

TOWN COUNCIL MEETING NO. 840 MAY 9, 2012

Mayor Derwin called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance. She announced that the Closed Session on tonight's agenda was cancelled and will be put back on the agenda in six months' time. She welcomed new Town Manager Nick Pegueros.

Ms. Hanlon called the roll.

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

Absent: None

Others: Nick Pegueros, Town Manager  
Barbara Powell, Interim Assistant Town Manager  
Sharon Hanlon, Town Clerk  
Howard Young, Public Works Director  
Sandy Sloan, Town Attorney

ORAL COMMUNICATIONS

None

CONSENT AGENDA [7:32 p.m.]

- (1) Approval of Minutes: Regular Town Council Meeting of April 25, 2012 [*removed from Consent Agenda*]
- (2) Ratification of Warrant List: May 9, 2012 in the amount of \$113,798.45
- (3) Recommendation by Town Attorney: Authorize Mayor to sign Third Addendum to Agreement between the County of San Mateo and the Town of Portola Valley to Toll Statutes of Limitations for Claims Regarding Property Tax

By motion of Vice Mayor Richards, seconded by Councilmember Driscoll, the Council approved Items 2-3 on the Consent Agenda with the following roll call vote:

Aye: Councilmember Aalfs, Driscoll, Wengert, Vice Mayor Richards, Mayor Derwin

No: None

REGULAR AGENDA [7:33 p.m.]

- (1) Approval of Minutes: Regular Town Council Meeting of April 25, 2012

Councilmember Driscoll moved to approve the minutes, as amended, of the Regular Town Council Meeting of April 25, 2012. Seconded by Councilmember Wengert, the motion carried 5-0.

- (4) Recommendation by Town Clerk: Purchase of Sound System for the Historic Schoolhouse [7:33 p.m.]

Ms. Hanlon explained that this recommendation came about in the interest of producing more clearly audible recordings of the meetings and better amplification for the audience. The system she's recommending consists of two small speakers that would be placed on either side of the back wall, a

small recording system installed beneath the dais, eight gooseneck microphones – one for each Councilmember and three for staff members to share – and a handheld microphone for use as needed during presentations and audience speakers. Wiring would feed through grommet holes that would be installed, and training would be provided. AV-integrators has additional local customers in Atherton, Palo Alto, Los Altos Hills, Redwood City, as well as Our Lady of the Wayside church in Portola Valley. Having accompanied AV-integrators representative Dave Fabian to see the church system, she noted that the speakers were barely noticeable and the sound was great.

In response to Councilmember Aalfs, Mr. Fabian showed a sample speaker of about the same size that would be installed. It would be white, and he suggested mounting it on a ball joint for directional flexibility. He said that each microphone has push-to-talk mode or voice-activation options.

In response to Vice Mayor Richards, Mr. Fabian said that although audio quality improves when the person speaking is close to the microphone, the microphones can pick up a voice when the speaker is leaning back in his/her chair. In a test with Ms. Hanlon at the church, he said he was about 24-30 inches away from the microphone and she heard him clearly.

Councilmember Wengert asked how long such a system would be expected to last. He said that today's technology is such that equipment is much lighter-weight and runs much cooler than in years past, and the old equipment typically lasted 15 years. The system being replaced in Atherton dates to the late 1960s or early 1970s, he said.

Ms. Hanlon pointed out that when the dais must be moved, as it is for the December fair, the installation would accommodate disconnecting it in three sections. In response to Councilmember Wengert, Mr. Fabian said that staff should have no trouble dismantling it on those occasions rather than calling for a technician to do so. All of the connections are keyed so there's only one way to plug them in.

Councilmember Aalfs asked about wireless microphones. Mr. Fabian said there's one handheld wireless in the proposal, but multiple channels of wireless would be cost-prohibitive.

Councilmember Driscoll expressed a concern about having valuable electronics in a room that's not particularly secure. Councilmember Aalfs also said he's somewhat concerned about burglary. Mr. Fabian said the recording equipment rack could be bolted in place beneath the dais, but pointed out that in terms of potential theft, the church is more vulnerable and its system has been in place for 10 to 15 years.

In response to Commissioner Driscoll, Ms. Hanlon said she assumed that the Council and Planning Commission would use the equipment for all of their meetings in the Historic Schoolhouse.

In response to Mayor Derwin, Mr. Fabian said he could break out the costs of the microphones.

Councilmember Driscoll said that he's concerned that with microphones at the dais; it might give the audience the perception that Councilmembers are somehow different, and detract from the "people talking to people" meeting hall atmosphere.

Mr. Fabian clarified that push-to-talk microphones wouldn't rule out two people speaking at once; all of the microphones would be live simultaneously.

Councilmember Wengert moved to approve acquisition of the sound system with voice-activated microphones. Seconded by Councilmember Aalfs, the motion carried 5-0.

(5) Recommendation by Interim Assistant Town Manager and Public Works Director: Update on Community Fundraising Effort and Adoption of a Resolution Approving Plans and Specifications – Ford Field Renovation Project #2011-PW02 (Resolution No. 2551-2012) [7:49 p.m.]

Ms. Powell said that they've been monitoring the fundraising and tweaking the construction schedule in the hope of providing more time for the fundraising effort. She said Parks and Recreation Committee Chair Jon Myers has been doing yeoman's work to spur the fundraising.

Mr. Myers said the biggest change since the Council discussed this item at its April 25, 2012 meeting is that the Little League has formally committed to a contribution of \$100,000 plus agreeing to split the difference with the Town if the fundraising comes up short.

In discussing the Little League's letter, he explained that the Little League put a \$40,000 cap on the total it would match with the Town, but the fundraising effort to date makes that a moot point. In addition, the Little League wants:

- First priority after the Town and the schools for field use for a 10-year period; the same as current policy but with a timeframe included.
- User fees that increase by no more than 10% per year; at this time, the Little League pays about \$12,000 annually in user fees.
- The Town to evaluate the tree near first base for safety and liability purposes.

Ms. Powell said that ultimately the Town should prepare a brief donation agreement that formally sets out the Town's response to the Little League's expectations. Mr. Myers said that he would also confirm the timing of the Little League's contribution.

Councilmember Driscoll said that as far as field-use fees are concerned, he'd be happy with increases that merely keep up with the Consumer Price Index. The use fees are calculated to cover at least half of the Town costs.

In addition to the \$50,000 increase in the Little League's commitment, Mr. Myers said that community donations so far total \$18,150 plus a check for \$10,000 that's pending and a Little League fundraising event over the May 5-6, 2012 weekend that raised approximately \$4,000-\$5,000. He and Councilmembers discussed potential alternative strategies for bridging the now-reduced gap in the funding for the renovation.

Councilmember Wengert asked how long Mr. Myers thought fundraising momentum would continue. He said the major period would span the next two months, but after that, the Little League may be motivated to earmark contributions from its ongoing fundraising program to the Ford Field renovation project.

In response to Councilmember Aalfs, Ms. Powell suggested that a new arborist report probably would be appropriate to address the issue of tree safety. Alpine/West Menlo Little League board member Lindsay Bowen, who also serves on the Parks and Recreation Committee, concurred. Mr. Myers agreed that with major renovation underway and the last review of the tree several years ago, the timing would be appropriate in any case. Councilmember Wengert also agreed that it's a reasonable request.

Councilmember Driscoll suggested that this also may be an appropriate time to deal with the issue of approximately \$75,000 in funds that remain on the Town books from fundraising for the Town Center. Ms. Sloan said she didn't think there was any restriction on any particular use of those funds, but it's probably a good idea to check with the donors. Councilmember Wengert said if it works out it would be a win-win situation.

Mr. Bowen said that it may get convoluted when trying to figure out what amount is left to match.

Councilmember Driscoll, indicating that he's ready to move forward, thanked the Little League for its generosity. Councilmember Wengert agreed, adding that enough potential funding sources have been identified to give her confidence that the Public Works Director should get the go-ahead on bids so that the construction window doesn't become problematic. Vice Mayor Richards, too, said that he feels much more comfortable with the proposal, particularly in light of Councilmember Driscoll's suggestion about the additional funding potential but we should keep in mind our option to not award bids in June should the fundraising efforts falter. Mayor Derwin said that she was impressed by the work of Mr. Myers and his committee. Jon Meyers appreciated the idea of having a deadline.

Councilmember Aalfs moved to adopt Resolution No. 2551-2012, approving plans and specifications for the Ford Field Renovation Project #2011-PW02 and acceptance of sealed bids. Seconded by Vice Mayor Driscoll, the motion carried 5-0.

#### COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(6) Appointment of Portola Valley Police Commissioner: Gary Nielsen [8:17 p.m.]

Noting that previous Police Commissioner Ed Davis is no longer able to serve, Mayor Derwin said that Gary Nielsen indicated his willingness to assume those responsibilities.

Councilmember Driscoll moved concurrence with the Mayor's appointment of Mr. Nielsen as Police Commissioner. Seconded by Councilmember Wengert, the motion carried 5-0.

Mr. Nielsen acknowledged Mr. Davis for his service as Police Commissioner.

(7) Appointment by Mayor: Members to the Portola Road Corridor Task Force [8:19 p.m.]

Mr. Pegueros presented the proposed nine-member Portola Road Corridor Plan Task Force:

- Dana Breen, ASCC
- Leslie Latham, Bicycle, Pedestrian and Traffic Committee
- Judith Murphy, Conservation Committee
- Gary Nielson, Open Space Acquisition Advisory Committee
- Nate McKitterick, Planning Commission
- Judith Hasko, Trails and Paths Committee
- Howard Young (Public Works Director), staff liaison
- Jeff Aalfs, Town Council liaison
- Karen Kristiansson, Principal Planner

Councilmember Driscoll moved concurrence with the Mayor's appointment of Task Force members proposed. Seconded by Vice Mayor Richards, the motion carried 5-0.

Mr. Pegueros said the Task Force would meet for the first time on May 15, 2012.

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

Councilmember Aalfs:

(a) Sustainability Committee

Councilmember Aalfs said that he's been volunteering with Sustainable Silicon Valley, which has its annual Water, Energy, Smart Technology (WEST) summit scheduled for May 24, 2012. The topic is regional resilience. He will forward an invitation to Councilmembers via the Weekly Digest.

Councilmember Driscoll:

Councilmember Driscoll said that he and Vice Mayor Richards have agreed to trade liaison assignments due to conflicting meeting times with two of Vice Mayor Richards' assignments. Councilmember Driscoll would take over as liaison to the Cable & Utilities Undergrounding Committee, while Vice Mayor Richards would pick up the Conservation Committee.

(b) Bicycle, Pedestrian and Traffic Safety Committee

Councilmember Driscoll said that he'd attend another Closed Session meeting of the Silicon Valley Bicycle Coalition on May 11, 2012. The group will discuss roadway safety in San Mateo and Santa Clara Counties.

He reported that the Bicycle, Pedestrian and Traffic Safety Committee is very active and engaged, and he hears from Chair Steve Marra regularly. Mayor Derwin commented that the Committee was great at the Earth Fair festivities. Councilmember Driscoll said that after the Fair, the group went on a "team-building" ride.

Councilmember Wengert:

(c) Parks and Recreation Committee

Councilmember Wengert said that Mr. Pegueros, Ms. Powell, Mr. Young and she met to preview the status of the Ford Field renovation project on tonight's agenda.

(d) Trails and Paths Committee

Meeting on May 8, 2012, the Committee discussed:

- Pros and cons of pre-emergent herbicide spraying.
- FY 2012-2013 budget request (with no major overhauls anticipated).
- The Town Picnic on June 9, 2012.
- Updating the Committee's web page.
- Signage about having dogs leashed.
- Dwight Crowder (C1) Trail coordination going forward; Mr. Young said it should probably be within the purview of the Public Works Department.

Councilmember Wengert said it's a very focused and effective group.

Mayor Derwin:

(e) Firewise Committee

The group discussed the special joint meeting of Portola Valley and Woodside Town Councils to be held on May 30, 2012. It will be a Fifth Wednesday Emergency Preparedness Meeting that's scheduled to include:

- Citizens Emergency Response Preparedness Program (CERPP) presentation.
- Sign-ups for the San Mateo County Alert System.
- Presentation of sample "go bags" that will be available for sale to residents at the Town Picnic.
- Evacuation map and plans.
- A discussion about ensuring consistent signage in both Woodside and Portola Valley.

Woodside Fire Protection District Fire Chief Dan Ghiorso asked CERPP to join the Firewise Committee meetings, Mayor Derwin said, and the chipper program is underway. The next Firewise Committee meeting is scheduled for May 24, 2012, which is also the date of a San Mateo County earthquake exercise.

(f) Council of Cities

The Council of Cities met in Hillsborough with speakers from the FBI's San Francisco Division and the U.S. Secret Service's San Francisco Field Office.

(g) Library JPA Governing Board

Among issues discussed by the Library JPA Governing Board at its meeting on May 7, 2012 were:

- Appointment to the Redevelopment Oversight Boards.
- The need to dip into reserves to balance the budget for FY 2012-2013 and eliminate the deficit by 2015.
- Appropriations of Donor City funds, which would force the more affluent districts within the JPA – including Atherton, Woodside and Portola Valley – to provide more than their fair share of funds. As Mayor Derwin explained, the plan going forward would retain any excess funded by property taxes in these communities in a trust rather than sending the overage to the communities.

(h) Housing Endowment and Regional Trust (HEART) of San Mateo County

Mayor Derwin attended a HEART Association luncheon held on May 7, 2012. The speaker was Facebook VP of People, Lori Goler, with a presentation entitled "A World of New Connections."

(i) Muslim Outreach Program

Mayor Derwin reported attending noonday prayers as part of an outreach program designed to bring educational and community leaders into the Muslim community to better understand the Muslim culture. She also provided dates of future events.

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

WRITTEN COMMUNICATIONS [8:38 p.m.]

(9) Town Council April 27, 2012 Weekly Digest – None

(10) Town Council May 4, 2012 Weekly Digest – None

CLOSED SESSION [canceled]

(11) Public Employee Performance Evaluation

Government Code Section 54957

Title: Town Manager

ADJOURNMENT [8:40 p.m.]

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Mayor

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Town Clerk