Stanford University's Precourt Energy Efficiency Center (PEEC).

Vice Mayor Richards moved to approve the 2005 Baseline, the Greenhouse Gas Emissions for Government Operations and Community-Scale Inventories, and the Report on Energy Use and Emissions from 2005 through 2010. Seconded by Councilmember Aalfs, the motion carried 5-0.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

- (9) Appointment by Mayor: Request for amendment to Charter and approval of appointment of members to the Portola Valley Bicycle, Pedestrian & Traffic Safety Committee [9:05 p.m.]

Councilmember Driscoll indicated that 22 residents applied for membership on the new Bicycle, Pedestrian & Traffic Safety Committee – which, he said, may be a record. Indicating that he and Councilmember Wengert spoke with all the applicants, he said they found the vast majority eminently qualified. He said they also discovered some world-class cyclists in Town they hadn't known about, such as Ms. Lachtman. The only applicant they didn't interview, Councilmember Driscoll said, was Chris Buja – who formerly served on the Traffic Committee. The day before his scheduled interview, Mr. Buja crashed his bicycle and sustained six collarbone fractures. Councilmember Driscoll recognized Sonja Martinez, who served on the Traffic Committee for 26 years but offered to step aside if enough other qualified applicants came forward.

The final slate of Committee members represents a good cross-section, including some young people. Commissioners Driscoll and Wengert agreed. In addition to Ms. Lachtman and Mr. Buja, the members proposed are Pat Baenen-Tapscott, Mark Foster, Edward Holland, Leslie Latham, Shandon Lloyd, Steve Marra, Pedro Ruiz, Kevin Welch and Erin Whalen. Councilmember Wengert said that it's a high-powered group with a lot of energy.

Ms. Lachtman, indicating that she rides her bicycle at least two or three times a week, said that she's really happy to be part of it and sees a lot of opportunity to correct some terrible behavior on the roads. She said that education and infrastructure upgrades are keys to improving the situation.

Councilmember Aalfs suggested that the *PV Forum* carry a regular statement reminding people of general rules of the road, and that someone on the Committee should be ready to post to the *Forum* when issues flare up. Councilmember Wengert said this would be something for the Committee to discuss early on, and Councilmember Driscoll pointed out that the Committee also could use its page on the Town website to post rules of the road, recap policies, talk about when rides are scheduled, and so forth.

In response to a concern about the Committee's size expressed by Vice Mayor Richards, Councilmember Driscoll said that he doesn't foresee a problem because the Committee will serve primarily in an advisory capacity and as a discussion group. Councilmember Wengert also pointed out that there may be some attrition, but at this time it seems appropriate to take advantage of all the excitement and expertise.

Councilmember Driscoll moved to amend to the Bicycle, Pedestrian & Traffic Safety Committee Charter as proposed (to no more than 11 members on the Committee) and approve the appointment of the 11 members recommended. Seconded by Vice Mayor Richards, the motion carried 5-0.

- (10) Appointment by Mayor: Request for appointment of member to the Cultural Arts Committee [9:15 p.m.]

Councilmember Aalfs moved to approve the appointment of Linda Olson to the Cultural Arts Committee. Seconded by Councilmember Wengert, the motion carried 5-0.

(11) Discussion and Council Action: Citizens' involvement in Town Manager search [9:16 p.m.]

Councilmember Driscoll said that during a recent discussion the Town Attorney told him that some neighboring communities have formed citizen committees and/or subcommittees of department heads to help evaluate candidates for high-level staff positions.

Ms. Sloan said that after her conversation with Councilmember Driscoll, she spoke with her counterparts in Woodside and Menlo Park, and she's also served on a citizen panel to help select Palo Alto's new city attorney. In each case, she said, a subcommittee of councilmembers narrowed the pool of applicants already vetted by the search firm.

In Woodside, where the town manager is retiring at year-end, she said, the town sought community input for the publication announcing the opening and engagement of a search firm, and when it came down to the finalists, Woodside convened a panel of department heads – including the town attorney – and invited their comments on the finalists. After that, the Woodside Town Council interviewed the finalists.

In Menlo Park, where the process is ongoing, the retired town manager is back as an interim consultant. After a Menlo Park City Council subcommittee narrows down the pool of candidates for the town manager position, two panels will be asked to comment and advise. One of those panels will be like Woodside's, while the second will be citizens. The citizen committee can't be appointed by the council without triggering Brown Act requirements regarding public committees. Accordingly, Ms. Sloan explained, each of the five members of the Menlo Park City Council has appointed two citizens to the panel and given their names to the city clerk, who will set up the interviews when the time comes. Ms. Sloan said that Menlo Park actually had a third panel that included union representatives, one from the Menlo Park Police Officers Association (MPPOA) and one from the Service Employee International Union (SEIU) Local 521, which represents approximately 250 Menlo Park city employees.

Palo Alto went the two-panel route to fill a city attorney position. A staff panel of department heads interviewed the finalists and submitted comments to a Palo Alto City Council subcommittee. The citizens' panel comprised nine members – one selected by each of nine councilmembers – and seven of the nine panelists were either past city attorneys or attorneys who interacted with Palo Alto. The city clerk arranged interviews with the applicants, and the members of this panel (including Ms. Sloan) also gave their comments to the council subcommittee.

Ms. Sloan said that while she is not saying that the Portola Valley Town Council should follow the panel approach, she said that if that approach makes sense, she does suggest doing it the way that Woodside, Menlo Park and Palo Alto have, because it isn't appropriate for the interviews to be public. She said that one possibility would be for current Councilmembers to each approach a former Councilmember. In response to a question from Councilmember Aalfs, she said that the Council could direct particular staff members to interview candidates, but appointing citizens to meet with staff would create a committee subject to Brown Act provisions. She said that she would not recommend a combination panel of department heads and citizens in any case.

In response to a comment from Mayor Derwin, Ms. Howard explained that she received an email from an individual with a Ph.D. who does psychological and personality profiling. He'd worked with other communities, including Woodside, conducting extensive interviews with finalists and developing profiles to share with councilmembers. She checked with Woodside City Attorney Heather McLaughlin to inquire about the experience, and gleaned from that conversation that his services would be most valuable in learning more about candidates applying for positions such as fire chief or police chief. Ms. Howard hasn't called this man back yet, she said, but perhaps the Council would be interested in looking at this as a potential resource if necessary.

Ms. Howard also indicated that she's been involved in review panels composed of peers – other town managers interviewing prospective town managers – and would be supportive of having senior staff involved with assessing finalists. She agreed with Ms. Sloan about it being awkward to have staff and non-staff on the same panel.

Councilmember Driscoll indicated that he and Vice Mayor Richards already have been named to the Town Council's subcommittee, and will interview candidates vetted by Ralph Andersen and Associates. Ms. Howard said that a closed session will be on the Town Council agenda for January 25, 2012, which will include Heather Renschler, the search firm's President and CEO. By that time, Ms. Howard pointed out, recruitment will be closed and she will be able to give the Council a better idea of the number of viable candidates to consider.

Councilmember Driscoll said that as he recalled, Woodside had 90 applications to deal with. So far, Ms. Howard said, only 10 people have applied for Portola Valley's Town Manager position.

Councilmember Wengert asked whether formation of review panels would slow the process. Ms. Sloan said that it doesn't have to; in Palo Alto, finalist candidates came in for consecutive interviews with the two panels. Councilmember Wengert also asked what sort of feedback came in from the additional panel input in Woodside and Palo Alto. In Palo Alto, Ms. Sloan said, the City Council very much liked the panels' involvement. She said that Palo Alto has relied on staff panels to review candidates for department head positions for years.

Vice Mayor Richards said that he thought a staff panel would be more helpful than a citizen panel if Portola Valley decides to go with only one panel. Councilmember Wengert agreed that a staff panel would be important, and said what Ms. Sloan described, soliciting a group of former Councilmembers, would make sense for a citizen panel.

Councilmember Aalfs pointed out that even if the citizens involved are no longer Councilmembers, the public perception might be that the process excludes outsiders. He said he likes the idea of bringing in a few people who simply represent the community. Ms. Sloan said she thought it would be fine either way, but she likes the idea of each member of the Town Council selecting one panelist.

Councilmember Driscoll said that while he believes former Councilmembers would do a very good job, he doesn't feel a citizen panel should necessarily be restricted in that way. The idea, as he sees it, is to find thoughtful people who can help make the best decision. Councilmember Wengert said that those invited to serve on a panel should have at least some knowledge of how the process runs, what the Town Manager does and how the Town Council operates.

If the Council decides to use a staff panel, Ms. Howard indicated that she would like to select its panelists.

Mayor Derwin said that the Council seems comfortable with the idea of both types of panels. Councilmembers agreed that the citizen panel should have five members, not necessarily restricted to former Councilmembers but including others who are at least familiar with the process. They also agreed to give the names of those selected to Ms. Howard by early January.

(12) Reports from Commission and Committee Liaisons [9:35 p.m.]

Councilmember Driscoll:

(a) Trails and Paths Committee

- Meeting on December 13, 2011, members discussed two equestrian crossings on Portola Road in places where there are no crosswalks and are complicated by steep

grades. Public Works Director Howard Young has agreed to create platforms where horses can stand before crossing the road.

- Some equestrians have requested white lines on the road to mark the crossings and "Horse Crossing" signs posted in each location. Examples in Woodside were cited, but Mr. Young talked to the Woodside's town engineer, who indicated that Woodside no longer handles signage in that manner; the crossings cited were installed decades ago. Another suggestion was to post signs at Town entrances advising motorists to watch for equestrian crossings.

Mayor Derwin said that she'd rather see signs to advise motorists to watch for bicyclists.

Vice Mayor Richards:

(b) Architectural and Site Control Commission (ASCC)

At its November 28, 2011 meeting, the ASCC:

- Conducted a follow-up review of a proposal for 3 Grove Court and 4 Grove Court, including a reviews of the landscape lighting plans for two additional projects.

(c) Conservation Committee

Meeting on November 22, 2011, the Conservation Committee:

- Discussed an appropriate amount of time to spend looking at lighting as an advisory body to the ASCC.
- Putting a weeding schedule on the website, showing what the weeds look like and at what stage they should be pulled – star thistles, Dittrichia, broom, etc.

Councilmember Wengert:

(d) Planning Commission

At its December 7, 2011 meeting, the Planning Commission:

- Held the first part of a public hearing on the Neely/Myers Conditional Use Permit application, a long and robust discussion that focused on the meadow, including fencing and agricultural use aspects. The public hearing will be continued at the Commission's meeting on January 18, 2012.

(e) Nature and Science Committee

Meeting on December 8, 2011, the Nature and Science Committee:

- Discussed the next transit of Venus across the sun (June 5, 2012 for North American viewers).
- Continued planning the next Star Party.

- Discussed Geology Day, which would include information about earthquakes, fossils and other things.
- Talked about contacting MROSD to consider putting the Nature Center on some portion of the property.

Ms. Howard said that when committees want to set up meetings with outside agencies, it's important to involve staff.

Mayor Derwin:

(f) Community Events Committee

At its December 13, 2011 meeting, the Community Events Committee:

- Reviewed 2011, including the Portola Valley School District 150th Anniversary celebration on October 2 and the Volunteer Appreciation Party on December 2.
- Decided upon dates for next year's Town Picnic (June 9, 2012) and Blues & BBQ (September 16, 2012), without setting a firm date yet for the Volunteer Appreciation Party in December 2012.
- Discussed potential new Committee members, including Nancy Lund and Jane Lewis.

(g) Sustainability Committee

In a Special Meeting convened on December 12, 2011, the Sustainability Committee:

- Voted to recommend a new member, Dave Howes, to the Town Council.
- Talked about the glitches that affected the Acterra High-Energy Homes Program.
 - Covered by Ms. de Garneau under agenda Item 7 tonight.
- Discussed Energy Upgrade Portola Valley, with considerable excitement about the Green Towns SunShares Group Buy Program, the "Did You Consider" brochures and the SmartStrip Guide.
- Continued discussions about the Tuesday Harvest Speaker Series, which will begin in March 2012.
- Discussed the Boy Scouts lightbulb sales program and education drive.
- Considered the debate over solar versus trees.
- Looked toward projects to focus on during 2012, depending on Council direction.

Mayor Derwin said that she and Ms. de Garneau discussed the 2011 BECC.

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

- The Executive Director's review was the main piece of business; members agreed to increase Rich Napier's salary by 5.5%.

(i) Council of Cities

Mayor Derwin said that elections for regional seats on the Council of Cities are coming up, with two San Mateo County Transportation Authority seats being contested. She requested Councilmembers thoughts about the candidates:

- Three people are in the running for the Northern Cities representatives spot: Colma Mayor Helen Fisicaro, Brisbane Councilmember Sepi Richardson and Pacifica Councilmember Len Stone.
- The other seat, representing cities at large, is being sought by Half Moon Bay Mayor Naomi Partridge, Menlo Park Councilmember Kelly Ferguson and San Mateo Councilmember David Lim.

Former Councilmember Toben (via memo):

(j) SFO Airport/Community Roundtable

Former Councilmember Toben asked how to proceed with noise data collected by the Noise Abatement Office. Hoping to receive data in a form that the Town is able to analyze, and understanding that U.S. Representative Anna Eshoo and her staff are working on a response to Portola Valley's letter to her, Councilmembers agreed to wait for her office's response.

WRITTEN COMMUNICATIONS [10:10 p.m.]

(13) Town Council November 11, 2011 Weekly Digest – None

(14) Town Council November 18, 2011 Weekly Digest

- a) Attached Separates #5 – Brochure announcing the career opportunity of Town Manager for the Town of Portola Valley

Ms. Howard reported that all of the advertisements for the position have been placed, 10 résumés have been submitted and Ms. Renschler (Ralph Andersen and Associates) believes the Town will have a small but qualified group from which to make the selection. Deadline for applications is January 16, 2012.

(15) Town Council November 23, 2011 Weekly Digest – None

(16) Town Council December 2, 2011 Weekly Digest

- a) #1 – Memorandum to Town Council from Angela Howard regarding Annual Orientation Meeting for Advisory Commissions and Committees – December 14, 2011

Ms. Howard asked Council liaisons to be sure to let Committee members know that they're expected to attend, noting that it's particularly important for new members and chairs. Ms. Hanlon will schedule the meeting – probably in late February – as soon as new committees are appointed in January 2012.

(17) Town Council December 9, 2011 Weekly Digest

- a) #1 – Memorandum to Town Council from Steve Toben regarding communication with residents – December 5, 2011

Mayor Derwin noted that former Councilmember Toben wrote in part about a recent edition of the *Portola Valley Post*, expressing concern that its online distribution may limit its reach. She pointed out the huge cost differential between electronic delivery and distributing/mailling paper copies. Ms. Howard said that staff also has been concerned about its limited reach, noting that only 700 people looked at the last two editions. She added that production of the *Post* is too labor-intensive and expensive for the publication to go unread – but paper printing and delivery would run nearly \$30,000. She said this week the Town placed an advertisement in the *Almanac* to remind residents about the *Post*. She also said that when the *Post* comes out, the *PV Forum* posts a blurb with a link, and Councilmember Driscoll said that perhaps it could be posted as a download.

In regard to former Councilmember Toben's points about the Town doing more to communicate with residents, Ms. Howard recalled that the Town Council adopted a policy in November 2008 regarding staff response to *PV Forum* posts and perhaps it's time to revisit that. Alluding to former Councilmember Toben's idea about having a staff member serve as Director of Communications, Councilmember Driscoll said that could be made part of someone's job description – perhaps the Assistant Town Manager. Councilmember Wengert indicated that she didn't share former Councilmember Toben's concern in this respect; because she doesn't think that the Town has lagged in its response time. Councilmember Driscoll said that the communications area would be a good one to explore during interviews with applicants for the Town Manager position.

- b) #2 – Memorandum to Town Council from Howard Young regarding memorial and dedication plaques installed – December 9, 2011

Mayor Derwin asked whether any feedback was coming in regarding new signs around Town, the new hitching rack, etc. Ms. Howard said she's heard complaints from only one person.

- c) #3 – Email to Town Council from Virginia Bacon regarding adding multimedia to Town website – December 5, 2011

Ms. Howard said that research conducted when Ms. Bacon first approached staff on this issue suggested that her proposal isn't feasible unless the Council is committed to making a significant upgrade to the website. Councilmember Driscoll said that the Town could post links to YouTube videos from time to time.

- d) #4 – Memorandum to Town Council from Michael Bray regarding setting dates for 2012 events – December 8, 2011

As Mayor Derwin noted, the Community Events Committee is looking at either November 30 or December 7, 2012 as a possible date for next year's Volunteer Appreciation Party. Councilmembers did not express a date preference, but Ms. Howard said that the Committee must make its decision soon lest someone else books Community Hall first.

- e) #5 – Email to Mayor Driscoll from Charlie Andre regarding plastic bag bans – December 4, 2011

Councilmember Driscoll said that Mr. Andre made some good points, and asked staff to let him know that at this time there seems to be voluntary compliance with the Town's request to cut down on the use of plastic bags. Ms. Howard indicated, too, that staff is scheduled to attend a countywide meeting about the possibility of considering a ban throughout San Mateo County.

ADJOURNMENT [10:30 p.m.]

Mayor

Town Clerk