

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 856 MARCH 13, 2013

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

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

Absent: None

Others: Sharon Hanlon, Town Clerk
Nick Pegueros, Town Manager
Carol Borck, Assistant Planner
Howard Young, Public Works Director
Brandi de Garneau, Sustainability and Special Projects Manager
Sandy Sloan, Town Attorney

ORAL COMMUNICATIONS [7:31 p.m.]

Lindsay Bowen, Portola Road, thanked Mr. Pegueros for helping the Little League have a great opening day. He said he didn't know how he kept the rain at bay for the first time in three years, but it was appreciated. He also commended Facilities Coordinator Tony Macias for a great job of making some last-minute changes to level out the channel between first and second bases.

- (1) Presentation: Oral Report from Carol Borck, Assistant Planner, with an update on the Town's Green Building Ordinance – Point and Material Trends [7:33 p.m.]

Ms. Borck said that the Planning Department wanted to update the Council on the status of the Green Building Ordinance as far as the points the projects are taking and the more common design elements that we've been seeing. She explained that using the builditgreen.org checklist for new and existing homes, projects that go to ASCC must meet a minimum point threshold:

- 25 points for small additions and accessory buildings
- 50 points for the major addition remodels
- 75-plus points for new residences

She said last year 59 ASCC-level project proposals came in, including 15 new residences with scores averaging 146 – 12 points above the requirement. In 34 addition remodels and four accessory buildings, average points came in at 42-77, with the minimum requirement being 25-50 points. In 10 guesthouses, she added, the average came out at 74, versus the 25-point minimum specified. Quite an achievement. Of those projects, the eight have actually built so far (seven addition remodels or accessory buildings and one guesthouse have actually exceeded the minimums by at least 20 points.

In response to Councilmember Aalfs, Ms. Borck said certification is required only for new residences and projects requiring 50 points or more.

Of more than 50 non-ASCC building permit applications that have come in, she continued, 26 have been built and finalized, with the majority either meeting or exceeding the points they proposed

Among the materials being used in green construction in Portola Valley are engineered lumber (in roof trusses, floor joists and framing, for example), durable roofing (often metal), energy-efficient HVAC (including air-conditioning units, furnaces, boilers, etc.), high-efficiency water fixtures, products to enhance indoor air quality, low- and no-VOC paints (volatile organic compounds) and stains, minimal off-

gassing caulks and adhesives, more flooring made of bamboo or sustainably harvested wood, recycled and FSC-certified cabinet tops, cabinetry and shelving (Forest Stewardship Council).

Ms. Borck said most homeowners come in with smart design already incorporated into their plans. She also said she considers the Town's point targets appropriate, and in most cases flexible enough to give the owners some options. At the same time, large new residences, in particular, have rather high point thresholds to meet.

CONSENT AGENDA [7:37 p.m.]

- (2) Approval of Minutes: Town Council / Planning Commission Special Joint Meeting and Town Council Regular Meeting of February 13, 2013 [*removed from Consent Agenda*]
- (3) Ratification of Warrant List: February 27, 2013 in the amount of \$ 300,260.50
- (4) Ratification of Warrant List: March 13, 2013 in the amount of \$ 94,656.12
- (5) Appointment by Mayor: Request for appointment of members to the Bicycle, Pedestrian and Traffic Safety Committee
- (6) Appointment by Mayor: Request for appointment of members to the Trails and Paths Committee
- (7) Recommendation by Administrative Services Manager: Rejecting the Claim of Ron Wilson
 - (a) Resolution of the Town Council of the Town of Portola Valley Approving Directing the Return of the Claim of Ron Wilson (Resolution No. 2579-2013)

By motion of Vice Mayor Wengert, seconded by Councilmember Aalfs, the Council approved Items 3-7 on the Consent Agenda with the following roll call vote:

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

No: None

- (2) Approval of Minutes: Town Council/Planning Commission Special Joint Meeting and Town Council Regular Meeting of February 13, 2013

Councilmember Wengert moved to approve the minutes, as amended, Town Council/Planning Commission Special Joint Meeting and Town Council Regular Meeting of February 13, 2013. Seconded by Councilmember Aalfs, the motion carried 3-0 (Derwin and Driscoll abstained).

REGULAR AGENDA [7:39 p.m.]

- (8) Recommendation by Public Works Director: Approval of Plans and Specifications for Ford Field Renovation Project #2011-PW02B
 - (a) Resolution of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the Ford Field Renovation Project #2011-PW02B (Resolution No 2580-2013)

Mr. Young said staff is asking the Council whether to proceed with the Ford Field renovation project and to consider the resolution approving plans and specifications for the project and calling for sealed bids for this project. Summarizing the background, he said the Council approved the design for the Ford Field renovation in January 2012. It then went out to bid and unfortunately the bids came in higher than

expected, so at its July 2012 meeting, the Town Council directed staff to reject all bids, re-scope the project, come back in spring 2013 and bid the project out again.

He explained that he worked with Parks and Recreation Committee Chair Jon Myers, Little League representatives and the landscape architect, Carducci and Associates to whittle away at the costs without reengineering the entire project. He said they substituted with less-expensive fertilizers, changed from wooden to aluminum bleachers, included as optional bid items some costly features such as batting cage and roof dugout material. In addition, he explained, the bid document is now formulated so that it allows us to scale back even further if bids come back too high.

According to Mr. Young, to avoid interfering in the playing season the Little League wanted to start construction after June 1, 2013, and he said staff thought that was reasonable despite the fact that it would push the project closer to the busier time of the year.

He pointed out that total estimated expenditures – construction and soft costs – come to \$568,000 for the base bid, which omits the batting cage and dugout roof but reflects design and master planning costs to date. He also pointed out that although expenditures to date prior to start of fundraising were \$48,451, \$45,769 of that was reimbursed by ABAG (the Association of Bay Area Governments).

Funds available include:

- State grant funds: \$232,000
- Little League donation: \$104,000
- Sand Hill Foundation matching grant: \$100,000
- Online donations: \$59,000

With essentially \$495,000 in funds available, Mr. Young estimated the shortfall at \$73,000. He said the Little League's agreement – which is currently being reviewed by the Town Attorney's office – indicates a willingness to share any shortfall up to \$40,000 on a 50/50-split basis with the Town.

Vice Mayor Wengert credited Mr. Young for doing a great job with a complicated series of numbers to pin down. She said the good news is that the shortfall estimate comes in beneath the Little League's \$40,000 threshold. She said she always looks at the size of the contingency, and she said she's confident it will be lower than 10% indicated because Mr. Young has always done a great job in helping us manage.

Mr. Young added that the Town's share of the shortfall could be covered by proceeds from the sale of restricted stock that had been donated to the Town in 2007, and that he's trying to ensure funding for the project is actually on hand prior to awarding a contract. He said, too, that if the Council approves and things go according to schedule, he would come back to the Council for award of the contract on April 25, 2013.

Recalling a project in which multiple vendors independently bid different portions, Councilmember Driscoll asked whether any parts of Ford Field project might be handled during baseball season without interfering with the Little League schedule but at less expense in April or May than in June or July. He said he also wondered whether sponsorships might cover the costs of certain portions of the renovation.

Mr. Young said the project could be piecemealed, as Town Center was, but it's not likely to save time or avoid interfering with the Little League schedule, because any work on the backstop would do that. In addition, he said all of the funding sources have individual agreements and caveats as to when they want the project done and when funds would be available.

Councilmember Driscoll asked whether it's possible to pick and choose from among bidders for individual pieces such as bleachers or backstop. In response, Mr. Young said there are about 20 items, and more detailed conversations about such options would be appropriate once the bids are opened. He added that

the estimate is a realistic one, based on last year's numbers. As he put it, "We didn't try to pack things conservatively."

Mayor Richards asked Mr. Myers for an update on the fundraising effort.

Mr. Myers said the target audience seems to be far more limited than he'd hoped, in part because the group of primary users is so limited (to boys ages 9 through 12) that it isn't so important to parents of babies, toddlers, teenagers and adult children. In addition, he said, the effort associated with actually making calls to ask for money has been more limited than needed. It's going to require some people to dedicate time, he continued, and now that people can really see the renovations coming, it might be a good time to make a concentrated effort over the next few months.

Mr. Bowen said the Little League wants to raise money to cover part of its costs, too, and he's gone to a monument company to check out the costs of engraving names on some of the seats behind Town Center. This is Alpine West Menlo Little League's 50th year, and if we go back and get just a few people for each year, that's a lot of people who might want to have their name there for \$100 to \$150.

Councilmember Driscoll moved to approve plans and specifications and call for bids for the Ford Field Renovation Project #2011-PW02B. Seconded by Vice Mayor Wengert, the motion carried 5-0.

Councilmember Driscoll moved to approve the resolution. Seconded by Vice Mayor Wengert, the motion carried 5-0.

- (9) Recommendation by Public Works Director: FY 2012/2013 Annual Street Resurfacing Project [7:54 p.m.]
- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the 2012/2013 Street Resurfacing Project No. 2012-PW01 (Resolution No 2581-2013)

Referring to his memorandum to the Town Council dated March 13, 2013, Mr. Young explained that \$368,000 is budgeted for this year's annual street resurfacing program, which should be completed by June 30, 2013. The streets selected for treatment would be based on the Town's Pavement Management System. Areas near schools would be resurfaced primarily on weekends, he said.

Vice Mayor Wengert asked how neighbors would be notified of the schedule of activities. In response, Mr. Young said before the contract is issued, he sends out a letter that's also published in the Digest and on the Town website, too, letting residents know when particular streets are scheduled, with follow-up notices from the contractor. The contract also requires placing barricades and door-hangers 48 hours in advance of slurry seal application or asphalt resurfacing. In addition, Mr. Young explained that the Town has its own "road resurfacing ahead" signs that are set up in certain locations.

He also indicated that vehicles left on the streets that have been posted may be towed, because it costs extra to have to bring the contractor back to the site when vehicles are in the way.

Councilmember Aalfs moved to approve the project and schedule and resolution of the Town Council of the Town of Portola approving plans and specifications and calling for bids for the 2012/2013 Street Resurfacing Project No. 2012-PW01 (Resolution No 2581-2013). Seconded by Councilmember Driscoll, the motion carried 5-0.

- (10) Recommendation by Sustainability and Special Projects Manager: Proposed revisions to the Town Public Events Signage/Banner Policy [7:59 p.m.]

Ms. de Garneau summarized the recommendation, pointing out that the demand for posting signs and banners had increased with the increased use of the Town Center, yet the Events Signage/Banner Policy had not been updated since 2002. The revisions are proposed to bring the policy in line with current practices and outline a framework for priority in cases where there's more than one request to use a banner location at the same time. She advised that the Town Attorney's office had reviewed the proposed revisions.

Vice Mayor Wengert asked how big the A-frame signs were and whether there's a limit on the number of signs. Ms. de Garneau said A-frame signs are just like the real estate signs, or the signs the Cultural Arts Committee used for the concert series. She said no limits were set for how many could be placed and it hadn't been an issue for events, although there was an issue with real estate signs in rights-of-way.

In response to Councilmember Derwin, Ms. de Garneau said high fire danger signs would preempt any banner that's posted. Still, she said it would be best for Town Staff to have control over posting the signs and making sure they come down when they should, and would be working out the details with the Woodside Fire Protection District once the policy was adopted.

Councilmember Driscoll moved for approval of the Town Public Events Signage/Banner Policy. Seconded by Councilmember Derwin, the motion carried 5-0.

- (11) Recommendation by Administrative Services Manager: Proposed revisions to Town Website Policy [8:01 p.m.]

Ms. de Garneau said the Town's website policy has not been updated since the spring of 2009, when the new and expanded website was launched. The proposed revisions, prepared with assistance from the Town Attorney's office, would bring the policy in line with current Town goals and practices and also outline a rational decision-making process about information to present on the website.

In response to Vice Mayor Wengert, she said the revisions would not result in major changes that users would notice except that the disclaimer would be added to most of the pages. The Content Management System (CMS) the Town uses is somewhat limiting, she pointed added. She indicated, too, that people clearly use the website. For example, she noted that several residents recently signed up for the automated "do not solicit" list.

Vice Mayor Wengert also asked whether residents can apply for permits through the website, make reservations or do other things that are now done in person. Ms. de Garneau said that there's no permit activity on the website, but they're trying to automate some of the other processes, such as signing up for classes. While residents are able to see public activities on the Town calendar on the website, she said the master calendar system being developed is internal at this point,

In response to Councilmember Driscoll's asking about the website's security against hacking, Ms. de Garneau said she'd have to follow up with the IT person for the answer. Mr. Pegueros noted that Los Altos Hills had its website hacked, and had to take it down for several weeks to clean it up.

Councilmember Driscoll also asked about the possibility of getting a URL (Uniform Resource Locator) – a website address that ends in "dot-org" rather than "dot-net." Mr. Pegueros said that as a public agency, the Town could apply for portolavalley-dot-ca-dot-gov. Apparently a real estate agency has claimed portolavalley-dot-org.

Councilmember Driscoll moved for approval of the proposed revisions to the website. Seconded by Vice Mayor Gilbert, the motion carried 5-0.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

- (12) Requested Assignment of Town Representative: to newly formed Housing Element Issues Committee by Assemblyman Richard Gordon [8:10 p.m.]

Mr. Pegueros indicated that, as noted in an email from Jeremy Dennis, District Director for Assemblyman Gordon, the work group that would look at housing element legislation is starting to come together and is looking at three potential dates for their first meeting. He noted, too, that the group consists of a combination of elected officials and staff. Councilmember Derwin volunteered to represent Portola Valley along with Mr. Pegueros.

- (13) Reports from Commission and Committee Liaisons [8:11 p.m.]

Councilmember Derwin:

- (a) Planning Commission

At its March 6, 2013 meeting, the Planning Commission continued the public hearing on the Priory's application to amend its Conditional Use Permit (CUP), and the project's Initial Study/Mitigated Negative Declaration (IS/MND), which includes a proposal for a synthetic turf playing field. Councilmember Derwin noted that the newest Planning Commissioner, Nicholas Targ, asked a number of pointed questions about the proposed material, including whether it carries Prop 65 warning labels. In the end, he said he couldn't approve something that he's never seen installed.

Councilmember Driscoll, who also attended the March 6, 2013 meeting, said the Planning Commission continued the public hearing to March 20, 2013, giving Commissioner Targ and others an opportunity to look at FieldTurf installations and the environmental consultant answer some questions. He noted that because he's new to the Planning Commission, Commissioner Targ had not been involved in any of the numerous previous meetings at which this project has been discussed and he had a lot of intense questions.

Councilmember Driscoll said it's a complicated issue, and people spoke on both sides. He said he was interested to learn that all the other teams in the Priory's league play on artificial turf. Councilmember Derwin said this is the new argument, that the Priory runs a business and needs the artificial turf to be competitive. She pointed out that the Priory does a great marketing job, and Priory advocates filled the room. She said she found it somewhat intimidating. However, she added that the discussion was civil; everyone was very nice.

- (b) San Mateo County Library Joint Powers Authority (JPA)

Meeting on February 4, 2013, the Library JPA is on target to eliminate its structural deficit by FY 2015/2016. Councilmember Derwin reported that the Portola Valley library – followed by Woodside and San Carlos – will launch the JPA pilot of a new word-based classification system that goes beyond the Dewey Decimal System.

- (c) Sustainability Committee

The Committee met on February 4, 2013 and reviewed various programs, including

- Acterra High Energy Homes Program; they're debating what to do in terms of the cost considerations

- Energy Upgrade Portola Valley; starting in April 2013, rebates will be distributed by the County rather than PG&E
- Tuesday Harvest Speaker Series; Ann Edminister, Principal of Net-Zero/Green Home Consultant and Founder, HouseTalk, Inc. and author an award-winning book, *Energy Free: Homes for a Small Planet*, made a presentation on March 12, 2013
- Climate Action Plan and Greenhouse Gas Emissions Inventory; that's coming back in March or April 2013

Councilmember Derwin reported that Portola Valley will exceed its goal by 20%, and we're doing 18 of 20 measures. She also indicated that there's been an issue with electric-vehicle (EV) charging at the Town Center station spiking the Town's electricity use. When Portola Valley installed the system, she recalled discussions about eventually having to charge for that service, and that time may now be here.

- Earth Day Events; in combination with Woodside, an April 27, 2013 celebration at Runnymede Farm in Woodside may include a bike rodeo
- Tip of the Month; the Sustainability Committee is working on program similar to the Conservation Committee's

Councilmember Derwin also reported that because Ms. de Garmeaux recent role change has resulted in taking on more responsibilities, she announced that she'd have to rely more than ever before on Committee members.

(d) Council of Cities

Councilmember Derwin attended the February Council of Cities meeting, during which the following individuals were elected:

- South San Francisco Councilmember Pedro Gonzalez to the ABAG seat
- Millbrae Councilmember Nadia Holober to the LAFCO seat
- Daly City Vice Mayor David Canepa to the San Mateo County Transportation Authority seat

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

At its meeting on February 14, 2013, C/CAG:

- Revised its by-laws to eliminate one of the two vice chair positions

San Mateo Councilmember Brandt Grotty was nominated as Chair and Pacifica Mayor Pro Tem Mary Ann Nihart was nominated as Vice Chair. The election will be conducted at C/CAG's meeting on March 14, 2013.

- Discussed dwindling funds for transportation

Councilmember Derwin said that with Proposition 1B funds running out, everybody's scrambling around to try to figure out where the money is going to come from. She expects something like a feeding frenzy to get at the cap-and-trade revenue.

- Discussed C/CAG's signing on as an interested party in the California Stormwater Quality Association's amicus brief, filed in relation to the Los Angeles County's appeal of its stormwater permit-related unfunded mandate test claim

Councilmember Aalfs:

(f) Architectural and Site Control Commission (ASCC)

There have been two ASCC meetings since Councilmember Aalfs last report. At a special field meeting followed by a regular meeting on February 25, 2013, the ASCC reviewed:

- Plans for a residential redevelopment project at a 1.1-acre Alpine Hills parcel at 420 Golden Oak Drive
- A proposal for a new detached studio accessory structure at 121 Ash Lane, a 3.7-acre Westridge Subdivision property.

On March 11, 2013, the ASCC met with the Planning Commission at 6 Buck Meadow Drive for preliminary architectural review of plans for new residential development of a vacant 2.97-acre parcel in the Blue Oaks Subdivision, where the scope of the grading requires a site development permit. Councilmember Aalfs said that project is well under its floor-limit maximum. At its regular meeting afterward, the ASCC:

- Approved the Ash Lane project
- Continued review of the Golden Oak Drive property, which is right at its floor-area maximum, Councilmember Aalfs said, with the primary concentration in the main structure and a full basement.

(g) Historic Resources Committee

Meeting on February 28, 2013, the Committee discussed:

- Interest in purchasing an additional fireproof cabinet
- Sponsorship of a program in September 2013 to increase community awareness of Jasper Ridge

(h) Nature and Science Committee

At its February 14, 2013 meeting, the Nature and Science Committee discussed preparations and plans for Flight Night 2013.

Vice Mayor Wengert:

(i) Bicycle, Pedestrian and Traffic Safety Committee (BP&TS)

The BP&TS Committee, which Vice Mayor Wengert characterized as continuing to fire on all cylinders, met on March 6, 2013 meeting and:

- Elected Ed Holland Chair and Shandon Lloyd Vice Chair

- Recapped its bike lane proposal; Vice Mayor Wengert said that Committee members are working with Mr. Young on two chokepoints (near Town Center and at Arastradero and Alpine Roads), so they're doing further research before bringing a proposal back to the Town Council that at least analyzes the alternatives
- Discussed an outreach program to update residents of The Sequoias on bicycle rules and regulations; according to Vice Mayor Wengert, Dale Lactman is leading the outreach subcommittee, which already has engaged four different groups at The Sequoias
- Discussed upcoming events, including Bike Day on April 20, 2013, which is being cosponsored by the BP&TS Committee and Safe Routes to School, and Bike to Work day on May 9, 2013

(j) Trails and Paths Committee

Vice Mayor Wengert reported that the Committee, which met on March 12, 2013, decided against commenting on the Upper Alpine Road Trail petition inasmuch as it's outside the Town's purview.

Mayor Richards:

(k) Emergency Preparedness Committee

Meeting on February 14, 2013, EPC members discussed what their responsibilities might be in the horrible event of something like a school shooting. Although they basically agreed it would be primarily the responsibility of the Sheriff's Department to handle, they also realized they might be called upon to help.

The Committee is working to install the temporary antenna at Town Center for its emergency broadcast radio station and also discussed the medical corps that member Diana Koin is working to set up and organize.

(l) Cultural Arts Committee

The Cultural Arts Committee has announced this year's summer concerts dates: June 20, July 18 and August 22, 2013.

(m) Conservation Committee

The Conservation Committee held a broom pull on March 9, 2013 and has completed its Redwood Tree Guidelines.

(n) Affordable Housing

Housing Endowment and Regional Trust (HEART) Executive Director Mark Moulton spoke on the subject of affordable housing at the Ad Hoc Affordable Housing Committee's inaugural meeting on March 5, 2013.

WRITTEN COMMUNICATIONS [8:39 p.m.]

- (14) Town Council February 15, 2013 Weekly Digest – None
- (15) Town Council February 22, 2013 Weekly Digest

- (a) #3 – Attached Separates – Letter from Judge Lisa Novak, to the Portola Valley Council re: Request nominees for Grand Jury services – February 13, 2013

Councilmember Derwin, wondering whether the Town has ever submitted names for possible Grand Jury service, said former Councilmember Steve Toben would be excellent in that role. She also noted that the Grand Jury always makes such great recommendations. Ms Sloan said that Grand Jury service requires an enormous time commitment.

(16) Town Council March 1, 2013 Weekly Digest

- (a) #7 – Email from Nancy Lund, to Councilmember Derwin and Mayor Richards re: a request for help with Community Events for 2013 – February 28, 2013

Mr. Pegueros said that with Ms. Lund’s help as liaison, the Boy Scouts, Girl Scouts and Cub Scouts have stepped up and agreed to manage the Town Picnic on June 8, 2013. The groups held their initial planning meeting on March 6, 2013 and have another meeting planned for doling out assignments.

Meghan Sweet and Ms. Lund are serving as the Community Events Committee’s “institutional memory,” he said. When Councilmember Derwin pointed out that Diana Raines left binders full of really good of instructions, Mr. Pegueros said that Ms. Raines also is involved.

Councilmember Derwin suggested skipping Blues & BBQ this year because it would have to compete with the School Gala for volunteers, attendees and vendor support, and focusing on it in 2014, when the Town celebrates the 50th anniversary of its incorporation.

(17) Town Council March 8, 2013 Weekly Digest

- (a) #8 – Email from Town Manager Nick Pegueros to the Town Council re: Proclamation of State of Emergency for 12/23 storm event – March 4, 2013

In response to Councilmember Aalfs, Mr. Pegueros confirmed that the proclamation affected the damage on Alpine Road.

CLOSED SESSION [8:50 p.m.]

(18) Conference with Legal Counsel: Pending Litigation

Government Code Section 54956.9
Initiation of litigation (one case)
Facts and Circumstances: Illegal removal of significant trees – 18 Redberry Ridge

REPORT OUT OF CLOSED SESSION

No reportable actions.

ADJOURNMENT [9:42 p.m.]

Mayor

Town Clerk