



TOWN OF PORTOLA VALLEY

Page 1

7:30 PM – Town Council Meeting

Wednesday, April 24, 2013

Historic Schoolhouse

765 Portola Road, Portola Valley, CA 94028

REGULAR MEETING AGENDA

7:30 PM – CALL TO ORDER AND ROLL CALL

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

ORAL COMMUNICATIONS

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

CONSENT AGENDA

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

- (1) **Approval of Minutes** – Regular Town Council Meeting of March 27, 2013 (3)
- (2) **Ratification of Warrant List** – April 10, 2013 (17)
- (3) **Approval of Warrant List** – April 24, 2013 (30)
- (4) **Recommendation by Administrative Services Manager** – Signature Authority for the Local Agency Investment Fund (40)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing Investment of Monies in the Local Agency Investment Fund (Resolution No. __)
- (5) **Recommendation by Administrative Services Manager** – Amendment to Agreement with KPMG for Audit Requirements of the Hasso Plattner Foundation Donation (43)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of an Agreement Between the Town of Portola Valley and KPMG LLP (Resolution No. __)
- (6) **Recommendation by Administrative Services Manager** – Proposed Provider Change for Workers' Compensation Insurance (83)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing an Application to the Director of Industrial Relations, State of California, for a Certificate of Consent to Self-Insure Workers' Compensation Liabilities (Resolution No. __)

REGULAR AGENDA

PUBLIC HEARING

- (7) **PUBLIC HEARING - Recommendation by Sustainability and Special Projects Manager** – Proposed Trial Farmers' Market (85)
- (8) **Town Council Review** - of the March 20, 2013 Planning Commission adoption of the Initial Study/Mitigated Negative Declaration and approval of the Amendment to Conditional Use Permit X7D-3 consisting of a parcel merger and expansion of athletic facilities with new track and artificial turf infill at the Woodside Priory School at 302 Portola Road (112)
- (9) **Recommendation by Public Works Director** – Award of Bid for Ford Field Renovation Project #2011-PW02B and Enter into Funding Agreement with Alpine West Menlo Little League (151)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing the Town Manager to Award a Contract for the Ford Field Renovation Project #2011-PW02B and Enter into the Funding Agreement with Alpine West Menlo Little League (Resolution No. __)
- (10) **Recommendation by Town Manager** – Approval of new Job Description and Salary Range for the position of Deputy Town Planner (160)

- (11) **Recommendation by Town Manager** – Adoption of Revised Compensation Plan for Town Staff (167)
- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting the Employee Compensation Plan Including a Modification of the Salary Schedule and the Creation of a Benefits Schedule (Resolution No. __)

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

- (12) **Reports from Commission and Committee Liaisons** (190)
There are no written materials for this item.

WRITTEN COMMUNICATIONS

- (13) **Town Council Weekly Digest** – March 29, 2013 (191)
- (14) **Town Council Weekly Digest** – April 5, 2013 (227)
- (15) **Town Council Weekly Digest** – April 12, 2013 (258)
- (16) **Town Council Weekly Digest** – April 19, 2013 (273)

ADJOURN TO CLOSED SESSION

- (17) **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

ADJOURNMENT

ASSISTANCE FOR PEOPLE WITH DISABILITIES

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

AVAILABILITY OF INFORMATION

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

SUBMITTAL OF AGENDA ITEMS

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

PUBLIC HEARINGS

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

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 857 MARCH 27, 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 and Maryann Derwin; Vice Mayor Ann Wengert, Mayor John Richards

Absent: Councilmember Ted Driscoll

Others: Sharon Hanlon, Town Clerk
Nick Pegueros, Town Manager
Howard Young, Public Works Director
Brandi de Garneau, Sustainability and Special Projects Manager
Leigh Prince, Town Attorney Representative

ORAL COMMUNICATIONS [7:33 p.m.]

Jon Silver, Portola Road, presented a petition with more than 200 names, including six former mayors; Bill Lane's widow, Jean Lane and many more residents he hadn't met before he knocked on their doors. He said sometimes you have to give the body politic a wake-up call to exercise its muscles. He read the petition:

We respectfully request that the Town Council hold a noticed public hearing to review and reconsider the Planning Commission's March 20 (2013) 3-2 decision to permit construction of an artificial turf playing field and track at Woodside Priory within view of the Portola Road Scenic Corridor. A decision of this magnitude, which represents a fundamental shift away from Portola Valley's founding principles of natural preservation and development in concert with nature, should come before our elected representatives.

Mr. Silver said he would continue with his comments when the agenda reached Item 9. As a former County Planning Commissioner and former Councilmember in Portola Valley, calling up something for review doesn't mean you're saying this is bad. We don't know before we have a hearing. All it means is that it's important to the community. He also stated that he never took offense when a decision he made was called up for review.

- (1) Proclamation of the Mayor Honoring Joseph "Joe" Fil as Town of Portola Valley Representative to the Board of Trustees for San Mateo County Mosquito and Vector Control District [7:37 p.m.]

Mayor Richards read the proclamation, and Mr. Fil expressed his thanks. Reflecting on his career, he recalled starting out with a fold-up metal chair in a rented warehouse and progressing to a new headquarters building. He said he and his wife, Susie, raised their family in Portola Valley, noting that their oldest son went to school where the Town Council now meets. He said the Town staff has always been great – very productive and competent – and the Council always positive and forward-thinking. "Susie and I have really enjoyed living here," he said, "and hope to be here for a long time to come."

Mr. Silver said he appreciated the work Mr. Fil has done, adding that he and Joe Jr. were classmates in this schoolhouse in about in the fifth grade. Bernie Bayuk said his daughter, Bonnie, went to school with Mr. Fil one year in this very building as well, and talked about him. Steve Hedlund said Mr. Fil, one of the first people he met when he came to Town, talked him into going into public works. Mr. Hedlund credited Mr. Fil, Skip and _____ on the Public Works Committee for keeping Portola Valley going on a very low budget for many years. He said they did everything and anything. Mr. Young said that as Public Works Director he spent the last 12 years working with Mr. Fil and found him great to work with, really grounded in common sense and providing a lot of good opinions.

CONSENT AGENDA [7:44 p.m.]

- (2) Approval of Minutes: Town Council/Planning Commission Special Joint Meeting and Town Council Regular Meeting of March 13, 2013
- (3) Ratification of Warrant List: March 27, 2013 in the amount of \$86,790.38
- (4) Appointment by Mayor: Request for appointment of members to the Open Space Acquisition Advisory Committee
- (5) Request for Appointment: of Steve Hedlund to the Board of Trustees for the San Mateo Mosquito and Vector Control District
- (6) Recommendation by Sustainability and Special Projects Manager: Adoption of a Resolution Approving Annual Franchise Agreement Rate Adjustment for GreenWaste Recovery, Inc.
 - (a) Resolution of the Town Council of the Town of Portola Valley allowing a rate increase under the Franchise Agreement for Collection of Garbage, Recyclables and Compostable Materials between the Town of Portola Valley and GreenWaste Recovery, Inc. (Resolution No. 2582-2013)

By motion of Councilmember Aalfs, seconded by Councilmember Derwin, the Council approved Items 2-6 on the Consent Agenda with the following roll call vote:

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

No: None

REGULAR AGENDA [7:44 p.m.]

- (7) Recommendation by Sustainability and Special Projects Manager: Proposed Monthly Garden Share Event at Town Center

Ms. de Garmeaux presented the proposal from the Garden Share, an initiative that gives residents an opportunity to come together and share the bounty from their gardens, as well as ideas, lessons learned and other information. The main purpose and benefit is to build community. She pointed out that in addition, the effort contributes to the Town's action plan to reduce their greenhouse gas (GHG) emissions. She said Staff has been working with Rebecca Arora, who brought the idea to the Town, and they've developed a schedule to meet monthly on the fourth Saturday from 10:00 to 11:00 a.m. in the Redwood Grove. Ms. Arora agreed to host the event and be responsible for all setup and cleanup, which will result in no impact on staff resources aside from promoting the event through our normal channels.

In response to Vice Mayor Wengert, Ms. Arora said that participants aren't required to bring things to share, but can just show up and take what they want. There's no exchange of money, just community-building. Vice Mayor Wengert thanked Ms. Arora for taking charge.

Ms. de Garmeaux said they were also exploring the idea of a weekly Farmers' Market in the Schoolhouse parking lot, either year-round or May through October. She said it could serve as a cornerstone for events such as the Summer Concert Series, and would be a positive community-building event. To avoid placing additional burden on Town Staff or resources, she said the idea is to work with an organization that hosts Farmers' Markets, which would obtain the permits, be onsite during the event, handle setup and cleanup, etc. Ms. de Garmeaux said they could also work with the organizer to make sure that Farmers' Market vendors sell organic products that align with the Town's sustainability goals. She asked if the Council had any questions to research before she comes back with a formal proposal.

In response to Councilmember Derwin, Ms. de Garneau said food trucks could be part of the event. She said she's engaged some community members who are interested in the Farmers' Market and has been working with them to get additional questions. She also plans to reach out to local businesses, including restaurants and Roberts Market to make sure the Farmers' Market would complement their businesses rather than detract from them.

Councilmember Aalfs asked whether preference would be given to local providers. Ms. de Garneau said there would be an effort to make it as local as possible, and there would be a limited number of spots due to space constraints. One of the community members has already talked to several farms. She said they would concentrate on local vendors, work with Webb Ranch if it chooses to participate, etc.

Vice Mayor Wengert agreed that our sensitivity must be greatest to local merchants. She also asked whether Ms. de Garneau had considered running the Farmers' Market on a trial basis for a shorter time period to see how well it works. Ms. de Garneau said that's a great idea because this will be an experiment, and we'd have to be sure enough customers would come to support the vendors and make it worth their time and effort.

In response to Commissioner Aalfs, she said some permits would come through the Town and others through the County. She explained that fruits and vegetables and prepared foods are dealt with differently and the event organizer would confirm that all the vendors have their permits. Ms. de Garneau said they would work with the Sheriff and Fire Department to ensure proper traffic flow and so forth.

Councilmember Aalfs moved to approve the Garden Share event. Seconded by Councilmember Derwin, the motion carried 4-0.

(8) Oral Report from Town Manager: Update on the Ad Hoc Affordable Housing Committee's Progress and Request for Town Council direction on the Committee's work [7:52 p.m.]

Mr. Pegueros said the Committee has met twice so far, and is planning several neighborhood meetings for residents – smaller gatherings in Committee members' homes and larger meetings hosted around Town such as the one held March 26, 2013, at the Priory, one scheduled for March 28, 2013 at Corte Madera School, and two next week at Valley Presbyterian Church and Alpine Hills Tennis and Swimming Club. Mr. Pegueros brought several items from his March 27, 2013 staff report to the Council's attention.

- Time Allowed for the Committee's Work – While a majority of the committee expressed a desire to move forward with the timeframe identified in the charter, there were members who expressed a concern that not enough time has been allowed for the committee to do its work effectively.
- "Within the Town" – A Committee member has questions about what the Housing Element requires the Town to do with respect to various state mandates and there's a debate about the mandate to build "within the Town". The planner's office has given clarification on this issue.
- Brown Act – There have been questions about whether the Brown Act applies to special-purpose ad hoc committees; Mr. Pegueros said the Town Attorney has confirmed that it does apply to the Ad Hoc Affordable Housing Committee
- Staff Support – There is a question about the amount of staff support available for the Committee. Mr. Pegueros said he and Principal Planner Karen Kristiansson have spent a great deal of time focusing on supporting the Committee. While they consider it time well-spent, he said the impact on their work load is significant.

Mr. Pegueros said very few people attended the first community meeting (March 26, 2013), just three members of the Committee and three others. At the conclusion of the Committee presentation, which had been prepared by a subcommittee, there was an informal discussion about the Committee's purpose and the process outlined in its charter. He said that several Committee members came to tonight's Council meeting and may want to talk about the process in greater detail, but he thinks there's a general question

of what exactly the Committee is tasked with doing. The charter discussed creating a mission statement for affordable housing in Town and identifying and prioritizing criteria for the Council to use when the Council evaluates affordable housing programs or proposals.

Mr. Pegueros said it appears that a broad high-level values discussion may not be making the best use of the Committee's limited or soliciting their greatest level of input.

Vice Mayor Wengert said you never quite know how it will go when you start an ad hoc committee. This one was a big and important one, dealing with considerable data, information and emotions. Directing the Committee to focus initially on a high-level question so that we'd get the benefit of input previously unavailable, she said, may have had an unintended effect, in that the robustness of the Committee and their level of interest in diving into issues, combined with the volume of questions and information, created a bigger animal than could be managed within a constrained time period.

She observed, too, that planning and budgeting processes didn't anticipate so many additional meetings. While she said the Committee's plans for neighborhood meetings to engage the community is a terrific idea, the jury's out as to the extent to which people will participate and the amount of work it's generated to plan those meetings has exceeded what we had originally envisioned.

She stated that the Council needs to see how to help by re-focusing and giving additional direction to make both Committee and staff time even more productive. Vice Mayor Wengert said the mission statement is critical, and three other primary areas of focus have become clear to her.

1. The Committee has looked at the whole issue of the Blue Oaks units and what that represents to the Town. After various sets of discussions with the Planning Department, it's clear that we're obliged under the current Housing Element to have eight moderate-income units built. It's an obligation the Council has always taken seriously, and was part of the agreement formed before any of us were on the Council. While we made progress last year in the sense of selling the land that was originally designated for those units, it did not remove our obligation to provide that housing within the boundaries of the Town. Perhaps we can redirect the Committee to helping us define the criteria for finding that location. We can provide the list of sites we've looked at and should continue to monitor, and potentially the Committee can add to it. Members may know someone who might be interested in donating land or becoming part of this on a more active basis. We're certainly open to ideas.

I want to make sure I'm clear that on the issue of other potential sites for the eight units that we committed to at Blue Oaks, there are and have been no negotiations on the part of the Town Council or anybody involved with this whole process relative to any individual sites. I've heard rumors that we'll jump on the 900 Portola Road site again if it's ever cleaned up. There's no truth to that. There's been no activity, no interaction. It's a completely clean slate and there's no planned activity in that regard because we want this Committee to help direct us going forward.

2. The second point of focus for the Committee would be the Town's second-unit program, which is where we've gone to satisfy RNHA numbers in the past, and we'd still look to second units primarily for meeting our future obligations. On that score, Vice Mayor Wengert said it would be productive and useful to understand Committee member views on new ways to encourage second units. Would it help if we changed the size of second homes? Would it give homeowners with more incentive to build them? Should we consider smaller units within some of our smaller zoned areas of Town?

Vice Mayor Wengert acknowledged some confusion about current and prospective RNHA numbers and the impact of the next Housing Element. She said it's important to remember that the numbers are projections, and that the Town Planner, in particular, has spent a huge amount of time with this issue.

3. In the interest of giving the Committee achievable goals with the big, complicated task it has undertaken, Vice Mayor Wengert raised the point about discussions related to the idea of meeting affordable-housing obligations via trades with another community. From that perspective, she encouraged the Committee to avoid spending a lot of time on what she sees as “low payout” in the near term, in the sense that over time this idea may gain traction but at this point, no program is available to do that. She has heard about tentative discussions among some communities, she said, but nothing is happening. She said the Town would be an active leader if such discussions move forward in a meaningful way.

Councilmember Derwin, who said Vice Mayor Wengert made some great suggestions, also indicated that she was taken aback by the 80 hours the Town Planner has spent so far, with a lot more work remaining. She said we have to get that under control.

Mayor Richards invited Committee member and public comments.

Committee member Judith Murphy, Portola Circle, said that although pinning down values is hard to get at, it's critical. Everybody in Town has an opinion – usually a very strong one and often a very misinformed one. She considers it important to go through the step of eliciting people's thoughts about what they fear, because much of the emotion is fear-driven. Some prioritizing, she said, could grow out of figuring out in the community meetings what people could tolerate, what they would ideally like and what they fear. Without going through that step, she stated, you wind up with people who already have formed opinions just arguing with each other.

In response to a question, Ms. Murphy said there had been only one community meeting so far and she didn't attend, so she can't say whether the meetings are eliciting the kind of input she described. She added that the Committee won't be able to accomplish its task, though, if only a handful of people attend the community meetings. She said ideally there would be 15 or 20 people per meeting talking with one another and the Committee representatives about their hopes and fears, and we have to figure out a way to get people out to those meetings to make this “any kind of reasonable, rational process at all.”

Bernard Bayuk, Paloma Road, said the first meeting's attendance – a total of three people in addition to Committee members – was a signal that this approach won't solicit opinions from the public. He said the whole subject has been studied for so many years that the choice is to either vote against housing (and a very large segment of Portola Valley has already demonstrated its opposition) or get serious about second units. Rather than talking to two or three people at a time at these meetings, he encouraged putting the two choices in writing and sending them in a letter with a self-addressed, stamped envelope to everyone in Town to check off their preference and to provide their reasons. He said such a proactive approach would result in greater payoff in terms of gathering opinions.

Committee member Jon Myers, Alpine Road, said the good news is that the Committee is full of people who are very committed and involved, who want to be informed, and who will work hard. He said almost every point made during Committee meetings involves the process of doing what we need to do and collecting input needed to make decisions – but the Committee has never talked through that process. The Committee members don't know exactly what it is. They know they have deliverables to deliver, but they aren't even clear what that means. People come up with solutions, but they they're told we don't want solutions, we want criteria. Each Committee member was asked to come up with a mission statement, which is one of the deliverables, but then the discussion turned to questions such as, “Why are we getting mission statements now? We haven't even collected input yet.” Mr. Myers said it keeps coming back to the process, so we need to step back and talk it through in terms of what we're trying to get out of each meeting and also precisely define the deliverables.

“Frankly,” Mr. Myers continued, “people don't even know what we're talking about yet.” For instance, he referred to Vice Mayor Wengert's comment about the Town's commitment to have the units located within the Town. When the question comes to “Are we going to build something?” the answer is “Well, not necessarily. We don't need to build them. We have to plan and encourage them.” That's very different from building some multi-family housing units. It isn't clear. He said we keep going around and around on

that. He said we need to start with an education process – a clear understanding of state requirements and Town commitments – get a baseline for what we’re talking about, and then discuss whatever the deliverable is.

Mr. Myers also pointed out that two of the three non-Committee members who attended the first community meeting had previously attended Ad Hoc Affordable Housing Committee meetings, and the third was the spouse of a Committee member. Thus, he said, no new people were there at all. “Why is that?” he asked. “What do we need to do differently to be sure we’re getting community input?”

Councilmember Derwin asked whether Mr. Myers feels the Committee’s timeline is too compressed. He said he knows the Committee feels that way, and a few members feel strongly about it. He said he agrees that time is tight, but the Committee could achieve its goals if members knew what they were doing and how to get it done. With all the confusion about process, he’s not sure they’re as efficient and effective as they could be if the process were clear.

Ed Wells, Naranja Way, said he and his wife, Allison, who moved to Portola Valley with their six children, will celebrate their 50th year in Town next year, and he was the first Town Treasurer, a role he filled for 13 years. He said the Town is about to enter a third decade discussing affordable housing and during that time have learned that “affordable housing” is an ill-defined oxymoron. He said nothing in the literature obligates the Town to go into the housing business or build anything. The real need statewide is for more housing, more units, more floor space, he said. Mr. Wells pointed out that “high-density solutions, little clusters of houses,” won’t work in this Town because eight or nine houses in Nathhorst or at 900 Portola Road wouldn’t contribute much to Portola Valley’s reasonable obligation to provide more space.

He stated that we could take a moment to appreciate the foresight, fortitude and talent of the Council and consultants who crafted the Town’s affordable-housing regulations, because they gave us great tools in terms of the funds collected from Blue Oaks and from almost everyone who’s built something in Town in the last 20 years. With a vested interest in those funds, he suggested everyone step back to consider what’s being done now, what’s been done and not been done. He said not much has been accomplished.

What has worked, he said, is unobtrusive, low-density infill – second units. He said the Town has the funds and the talent to figure out how to make that more palatable, enjoyable and beneficial to property owners. He said his family’s second unit was one of the first in 1984, and the current tenant – who has lived there eight years – prevented three fires in the neighborhood. The neighbors know he’s there, and they have another adult they can count on to turn the water on or off or help in an emergency in their empty-nester homes.

What’s also worked, Mr. Wells said, was Leslie Lambert (retired Planning Manager), Karen Kristiansson and others from Spangler Associates, Tom Vlasic (Town Planner) and George Mader (Mr. Vlasic’s predecessor), who crafted a Housing Element to show what could be accomplished with some normal building and the development of the second units and other projects. He suggested focusing on efforts to stimulate additional second units and other kinds of infill, including more subdivisions and allowing second units on smaller lots.

He said the Town needs to create an atmosphere of trust with people who have, or plan to have, new housing units. He said he’s not heard from the Town in regard to his second unit in 25 years. He said he’d be happy to meet with the Committee for a dialogue about what Town actions would encourage new people to create additional housing. He said second units can be beneficial to individual homeowners, noting that he makes \$10,000 a year after taxes and utilities with only one tenant, who also who does a lot for the property.

He considers it important “to get right into the nuts and bolts” of the Town’s commitment to owners who have agreed to expand their properties, subdivide or come forward with units on smaller, rentable properties. He said the Town could help property owners in a number of ways – for example, coming to evaluate their property and explain what it would take to bring it up to code, to make a proposal to the Planning Commission, to request a variance if they need one, etc. He said the Town needs to start by

making sure that individuals who are expected to work with the Town to create additional housing know where they stand. Would they be required to rent at a certain rate? To live up to the tenant code about discrimination? Would they have options to be able to choose tenants whose presence would be incidental to the main use of the property? Mr. Wells said a focus on establishing what the Town's commitment would be to be to people who add housing units would give us a much better chance of finding useful outlets for the funds the Town has collected.

Jon Silver, Portola Road, thanking all the Committee members for their work, a thankless task in many ways, commented on the irony of having people last year begging for such a Committee and now having no one show up for community meetings. He said maybe a rumor that the Town is considering a high-rise at 900 Portola Road would motivate them to attend. When he last served on the Town Council, he said, it adopted Portola Valley's first Housing Element, which pushed hard to do something about affordable housing. He recalled a lot of people coming to those public hearings, at first very upset at the prospect, but it ended up being a constructive process. Among other things, he said they sponsored a field trip led by the Palo Alto Housing Corporation, in which Councilmembers, Planning Commissioners, members of the ASCC and "plain average citizens" participated. As a Councilmember then, he said it was his job to invite all the people, for affordable housing or against it. He said it was constructive because people then knew what they were talking about and a lot of fear dissipated.

Tom Kelley, Franciscan Ridge, said that second units are just a way of getting around affordable housing requirements. If the objective is to somehow get Town employees and teachers and firefighters who serve the community to be able to live here, second units aren't the answer. Having served on the school board, he said they tried to recruit many teachers from Palo Alto but they wouldn't come to Portola Valley because they wanted to live in a community where other kids and families were. He said fear is a big deal, and residents are afraid of who would move in, what would happen to their tax rates, and how it would affect the value of their homes. He said there's a way to build a facility and relieve the fear. According to Mr. Kelley, people are concerned that although there might be some control over the first occupants, but less so if the units are sold or rented to someone else.

Bernie Bayuk, Paloma Road, said we're kidding ourselves to think we have a mission to provide housing for teachers and firefighters. Look at the freeways at rush hour, he said. No one lives where they work; it's a fantasy. He said firefighters earn too much to qualify for affordable housing, and 10 years ago when the Town went through the referendum, an informal poll of teachers indicated that none of them wanted to live the high-density development that had been proposed.

Committee member Onnolee Trapp, who attended the community meeting on March 26, 2013, said the questions prepared that related to criteria the Town could use for guidance on affordable housing quickly went to solutions. As she explained, when people think about how to measure what they want, they naturally think about what they want. She said she's not quite sure what questions would stimulate a discussion that would give the Council what's needed to structure the Housing Element any differently than the current direction. You might come up with different Housing Element programs or amendments to current programs, but she said it's hard to imagine much because the Town already has 13 programs. Looking to programs in Palo Alto, Menlo Park and other communities wouldn't help much, because Portola Valley is completely different, with no connection whatever to what applies in a transit corridor. She said we must get past a lot to be able to look at what's really needed, and it will be a difficult process.

Ms. Trapp also expressed concern about being able to reach the people who have not yet been involved. The community meetings have been posted on the Town website and the PV Forum. She asked what the Committee can do to get people excited about coming to a meeting. She said maybe the Committee itself needs to meet more often to first get a better idea of what we're trying to find out and then have the meetings later.

Vice Mayor Wengert said the Committee's idea about having community meetings was great. As the Committee goes forward, she said members could play with that idea however they choose. She didn't know whether the Committee might have considered mail or survey or talking to neighbors as the most effective way to learn what people want, but it was terrific to see the Committee so energized and eager

to pursue neighborhood meetings as an outreach. Ms. Trapp said a subcommittee was charged with setting up neighborhood meetings as a first step in the process.

Mr. Myers said that's an example of many disconnects. He said the Committee was told not only to have community meetings, but how many. Vice Mayor Wengert said the Council intentionally did not involve itself in the organizational effort, but she wasn't aware anything had been communicated to the Committee about neighborhood meetings until after the fact. Regardless, she said the Committee must be comfortable with the process. She said Councilmembers were all surprised to see the amount of staff time it's taken, but they're open to whatever recommendations the Committee makes to achieve its goals. Whatever members think is most effective to reach as many people as possible would be welcome, she said, whether it means surveys to the whole community or continuing on the current path or a modified version of it.

Cindie White, Portola Road, who has attended all the Ad Hoc Affordable Housing Committee meetings, said she was also one of the three non-Committee participants at the community outreach meeting on March 26, 2013. She said she agrees with everything Mr. Myers said – the whole thing has been really confusing. Despite being an entrepreneur with an MBA and a business background in the corporate world, she said she's found the process difficult. She indicated that the process issue has not only affected the Committee's ability to be productive but it also has generated a lot of fear. She said when you're confused you start to imagine things, and there seem to be concerns that perhaps the Council had a pre-set agenda, that a lot of questions won't be answered, that some topics aren't open for discussion – plus the confusion over the mission statement, the criteria, and the solutions.

She also said there's another aspect to the fear factor. It wasn't until tonight, she said, that she figured out something she couldn't validate before – that the Council had already made an assumption before forming the Ad Hoc Affordable Housing Committee about the Town being obligated to take its \$3 million golden egg and spend it on a piece of property for multi-family housing. In Portola Valley, she said that's equal to high-density housing.

According to Ms. White, the crux of the issue of getting people to attend meetings is the fact that they don't understand what affordable housing really is because the term is so generic and so broad. She said she'd guarantee people would show up if you reached out to the community and said, "We have \$3 million and we're going to look for a piece of property to build eight moderate-income units, which means high-density housing."

In November, when the Council decided not to extend its purchase contract for 900 Portola Road, Ms. White said it was intimated that part of the Ad Hoc Affordable Housing Committee's work would be to analyze what to do with the proceeds from the sale of the Blue Oaks lots. She said she'd hoped for a risk assessment and a business plan. She said Mark Moulton made a presentation to the Committee covering the benefits of affordable housing, but the Committee never heard the other side of the story. Questions were pushed back. What are the risks, what are the downsides? She said there are plenty, so she wants to see that presentation, that analysis, which risk assessment.

When she hears about eight moderate-income housing units, Ms. White thinks high-density because that's what it is, she said. She wants to see a business analysis that definitely obligates the Town to do that, and to assess its long-term impact on the community. She said there are many legal and government consequences, not to mention big government coming in and controlling us. These things that we haven't looked at or talked about create the fear factor, she said. Ms. White said that every time she speaks at one of these meetings, she comes from the perspective of the founding principles when the Town incorporated in 1964 – local government control, low-density housing.

She said the discussion about whether second units work doesn't matter because it sounds as if the Council is already committed to spending the \$3 million. She said she would like a risk-benefit analysis and an opportunity to decide how the money is spent.

Noting that she was present when the Council adopted the RNHA numbers, Ms. White said she'd warned that adopting those numbers would mean walking into something without understanding it. She said she believes the Town has until April 11, 2013, to appeal those numbers and urged the Council to look again at that option because of the potential consequences of not doing so. She said it would be a good idea to see whether adopting the RHNA numbers was in the Town's best interest, because the window on appeals will close soon.

Vice Mayor Wengert said the Town has no basis for appealing the numbers, which were heavily negotiated among planning staffs of the various cities and towns in the County. She also noted that any changes to the numbers generally occur as a result of direct discussions between cities that specifically request a change in categories, moderate to low or low to higher, for example. She said in looking at the population size, density and other criteria that apply, the Town would need a basis for arguing why the proposed numbers are too high. She said it would be very difficult to justify when we know Portola Valley's numbers are low vis-à-vis our neighboring communities. Absent a rational basis for an appeal, she said that would be an unproductive strategy. Arriving at the allocation is a very large cooperative effort that goes on for years, and the numbers the Town approved came at the end of that very long cycle.

Vice Mayor Wengert also wanted to "hit head on" the idea that the Council would contemplate housing that would be inconsistent with what we all have come to love, value and respect in Portola Valley. She emphasized that any future project – and there is no project planned, she noted – would be consistent with what we are comfortable with and have come to enjoy and expect in Portola Valley.

As for the Blue Oaks proceeds, she said the money is specifically the result of the eight units for which the land had been set aside in lieu of fees for developing BMR housing. Years later, selling the land after recognizing that it was a suboptimal location, she said the Town committed to moving the eight units elsewhere in Town – either spread out or in one place. As Vice Mayor Wengert explained, the Council is looking to the Committee in part to help identify potential alternatives to meet the Town's commitment for these eight units. She said the funds are specifically associated with the Blue Oaks land, which was also zoned as part of the agreement with the developer. It not as if the Town sold land of its own to generate proceeds for the General Fund. She wanted to clear the record so that everyone is aware of the difference.

Mayor Richards, thanking Committee members for all the work they're doing, said it was time to move on to the next agenda item.

(9) Reports from Commission and Committee Liaisons

(a) Planning Commission.

At its March 6, 2013 meeting, the Planning Commission voted 3-2 to adopt the Mitigated Negative Declaration and approve an amendment to the Priory's Conditional Use Permit that would allow the installation of an artificial turf playing field.

In response to Mr. Pegueros, Ms. Prince explained the options regarding follow-up on that decision. She first quoted from the Municipal Code, Section 18.78.120:

Within ten days of the date of any Planning Commission action under this title, or at the next meeting of the Council, whichever is later, the Council may review such action.

Although tonight's meeting fell within that window, she said the Council cannot review the matter tonight because the entire record is not immediately available. She said the Council could decide to add a full review of the item to the next meeting agenda and direct staff to bring up everything the Planning Commission would use – all the minutes and information that was submitted in the 11 or 12 meetings on the issue. Ms. Prince explained that the Council could then review the record. It would not be a public hearing. Rather, strictly on the basis of the record, she continued,

the Council could determine that new evidence or new testimony was required and therefore decide to hold a public hearing to take new testimony. Per the Municipal Code:

. . . should they (the Council) determine not to affirm the decision of the body or official, then the Council shall set the matter for public hearing and give notice thereof . . .

In addition to this two-step process, Ms. Prince said another option is for an appeal to the Council. According to Municipal Code Section 18.78.010, the Council

. . . shall hear the appeal of any person aggrieved by the Planning Commission decision.

Thus, she said, an aggrieved member of the public who can express the basis for the grievance may opt to appeal, and pending what the Council does if it chooses to review the action, may choose to file an appeal just to preserve the right to appeal within the 15-day period.

Councilmember Derwin moved to call the item for review. Seconded by Councilmember Aalfs, the motion carried 4-0.

Mr. Silver, having reviewed the petition, said its 218 signatures included Joe and Susie Fil, plus seven former Mayors and Vice Mayors, Ms. Lane, Mr. Litton, Gary Nielsen (who serves on the Town's Open Space Acquisition Advisory Committee), many former Planning Commissioners, ASCC members, and a lot of "just plain folks." The number one reason people did not sign the petition when he went knocking on doors, Mr. Silver said, was they liked the convenience of artificial turf because it would mean no rainouts or they were uncomfortable signing because of their relationships with the Priory. He said he found a lot of social pressure and fear of social shunning. Mr. Silver said he believes those fears are overblown, but that's the way people feel.

He drew the Council's attention to the fact that some people who signed the petition online do not have Portola Valley addresses, including one who wrote, "I was born and raised in Portola Valley and would like to return some day to the pristine conditions I remember growing up." He said that was typical of comments from Town "alumni." He also noted that at least 210 of the signatures are from current residents. More than 20 of those petitioners also included brief comments, he said, such as, "We love Portola Valley for so many reasons. Our natural beauty that surrounds us is amazing. Please do not let Portola Road become a place of false nature. This fake field is not who we are or what we want to embody. We live in the most beautiful natural spot in California. Keep PV real."

Mr. Silver said he will not file to appeal the Planning Commission's decision, but asked Councilmembers to "do their jobs . . . don't let us down."

(b) Parks and Recreation Committee

Vice Mayor Wengert:

Meeting on March 18, 2013, the Committee discussed the Ford Field renovation project, as well as two potential projects:

- A skateboard park; someone has agreed to donate the money and some potential sites have been identified, the leading candidate being across from Corte Madera School
- A dog park; again, someone is apparently willing to underwrite the cost and potential sites were discussed, including one near Rosati's; the site selected will need parking access

Councilmember Aalfs:

(c) Open Space Acquisition Advisory Committee

At its meeting on March 19, 2013, the Committee:

- Welcomed Terry Lee as its newest member; he also serves on the Trails and Paths Committee
- Discussed staggering Blues & BBQ events in alternating years, and also combining it with the Town's 50th anniversary celebration

(d) Architectural & Site Control Commission (ASCC)

Reviewing the remediation/restoration plan for the unauthorized tree and vegetation clearing on the open-space easement at 18 Redberry Ridge during a special field meeting and the regular meeting on March 25, 2013, the ASCC tentatively approved the proposal as submitted and members were happy with the consultant, Rana Creek, Inc. Councilmember Aalfs said the ASCC would expect a report on how the plantings are doing in September 2013, followed by another field visit in October 2013 to assess the site.

Councilmember Derwin:

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

At its meeting on March 14, 2013, the C/CAG Board:

- Heard a presentation on the Caltrain Go Pass Program, which enables employers to buy Caltrain passes for their employees; Stanford takes great advantage of Go Pass because it saves a lot of money (\$165 per employee or \$13,750 a year, whichever is greater)
- Received an update on the Countywide Funding Initiative for addressing the high-cost municipal stormwater compliance activities mandated by state law; a consultant has been engaged to look into the pros and cons of ballot propositions, parcel taxes and other options
- Elected new Chair (San Mateo Deputy Mayor Brandt Grotte, San Mateo) and Vice Chair (Pacifica Councilmember Mary Ann Nihart)

The C/CAG Board's next meeting, a retreat and dinner, will be held on April 11, 2013, featuring Matt Franklin from Mid-Peninsula Housing as the speaker. Noting that Ms. Trapp generally attends the annual C/CAG retreat events, Councilmember Derwin encouraged fellow Councilmembers to take part. Also on the April 11 C/CAG agenda is a discussion of the MTC/ABAG Draft Plan Bay Area – which covers transportation, employment, housing and affordable housing. Councilmember Derwin suggested Mr. Pegueros tell the Ad Hoc Affordable Housing Committee about this plan, adding that a public workshop about it is scheduled for April 29, 2013.

(f) Sustainability Committee

The agenda for the Committee's meeting on March 18, 2013 included discussions on:

- Tuesday Harvest Series

The March 12, 2013 event, featuring Ann Edminster's presentation entitled "Our Homes: Getting to Net-Zero Energy" was better attended than usual, Councilmember Derwin said, and the April 9, 2013 speaker is Linda Sanford, who will address the issue of "Lighting

Technology and Green Design.” With so many options in light bulbs to choose from, Councilmember Derwin said it’s a hot topic. Ms. Sanford is the principal at Sanford Lighting Design, a Bay Area lighting design firm specializing in residential, small institutional and commercial projects.

- Earth Day, April 27, 2013

Runnymede Farm in Woodside can accommodate only 500 people, so an admission fee will be charged – but each \$10 admission ticket will double as a voucher to redeem at a food truck.

Ms. Trapp said The Sequoias would host an Earth Day celebration, too, inviting the community via a PV Forum post. The schedule of events includes a film about plastic bags and other kinds of plastics; a demonstration on sustainable foods by The Sequoias food service director, distribution of reusable shopping bags; and sales of compostable waste bags – because once the San Mateo County ban on plastic bags launches on April 22, 2013, people will no longer be getting plastic bags to re-use as trash bags. Ms. Trapp also advised that to address the problem of disappearing reusable green takeout containers, the food service director has designed a new program that includes a charge for replacements.

- The Sequoias Apartment assessment

Ms. Trapp, Ms. de Garneau and some students visited 40 apartments at The Sequoias, evaluating energy and water use in detail and compiling the data. Councilmember Derwin read some items from the questionnaire they used and shared some of the residents’ comments.

Ms. Trapp said they haven’t finished analyzing the results of looking at people’s lamps to see what kind of light bulbs they use, but they are encouraging light bulb change-outs. Many residents continue to use only incandescent light bulbs, and the group is promoting a switch to light-emitting diode (LED) bulbs. They may be able to make them conveniently available in the Sequoias Gift Shop, and/or undertake an educational effort. Ms. Trapp said it won’t be easy to persuade everyone, because LEDs are more expensive and residents tend to feel they don’t need light bulbs that will outlast them. Residents at The Sequoias don’t pay individual utility bills, she added, so they aren’t really aware of their energy and water use and how it affects their monthly fees – or how it may impede broader efforts to conserve these resources.

Ms. Trapp said the effort did result in identifying areas to help The Sequoias earn its next green certification.

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

Councilmember Derwin reported being sworn in as a member of the HEART Board today (March 27, 2013). Following the meeting, the Board adjourned to the second of a two-part strategic planning meeting and split into work groups. In the past, Councilmember Derwin said she’d considered HEART as primarily a fundraising organization for its programs, but the direction seems to be changing. Her group focused on educating the public about affordable housing, discussed fear, and addressed the idea of informing rather than advocating. In addition, some discussion items underscored the incredibly great need for housing. For instance:

- A new 60-unit development in San Mateo County had so many applicants (2,500 – twice the number who applied for HEART’s Peninsula Station project) that they used a lottery system

- San Mateo County Department of Housing Director Duane Bay and others talked about the HUD housing; the last time it opened, there were 11,000 applicants in San Mateo County alone – and it took four years to process the 3,600 who were accepted, Councilmember Derwin said

Councilmember Derwin invited fellow Councilmembers to join her at her table at “Investing for Good,” the HEART 2013 Benefit Luncheon and Executive Briefing in South San Francisco on May 6, 2013. The keynote speaker will be Kojo Ako-Asare, head of Corporate Finance for Google. (The event, HEART’s seventh annual benefit luncheon, falls in the middle of San Mateo County Affordable Housing Week, May 4-11, 2013.)

Mayor Richards:

(h) Emergency Preparedness Committee (EPC)

At its March 14, 2013 meeting, EPC Committee members discussed an upcoming exercise being planned in conjunction with the Woodside Fire Protection District. It will be held at The Sequoias in May 2013. Members also continued their discussion on the antenna for the Town’s AM radio station.

(i) Cultural Arts Committee

At its March 14, 2013 meeting, the Cultural Arts Committee decided against holding the proposed Art Show at the Priory this year and discussed its budget.

(j) Silicon Valley Joint Venture

John Englander, author of High Tide on Main Street, discussed the topic of his book – sea levels and the loss of shorelines – at the Silicon Valley Joint Venture luncheon on March 19, 2013. Mayor Richards said it was an excellent but rather disturbing presentation.

(k) Meals on Wheels

Mayor Richards said he participated in Mayors for Meals Day on March 20, 2013 in Menlo Park. Pat Wilkinson, Vice Chair of Peninsula Volunteers, Inc. orchestrated the annual event. He said that Meals on Wheels is a fantastic program and really needs our support.

(l) Conservation Committee

Among the main things on the Conservation Committee agenda for its March 26, 2013 meeting were finalization of guidelines for planting and removing redwoods and the backyard habitat program for presentation to the Council.

Mayor Richards also reported that Committee member Paul Heiple brought up a move by the Midpeninsula Regional Open Space District (MROSD) to solicit comments on the use of their spaces in our area.

WRITTEN COMMUNICATIONS [9:27 p.m.]

(10) Town Council March 15, 2013 Weekly Digest

- (a) #9 – Report to the Town Council from the San Mateo Grand Jury re: Grand Jury Report "Water Recycling – An Important Component of Wise Water Management" – March 6, 2013

Councilmember Derwin asked whether Ms. de Garmeaux had seen the report. Mr. Pegueros said yes, and that the Town Attorney’s office is preparing a response.

- (b) #10 – Letter from Dr. Faye Brophy DVM, Chair of Equestrian Trail Riders' Action Committee (ETRAC), to Judith Hasko, Nick Pegueros and Howard Young re: Request for Trails Committee to more effectively deal with trail safety concerns

Mr. Pegueros said he believed the letter arrived the day of the Trails and Paths Committee meeting, so Committee members were unaware of it at that time.

- (11) Town Council March 22, 2013 Weekly Digest – None

ADJOURN TO CLOSED SESSION [9:29 p.m.]

- (12) 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

The Council gave the Town Attorney authority to negotiate settlement within specified parameters.

ADJOURNMENT [9:40 p.m.]

Mayor

Town Clerk

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 1

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
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ALLIANT INSURANCE SERVICES	Special Events Ins, 1st Qtr	14038	04/10/2013	
			04/10/2013	
SPECIAL EVENTS	475		04/10/2013	0.00
NEWPORT BEACH	BOA	47503	04/10/2013	0.00
CA 92658				1,075.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4338	Event Insurance	1,075.00	0.00

Check No.	47503	Total:	1,075.00
Total for	ALLIANT INSURANCE SERVICES		1,075.00

ARC	12/13 Resurf, Plans/Specs	14040	04/10/2013	
		00006104	04/10/2013	
P.O. BOX 192224	0112		04/10/2013	0.00
SAN FRANCISCO	BOA	47504	04/10/2013	0.00
CA 94119-2224	738940			575.04

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4530	CIP12/13 Street Resurface	575.04	575.04

ARC	Ford Field Project	14041	04/10/2013	
		00006106	04/10/2013	
P.O. BOX 192224	0112		04/10/2013	0.00
SAN FRANCISCO	BOA	47504	04/10/2013	0.00
CA 94119-2224	740487			921.98

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4531	Ford Field Renovation	921.98	921.98

Check No.	47504	Total:	1,497.02
Total for	ARC		1,497.02

AT&T (2)	April MW	14042	04/10/2013	
			04/10/2013	
P.O. BOX 5025	877		04/10/2013	0.00
CAROL STREAM	BOA	47505	04/10/2013	0.00
IL 60197-5025				64.38

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4152	Emerq Preparedness Committee	64.38	0.00

Check No.	47505	Total:	64.38
Total for	AT&T (2)		64.38

BANK OF AMERICA	March Statement	14087	04/10/2013	
Bank Card Center			04/10/2013	
P.O. BOX 53155	0022		04/10/2013	0.00
PHOENIX	BOA	47506	04/10/2013	0.00
AZ 85072-3155				1,033.30

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4165	Sustainability Committee	1.14	0.00
05-64-4311	Internet Service & Web Hosting	9.99	0.00
05-64-4312	Office Equipment	339.00	0.00
05-64-4320	Advertising	425.00	0.00
05-64-4336	Miscellaneous	258.17	0.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 2

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
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Vendor Address	Vendor Number		Due Date	Taxes Withheld
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Check No.	47506	Total:	1,033.30
Total for	BANK OF AMERICA		1,033.30

BAYSIDE EQUIPMENT COMPANY	Annual Generator Maintenance	14079	04/10/2013	
	Original Chk #47405 Voided 4/4		04/10/2013	
3562 HAVEN AVENUE	421		04/10/2013	0.00
REDWOOD CITY	BOA	47507	04/10/2013	0.00
CA 94063-4603	61039			376.50

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4152	Emerq Preparedness Committee	376.50	0.00

Check No.	47507	Total:	376.50
Total for	BAYSIDE EQUIPMENT COMPANY		376.50

JOHN BOICE	Reimbursement, Road Signs	14043	04/10/2013	
			04/10/2013	
16 TYNAN WAY	0179		04/10/2013	0.00
PORTOLA VALLEY	BOA	47508	04/10/2013	0.00
CA 94028				61.03

GL Number	Description	Invoice Amount	Amount Relieved
90-00-4375	General Expenses	61.03	0.00

Check No.	47508	Total:	61.03
Total for	JOHN BOICE		61.03

BW CONSTRUCTION	Repairs, Woodside H'Lands	14044	04/10/2013	
			04/10/2013	
110 RUSSELL AVE	930		04/10/2013	0.00
PORTOLA VALLEY	BOA	47509	04/10/2013	0.00
CA 94028	1759			800.00

GL Number	Description	Invoice Amount	Amount Relieved
90-00-4375	General Expenses	800.00	0.00

Check No.	47509	Total:	800.00
Total for	BW CONSTRUCTION		800.00

WILLIAM CADIZ	DJ Svcs, Teen Comm'te Dance	14088	04/10/2013	
			04/10/2013	
416 PESTANA AVENUE	0349		04/10/2013	0.00
MANTECA	BOA	47510	04/10/2013	0.00
CA 95336				200.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4166	Teen Committee	200.00	0.00

Check No.	47510	Total:	200.00
Total for	WILLIAM CADIZ		200.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 3

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
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CALPERS	March Retirement	14045	04/10/2013	
FISCAL SERVICES DIVISION			04/10/2013	
ATTN: RETIREMENT PROG ACCTG	0107		04/10/2013	0.00
SACRAMENTO	BOA	47511	04/10/2013	0.00
CA 94229-2703				14,246.37

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4080	Retirement - PERS	14,246.37	0.00

Check No.	47511	Total:	14,246.37
Total for	CALPERS		14,246.37

CITY OF REDWOOD CITY (IT)	Jan/Feb IT Support	14046	04/10/2013	
			04/10/2013	
P.O. BOX 3629	586		04/10/2013	0.00
REDWOOD CITY	BOA	47512	04/10/2013	0.00
CA 94064	BR28698			3,734.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4216	IT & Website Consultants	3,734.00	0.00

Check No.	47512	Total:	3,734.00
Total for	CITY OF REDWOOD CITY (IT)		3,734.00

COMCAST	WiFi, 3/21 - 4/20	14047	04/10/2013	
			04/10/2013	
P.O. BOX 34744	0045		04/10/2013	0.00
SEATTLE	BOA	47513	04/10/2013	0.00
WA 98124-1744				72.50

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	72.50	0.00

Check No.	47513	Total:	72.50
Total for	COMCAST		72.50

COTTON SHIRES & ASSOC. INC.	March Applicant Charges	14048	04/10/2013	
			04/10/2013	
330 VILLAGE LANE	0047		04/10/2013	0.00
LOS GATOS	BOA	47514	04/10/2013	0.00
CA 95030-7218				6,544.93

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4190	Geologist - Charges to Appls	6,544.93	0.00

Check No.	47514	Total:	6,544.93
Total for	COTTON SHIRES & ASSOC. INC.		6,544.93

EURO PACIFIC VENTURES, LLC	Refund Business License Fees	14050	04/10/2013	
			04/10/2013	
161 N. CASTANYA WAY	1095		04/10/2013	0.00
PORTOLA VALLEY	BOA	47515	04/10/2013	0.00
CA 94028				101.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4228	Miscellaneous Refunds	101.00	0.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 4

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
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Check No.	47515	Total:	101.00
Total for	EURO PACIFIC VENTURES, LLC		101.00

TORE GILLBRAND	Refund Facility Deposit	14051	04/10/2013	
			04/10/2013	
1215 LOS TRANCOS ROAD	1094		04/10/2013	0.00
PORTOLA VALLEY	BOA	47516	04/10/2013	0.00
CA 94028				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4226	Facility Deposit Refunds	1,000.00	0.00

Check No.	47516	Total:	1,000.00
Total for	TORE GILLBRAND		1,000.00

GO NATIVE INC	C1 Trail/PVTC Landscape Maint	14080	04/10/2013	
			04/10/2013	
P.O. BOX 370103	632		04/10/2013	0.00
MONTARA	BOA	47517	04/10/2013	0.00
CA 94037	2506			4,560.00

GL Number	Description	Invoice Amount	Amount Relieved
05-60-4272	C-1 Bio Maintenance	1,520.00	0.00
05-66-4342	Landscape Supplies & Services	3,040.00	0.00

Check No.	47517	Total:	4,560.00
Total for	GO NATIVE INC		4,560.00

GREG JONES ROOFING	Refund C&D Deposit	14074	04/10/2013	
			04/10/2013	
371 MAGNOLIA STREET	1087		04/10/2013	0.00
HALF MOON BAY	BOA	47518	04/10/2013	0.00
CA 94019				1,000.00

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

Check No.	47518	Total:	1,000.00
Total for	GREG JONES ROOFING		1,000.00

LISA HENNEFARTH	Refund, Event Ins Overpmt	14052	04/10/2013	
			04/10/2013	
470 CERVANTES ROAD	1117		04/10/2013	0.00
PORTOLA VALLEY	BOA	47519	04/10/2013	0.00
CA 94028				7.46

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4228	Miscellaneous Refunds	7.46	0.00

Check No.	47519	Total:	7.46
Total for	LISA HENNEFARTH		7.46

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 5

TOWN OF PORTOLA VALLEY

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

ANDY HEWETT	Ref, Facility Dep/Ins Overpmt	14053	04/10/2013	
			04/10/2013	
441 RAMONA ROAD	1093		04/10/2013	0.00
PORTOLA VALLEY	BOA	47520	04/10/2013	0.00
CA 94028				1,010.36

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4226	Facility Deposit Refunds	1,000.00	0.00
05-56-4228	Miscellaneous Refunds	10.36	0.00

Check No.	47520	Total:	1,010.36
Total for	ANDY HEWETT		1,010.36

HORIZON	Repair, Weed Whacker	14054	04/10/2013	
			04/10/2013	
P.O. BOX 52758	0289		04/10/2013	0.00
PHOENIX	BOA	47521	04/10/2013	0.00
AZ 85072-2758	1Y096978			169.01

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	169.01	0.00

Check No.	47521	Total:	169.01
Total for	HORIZON		169.01

ICMA	March 2013 Deferred Comp	14055	04/10/2013	
VANTAGE POINT TFER AGTS-304617			04/10/2013	
C/O M&T BANK	0084		04/10/2013	0.00
BALTIMORE	BOA	47522	04/10/2013	0.00
MD 21264-4553				500.00

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2557	Defer Comp	500.00	0.00

Check No.	47522	Total:	500.00
Total for	ICMA		500.00

J.W. ENTERPRISES	Portable Lavs, 3/21-4/17	14056	04/10/2013	
			04/10/2013	
1689 MORSE AVE	829		04/10/2013	0.00
VENTURA	BOA	47523	04/10/2013	0.00
CA 93003	167222			235.36

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4244	Portable Lavatories	235.36	0.00

Check No.	47523	Total:	235.36
Total for	J.W. ENTERPRISES		235.36

KUTZMANN & ASSOCIATES	Ford Field Plan Review	14081	04/10/2013	
			04/10/2013	
39355 CALIFORNIA STREET	0090		04/10/2013	0.00
FREMONT	BOA	47524	04/10/2013	0.00
CA 94538	PV13-007 R			95.00

GL Number	Description	Invoice Amount	Amount Relieved
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INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 6

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

05-68-4531	Ford Field Renovation	95.00	0.00	
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Check No.	47524	Total:	95.00
Total for	KUTZMANN & ASSOCIATES		95.00

JON MYERS	Reimbursement, PV Adult Soccer	14057	04/10/2013	
			04/10/2013	
4540 ALPINE ROAD	900		04/10/2013	0.00
PORTOLA VALLEY	BOA	47525	04/10/2013	0.00
CA 94028				2,290.85

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4160	Parks & Rec Adult Sports	2,290.85	0.00

Check No.	47525	Total:	2,290.85
Total for	JON MYERS		2,290.85

PG&E	March Statements	14058	04/10/2013	
			04/10/2013	
BOX 997300	0109		04/10/2013	0.00
SACRAMENTO	BOA	47526	04/10/2013	0.00
CA 95899-7300				789.70

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	789.70	0.00

Check No.	47526	Total:	789.70
Total for	PG&E		789.70

PORTOLA VALLEY HARDWARE	March Statement	14059	04/10/2013	
			04/10/2013	
112 PORTOLA VALLEY ROAD	0114		04/10/2013	0.00
PORTOLA VALLEY	BOA	47527	04/10/2013	0.00
CA 94028				518.62

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	518.62	0.00

Check No.	47527	Total:	518.62
Total for	PORTOLA VALLEY HARDWARE		518.62

REGIONAL GOVERNMENT SERVICES	Feb Svcs, Bowerman/Padovan	14060	04/10/2013	
			04/10/2013	
P.O. BOX 1350	1165		04/10/2013	0.00
CARMEL VALLEY	BOA	47528	04/10/2013	0.00
CA 93924	3250			14,984.34

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	14,984.34	0.00

Check No.	47528	Total:	14,984.34
Total for	REGIONAL GOVERNMENT SERVIC		14,984.34

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 7

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

RG ROOFING	Refund C&D Deposit	14062	04/10/2013	
			04/10/2013	
6275 ROCKROSE DRIVE	1091		04/10/2013	0.00
NEWARK	BOA	47529	04/10/2013	0.00
CA 94560				1,000.00

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

Check No.	47529	Total:	1,000.00
Total for	RG ROOFING		1,000.00

ROBERTS MARKET	Annual Comm'te/Commisson Mtg.	14082	04/10/2013	
			04/10/2013	
3015 WOODSIDE ROAD	1236		04/10/2013	0.00
WOODSIDE	BOA	47530	04/10/2013	0.00
CA 94062	36327498			61.94

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	61.94	0.00

Check No.	47530	Total:	61.94
Total for	ROBERTS MARKET		61.94

ROBIN HOOD	PV Teen Committee Donation	14063	04/10/2013	
			04/10/2013	
ROBIN HOOD RELIEF FUND	1090		04/10/2013	0.00
NEW YORK	BOA	47531	04/10/2013	0.00
NY 10003				500.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4166	Teen Committee	500.00	0.00

Check No.	47531	Total:	500.00
Total for	ROBIN HOOD		500.00

RON RAMIES AUTOMOTIVE, INC.	2000 Chevy, Maintenance/Smog	14065	04/10/2013	
		00006102	04/10/2013	
115 PORTOLA ROAD	422		04/10/2013	0.00
PORTOLA VALLEY	BOA	47532	04/10/2013	0.00
CA 94028	40760			1,367.02

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	1,367.02	1,367.02

RON RAMIES AUTOMOTIVE, INC.	'01 Chevy 1500, maint/smog	14066	04/10/2013	
		00006105	04/10/2013	
115 PORTOLA ROAD	422		04/10/2013	0.00
PORTOLA VALLEY	BOA	47532	04/10/2013	0.00
CA 94028	40764			543.78

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	543.78	543.78

RON RAMIES AUTOMOTIVE, INC.	'87 & '91 Ford, maint/smog	14067	04/10/2013	
			04/10/2013	
115 PORTOLA ROAD	422		04/10/2013	0.00
PORTOLA VALLEY	BOA	47532	04/10/2013	0.00
CA 94028	40775 & 40776			808.10

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 8

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	808.10	0.00

Check No.	47532	Total:	2,718.90
Total for	RON RAMIES AUTOMOTIVE, INC.		2,718.90

PAUL RUSSELL	Refund Deposit	14068	04/10/2013	
			04/10/2013	
111 TAN OAK	1089		04/10/2013	0.00
PORTOLA VALLEY	BOA	47533	04/10/2013	0.00
CA 94028				1,025.60

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	1,025.60	0.00

Check No.	47533	Total:	1,025.60
Total for	PAUL RUSSELL		1,025.60

SAN MATEO CTY CITY MGR ASSN	2013 Annual Dues, SMCCMA	14069	04/10/2013	
C/O CITY OF BELMONT			04/10/2013	
CITY MANAGER'S OFFICE	351		04/10/2013	0.00
BELMONT	BOA	47534	04/10/2013	0.00
CA 94002				250.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4322	Dues	250.00	0.00

Check No.	47534	Total:	250.00
Total for	SAN MATEO CTY CITY MGR ASSN		250.00

SCHWAAB INC	Committee Events App Stamp	14070	04/10/2013	
			04/10/2013	
PO BOX 3128	0120		04/10/2013	0.00
MILWAUKEE	BOA	47535	04/10/2013	0.00
WI 53201-3128	245272			44.49

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	44.49	0.00

Check No.	47535	Total:	44.49
Total for	SCHWAAB INC		44.49

SHARP BUSINESS SYSTEMS	March Copies	14071	04/10/2013	
			04/10/2013	
DEPT. LA 21510	0199		04/10/2013	0.00
PASADENA	BOA	47536	04/10/2013	0.00
CA 91185-1510	C774661-541			60.03

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	60.03	0.00

Check No.	47536	Total:	60.03
Total for	SHARP BUSINESS SYSTEMS		60.03

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 9

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

SHELTER NETWORK	PV Teen Committee Donation	14064	04/10/2013	
			04/10/2013	
1450 CHAPIN AVE.	815		04/10/2013	0.00
BURLINGAME	BOA	47537	04/10/2013	0.00
CA 94010				100.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4166	Teen Committee	100.00	0.00

Check No.	47537	Total:	100.00
Total for	SHELTER NETWORK		100.00

SPANGLE & ASSOCIATES	2/2 - 3/21 Statement	14072	04/10/2013	
			04/10/2013	
770 MENLO AVENUE	0121		04/10/2013	0.00
MENLO PARK	BOA	47538	04/10/2013	0.00
CA 94025-4736				41,990.50

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4140	ASCC	2,414.00	0.00
05-52-4162	Planning Committee	4,826.00	0.00
05-54-4196	Planner	9,502.50	0.00
96-54-4198	Planner - Charges to Appls	25,248.00	0.00

Check No.	47538	Total:	41,990.50
Total for	SPANGLE & ASSOCIATES		41,990.50

STATE COMP INSURANCE FUND	April Premium	14073	04/10/2013	
			04/10/2013	
PO BOX 748170	0122		04/10/2013	0.00
LOS ANGELES	BOA	47539	04/10/2013	0.00
CA 90074-8170				3,226.67

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4094	Worker's Compensation	3,226.67	0.00

Check No.	47539	Total:	3,226.67
Total for	STATE COMP INSURANCE FUND		3,226.67

WILLIAM TEROVA	Refund Facility Deposit	14075	04/10/2013	
			04/10/2013	
1292 FERNSIDE STREET	1088		04/10/2013	0.00
REDWOOD CITY	BOA	47540	04/10/2013	0.00
CA 94061				500.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4226	Facility Deposit Refunds	500.00	0.00

Check No.	47540	Total:	500.00
Total for	WILLIAM TEROVA		500.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 10

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

THE ALMANAC	March Advertising	14039	04/10/2013	
			04/10/2013	
450 CAMBRIDGE AVE	0048		04/10/2013	0.00
PALO ALTO	BOA	47541	04/10/2013	0.00
CA 94306	22679			232.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4320	Advertising	232.00	0.00

Check No.	47541	Total:	232.00
Total for	THE ALMANAC		232.00

THERMAL MECHANICAL, INC	January Bi-Monthly Maint.	14076	04/10/2013	
			04/10/2013	
425 ALDO AVENUE	955		04/10/2013	0.00
SANTA CLARA	BOA	47542	04/10/2013	0.00
CA 95054	PM-55170			1,468.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	1,468.00	0.00

Check No.	47542	Total:	1,468.00
Total for	THERMAL MECHANICAL, INC		1,468.00

JOHN TOOR	Refund C&D Deposit	14061	04/10/2013	
			04/10/2013	
2 BUCK MEADOW DRIVE	1092		04/10/2013	0.00
PORTOLA VALLEY	BOA	47543	04/10/2013	0.00
CA 94028				5,000.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	5,000.00	0.00

Check No.	47543	Total:	5,000.00
Total for	JOHN TOOR		5,000.00

TOTLCOM, INC.	Labor, Remote Programming	14077	04/10/2013	
			04/10/2013	
65 HANGAR WAY	349		04/10/2013	0.00
WATSONVILLE	BOA	47544	04/10/2013	0.00
CA 95076				75.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	75.00	0.00

Check No.	47544	Total:	75.00
Total for	TOTLCOM, INC.		75.00

TREE SPECIALIST	ROW Tree Trim, Portola Rd.	14083	04/10/2013	
			04/10/2013	
1198 NEVADA AVE	839		04/10/2013	0.00
SAN JOSE	BOA	47545	04/10/2013	0.00
CA 95125				2,000.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4264	ROW Tree Trimming & Mowing	2,000.00	0.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 11

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	47545	Total:	2,000.00
Total for	TREE SPECIALIST		2,000.00

VISION INTERNET PROVIDERS INC	March Web Host	14078	04/10/2013	
			04/10/2013	
P.O. BOX 251588	827		04/10/2013	0.00
LOS ANGELES	BOA	47546	04/10/2013	0.00
CA 90025	24289			200.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4311	Internet Service & Web Hosting	200.00	0.00

Check No.	47546	Total:	200.00
Total for	VISION INTERNET PROVIDERS IN		200.00

JOAN WOLLENBURGER	Refund Facility Deposit	14084	04/10/2013	
			04/10/2013	
20 BEAR PAW	1086		04/10/2013	0.00
PORTOLA VALLEY	BOA	47547	04/10/2013	0.00
CA 94028				100.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4226	Facility Deposit Refunds	100.00	0.00

Check No.	47547	Total:	100.00
Total for	JOAN WOLLENBURGER		100.00

WOODSIDE DELIVERY SERVICE	Delivery Thru 6/10/13	14085	04/10/2013	
			04/10/2013	
PO BOX 784	0219		04/10/2013	0.00
RIVERBANK	BOA	47548	04/10/2013	0.00
CA 95367				151.25

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	151.25	0.00

Check No.	47548	Total:	151.25
Total for	WOODSIDE DELIVERY SERVICE		151.25

WORRELL ROOFING	Refund C&D Deposit	14086	04/10/2013	
			04/10/2013	
3790 EL CAMINO REAL	669		04/10/2013	0.00
PALO ALTO	BOA	47549	04/10/2013	0.00
CA 94306				1,000.00

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

Check No.	47549	Total:	1,000.00
Total for	WORRELL ROOFING		1,000.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/10/13

Date: 04/08/2013

Time: 9:48 am

Page: 12

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Total Invoices: 50

Grand Total:	118,671.11
Less Credit Memos:	0.00
Net Total:	<u>118,671.11</u>
Less Hand Check Total:	0.00
Outstanding Invoice Total:	<u>118,671.11</u>

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
April 10, 2013

Claims totaling \$118,671.11 having been duly examined by me and found to be correct are hereby approved and verified by me as due bills against the Town of Portola Valley.

Date _____

Nick Pegueros, Treasurer

Motion having been duly made and seconded, the above claims are hereby approved and allowed for payment.

Signed and sealed this (Date) _____

Sharon Hanlon, Town Clerk

Mayor

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/24/13

Date: 04/18/2013

Time: 4:21 pm

Page: 1

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

PATT BAENEN-TAPSCOTT	Reimb, Banners for Bike Rodeo	14118	04/24/2013	
			04/24/2013	
1148 LOS TRANCOS ROAD	1211		04/24/2013	0.00
PORTOLA VALLEY	BOA	47550	04/24/2013	0.00
CA 94028				284.20

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4143	BicyclePedTraffic Committee	284.20	0.00

Check No.	47550	Total:	284.20
Total for	PATT BAENEN-TAPSCOTT		284.20

BAY AREA PAVING CO., INC.	Woods H'Lands Road Maint	14089	04/24/2013	
			04/24/2013	
P.O. BOX 6339	567		04/24/2013	0.00
SAN MATEO	BOA	47551	04/24/2013	0.00
CA 94403	12			19,981.00

GL Number	Description	Invoice Amount	Amount Relieved
90-00-4375	General Expenses	19,981.00	0.00

Check No.	47551	Total:	19,981.00
Total for	BAY AREA PAVING CO., INC.		19,981.00

CALIFORNIA BLDG STANDARDS COMM	BSC Report, Jan - March 2013	14090	04/24/2013	
			04/24/2013	
2525 NATOMAS PARK DRIVE	458		04/24/2013	0.00
SACRAMENTO	BOA	47552	04/24/2013	0.00
CA 95833				195.30

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4224	BSA/SMIP/DSA Fees	195.30	0.00

Check No.	47552	Total:	195.30
Total for	CALIFORNIA BLDG STANDARDS C		195.30

CALIFORNIA WATER SERVICE CO	2/15 - 3/15 Statement	14091	04/24/2013	
			04/24/2013	
3351 EL CAMINO REAL	0011		04/24/2013	0.00
ATHERTON	BOA	47553	04/24/2013	0.00
CA 94027-3844				1,596.93

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	1,596.93	0.00

Check No.	47553	Total:	1,596.93
Total for	CALIFORNIA WATER SERVICE CC		1,596.93

CARDUCCI & ASSOCIATES INC	Add'l Landscape Design, Ford	14092	04/24/2013	
			04/24/2013	
555 BEACH STREET, FOURTH FLOOR	0344		04/24/2013	0.00
SAN FRANCISCO	BOA	47554	04/24/2013	0.00
CA 94133	7704, 7730			8,254.65

GL Number	Description	Invoice Amount	Amount Relieved
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INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/24/13

Date: 04/18/2013

Time: 4:21 pm

Page: 2

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

05-68-4531	Ford Field Renovation		8,254.65	0.00
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Check No.	47554	Total:	8,254.65
Total for	CARDUCCI & ASSOCIATES INC		8,254.65

CITY OF REDWOOD CITY (IT)	March IT Support	14093	04/24/2013	
			04/24/2013	
P.O. BOX 3629	586		04/24/2013	0.00
REDWOOD CITY	BOA	47555	04/24/2013	0.00
CA 94064	BR29158			1,867.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4216	IT & Website Consultants	1,867.00	0.00

Check No.	47555	Total:	1,867.00
Total for	CITY OF REDWOOD CITY (IT)		1,867.00

CITY OF SAN BRUNO	Dinner/Mtg, Derwin	14095	04/24/2013	
			04/24/2013	
ATTN: KATHY CASTLE	0010		04/24/2013	0.00
SAN BRUNO	BOA	47556	04/24/2013	0.00
CA 94066				40.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4327	Educ/Train: Council & Commissn	40.00	0.00

Check No.	47556	Total:	40.00
Total for	CITY OF SAN BRUNO		40.00

CLEANSTREET	March Street/Litter Clean-up	14094	04/24/2013	
			04/24/2013	
1937 W. 169TH STREET	0034		04/24/2013	0.00
GARDENA	BOA	47557	04/24/2013	0.00
CA 90247-5254	70452			4,187.76

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4262	Street Sweeping	3,376.86	0.00
20-60-4266	Litter Clean Up Program	810.90	0.00

Check No.	47557	Total:	4,187.76
Total for	CLEANSTREET		4,187.76

CONTEMPORARY ENGRAVING CO.	Service Award	14096	04/24/2013	
			04/24/2013	
425 LAMBERT AVE	0191		04/24/2013	0.00
PALO ALTO	BOA	47558	04/24/2013	0.00
CA 94306	30919			52.09

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	52.09	0.00

Check No.	47558	Total:	52.09
Total for	CONTEMPORARY ENGRAVING CO		52.09

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/24/13

Date: 04/18/2013

Time: 4:21 pm

Page: 3

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

CULLIGAN	April Service	14097	04/24/2013	
			04/24/2013	
P. O. BOX 5277	0250		04/24/2013	0.00
CAROL STREAM	BOA	47559	04/24/2013	0.00
IL 60197-5277				42.50

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	42.50	0.00

Check No.	47559	Total:	42.50
Total for	CULLIGAN		42.50

DAVEY TREE EXPERT CO.	Tree Removal, Portola Road	14098	04/24/2013	
			04/24/2013	
P.O. BOX 94532	0053		04/24/2013	0.00
CLEVELAND	BOA	47560	04/24/2013	0.00
OH 44101-4532	906644049			2,000.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4264	ROW Tree Trimming & Mowing	2,000.00	0.00

Check No.	47560	Total:	2,000.00
Total for	DAVEY TREE EXPERT CO.		2,000.00

BROOKE DAY	Refund Deposit	14099	04/24/2013	
			04/24/2013	
115 BROOKSIDE DRIVE	367		04/24/2013	0.00
PORTOLA VALLEY	BOA	47561	04/24/2013	0.00
CA 94028				100.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4226	Facility Deposit Refunds	100.00	0.00

Check No.	47561	Total:	100.00
Total for	BROOKE DAY		100.00

DEPARTMENT OF CONSERVATION	SMISHMF, Jan - March 2013	14101	04/24/2013	
Division of Administrative			04/24/2013	
801 K STREET MS22-15	0054		04/24/2013	0.00
SACRAMENTO	BOA	47562	04/24/2013	0.00
CA 95814-3531				412.82

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4224	BSA/SMIP/DSA Fees	412.82	0.00

Check No.	47562	Total:	412.82
Total for	DEPARTMENT OF CONSERVATIO		412.82

DIV OF THE STATE ARCHITECT	DSA Fee, Jan - March 2013	14102	04/24/2013	
			04/24/2013	
ATTN: SB 1186	1085		04/24/2013	0.00
SACRAMENTO	BOA	47563	04/24/2013	0.00
CA 95811				32.10

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4224	BSA/SMIP/DSA Fees	32.10	0.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/24/13

Date: 04/18/2013

Time: 4:21 pm

Page: 4

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	47563	Total:	32.10
Total for	DIV OF THE STATE ARCHITECT		32.10

FEHR & PEERS	Bike Lane Design, Final	14126	04/24/2013	
			04/24/2013	
100 PRINGLE AVENUE	1359		04/24/2013	0.00
WALNUT CREEK	BOA	47564	04/24/2013	0.00
CA 94596	78922			1,828.95

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	1,828.95	0.00

Check No.	47564	Total:	1,828.95
Total for	FEHR & PEERS		1,828.95

FRANCOTYP-POSTALIA, INC.	Mail Meter Renewal, 4/9 - 7/8	14103	04/24/2013	
			04/24/2013	
PO BOX 4272	0172		04/24/2013	0.00
CAROL STREAM	BOA	47565	04/24/2013	0.00
IL 60197-4272	R1101507684			88.29

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4314	Equipment Services Contracts	88.29	0.00

Check No.	47565	Total:	88.29
Total for	FRANCOTYP-POSTALIA, INC.		88.29

INTERSTATE TRAFFIC CNTRL	Town Barricades, Cones & Signs	14104	04/24/2013	
	Orig #47421 MIA, VOID 4/16	00006092	04/24/2013	
1700 INDUSTRIAL ROAD, STE B	564		04/24/2013	0.00
SAN CARLOS	BOA	47566	04/24/2013	0.00
CA 94070	145206			1,129.86

GL Number	Description	Invoice Amount	Amount Relieved
05-60-4267	Tools & Equipment	1,010.06	1,010.06
20-60-4268	Street Signs & Striping	119.80	119.80

Check No.	47566	Total:	1,129.86
Total for	INTERSTATE TRAFFIC CNTRL		1,129.86

KUTZMANN & ASSOCIATES	March Plan Check	14105	04/24/2013	
			04/24/2013	
39355 CALIFORNIA STREET	0090		04/24/2013	0.00
FREMONT	BOA	47567	04/24/2013	0.00
CA 94538				15,096.18

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4200	Plan Check Services	15,096.18	0.00

Check No.	47567	Total:	15,096.18
Total for	KUTZMANN & ASSOCIATES		15,096.18

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/24/13

Date: 04/18/2013

Time: 4:21 pm

Page: 5

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

LYNCH ELECTRIC & SONS INC	Town Center Electrical Work	14106	04/24/2013	
			04/24/2013	
1160 INDUSTRIAL ROAD, #18	1365		04/24/2013	0.00
SAN CARLOS	BOA	47568	04/24/2013	0.00
CA 94070	2012.426			1,540.63

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	1,540.63	0.00

Check No.	47568	Total:	1,540.63
Total for	LYNCH ELECTRIC & SONS INC		1,540.63

MARTIN AND CHAPMAN	Election Supplies	14107	04/24/2013	
			04/24/2013	
1951 WRIGHT CIRCLE	0174		04/24/2013	0.00
ANAHEIM	BOA	47569	04/24/2013	0.00
CA 92806-6028	2013077			50.86

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4302	Elections	50.86	0.00

Check No.	47569	Total:	50.86
Total for	MARTIN AND CHAPMAN		50.86

OLBERDING ENVIRONMENTAL, INC	C-1 Trail Baseline Monitoring	14108	04/24/2013	
			04/24/2013	
193 BLUE RAVINE ROAD	2025		04/24/2013	0.00
FOLSOM	BOA	47570	04/24/2013	0.00
CA 94630	2012144			3,166.70

GL Number	Description	Invoice Amount	Amount Relieved
05-60-4272	C-1 Bio Maintenance	3,166.70	0.00

Check No.	47570	Total:	3,166.70
Total for	OLBERDING ENVIRONMENTAL, IN		3,166.70

PEELLE TECHNOLOGIES, INC	Maint. Renewal 5/27/13-5/26/14	14109	04/24/2013	
		00006107	04/24/2013	
197 EAST HAMILTON AVE	961		04/24/2013	0.00
CAMPBELL	BOA	47571	04/24/2013	0.00
CA 95008	TOPV1218			3,164.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4314	Equipment Services Contracts	3,164.00	3,164.00

Check No.	47571	Total:	3,164.00
Total for	PEELLE TECHNOLOGIES, INC		3,164.00

PERS HEALTH	May Medical Premium	14110	04/24/2013	
			04/24/2013	
VIA EFT	0108		04/24/2013	0.00
	BOA	47572	04/24/2013	0.00
				16,718.02

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4086	Health Insurance Medical	16,718.02	0.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/24/13

Date: 04/18/2013

Time: 4:21 pm

Page: 6

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	47572	Total:	16,718.02
Total for	PERS HEALTH		16,718.02

PRZ SEMINARS	Field Maint Seminar, Macias	14111	04/24/2013	
			04/24/2013	
1880 OFFICE CLUB POINTE	532		04/24/2013	0.00
COLORADO SPRINGS	BOA	47573	04/24/2013	0.00
CO 80920				155.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4326	Education & Training	155.00	0.00

Check No.	47573	Total:	155.00
Total for	PRZ SEMINARS		155.00

REGIONAL GOVERNMENT SERVICES	March Svcs, Bowerman/Padovan	14125	04/24/2013	
			04/24/2013	
P.O. BOX 1350	1165		04/24/2013	0.00
CARMEL VALLEY	BOA	47574	04/24/2013	0.00
CA 93924	3300			15,876.53

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	15,876.53	0.00

Check No.	47574	Total:	15,876.53
Total for	REGIONAL GOVERNMENT SERVIC		15,876.53

RON RAMIES AUTOMOTIVE, INC.	March Fuel Statement	14112	04/24/2013	
			04/24/2013	
115 PORTOLA ROAD	422		04/24/2013	0.00
PORTOLA VALLEY	BOA	47575	04/24/2013	0.00
CA 94028				858.20

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	858.20	0.00

Check No.	47575	Total:	858.20
Total for	RON RAMIES AUTOMOTIVE, INC.		858.20

SAN MATEO CO INF SERVICES	March M/W	14113	04/24/2013	
			04/24/2013	
455 COUNTY CENTER, 3RD FLOOR	0307		04/24/2013	0.00
REDWOOD CITY	BOA	47576	04/24/2013	0.00
CA 94063	1YPV11303			76.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4152	Emerq Preparedness Committee	76.00	0.00

Check No.	47576	Total:	76.00
Total for	SAN MATEO CO INF SERVICES		76.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/24/13

Date: 04/18/2013

Time: 4:21 pm

Page: 7

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

SCHEURING, ZIMMERMAN & DOYLE	Reissue Claim Settlement, Lamb	14114	04/24/2013	
	Orig Pmt VOID Mar-11		04/24/2013	
400 UNIVERSITY AVENUE	1084		04/24/2013	0.00
SACRAMENTO	BOA	47577	04/24/2013	0.00
CA 95825				9,089.55

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	9,089.55	0.00

Check No.	47577	Total:	9,089.55
Total for	SCHEURING, ZIMMERMAN & DOY		9,089.55

SMALL BUSINESS BENEFIT PLAN TR	May Dental/Vision	14117	04/24/2013	
			04/24/2013	
	0132		04/24/2013	0.00
BELMONT	BOA	47578	04/24/2013	0.00
CA 94002-0156				2,184.30

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4090	Health Ins Dental & Vision	2,184.30	0.00

Check No.	47578	Total:	2,184.30
Total for	SMALL BUSINESS BENEFIT PLAN		2,184.30

STAPLES	March Statement	14115	04/24/2013	
			04/24/2013	
STAPLES CREDIT PLAN	430		04/24/2013	0.00
DES MOINES	BOA	47579	04/24/2013	0.00
IA 50368-9020				418.82

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	418.82	0.00

Check No.	47579	Total:	418.82
Total for	STAPLES		418.82

SHELLY SWEENEY	Instructor Fees, Spring 2013	14116	04/24/2013	
			04/24/2013	
285 GRANDVIEW DRIVE	407		04/24/2013	0.00
WOODSIDE	BOA	47580	04/24/2013	0.00
CA 94062				2,448.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	2,448.00	0.00

Check No.	47580	Total:	2,448.00
Total for	SHELLY SWEENEY		2,448.00

BARBARA TEMPLETON	Jan/Feb/March Transcription	14119	04/24/2013	
			04/24/2013	
304 MELVEN COURT	369		04/24/2013	0.00
SAN LEANDRO	BOA	47581	04/24/2013	0.00
CA 94577-2011	743			7,931.25

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4188	Transcription Services	7,931.25	0.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/24/13

Date: 04/18/2013

Time: 4:21 pm

Page: 8

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	47581	Total:	7,931.25
Total for	BARBARA TEMPLETON		7,931.25

THERMAL MECHANICAL, INC	Furnace Repair, Hist Schoolhse	14120	04/24/2013	
		00006108	04/24/2013	
425 ALDO AVENUE	955		04/24/2013	0.00
SANTA CLARA	BOA	47582	04/24/2013	0.00
CA 95054	AC-55140			1,253.95

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	1,253.95	1,253.95

THERMAL MECHANICAL, INC	Boiler Repair, Library	14121	04/24/2013	
		00006109	04/24/2013	
425 ALDO AVENUE	955		04/24/2013	0.00
SANTA CLARA	BOA	47582	04/24/2013	0.00
CA 95054	AC-55095			887.90

GL Number	Description	Invoice Amount	Amount Relieved
25-66-4340	Building Maint Equip & Supp	887.90	887.90

Check No.	47582	Total:	2,141.85
Total for	THERMAL MECHANICAL, INC		2,141.85

TOWNSEND MGMT, INC	March Applicant Charges	14122	04/24/2013	
			04/24/2013	
P.O. BOX 24442	609		04/24/2013	0.00
SAN FRANCISCO	BOA	47583	04/24/2013	0.00
CA 94124				1,140.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	1,140.00	0.00

Check No.	47583	Total:	1,140.00
Total for	TOWNSEND MGMT, INC		1,140.00

U.S. BANK EQUIPMENT FINANCE	April Copier Lease	14123	04/24/2013	
			04/24/2013	
P.O. BOX 790448	472		04/24/2013	0.00
ST. LOUIS	BOA	47584	04/24/2013	0.00
MO 63179-0448	225504182			435.58

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4312	Office Equipment	435.58	0.00

Check No.	47584	Total:	435.58
Total for	U.S. BANK EQUIPMENT FINANCE		435.58

VERIZON WIRELESS	March Cellular	14124	04/24/2013	
			04/24/2013	
P.O. BOX 660108	0131		04/24/2013	0.00
DALLAS	BOA	47585	04/24/2013	0.00
TX 75266-0108	9702254509			182.99

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	182.99	0.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

04/24/13

Date: 04/18/2013

Time: 4:21 pm

Page: 9

TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	47585	Total:	182.99
Total for	VERIZON WIRELESS		182.99

Total Invoices: 37

Grand Total:	124,767.91
Less Credit Memos:	0.00
Net Total:	124,767.91
Less Hand Check Total:	0.00
Outstanding Invoice Total:	124,767.91

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
April 24, 2013

Claims totaling \$124,767.91 having been duly examined by me and found to be correct are hereby approved and verified by me as due bills against the Town of Portola Valley.

Date _____

Nick Pegueros, Treasurer

Motion having been duly made and seconded, the above claims are hereby approved and allowed for payment.

Signed and sealed this (Date) _____

Sharon Hanlon, Town Clerk

Mayor



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Stacie Nerdahl, Administrative Services Manager

DATE: April 24, 2013

RE: **Local Agency Investment Fund (LAIF) Signature Authority**

RECOMMENDATION

Approve the attached resolution authorizing investment of monies in the Local Agency Investment Fund and identifying persons authorized to undertake transactions concerning the fund.

BACKGROUND

The Town invests monies in excess of those needed to cover bi-weekly warrant lists and payroll in the State of California Local Agency Investment Fund (LAIF). Recently, LAIF contacted the Town requesting an update of our account listing of persons authorized to undertake fund transactions (e.g. deposit and withdrawal of monies, changing banking information, changing authorized names). As several of the positions formerly included in this signature authority are no longer active staff positions, it is necessary to update the Town's signature authority through adoption of the attached resolution.

ATTACHMENTS

1. Resolution of the Town Council of the Town of Portola Valley authorizing Investment of Monies in the Local Agency Investment Fund

APPROVED – Nick Pegueros, Town Manager *N.P.*

RESOLUTION NO. _____-2013

ADDRESS: 765 Portola Road
Portola Valley, CA 94028

PHONE: (650) 851-1700

**A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PORTOLA VALLEY AUTHORIZING INVESTMENT OF MONIES
IN THE LOCAL AGENCY INVESTMENT FUND**

WHEREAS, the Local Agency Investment Fund is established in the State Treasury under Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Town Council hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein is in the best interests of the Town of Portola Valley;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council does hereby authorize the deposit and withdrawal of Town of Portola Valley monies in the Local Agency Investment Fund in the State Treasury in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein.

BE IT FURTHER RESOLVED, as follows:

Section 1. The following Town of Portola Valley officers holding the title(s) specified hereinbelow or their successors in office are each hereby authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the transactions contemplated hereby:

John Richards
Mayor

Ann Wengert
Vice Mayor

Nicholas Pegueros
Town Manager

Stacie Nerdahl
Administrative Services Manager

Section 2. This resolution shall remain in full force and effect until rescinded by the Town Council by resolution and a copy of the resolution rescinding this resolution is filed with the State Treasurer's Office.

PASSED AND ADOPTED by the Town Council of the Town of Portola Valley, County of San Mateo, State of California on this _____ day of April, 2013.

Mayor

ATTEST:

Town Clerk



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Stacie Nerdahl, Administrative Services Manager

DATE: April 24, 2013

RE: **Agreement with KPMG LLC to Evaluate and Report on the Charitable Use of the Community Hall**

RECOMMENDATION

It is recommended that the Town Council adopt the attached resolution (Attachment #1) entering into an agreement with KPMG LLC (“KPMG”) for special accounting services related to the requirements of the Donation of Funds Agreement (“Donation Agreement”) with Hasso Plattner Foundation (“Granting Agency”).

BACKGROUND

In June 2007, the Town entered into the Donation Agreement (Attachment #4) with the Granting Agency which allowed the Town to receive a grant in the amount of \$2 million to fund the construction of the Community Hall. Item 4 of the Donation Agreement requires that the use of funds received and the charitable use of the Community Hall be confirmed on an annual basis by an internationally recognized certified public accounting firm for a period limited to twenty years at the most.

At the same time as the Town entered into the Donation Agreement with the Granting Agency, it also entered into a five-year agreement with KPMG to provide these required accounting services. The terms of this initial agreement with KPMG were recently satisfied with the completion of the annual grant evaluation document for the period ending June 30, 2012.

DISCUSSION

For the first two years of the term of the Donation Agreement, the grant evaluation reports focused on the construction-related expenditure of the grant. Reporting now focuses on confirming that the Community Hall is being used primarily for charitable use purposes. To that end, staff has worked closely with both KPMG and the German-based representatives of the Granting Agency to develop the required processes and documentation that clearly demonstrate the Town’s satisfaction of this requirement.

Staff recently requested a determination from the Granting Agency as to whether the language of the Donation Agreement and the Town's demonstrated compliance with its terms to date would allow for the satisfaction of the grant reporting in a period less than twenty years. Their clarification was that the reporting would be owed "until it becomes uneconomic to operate the Community Hall or the useful life of the Community Hall has ended or it has been written off for any reason."

As none of these circumstances exist, and as the representatives of the Granting Agency and Town staff are satisfied with the service and reporting provided by KPMG, staff is therefore recommending that the Town enter into a new agreement with KPMG for the next five years' of reporting requirements (Attachment #2).

FISCAL IMPACT

The cost of this five-year agreement totals \$77,221 inclusive of project expenses. This General Fund expenditure will continue to be included in the annual adopted budget for the Community Hall.

ATTACHMENTS

1. Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of an Agreement Between the Town of Portola Valley and KPMG LLP
2. Agreement between the Town of Portola Valley and KPMG LLP
3. Proposal from KPMG dated January 18, 2013
4. Donation of Funds Agreement with Hasso Plattner Foundation

APPROVED – Nick Pegueros, Town Manager *N.P.*

RESOLUTION NO. ____-2013

**RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PORTOLA VALLEY APPROVING AND AUTHORIZING
EXECUTION OF AN AGREEMENT BETWEEN THE
TOWN OF PORTOLA VALLEY AND KPMG LLP**

WHEREAS, the Town Council of the Town of Portola Valley (“Town”) adopted Resolution 2337-2007 approving the Donation of Funds Agreement between the Town and the Hasso Plattner Foundation (“Granting Agency”) dated June 27, 2007 that required certain annual reporting; and

WHEREAS, KPMG LLP (“KPMG”) has for the past five years provided the required reporting; and

WHEREAS, the Town and the Granting Agency have been satisfied with the annual Grant Evaluation Reports prepared and issued by KPMG in accordance with the reporting requirement of the Donation of Funds Agreement and desire to continue to contract with KPMG for the preparation of the reports; and

WHEREAS, the Town Council has read and considered that certain Agreement between the Town of Portola Valley and KPMG LLP (US) (“Agreement”) dated April 24, 2013.

NOW, THEREFORE, the Town Council of the Town does RESOLVE as follows:

1. Public interest and convenience require the Town of Portola Valley to enter into the Agreement described above.
2. The Town of Portola Valley hereby approves the Agreement and the Mayor is hereby authorized on behalf of the Town to execute the Agreement between the Town of Portola Valley and KPMG

PASSED AND ADOPTED this ____ day of _____, 2013.

By: _____
Mayor

ATTEST:

Town Clerk

Attachment #2

**AGREEMENT BETWEEN THE
TOWN OF PORTOLA VALLEY AND
KPMG LLP (US)**

This Agreement between the Town of Portola Valley and KPMG LLP (“Agreement”) is made and entered into this 24th day of April, 2013 by and between the Town of Portola Valley, a municipal corporation (“Town”), and KPMG LLP (US), a limited liability partnership (“Consultant”).

RECITALS

A. The Hasso Plattner Foundation (“Foundation”) donated funds to the Town for the construction of the new Town Hall pursuant to the Donation of Funds Agreement attached hereto as Exhibit A.

B. The Town desires to seek professional consulting services related to the grant expenditure reporting required in the Donation of Funds Agreement.

C. The Town has determined that Consultant possesses such professional skill and ability.

THE PARTIES HEREBY AGREE AS FOLLOWS:

1. SCOPE OF SERVICES. Consultant shall perform those services specified in detail in Exhibit B.

2. TERM. The term of this Agreement shall be from the date first set forth above to 31 December 2017 or the date this Agreement is terminated as set forth below.

3. COMPENSATION. In consideration of Consultant’s performance, compensation of Consultant shall not exceed the estimated fees set forth in Exhibit C. For each task set out in Exhibit C, Consultant shall not be paid more than the estimated total without the prior consent of the Town.

4. METHOD OF PAYMENT. Consultant shall invoice the Town for work performed after each task is completed as set forth in Exhibit B. Payments to Consultant by Town shall be made within 30 days after receipt by Town of Consultant’s itemized invoices.

5. INDEPENDENT CONTRACTOR. Consultant, in the performance of the work and services under this Agreement, shall act as and be an independent contractor and not an agent or employee of the Town or any other governmental entity. In particular, Consultant shall receive no premium or enhanced pay for work normally understood as overtime, nor shall Consultant receive holiday pay, sick leave, administrative leave, or pay for any other time not actually worked. The intention of the

parties is that Consultant shall not be eligible for benefits and shall receive no compensation from the Town except as expressly set forth in this Agreement.

6. ASSIGNABILITY. The parties agree that the expertise and experience of Consultant are material considerations for this Agreement. Consultant shall not assign, transfer, or subcontract any interest in this Agreement, nor the performance of any of Consultant's obligations hereunder, without the prior written consent of the Town Council, and any attempt by Consultant to do so shall be void and of no effect and a breach of this Agreement. The foregoing notwithstanding, Contractor may utilize the services of KPMG AG Wirtschaftsprüfungsgesellschaft ("KPMG Germany"), to perform work under this Agreement.

7. INDEMNIFICATION AND LIMITATION OF LIABILITY.

7.1. To the fullest extent permitted by law, Consultant shall indemnify, defend and hold harmless the Town, and its elective or appointive boards, officers, employees agents and volunteers against any claims, losses, or liability (including reasonable attorneys' fees) that may arise out of or result from damages to tangible property or physical injury to any person received by reason of, or in the course of work performed under this Agreement due to the negligent, reckless, or willfully wrongful acts or omissions of Consultant or Consultant's officers, employees, agents or subcontractors. The acceptance of such services shall not operate as a waiver of such right of indemnification.

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

7.3 Except for Consultant's indemnification obligations as set forth above, Consultant's maximum liability to the Town arising for any reason relating to the Consultant's performance under this Agreement shall be limited to five times the amount of total fees set forth in Exhibit C. In no event shall either party have any liability to the other party for any lost profits or special, incidental, indirect, consequential, or punitive damages, even if such party has been advised of the possibility of such damages. This section shall apply regardless of the form of action, damage, claim, liability, cost, expense, or loss asserted, whether in contract, statute, tort (including but not limited to negligence) or otherwise.

7.4 This is a services engagement. Consultant warrants that it will perform services under this Agreement in good faith, with qualified personnel in a competent and workmanlike manner. Consultant further agrees that it shall not perform its services in a negligent manner. CONSULTANT DISCLAIMS ALL OTHER WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

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

9. TERMINATION.

9.1 This Agreement may be terminated by either the Town or Consultant following five days written notice of intention to terminate; thereafter, the Town shall be liable to Consultant only for those fees and costs earned by Consultant to the date of termination and which shall be substantiated by an itemized, written statement submitted to Town by Consultant. The Town's right of termination shall be in addition to all other remedies available under law to the Town. Notwithstanding the foregoing, the Town may not terminate this Agreement for default unless the Town provides Consultant with prior written notice, outlining the causes for the proposed termination, and Consultant fails to cure such causes within a reasonable amount of time, which shall be not less than ten (10) business days.

9.2 In the event of termination, Consultant shall deliver to Town all deliverables completed as of the date of termination, and upon receipt thereof, Town shall pay Consultant for services performed by Consultant through the date of termination. If Consultant's written work is contained on a hard computer disk, in the event of termination, Consultant shall, in addition to providing a written copy of the information on the hard disk, immediately transfer all written work from the hard computer disk to a soft (or floppy) computer disk and deliver said soft (or floppy) computer disk to Town.

10. OWNERSHIP AND USE OF MATERIAL. All reports, documents, or other materials developed or discovered by Consultant, or any other person engaged directly or indirectly by Consultant to perform the services required hereunder, and delivered to Town shall be and remain the property of Town.

Town acknowledges and agrees that any advice, recommendations, information or work product provided to Town by Consultant pursuant to this Agreement is for the

sole use of Town, and may not be relied upon by any third party. Except as otherwise required by law (e.g. California Public Records Act), or as permitted by this Agreement (e.g. disclosure to the Foundation as detailed in Exhibit A), Town will not disclose or permit access to such advice, recommendations, information or work product to any third party without Consultant's prior written consent.

11. WAIVER. Waiver by Town of any breach or violation of any term or condition of this Agreement shall not be deemed to be a waiver of any other term or condition contained herein or a waiver of any subsequent breach or violation of the same or any other term or condition. The acceptance by Town of the performance of any work or services by Consultant shall not be deemed to be a waiver of any term or condition of this Agreement.

12. CONSULTANT'S BOOKS AND RECORDS. Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services, supplies, materials, or equipment provided to Town for a minimum period of three years, or for any longer period required by law, from the date of final payment to Consultant pursuant to this Agreement.

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

To Town:

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

To Consultant:

Mark Fitzgerald
Principal
KPMG LLP
1676 International Drive
McLean, VA 22102
Fax: (703) 991-0744

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

14. ATTORNEYS' FEES. In any legal action or proceeding brought for enforcement of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which the successful party may be entitled.

15. SERVICES; TOWN RESPONSIBILITIES.

15.1 It is understood and agreed that Consultant's services may include advice and recommendations; but all decisions in connection with the implementation of such advice and recommendations shall be the responsibility of, and made by, Town.

Consultant will not perform management functions or make management decisions for Town.

15.2 Town agrees to cooperate with Consultant in the performance of the services under this Agreement and shall provide or arrange to provide Consultant with timely access to and use of the personnel, facilities, equipment, data and information to the extent necessary for Consultant to perform the services under the Agreement. Town acknowledges that its failure to perform these obligations could adversely affect Consultant's ability to provide the services under this Agreement.

15.3 Town acknowledges and agrees that Consultant will, in performing the services under this Agreement, base its conclusions on the facts and assumptions that Town furnishes and that Consultant may use data, material, and other information furnished by or at the request or direction of Town without any independent investigation or verification and that Consultant shall be entitled to rely upon the accuracy and completeness of such data, material and other information. Inaccuracy or incompleteness of such data, material and other information furnished to Consultant could have a material effect on Consultant's conclusions.

16. ALTERNATIVE DISPUTE RESOLUTION.

16.1 Any dispute or claim arising out of or relating to this Agreement or the services provided thereunder shall be submitted first to non-binding mediation (unless either party elects to forego mediation by initiating a written request for arbitration) and if mediation is not successful within 90 days after the issuance by one of the parties of a request for mediation then to binding arbitration in accordance with the Rules for Non-Administered Arbitration of the International Institute for Conflict Prevention and Resolution ("CPR Arbitration Rules"). By operation of this provision, the parties agree to forego litigation over such disputes in any court of competent jurisdiction.

16.2 Mediation, if selected, shall take place in Palo Alto, California using the Mediation Procedures of the International Institute for Conflict Prevention and Resolution, with the exception of Paragraph 2 (Selecting the Mediator).

16.3 Arbitration shall take place in Palo Alto, California. The arbitration panel shall have no power to award non-monetary or equitable relief of any sort except as provided in CPR Arbitration Rule 13 (Interim Measures of Protection). Damages that are inconsistent with any applicable agreement between the parties, that are punitive in nature, or that are not measured by the prevailing party's actual damages shall be unavailable in arbitration or any other forum. In no event, even if any other portion of these provisions is held to be invalid or unenforceable, shall the arbitration panel have power to make an award or impose a remedy that could not be made or imposed by a court deciding the matter in the same jurisdiction.

16.4 Either party may seek to enforce any written agreement reached by the parties during mediation, or to confirm and enforce any final award entered in arbitration, in any court of competent jurisdiction.

16.5 Notwithstanding the agreement to such procedures, either party may seek equitable relief to enforce its rights in any court of competent jurisdiction.

17. MISCELLANEOUS.

17.1 For engagements where services will be provided by Consultant through offices located in California, Town acknowledges that certain of Consultant's personnel who may be considered "owners" under the California Accountancy Act and implementing regulations (California Business and Professions Code section 5079(a); 16 Cal. Code Regs. sections 51 and 51.1) and who may provide services in connection with this engagement, may not be licensed as certified public accountants under the laws of any of the various states.

17.2 Where Consultant is reimbursed for expenses, it is Consultant's policy to bill clients the amount incurred at the time the good or service is purchased. If Consultant subsequently receives a volume rebate or other incentive payment from a vendor relating to such expenses, Consultant does not credit such payment to a client. Instead, Consultant applies such payments to reduce its overhead costs, which costs are taken into account in determining Consultant's standard billing rates and certain transaction charges that may be charged to clients.

17.3 Notwithstanding anything to the contrary set forth herein, no provision in this Agreement is or is intended to be construed as a condition of confidentiality within the meaning of Internal Revenue Code ("IRC") sections 6011, 6111, 6112 or the regulations thereunder, or under any similar or analogous provisions of the laws of a state or other jurisdiction. In particular, Town (and each employee, representative, or other agent of Town) may disclose to any and all persons, without limitation of any kind, the tax treatment and tax structure of any transaction within the scope of this engagement and all materials of any kind (including opinions and other tax analyses) that are provided to Town relating to such tax treatment and tax structure. Town also agrees to use commercially reasonable efforts to inform Consultant of any conditions of confidentiality imposed by third party advisors with respect to any transaction on which Consultant advice is requested. Such notification must occur prior to Consultant providing any advice with respect to the transaction.

17.4 Treasury regulations under IRC section 6011 require taxpayers to disclose to the Internal Revenue Service ("IRS") their participation in reportable transactions and IRC section 6707A imposes strict penalties for noncompliance. Town agrees to use commercially reasonable efforts to inform Consultant if Town is required to disclose any transaction covered by this Agreement as a reportable transaction to the IRS or to any state or other jurisdiction adopting similar or analogous provisions. IRC section 6111 requires a material advisor with respect to a reportable transaction to disclose information on the transaction to the IRS by a prescribed date, and IRC section 6112 requires the material advisor to maintain, and make available to the IRS upon request, a list of persons and other information with respect to the transaction. Consultant will use commercially reasonable efforts to inform Town if Consultant

provides Town's identifying information to the IRS under IRC section 6111 or 6112, or to any state or other jurisdiction adopting similar or analogous provisions.

17.5 Information relating to advice Consultant provides to Town including communications between Consultant and Town and material Consultant creates in the course of providing advice may be privileged and protected from disclosure to the IRS or other governmental authority in certain circumstances. As Consultant is not able to assert the privilege on Town's behalf with respect to any communications for which privilege has been waived, Town agrees to notify Consultant of any such waivers, whether resulting from communications with Consultant or third parties in the same or a related matter. Town also understands that privilege may not be available for communications with an audit client and that Consultant personnel providing audit and non-audit services will discuss matters that may affect the audit to the extent required by applicable professional standards. Town agrees that Consultant will not assert on Town's behalf any claim of privilege unless Town specifically instructs Consultant in writing to do so after discussing the specific request and the grounds on which such privilege claim would be made. Notwithstanding the foregoing, Town acknowledges that in no event will Consultant assert any claim of privilege that Consultant concludes, after exercising reasonable judgment, is not valid.

17.6 Unless expressly provided for, Consultant's services do not include representing Town in the event of a challenge by the IRS or other tax or revenue authorities.

17.7 Town acknowledges that in connection with any tax compliance services provided by Consultant under this Agreement, Consultant may utilize the services of affiliates and third party service providers within and without the United States to organize and input data, operate the software used to generate tax returns for Town or its personnel and perform other related tasks. Town hereby consents to Consultant's use of such affiliates and third party service providers and the disclosure to such affiliates and third party service providers and their use of tax return information, received from Town or its personnel for the purpose of preparing, assisting in preparing, or obtaining or providing services in connection with preparing, any tax return required under this Agreement.

17.8 In rendering tax advice, Consultant may consider, for example, the applicable provisions of the IRC of 1986, and the Employee Retirement Income Security Act of 1973, each as amended, and the relevant state and foreign statutes, the regulations thereunder, income tax treaties, and judicial and administrative interpretations, thereof. These authorities are subject to change, retroactively or prospectively, and any such changes could affect the validity of Consultant's advice.

18. PRIOR AGREEMENTS AND AMENDMENTS. This Agreement, including all exhibits attached hereto, represents the entire understanding of the parties as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may only be modified by a written amendment duly executed by the parties to this

Agreement. Any amendment relating to compensation for Consultant shall be for only a not-to-exceed sum.

19. DRAFTING. This Agreement shall be construed as if drafted by all Parties, and each party therefore waives the provisions of Civil Code section 1654.

20. SEVERABILITY. In the event that any of the provisions of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, or by subsequent preemptive legislation, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected thereby.

21. GOVERNING LAW AND VENUE. This Agreement shall be construed and governed in accordance with the laws of the State of California. The venue for all purposes shall be the County of San Mateo or the United States Federal District Court of California Northern District.

22. Electronic Communications. Consultant may communicate with the Town by electronic mail or otherwise transmit documents in electronic form during the term of this Agreement. The Town accepts the inherent risks of these forms of communication (including the security risks of interception of or unauthorized access to such communications, the risks of corruption of such communications and the risks of viruses or other harmful devices). The Town agrees that the final hardcopy version of a document, including a deliverable, or other written communication that Consultant transmits to the Town shall supersede any previous versions transmitted electronically by Consultant to the Town unless no such hard copy is transmitted.

23. Active Spreadsheets and Electronic Files. Consultant may use models, electronic files, and spreadsheets with embedded macros created by Consultant to assist Consultant in providing the services under the Agreement. If the Town requests a working copy of any such model, electronic file or spreadsheet, Consultant may, at its discretion, make such item available to the Town for the Town's internal use only and such item shall be considered a deliverable (subject to the requirements herein); provided that the Town is responsible for obtaining the right to use any third party products necessary to use or operate such item.

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

TOWN:

By: _____
Town Manager

CONSULTANT:

By:  

Its: Principal, KPMG LLP (US)

EIN 13-5565207

EXHIBIT A - DONATION OF FUNDS AGREEMENT**EXHIBIT A****(DONATION OF FUNDS AGREEMENT)**

Deutsch	English (courtesy translation)
SPENDENVEREINBARUNG	DONATION OF FUNDS AGREEMENT
zwischen der	between
Hasso Plattner Förderstiftung, gGmbH Max-Planck-Straße 8 D-69190 Walldorf Deutschland	Hasso Plattner Foerderstiftung, gGmbH Max-Planck-Straße 8 D-69190 Walldorf Deutschland
- nachfolgend auch als "HP Trust" bezeichnet -	- hereinafter referred to as "HP Trust" -
und	and
Town of Portola Valley 765 Portola Road Portola Valley, California, 94028 USA	Town of Portola Valley 765 Portola Road Portola Valley, California, 94028 USA
- nachfolgend auch als "Town" bezeichnet -	- hereinafter referred to as "Town" -
(1) HP Trust möchte den Neubau der Community Hall der Town of Portola Valley finanziell fördern. Aus diesem Grund spendet HP Trust eine Summe von USD 2.000.000. Diese Spende wird nach den Regeln und Bedingungen gewährt, die nachstehend aufgeführt sind.	(1) HP Trust intends to support the construction of the Town of Portola Valley's new Community Hall. Therefore, HP Trust donates an amount of USD 2,000,000. The funds will be granted according to the rules and conditions given below.
(2) Aufgrund des gemeinnützigen und wohltätigen Charakters von HP Trust gemäß deutschem Steuerrecht müssen diese Spendenmittel unter allen Umständen von der Town ausschließlich für gemeinnützige und steuerbegünstigte Zwecke nach deutschem Steuerrecht verwendet werden.	(2) Due to the charitable and non-profit-making character of HP Trust pursuant to German tax law, these funds necessarily have to be used by the Town exclusively for charitable and tax-privileged purposes pursuant to German tax law.
Die Spende ist ausschließlich für den Neubau der Community Hall zu verwenden.	The funds have to be used exclusively for the construction of the new Community Hall.
Damit ist auch die Community Hall selbst nach Fertigstellung ausschließlich für gemeinnützige und steuerbegünstigte Zwecke nach deutschem Steuerrecht zu nutzen, bspw. zur Förderung des Sports, des öffentlichen Gesundheitswesens, der Bildung und Erziehung, der Kunst und Kultur sowie der Jugendhilfe.	Therefore, upon completion the Community Hall itself has to be used exclusively for charitable and tax-privileged purposes pursuant to German tax law, e.g. for sports promotion, promotion of public health, education, arts, culture and youth aid.
Die Community Hall darf gelegentlich für öffentliche Feiern genutzt und für private gesellschaftliche Anlässe an Dritte vermietet werden, unter der Voraussetzung, dass	The Community Hall may be used from time to time for public festivities and may be let to third parties for private social gatherings, provided that
(a) die Nutzung der Community Hall zu diesen Zwecken nur gelegentlich und nur kurzzeitig erfolgt,	(a) the Community Hall is used for such purposes only occasionally and only for short periods of time,

- | | |
|---|--|
| <p>(b) die Community Hall zu diesem Zeitpunkt nicht für gemeinnützige Zwecke benötigt wird,</p> <p>(c) die Town über die durch diese Nutzung verursachten Betriebskosten hinaus ein angemessenes Entgelt für die Überlassung der Community Hall erhält und</p> <p>(d) die Town die Einnahmen hieraus ausschließlich zum Betrieb der Halle für gemeinnützige Zwecke verwendet.</p> | <p>(b) the Community Hall is not needed for charitable purposes at that time,</p> <p>(c) the Town receives a fair fee for letting the Community Hall exceeding the operating costs caused by the use and</p> <p>(d) the Town uses the proceeds exclusively in the context of running the Community Hall for charitable purposes.</p> |
|---|--|

Eine Verwendung der Spendenmittel oder eines Teils hiervon oder der Community Hall für kommerzielle Zwecke ist untersagt.

Using the funds or a part of them or using the Community Hall for commercial purposes is prohibited

(3) HP Trust wird die Spendenmittel in Abstimmung mit der Town auszahlen.

(3) HP Trust will pay out the funds in coordination with the Town.

Innerhalb einer vernünftigen Zeit nach Erhalt der Zahlung (spätestens vier Wochen nach Erhalt der Spendenmittel), ist die Town verpflichtet, HP Trust mit einer Empfangsquittung zu versehen, aus der der Tag des Empfangs der Zahlung sowie die Höhe der erhaltenen Mittel hervorgeht.

Within a reasonable period of time after the receipt of the payment (at the latest four weeks after the receipt of the funds), the Town is obliged to provide HP Trust with a notice of receipt indicating the day of the receipt of the payment as well as the amount of the funds received.

Die Town verpflichtet sich, die von HP Trust empfangenen Spendenmittel getrennt von ihrem übrigen Vermögen zu halten.

The Town shall keep the funds received by HP Trust separate from its other assets.

(4) Die mildtätige und steuerprivilegierte Verwendung der erhaltenen Mittel, der Community Hall und der Einnahmen aus der Vermietung (siehe Ziffer 2) muss durch einen international anerkannten Wirtschaftsprüfer (z.B. PricewaterhouseCoopers, Deloitte & Touche, KPMG, Ernst & Young) bestätigt werden. Diese Bestätigung soll regelmäßig (einmal pro Jahr) in Form eines schriftlichen Berichts ausgestellt und an die oben angegebene Postanschrift von HP Trust gerichtet werden.

(4) The charitable and tax-privileged use of the funds received, the use of the Community Hall and the use of the proceeds from letting the Community Hall (see number 2) has to be confirmed by an internationally recognized certified public accountant (e.g. PricewaterhouseCoopers, Deloitte & Touche, KPMG, Ernst & Young). This confirmation shall be issued continually (once a year) by means of a written report and sent to HP Trust's address above.

Die jährlichen Bestätigungen des Wirtschaftsprüfers werden durch halbjährliche Sachstandsberichte von der Town ergänzt und unterstützt.

The annual confirmation by the certified public accountant shall be accompanied and supported by a progress report from the Town every six months.

Die Town verpflichtet sich, jährlich eine Übersicht zu erstellen, aus der sich die tatsächliche Nutzung der Community Hall für

- (a) Vermietung für private gesellschaftliche Veranstaltungen,
- (b) öffentliche Feste und
- (c) gemeinnützige Zwecke gemäß dieser Spendenvereinbarung

sowie die für die Überlassung der Community Hall vereinnahmten Entgelte ergibt.

Diese Berichte sowie die Übersicht dienen als Nachweis für die ausschließliche Verwendung der Gelder sowie der Community Hall für gemeinnützige und steuerprivilegierte Zwecke gemäß diesem Vertrag.

Sofern Einrichtungen, Materialien oder andere Vermögensgegenstände angeschafft werden, die eine Nutzungsdauer von mehr als einem Jahr haben (z.B. Gebäude, Einrichtungsgegenstände, Sportgeräte oder Ähnliches), ist so lange zu berichten, bis es unwirtschaftlich wird, diese Vermögensgegenstände weiterzuverwenden oder deren Nutzungsdauer abgelaufen ist bzw. die Vermögensgegenstände aus irgendeinem anderen Grund vollständig abgeschrieben sind. Die Berichtspflicht besteht längstens für 20 Jahre. Sofern diese Vermögensgegenstände veräußert werden, darf der Veräußerungserlös nur für gemeinnützige Zwecke, wie oben beschrieben, verwendet werden.

(5) Darüber hinaus soll die Town alle Informationen verfügbar machen, die vernünftigerweise notwendig werden können, um die Verwendung der Mittel und die Nutzung der Community Hall zu beweisen und zu belegen. Sofern die deutschen Steuerbehörden weitere Informationen benötigen, wird die Town auch das Äußerstmögliche tun, um auf Anforderung von HP Trust diesem die entsprechenden Informationen zugänglich zu machen.

The Town shall once a year issue a schedule stating the actual use of the Community Hall for

- (a) letting for private social gatherings,
- (b) public festivities and
- (c) charitable purposes according to this Donation of Funds Agreement

as well as the fees received for letting the Community Hall.

The reports serve as proof for the exclusive use of the money and the Community Hall for charitable and tax-privileged purposes in accordance with this agreement.

If facilities, materials or other assets are acquired which have a useful economic life of more than one year (e.g. buildings, fitments, sports equipment or other), the reporting is owed until it becomes uneconomic to operate these assets or the useful economic life of such assets has ended and for any of these reasons the assets are written off. The reporting is owed for a period limited to 20 years at the most. If these assets are sold, the proceeds from their disposal may not be used for other than charitable ones as described above.

(5) Moreover, the Town shall make available all information reasonably necessary to prove and to demonstrate the use of the funds and the Community Hall. If the German tax authorities need further information, the Town, upon request by HP Trust, will do their utmost to obtain and to provide this information.

(6) Sollte die Town nicht in der Lage sein, die Verwendung der Mittel wie in Ziffern 3, 4 und 5 näher beschrieben, nachzuweisen, z.B. dadurch, dass die notwendigen Bestätigungen des Wirtschaftsprüfers sowie die Übersicht über die Nutzung der Community Hall gar nicht oder nicht in akzeptabler Zeit (spätestens acht Wochen nach dem Ende des Kalenderjahres) abgeliefert werden, ist HP Trust berechtigt, die Mittel nach eigenem Ermessen zurückzuverlangen und die Town ist verpflichtet, alle gemäß Ziffer 1 erhaltenen Mittel sofort zurückzuerstatten.

(6) Should the Town fail to verify the use of the funds as specified in number 3, 4 and 5, e.g. by not delivering the certificate of the certified public accountant and the schedule concerning the use of the Community Hall at all or by not delivering it within reasonable time (at the latest eight weeks after the end of the calendar year), HP Trust will be entitled by its own discretion to reclaim the funds and the Town will be obliged to refund all of the moneys donated according to number 1 immediately.

Die Town garantiert, dass die Mittel sowie die Community Hall ausschließlich für gemeinnützige Zwecke verwendet und genutzt werden.

The Town warrants that the funds and the Community Hall will not be used for other than charitable purposes.

(7) Diese Vereinbarung soll ausschließlich dem Recht der Bundesrepublik Deutschland und deutscher Gerichtsbarkeit mit der nicht ausschließenden Zuständigkeit des Gerichtsstands Heidelberg/Deutschland unterliegen. Nur die deutsche Fassung dieses Vertrages ist gültig.

(7) This agreement shall solely be construed, interpreted and applied in accordance with, and shall be governed by, the laws of the Federal Republic of Germany. The parties hereto submit to the German jurisdiction with the non-exclusive competence of the courts of Heidelberg/Germany. Only the German version of this agreement is valid.

May 21, 2007

(Datum, date)

Hasso Plattner

Hasso Plattner Förderstiftung, gGmbH

(Datum, date)

Town of Portola Valley

EXHIBIT B - SERVICES TO BE PERFORMED

Evaluation of Charitable Use

Consultant will assist the Town with reporting annually on the usage of the facilities for charitable purposes according to German tax law as set out in the Donation of Funds Agreement. The foregoing notwithstanding, neither Consultant nor its professionals will provide the Town with legal advice or otherwise engage in the unauthorized practice of law. Consultant will issue a report to the Town on the charitable use of the Town Hall.

The Foundation donated funds to the Town for the construction of a Town Hall pursuant to the Donation of Funds Agreement dated May 21 2007. Due to the charitable nature of the grant, upon completion of the Town Hall construction, the Town Hall was to be used exclusively for charitable and tax-privileged purposes pursuant to German tax laws, e.g. for sports promotion, promotion of public health, education, arts, culture and youth aid.

As part of the agreement between the Foundation and the Town of Portola Valley, the charitable and tax-privileged use of the funds received from the Foundation, the use of the Town Hall and the use of proceeds from renting the Town Hall has to be confirmed by an internationally recognized certified public accounting firm. This confirmation is to be issued continually (once a year) by means of a written reports and sent to the Foundation. Additionally, the annual confirmation by the certified public accountant shall be accompanied and supported by a progress report from the Town of Portola Valley every six months.

Consultant has since 2007 has performed the verification of the charitable and tax-privileged use of the funds received for construction of the Town Hall, the charitable use of the Town Hall and the use of proceeds from renting out the Town Hall. Consultant and the Town of Portola Valley signed a five year contract which expired in 2011. In 2007 and 2008, Consultant reviewed the expenditures made by the Town of Portola Valley for the construction of the Town Hall. Upon completion of the Town Hall, Consultant from 2009 reviewed and reported on the charitable use of the Town Hall and proceeds for the use of the Town Hall. In 2012, the Consultant's contract was extended for a six month period to cover an 18 month review for the period 1 January 2011 to 31 October 2012.

International Development Assistance Services service offering

The specific services requested by the Town may be the subject of such services, timing and resource requirements (including any required third party service providers), and associated fees will be agreed to by the Town and Consultant on project by project basis in writing.

Grant Making Process Design

Consultant will provide the following services to assist the Town to be consistent with tax law requirements:

Reports and Post-Funding (Grant Expenditure) Inquiry

- Assist in gathering financial information for inclusion in: (1) the Town’s reports on the use of grant funds, and/or (2) the Town’s reports on the use of the principal and income from capital endowment grants to be submitted to the Town. As part of this review, Consultant will assist the Town of Portola Valley with reporting annually on the usage of the facilities for charitable purposes according to German tax law as set out in the Donation of Funds Agreement.
- Assist the Town in reviewing compliance with the terms of the grant, and progress made toward achieving the purposes of the grant, including:
 - Assistance in obtaining documentation from the Town intended to demonstrate that grant expenditures were spent according to the approved proposal and as claimed. In this regard, Consultant will request the Town to provide documentation that demonstrates that expenditures were incurred for charitable purposes in accordance with the terms of the Donation of Funds Agreement with the Foundation. Consultant will also request the Town to provide documentation (e.g., receipts, purchase orders, sales receipts, salary records, tax reports, and so forth) which demonstrates that claimed expenditures were actually made.
 - Results of Consultant’s assistance concerning the post-funding (grant expenditure) inquiry will be provided to the Town in a written report for their evaluation.

Consultant’s elevated standards or Circular 230 noted below is applicable to this Agreement:

- Consultant does not anticipate that the written tax advice provided under this Agreement will be a Covered Opinion as defined in §10.35 of Circular 230 (“Covered Opinion”). Therefore, all the written tax advice provided under this Agreement will contain the following legend:

ANY TAX ADVICE IN THIS COMMUNICATION IS NOT INTENDED OR WRITTEN BY KPMG TO BE USED, AND CANNOT BE USED, BY A CLIENT OR ANY OTHER PERSON OR ENTITY FOR THE PURPOSE OF (i) AVOIDING PENALTIES THAT MAY BE IMPOSED ON ANY TAXPAYER OR (ii) PROMOTING, MARKETING OR RECOMMENDING TO ANOTHER PARTY ANY MATTERS ADDRESSED HEREIN.

- Consultant will not render any advice with respect to a federal or state “listed transaction” or any transaction that is substantially similar to a federal or state “listed transaction.”

- Although this Agreement does not include the preparation of tax returns, it must be noted that Consultant applies elevated standards in preparing tax returns. Under these standards, Consultant must be able to determine that a return position is at least “more likely than not” to be upheld (i.e., has a greater than 50% likelihood of success if challenged by the taxing authorities). If a return position relates to a transaction that is a “principal purpose transaction” or a transaction that the IRS or a state tax authority has identified as a “listed transaction,” Consultant must arrive at a “should” confidence level (i.e., approximately a 70% or greater likelihood of success if challenged by the taxing authorities) with respect to the position. In determining whether a return position meets the appropriate standard, Consultant will not take into account the possibility that a tax return will not be audited, that an issue will not be raised on audit, or that an issue will be settled. Consultant will inform the Town as soon as possible if, during Consultant’s preparation, Consultant determines circumstances exist that prevents Consultant from completing the tax return under these standards. Consultant will not render any advice with respect to a federal or state “listed transaction” or any transaction that is substantially similar to a federal or state “listed transaction.”

EXHIBIT C - ESTIMATED FEES**Total Fee over five years¹****\$76,221**

Project expenses, such as mileage, courier and administration will be in addition to the above estimated total fees and charged at cost not exceeding US\$ 200 each year.

Year of Evaluation	Description of Services	Amount (US\$)
2013	Charitable use assessment	13,794
2014	Charitable use assessment	14,484
2015	Charitable use assessment	15,208
2016	Charitable use assessment	15,968
2017	Charitable use assessment	16,767
Total		76,221

¹ 2012 fees of US\$ 13,380 have been adjusted by two to five percent for inflation and other economic factors.

EXHIBIT D - INSURANCE REQUIREMENTS

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

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

1.1 Insurance Services Office Form No. CG 0001 covering General Liability and Commercial General Liability on an "occurrence" basis.

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

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

1.4 Errors and Omissions Liability Insurance appropriate to the Consultant's profession.

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

2.1 Comprehensive General Liability. (Including products-completed operations, personal & advertising injury) One Million Dollars (\$1,000,000) combined single limit per claim and Two Million Dollars (\$2,000,000) in the aggregate for bodily injury, personal injury and property damage. If Commercial General Liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

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

2.3 Workers' Compensation and Employers Liability. Workers' compensation limits as required by the Labor Code of the State of California. One Million Dollars (\$1,000,000) per accident for bodily injury and property damage.

2.4 Errors and Omissions Liability. Two Million Dollars (\$2,000,000) per Claim.

3. OTHER INSURANCE PROVISIONS.

3.1 General Liability Coverage. The General Liability insurance policy required pursuant to Sections 1.1 and 1.2 shall contain or be endorsed contain the following provisions:

3.1.1 The Town, its officials, employees, agents, contractors and volunteers are covered as additional insureds with respect to liability arising out of work or operations performed by, or on behalf of, the Consultant including materials, parts or equipment furnished in connection with such work or operations, and products and completed operations of the Consultant on premises owned, leased or used by the Consultant. The coverage shall contain no special limitations on the scope of protection afforded to the Town, its officials, employees, agents and contractors.

3.1.2 The Consultant's insurance coverage is the primary insurance as respects the Town, its officials, employees, agents, contractors, and volunteers. Any insurance or self-insurance maintained by the Town, its officials, employees, agents, contractors, and volunteers shall be excess of the Consultant's insurance and shall not contribute with it. This applies only if KPMG solely caused the loss.

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

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

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

3.2 Worker's Compensation Insurance. The Worker's Compensation Policy required pursuant to Section 1.3 shall contain or be endorsed to contain the provision set forth in subsection 4.1.4 above.

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

**A.M Best
Ratings by
Carrier**

<u>Carrier</u>	<u>Coverage</u>	<u>Rating</u>
The Hartford	General, Workers Compensation & Auto Liability	A
North American Capacity Insurance Company	Professional (error & omissions)	A+

3.3 Claims Made Policies. If any of the required policies provide claims-made coverage, the Town requires that coverage be maintained by Consultant for a period of 5 years after completion of the contract.

4. VERIFICATION OF COVERAGE. Consultant shall furnish the Town with original certificates, amendatory endorsements, effecting coverage required by this clause. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the Town before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive consultant's obligation to provide them.

Proof of insurance shall be mailed to the following address:

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

5. SUBCONTRACTORS. Consultant shall include all subcontractors as insured under its policies or shall obtain separate certificates and endorsements for each subcontractor. No subcontractors are anticipated under this Agreement.



cutting through complexity

Proposal to serve

Town of Portola Valley

Evaluation of the

Charitable Use of the Town Hall

18 January 2013

kpmg.com

18 January 2013

Stacie Nerdahl
Acting Administrative Services Director
Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028

Dear Stacie:

On behalf of KPMG LLP (KPMG), I am delighted to present our proposal to the Town of Portola Valley for analysis of the charitable use of Portola Valley's Town Hall.

KPMG's International Development Assistance Services (IDAS) is passionately dedicated to helping our clients achieve reporting and other statutory requirements.

We are genuinely excited about this opportunity to continue supporting the Town's efforts for the review of the Charitable use of the Town Hall. We believe that our previous experience working with your team will allow us to play a vital role in helping you meet your objectives.

We look forward to continuing to build upon our relationship with you to give you the high performance standards that you expect.



Very truly yours,

KPMG LLP

Mark Fitzgerald
International Development Assistance Services (IDAS), Principal

Our Approach

Background

The Town of Portola Valley began a Town Center Improvement Project in April 2007, which included the construction of a new Community Hall, Town Hall and library. The Town Center was built to provide a base for numerous resident activities, including a variety of children's and adult classes, a County library, athletic fields, rental facilities, and community events.

The Hasso Plattner Foundation, located in Germany, made a grant to the Town of Portola Valley with a Grant Agreement dated May 21 2007 in the amount of US\$ 2,000,000, payable during the first year of the grant. The Grantee expended the full amount of the grant by 31 December 2008 in accordance with the Grant Agreement.

Under the terms of the Grant Agreement, the Grantee was to meet certain requirements to verify that the grant was properly used exclusively for "charitable and tax-privileged purposes" consistent with German tax law applicable to the Hasso Plattner Foundation.

As part of the agreement, the continued charitable use of the Hall is to be confirmed by an internationally recognized certified public accounting firm. This confirmation is to be issued continually (once a year) by means of a written reports and sent to the Foundation. This is the service KPMG is proposing to continue performing for the Town of Portola Valley to be in compliance with its agreement with the Hasso Plattner Foundation.

Statement of Work

In the case of the Town of Portola Valley, KPMG will continue assisting the Town with reporting annually to the Hasso Plattner Foundation on the usage of the facilities for charitable purposes according to German tax law. The stipulation of this reporting process was set out in the *Donation of Funds Agreement* signed prior to receipt of the grant by the Town. KPMG has had the honor of performing the verification of the charitable use of the Town Hall and the use of proceeds from renting out the Town Hall, since 2007. In 2007 and 2008, KPMG evaluated the expenditures made by the Town of Portola Valley for the construction of the Town Hall.

Upon completion of the Town Hall in 2008, KPMG evaluated and reported on the charitable use of the Town Hall and proceeds for the use of the Town Hall up until January 2011. KPMG's five year contract with the Town of Portola Valley expired in 2011. KPMG hopes to renegotiate a new contract for the five year period beginning 2013 and ending 2017.

Our Approach

KPMG has conducted an extensive number of grant evaluations for US and international not-for-profits. We are able to work efficiently and effectively as we have tools and standard approaches that are customized to meet specific client needs and requirements. KPMG has a long history conducting Grant Expenditure Evaluations (GEEs), a tool used to evaluate the charitable nature of an activity, for clients. GEEs can be conducted after all, or part, of the funds has been expended as a means of ensuring funds have been used for their intended charitable purposes. In addition to the identification of potential diverted funds, the process may also include a detailed analysis of budget versus actual expenditures and observations and recommendations to help improve the grantee's overall governance, financial management, and administration of the grant. During the grant period, we can also help identify key issues for the grant recipient to address before receiving additional grant payments. Additionally, a GEE can assist the client in ensuring that it is fulfilling certain country-specific tax law requirements – in this case, German tax law requirements.

KPMG works with our member firms, such as in this case, the KPMG Germany team to incorporate specific issues of charitable status relevant to German tax law, including definitions of charitable activity and the use of specific tax technical language.

Project timeline

KPMG is eager to begin this project at the direction of the Town of Portola Valley. We understand that the Town is required to send another report to the Foundation after the end of the 2013 fiscal year. This may mean a project start date of **July 2013**, with a five year commitment.

Underlying assumptions:

- On-site grant evaluation is usually staffed by one or more individuals (a Manager/Senior Associate and an Associate)
- On-site visit typically lasts 1 full (8-hour) day, with additional clarification and questions elicited by phone or email after the visit.

We remain flexible to respond in a timely and efficient manner to the pace established by the Town.

Estimated Fees

KPMG's estimated fees (per year and total) are provided below. The fees have been developed based on the 2012 fees of \$13,380.00 adjusted annually by two to five percent over the years for inflation and other economic factors.

Additional project expenses, such as mileage, courier and administration will be assessed in addition to the below estimated total fees and charged at cost not exceeding US\$ 200 each year.

Year of Evaluation	Description of Services	Amount (US\$)
2013	Charitable use assessment	13,794
2014	Charitable use assessment	14,484
2015	Charitable use assessment	15,208
2016	Charitable use assessment	15,968
2017	Charitable use assessment	16,767
Total		76,221

KPMG has in the past given the Town a 30 to 40 percent discount on KPMG's standard hourly rates. We anticipate continuing with this practice.

Name	Level	FY 2013 Rate	Discounted Rate
Mark Fitzgerald	Principal	\$926	\$676
Monica Opoku	Manager	\$658	\$481
Claire Hermann	Associate	\$390	\$285

Your Team

KPMG demonstrates our commitment to the Town of Portola Valley through the strength of the engagement team we have selected to serve you. We have assembled a team with extensive experience serving you in prior years as well as serving similar organizations that possess the technical skill to conduct thorough grant evaluations and make robust recommendations for capacity building of grantees.

The Town can depend on KPMG for highly qualified professionals who know your challenges, have the skills to address your needs, and are committed to open and honest communication.

Your team's qualifications are summarized in the following biographies. **Team resumes can be found in Appendix A.**

Commitment to Diversity

KPMG considers diversity and inclusion to be critical to our firm's success. Diversity and inclusion are critical components of our larger corporate responsibility strategy and KPMG believes in leveraging, valuing, and encouraging diversity of thought, perspective, and approach. KPMG does this through awareness activities, recruitment and retention efforts, career development support, and supplier diversity. We feel that our record on diversity is strong and among other accolades KPMG was listed in DiversityInc's "Top 50 Companies for Diversity" for four consecutive years and was ranked #2 on Diversity Edge's "Best Companies for Diverse Graduates". KPMG has also been recognized by Working Mother magazine as one of its Best Companies for Multicultural Women and in 2011 the Asia Society recognized KPMG with its top award for 2011, the Overall Best Employer for Asian Pacific Americans. We feel this recognition shows that our firm's commitment to a diverse and inclusive environment is on the right track. Additionally, Timothy A. A. Stiles, the lead partner on the proposed engagement, is a member of the KPMG US Diversity Advisory Board and a member of the KPMG US Corporate Responsibility Committee.

Commitment to quality

It is our goal to deliver the highest quality services and build long-term relationships with those we serve. With this in mind, our management sets rigorous standards of excellence, as well as firm wide procedures and techniques, to help ensure that quality is an ongoing process at KPMG. We are proud of our leadership in pioneering quality standards for our profession. It is our commitment to deliver on our promise of quality in the following ways:

Right Experience

- Demonstrated commitment to the philanthropic and development sector, and serving all types of grant makers.
- Experience providing professional services to organizations seeking continual improvement and learning from experiences
- Experience providing services to your organization and a commitment to our ongoing relationship

Right Approach

- Structured approach to gathering information about the Foundation and leveraging knowledge of the philanthropy sector
- Built-in flexibility and open and ongoing approach to communication throughout the project
- Collaborative project environment to engage key stakeholders

Right Team

- Multi-disciplined experienced team with audit, tax and advisory backgrounds
- Extensive network of domestic and international expertise
- Access to a committed team with global resource support

Right Values

- Core value of KPMG to serve our communities
- Commitment to client service, satisfaction, and quality
- Support values of integrity, transparency, accountability, diversity and responsibility in our work

Approach to communication

One of KPMG's core values is to have open and honest communication with our clients. The entire team thrives in an open environment, and we firmly believe this is the best way to identify issues, develop strategy, and provide value. Our team understands the importance of responsiveness and timeliness as it relates to significant deliverables, and with the simple things, like returning a phone call. Responsiveness and timeliness are values that underpin our work. Moreover, our quality control processes include requirements for timely communication of KPMG activity including status, reporting, and planning. We will meet with the Foundation at the beginning of this engagement to confirm the preferred method of communicating with all relevant parties. "Surprises" are rarely good. Therefore, our communication is clear, timely and complete. At KPMG, our goal is to understand and exceed your service expectations. We define success in one way: our ability to help you succeed.

KPMG International Development Assistance Services (IDAS)

Grant making that facilitates sustainable, long-term impact is a challenge and presents risks. These risks—broadly programmatic, financial, and reputational—can impact an organization’s strategic, operational and grant cycle objectives. Managing and mitigating these types of risks is crucial to funding success.

KPMG’s International Development Assistance Services (IDAS) has assisted organizations with their charitable activities across more than 145 countries on six continents, including monitoring, assessing, and evaluating more than 4,000 grants and projects with a value in excess of US \$6 billion.

KPMG and its International Development Assistance Services (IDAS) helps organizations like the Town of Portola Valley meet reporting requirements of their donors. KPMG’s IDAS includes a team of more than 40 professionals in the United States (plus more than 400 employees in more than 145 countries worldwide) who provides compliance, evaluation, facilitation, monitoring, and governance services to organizations with their charitable activities. We are deeply committed to bringing positive impact and change around the globe through the organizations we support.

With experience serving some of the world’s leading philanthropic thinkers and institutions, IDAS understands the importance of helping organizations meet their wide-ranging and layered objectives, including the Town of Portola Valley.

An illustrative list of organizations we have or currently support includes:

Clients we serve

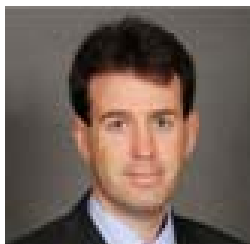
- American Burn Association
- Arcus Foundation
- Bill & Melinda Gates Foundation
- Carnegie Corporation of New York
- David & Lucille Packard Foundation
- DePaul University
- Ford Foundation
- Global Fund to Fight AIDS, Tuberculosis & Malaria
- Gordon and Betty Moore Foundation
- William and Flora Hewlett Foundation
- Home Depot Foundation
- John & James Knight Foundation
- John D & Catherine T. Macarthur Foundation
- MasterCard Foundation
- Millennium Promise
- Pfizer Foundation, Inc
- Robert Wood Johnson Foundation
- Rockefeller Foundation
- Susan G Komen for the Cure
- Salesforce.com
- Tupperware Fund
- United Nations
- Wikimedia Foundation
- Wildlife Conservation Society
- World Council of Credit Unions.

KPMG LLP

KPMG LLP, the U.S. audit, tax and advisory services firm, operates from 87 offices with more than 23,000 employees and partners throughout the U.S. Our purpose is to turn knowledge into value for the benefit of our clients, our people, and the capital markets.

KPMG appreciates being considered for this important engagement, and we assure you that we will exert every effort to provide the Town with the finest professional effort and services available on a timely basis.

Appendix A – Résumés



MARK FITZGERALD

Principal

KPMG LLP
1676 International Drive
McLean, VA 22102

Tel 703-286-6577
Fax 703-991-0744
Cell 732-586-6577
markfitzgerald@kpmg.com

Function and Specialization

Responsible for delivery of services to international organizations and donors involved in development programs. He leads the Firm's support to such entities based in the U.S.

Representative Clients

- USAID
- Millennium Challenge Corporation
- United Nations entities
- Global Fund to Fight AIDS, Tuberculosis and Malaria
- Bill & Melinda Gates Foundation
- Packard Foundation
- Department for International Development
- NORAD
- DANIDA
- European Commission
- World Bank

Professional Associations

- Chartered Accountants in Ireland
- Institute of Internal Auditors
- International Consortium of Government Financial Managers

Languages

English

Education, Licenses & Certifications

- FCA

Background

Mark Fitzgerald is a Principal in KPMG's International Development Services, based in the Washington, DC office. He has over 20 years relevant experience, is a Fellow of the Institute of Chartered Accountants Ireland, and is a member of the Institute of Internal Auditors. Prior to recently joining KPMG, Mark was the Director of Internal Audit and Investigations for the United Nations Office for Project Services (UNOPS). While there, Mark was responsible for establishing the oversight function from concept to a fully functioning and credible unit. This included adherence with internationally accepted internal auditing standards and international investigation guidelines. Communications with multiple internal and external stakeholders was a key element of Mark's responsibilities, including the UNDP/UNFPA Executive Board, other UN entities, international donors, host government officials and beneficiary groupings. Mark has a strong oversight and assurance background, with a specific emphasis on systems reviews and management control issues. He has specific oversight experience within a wide variety of environments including international development organizations, not for profit entities, public sector entities, and large, medium and smaller private sector entities.

Professional and Industry Experience

Mark has over thirteen years experience providing services to international organizations involved with development. His clients have included the World Bank, various United Nations entities, the European Commission, and bi-lateral donors such as DfID, DANIDA and USAID.

Mark also has experience serving not-for-profit organizations. He has assisted organizations in making grants and funding projects for a variety of charitable purposes in over 70 countries, with combined funding of over \$800 million. In addition, he has experience on special projects involving:

- Grant and development program design;
- Project audits;
- Performance auditing;
- Proactive initiative to tackle fraud and corruption;
- Specialized investigative tasks for an international organization in a development environment;
- Expenditure responsibility and charitable affidavit requirements;
- Program-related Investments;
- Functionality-related business considerations; and
- Analysis on program effectiveness.

Mark is responsible for KPMG's International Development Services (IDS) practice serving institutional donors in the development sector. For clients Mark is responsible for providing specialist advice for a mix of U.S. based private foundation, international development organizations, and public charities.

Previously Mark was responsible for the internal audit and investigation functions for this UN entity globally. This included its establishment from a greenfield site. The audit universe amounting to US \$1.2 billion per annum, with audit entities operating in 110 countries.

He has provided project management support to the majority of contracts in a Public Sector Services and Utilities portfolio, including contracts with USAID, the World Bank and DFID. Mark has managed participation in several Indefinite Quantity Contracts (IQCs) funded by USAID.

Other indicative experience includes:

Small Grants Program – Global

The Global Environment Facility (GEF) Small Grants Program was created in 1992 and is implemented by UNDP and executed by UNOPS. The Program, which is now in Operational Phase 4 (2007-2010), supports projects that link to the GEF focal areas of land, biodiversity conservation, mitigation of climate change and the protection of international waters. Mark was the main architect and engagement lead that managed the oversight coverage of SGP implementation in 108 countries. He was responsible for providing quality control on the risk assessment and the units selected for audit, the audit work programmed and the audit reports. The scope of the audit covered both compliance and management (functional) issues relating to the governance process, grants management process, finance, human resources, procurement and asset management. The process was designed to provide an assurance to management that the key financial and operational controls were functioning as envisaged and bring to the attention of stakeholders any management or systemic issues relating to the control environment for macro-level decision-making so as to strengthen the control structure of the Small Grants Program.

Global Fund to fight AIDS, Tuberculosis and Malaria

Mark has led several oversight assessments on behalf of the Global Fund, including audits focused on procurement activities and use of funds by sub-recipient grantees.

Government of Guatemala and the Millennium Challenge Corporation, El Salvador/USA – Procurement Assessment Services

Mark was the Project Manager for an assignment for MCC to perform a thorough but timely assessment of the procurement systems proposed by the Government of El Salvador to manage the MCC grant program. He was responsible for designing a detailed procurement assessment framework that included the areas of operational management, legal compliance and human resource capacity.

Ireland Aid – Program for Promotion of Community based Urban Services

PoCMUS was a project aimed at strengthening the democratic structures; improve community services and community management and financing of the delivery of these services. I provided assistance in the following areas: Review of existing reporting procedures and confirming the reliability of the documented systems, including financial, procurement and implementation systems; Identifying weaknesses in the system and making appropriate recommendations for improvement; Preparation of reports on a timely and regular basis; and supporting the management team of the project, by working with the project staff and facilitating skills transfer and developing capacity.

Basic Education Sub-sector Investment Program (BESSIP) Zambia – Forensic Audit

Mark was the Project Manager for a forensic audit of BESSIP. The audit was conducted in adherence to Danish and EU procurement guidelines.

Ministry of Local Government and Housing – Urban Restructuring and Water Supply Project (URWSP) financial management support

Mark lead a team who were engaged to first audit implementing partners, with a view to reorganizing the accounting and financial management function, including its procurement mechanisms, to ensure that both URWSP comply with World Bank criteria.

Fund Manager of DFID Challenge Funds

Mark supported the Fund Managers for two DFID fund initiatives, the Financial Deepening Challenge Fund and the Business Linkages Challenge Fund, throughout Africa. Mark was a Country Consultant that managed both funds, which has

resources amounting to STG £30 million. Responsibilities included general management, development of tangible and competitive concepts, marketing and promotion, contract negotiations with successful applicants and project management, including auditing, of implemented plans.



MONICA OPOKU

Manager

KPMG LLP
55 Second Street Suite 1400
San Francisco, CA 94105

Tel 415-963-7874
Fax 415-358-9922
Cell 415-205-3440
mopoku1@kpmg.com

Function and Specialization

Tax – Review and Evaluations of Grantees for Private Foundations and Public Charities particularly internal controls, business practices and proper registration for Tax compliance purposes

Audit – Assist in the audit of financial statements for not- for- profit entities, consumer markets and ICE and banks and financial institutions.

Areas of most interest are review, evaluation and monitoring of grantees for Private Foundations and Public Charities.

Representative Clients

- Carnegie Corporation of New York
- Global Fund to Fight AIDS, Tuberculosis and Malaria
- Bill & Melinda Gates Foundation
- Ford Foundation
- John S. and James L. Knight Foundation
- MacArthur Foundation
- Home Depot Foundation
- The David and Lucile Packard Foundation
- Town of Portola Valley
- Guinness Ghana Limited
- Nigerian Breweries Limited
- Sight Savers Internationals, Ghana

Professional Associations

- Member - Association of Chartered Certified Accountants (ACCA), United Kingdom
- American Institute of Certified Public Accountants (AICPA)

Background

Monica Opoku is a Manager in KPMG's International Development Assistance Services and has worked with KPMG Ghana and Nigeria in the Audit Practice. She is located in the firm's San Francisco office.

Professional and Industry Experience

Ms. Opoku has over nine years experience providing services to for profit and tax-exempt organizations both in the United States and internationally. Her clients have included financial institutions, social service organizations, institutions of higher education, governmental entities, museums, foundations, and other organizations with local, national, and multi-national operations. Currently, she focuses exclusively on serving not-for-profit organizations, and particularly family foundations, corporate foundations, and other private foundations. Her experience includes advising private foundation clients on a variety of issues, including domestic and international granting, program related investments, excise and unrelated business income taxes, and other related foundation issues. In addition, she has experience on special projects involving:

- Grant Program Design
- Program-related Investments
- Unrelated business income tax analysis
- Tax consultations and other considerations of foreign operations
- Analysis of grant effectiveness and risk management
- Jeopardy investments, self-dealing, and excess business holdings

Prior to joining IDAS in 2007, Ms. Opoku was the Senior Associate in the audit practice of KPMG in both Ghana and Nigeria. Key roles and responsibilities include:

KPMG LLP San Francisco, CA

Manager - International Development Assistance Services, July 2009 – Present

- Review reports evaluating grantees for potential grants from Private Foundations and Public Charities
- Review reports relating to grantee progress after grant award
- Review work of senior associates and associates
- Assist partners and directors in budgeting for client work
- Managing client relations

KPMG LLP San Francisco, CA

Senior Associate - International Development Assistance Services, (Global Mobility) June 2007 – June 2009

- Prepare and review reports evaluating grantees for potential grants from Private Foundations and Public Charities
- Prepare and review reports relating to grantee progress after grant award
- Review work of associates
- Assist managers in budgeting for client work
- Coordinating daily correspondences between in-country offices and grantees

Languages

English - Proficient
 Twi - Proficient
 French - Basic

Education, Licenses & Certifications

- Bachelor of Science - Agricultural Economics, First Class Honors
- Association of Chartered Certified Accountants (ACCA)
- American Institute of Certified Public Accountants (AICPA) – California

KPMG Professional Services Lagos, Nigeria

Audit Senior - Consumer Markets and ICE, (Short-term Rotation) October 2006 – May 2007

- Led audit of the financial statements focusing on KPMG Audit Methodology (KAM) documentation
- Reviewed and evaluated of Principal Recipients' ability to receive and manage grant funds
- Prepared, coordinated and conducted training workshops for grantees in four universities across West Africa
- Supervised and evaluated work of Audit Associates working on same team

KPMG Ghana Accra, Ghana

Audit Senior Associate, June 2003 – 30 September 2006

- Led audit of the financial statements for various clients
- Directly reported engagement progress and issues to managers and partners
- Applied MUS and CAAT to audit of financial statements
- Managed teams in the audit of donor funds provided for various research and non-research work
- Prepared, coordinated and conducted training workshops for grantees in four universities across West Africa
- Supervised and evaluated work of Audit Associates working on same team

University Of Ghana/National Service Secretariat Accra, Ghana

National Service Person, Teaching and Research Assistant, 2002 – June 2003

- Aided lecturers in tutoring Agricultural Economics classes
- Prepared and administered tutorials to second-year Agricultural Economics students
- Assisted in research for lecturer's publications

Other Activities

- Tax Aid –Coach and Volunteer, 2008 – Present
- Summer Search - Volunteer, 2009



CLAIRE HERMANN

Associate

KPMG LLP
55 Second St.
Suite 1400
San Francisco, CA 94105

Tel 415-963-7456
Fax 415-707-2056
ckhermann@kpmg.com

Function and Specialization

Claire is a member of the International Development Assistance Service, and assists in domestic and international grant-making, organizational assessments, finance and accounting, and internal controls.

Representative Clients

- Millennium Promise Alliance, Inc.
- The David and Lucile Packard Foundation
- The Global Fund to Fight AIDS, Tuberculosis and Malaria
- John S. and James L. Knight Foundation
- Pioneer Hi-Bred Foundation
- Ford Foundation
- KPMG LLP

Languages

English, Spanish

Education, Licenses & Certifications

- M.P.P. – University of Southern California (2012)
- B.A. in Global Studies – University of California, Los Angeles (2008)

Background

Claire is an Associate in KPMG’s International Development Assistance Services. Her current role is to perform pre-grant evaluations, grant expenditure evaluations, and a variety of consulting services for large Foundations, Non-profits, and Multinational Aid Organizations. Claire provides monitoring and verification of grant progress, and advises clients on the development of their organizational and operational strategies in domestic and international grant making programs.

Prior to joining KPMG, Claire earned an MPP with a focus on International Policy from the University of Southern California.

Professional and Industry Experience

With KPMG’s International Development Assistance Services, Claire helps to advise private foundations and other grant-makers in domestic and international grant-making, primarily with assessments of grantees’ organizational structure, financial systems, governance, and programmatic capacity. Currently Claire specializes in pre-grant and grant monitoring services, including due diligence, grant expenditure evaluations, charitable tax analysis, and compliance with international regulations. She also helps corporate clients with the assessment and strategic development of their corporate responsibility and employee volunteerism programs.

Some examples of her experience are:

- Evaluation of programmatic and financial performance against target outcomes;
- Coordination of program and financial evaluations of grantees in developing countries;
- Review of grant and program expenditures and activities for compliance with the grant agreement, including evaluation of Program-related Investments (PRIs);
- Provision of strategic and tax compliance advice for organizations operating or establishing foreign offices or branches;
- Coordinated with KPMG’s member firms to identify and mitigate registration and regulatory compliance risks for international non-profit organizations.

Technical Skills

Microsoft Office Suite, Adobe Creative Suite, Geographic Information Systems (GIS), SAS (statistical software)

Deutsch

English (courtesy translation)

SPENDENVEREINBARUNG**DONATION OF FUNDS AGREEMENT**

zwischen der

between

Hasso Plattner Förderstiftung, gGmbH
Max-Planck-Straße 8
D-69190 Walldorf
Deutschland

Hasso Plattner Foerderstiftung, gGmbH
Max-Planck-Straße 8
D-69190 Walldorf
Deutschland

- nachfolgend auch als "HP Trust" bezeichnet -

- hereinafter referred to as "HP Trust" -

und

and

Town of Portola Valley
765 Portola Road
Portola Valley, California, 94028
USA

Town of Portola Valley
765 Portola Road
Portola Valley, California, 94028
USA

- nachfolgend auch als "Town" bezeichnet -

- hereinafter referred to as "Town" -

(1) HP Trust möchte den Neubau der Community Hall der Town of Portola Valley finanziell fördern. Aus diesem Grund spendet HP Trust eine Summe von USD 2.000.000. Diese Spende wird nach den Regeln und Bedingungen gewährt, die nachstehend aufgeführt sind.

(1) HP Trust intends to support the construction of the Town of Portola Valley's new Community Hall. Therefore, HP Trust donates an amount of USD 2,000,000. The funds will be granted according to the rules and conditions given below.

(2) Aufgrund des gemeinnützigen und wohltätigen Charakters von HP Trust gemäß deutschem Steuerrecht müssen diese Spendenmittel unter allen Umständen von der Town ausschließlich für gemeinnützige und steuerbegünstigte Zwecke nach deutschem Steuerrecht verwendet werden.

(2) Due to the charitable and non-profit-making character of HP Trust pursuant to German tax law, these funds necessarily have to be used by the Town exclusively for charitable and tax-privileged purposes pursuant to German tax law.

Die Spende ist ausschließlich für den Neubau der Community Hall zu verwenden.

The funds have to be used exclusively for the construction of the new Community Hall.

Damit ist auch die Community Hall selbst nach Fertigstellung ausschließlich für gemeinnützige und steuerbegünstigte Zwecke nach deutschem Steuerrecht zu nutzen, bspw. zur Förderung des Sports, des öffentlichen Gesundheitswesens, der Bildung und Erziehung, der Kunst und Kultur sowie der Jugendhilfe.

Therefore, upon completion the Community Hall itself has to be used exclusively for charitable and tax-privileged purposes pursuant to German tax law, e.g. for sports promotion, promotion of public health, education, arts, culture and youth aid.

Die Community Hall darf gelegentlich für öffentliche Feiern genutzt und für private gesellschaftliche Anlässe an Dritte vermietet werden, unter der Voraussetzung, dass

The Community Hall may be used from time to time for public festivities and may be let to third parties for private social gatherings, provided that

- (a) die Nutzung der Community Hall zu diesen Zwecken nur gelegentlich und nur kurzzeitig erfolgt,

- (a) the Community Hall is used for such purposes only occasionally and only for short periods of time,

- | | |
|---|--|
| <p>(b) die Community Hall zu diesem Zeitpunkt nicht für gemeinnützige Zwecke benötigt wird,</p> <p>(c) die Town über die durch diese Nutzung verursachten Betriebskosten hinaus ein angemessenes Entgelt für die Überlassung der Community Hall erhält und</p> <p>(d) die Town die Einnahmen hieraus ausschließlich zum Betrieb der Halle für gemeinnützige Zwecke verwendet.</p> | <p>(b) the Community Hall is not needed for charitable purposes at that time,</p> <p>(c) the Town receives a fair fee for letting the Community Hall exceeding the operating costs caused by the use and</p> <p>(d) the Town uses the proceeds exclusively in the context of running the Community Hall for charitable purposes.</p> |
|---|--|

Eine Verwendung der Spendenmittel oder eines Teils hiervon oder der Community Hall für kommerzielle Zwecke ist untersagt.

Using the funds or a part of them or using the Community Hall for commercial purposes is prohibited

(3) HP Trust wird die Spendenmittel in Abstimmung mit der Town auszahlen.

(3) HP Trust will pay out the funds in coordination with the Town.

Innerhalb einer vernünftigen Zeit nach Erhalt der Zahlung (spätestens vier Wochen nach Erhalt der Spendenmittel), ist die Town verpflichtet, HP Trust mit einer Empfangsquittung zu versehen, aus der der Tag des Empfangs der Zahlung sowie die Höhe der erhaltenen Mittel hervorgeht.

Within a reasonable period of time after the receipt of the payment (at the latest four weeks after the receipt of the funds), the Town is obliged to provide HP Trust with a notice of receipt indicating the day of the receipt of the payment as well as the amount of the funds received.

Die Town verpflichtet sich, die von HP Trust empfangenen Spendenmittel getrennt von ihrem übrigen Vermögen zu halten.

The Town shall keep the funds received by HP Trust separate from its other assets.

(4) Die mildtätige und steuerprivilegierte Verwendung der erhaltenen Mittel, der Community Hall und der Einnahmen aus der Vermietung (siehe Ziffer 2) muss durch einen international anerkannten Wirtschaftsprüfer (z.B. PricewaterhouseCoopers, Deloitte & Touche, KPMG, Ernst & Young) bestätigt werden. Diese Bestätigung soll regelmäßig (einmal pro Jahr) in Form eines schriftlichen Berichts ausgestellt und an die oben angegebene Postanschrift von HP Trust gerichtet werden.

(4) The charitable and tax-privileged use of the funds received, the use of the Community Hall and the use of the proceeds from letting the Community Hall (see number 2) has to be confirmed by an internationally recognized certified public accountant (e.g. PricewaterhouseCoopers, Deloitte & Touche, KPMG, Ernst & Young). This confirmation shall be issued continually (once a year) by means of a written report and sent to HP Trust's address above.

Die jährlichen Bestätigungen des Wirtschaftsprüfers werden durch halbjährliche Sachstandsberichte von der Town ergänzt und unterstützt.

The annual confirmation by the certified public accountant shall be accompanied and supported by a progress report from the Town every six months.

Die Town verpflichtet sich, jährlich eine Übersicht zu erstellen, aus der sich die tatsächliche Nutzung der Community Hall für

- (a) Vermietung für private gesellschaftliche Veranstaltungen,
- (b) öffentliche Feste und
- (c) gemeinnützige Zwecke gemäß dieser Spendenvereinbarung

sowie die für die Überlassung der Community Hall vereinnahmten Entgelte ergibt.

Diese Berichte sowie die Übersicht dienen als Nachweis für die ausschließliche Verwendung der Gelder sowie der Community Hall für gemeinnützige und steuerprivilegierte Zwecke gemäß diesem Vertrag.

Sofern Einrichtungen, Materialien oder andere Vermögensgegenstände angeschafft werden, die eine Nutzungsdauer von mehr als einem Jahr haben (z.B. Gebäude, Einrichtungsgegenstände, Sportgeräte oder Ähnliches), ist so lange zu berichten, bis es unwirtschaftlich wird, diese Vermögensgegenstände weiterzuverwenden oder deren Nutzungsdauer abgelaufen ist bzw. die Vermögensgegenstände aus irgendeinem anderen Grund vollständig abgeschrieben sind. Die Berichtspflicht besteht längstens für 20 Jahre. Sofern diese Vermögensgegenstände veräußert werden, darf der Veräußerungserlös nur für gemeinnützige Zwecke, wie oben beschrieben, verwendet werden.

(5) Darüber hinaus soll die Town alle Informationen verfügbar machen, die vernünftigerweise notwendig werden können, um die Verwendung der Mittel und die Nutzung der Community Hall zu beweisen und zu belegen. Sofern die deutschen Steuerbehörden weitere Informationen benötigen, wird die Town auch das Äußerstmögliche tun, um auf Anforderung von HP Trust diesem die entsprechenden Informationen zugänglich zu machen.

The Town shall once a year issue a schedule stating the actual use of the Community Hall for

- (a) letting for private social gatherings,
- (b) public festivities and
- (c) charitable purposes according to this Donation of Funds Agreement

as well as the fees received for letting the Community Hall.

The reports serve as proof for the exclusive use of the money and the Community Hall for charitable and tax-privileged purposes in accordance with this agreement.

If facilities, materials or other assets are acquired which have a useful economic life of more than one year (e.g. buildings, fitments, sports equipment or other), the reporting is owed until it becomes uneconomic to operate these assets or the useful economic life of such assets has ended and for any of these reasons the assets are written off. The reporting is owed for a period limited to 20 years at the most. If these assets are sold, the proceeds from their disposal may not be used for other than charitable ones as described above.

(5) Moreover, the Town shall make available all information reasonably necessary to prove and to demonstrate the use of the funds and the Community Hall. If the German tax authorities need further information, the Town, upon request by HP Trust, will do their utmost to obtain and to provide this information.

(6) Sollte die Town nicht in der Lage sein, die Verwendung der Mittel wie in Ziffern 3, 4 und 5 näher beschrieben, nachzuweisen, z.B. dadurch, dass die notwendigen Bestätigungen des Wirtschaftsprüfers sowie die Übersicht über die Nutzung der Community Hall gar nicht oder nicht in akzeptabler Zeit (**spätestens acht Wochen nach dem Ende des Kalenderjahres**) abgeliefert werden, ist HP Trust berechtigt, die Mittel nach eigenem Ermessen zurückzuverlangen und die Town ist verpflichtet, alle gemäß Ziffer 1 erhaltenen Mittel sofort zurückzuerstatten.

(6) Should the Town fail to verify the use of the funds as specified in number 3, 4 and 5, e.g. by not delivering the certificate of the certified public accountant and the schedule concerning the use of the Community Hall at all or by not delivering it within reasonable time (**at the latest eight weeks after the end of the calendar year**), HP Trust will be entitled by its own discretion to reclaim the funds and the Town will be obliged to refund all of the moneys donated according to number 1 immediately.

Die Town garantiert, dass die Mittel sowie die Community Hall ausschließlich für gemeinnützige Zwecke verwendet und genutzt werden.


The Town warrants that the funds and the Community Hall will not be used for other than charitable purposes.

(7) Diese Vereinbarung soll ausschließlich dem Recht der Bundesrepublik Deutschland und deutscher Gerichtsbarkeit mit der nicht ausschließenden Zuständigkeit des Gerichtsstands Heidelberg/Deutschland unterliegen. Nur die deutsche Fassung dieses Vertrages ist gültig.

(7) This agreement shall solely be construed, interpreted and applied in accordance with, and shall be governed by, the laws of the Federal Republic of Germany. The parties hereto submit to the German jurisdiction with the non-exclusive competence of the courts of Heidelberg/Germany. Only the German version of this agreement is valid.

May 21, 2007

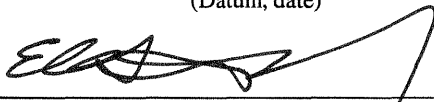
(Datum, date)



Hasso Plattner Förderstiftung, gGmbH

Oct 17, 2007

(Datum, date)



Town of Portola Valley



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Stacie Nerdahl, Administrative Services Manager

DATE: April 24, 2013

RE: **Potential Provider Change for Workers' Compensation Insurance**

RECOMMENDATION

It is recommended that the Town Council adopt the attached resolution authorizing the Town to make application to the State of California for a Certificate of Consent to self-insure Workers' Compensation liabilities by joining a risk pool of similar local governments that is offered through ABAG called the Shared Risk Pool (SHARP).

BACKGROUND

Since its incorporation in 1964, the Town has used State Compensation Insurance Fund (SCIF) to provide workers' compensation insurance for its employees and volunteers. Costs continue to rise and customer service continues to decline with SCIF and staff is therefore working with the Association of Bay Area Governments (ABAG) to consider the Town's participation in ABAG's Shared Risk Program (SHARP) for workers' compensation coverage. In order to proceed with the application process, it is necessary for the Town Council to adopt a resolution authorizing the Town to submit an application to the State for a *Certificate of Consent to Self Insure*. The application does not obligate the Town to cancel its policy with SCIF or join SHARP. If SHARP offers an attractive proposal for workers' compensation insurance, staff will return to the Town Council for approval to join SHARP.

ATTACHMENTS

1. Resolution of the Town Council of the Town of Portola Valley Authorizing Application to the Director of Industrial Relations, State of California for a Certificate of Consent to Self Insure Workers' Compensation Liabilities

APPROVED – Nick Pegueros, Town Manager *N.P.*

RESOLUTION NO. _____-2013

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY AUTHORIZING AN APPLICATION TO THE DIRECTOR OF INDUSTRIAL RELATIONS, STATE OF CALIFORNIA, FOR A CERTIFICATE OF CONSENT TO SELF-INSURE WORKERS' COMPENSATION LIABILITIES

WHEREAS, the Town is dissatisfied with the State's Worker's Compensation Insurance because of costs and customer service; and

WHEREAS, the Town is interested in and believes it is in the best interest of the Town to work with the Association of Bay Area Government ("ABAG") SHARP program to possibly move the Town's Worker's Compensation Insurance to the ABAG SHARP program;

WHEREAS, in order to complete the preliminary steps to move the Town's Worker's Compensation Insurance to the ABAG SHARP program the Town must submit an application to the state for a "Public Entity Certificate of Consent to Self-Insure."

NOW, THEREFORE, the Town of Portola Valley acting by and through its Town Council, having considered and been fully advised in the matter and good cause appearing therefore hereby resolves as follows:

1. The Town Council for the Town of Portola Valley hereby authorizes the Mayor and Town Manager to make an application to the Director of Industrial Relations, State of California, for a Certificate of Consent to Self-Insure workers' compensation liabilities on behalf of the Town of Portola Valley and to execute any and all documents required for such application.

PASSED AND ADOPTED this ____ day of _____, 2013.

By: _____
Mayor

ATTEST:

Town Clerk



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Brandi de Garneau, Sustainability & Special Projects Manager

DATE: April 24, 2013

RE: Trial Farmers' Market Event at Town Center

RECOMMENDATION

The recommendation is that the Town Council:

1. Receive a report from staff on a proposed trial farmers' market event at Town Center.
2. Receive public comment on the proposed trial event.
3. Following public comment, consider approval of the proposed trial event and any potential conditions/limitations.
4. If the Council approves the proposed trial event, designate a Council person to work with staff to finalize the details and incorporate the same into an agreement with the organizer.

BACKGROUND

Community interest in a farmers' market has been growing over the last year. Town staff was approached on separate occasions by town residents, Laura Stec (March 2012) and Brook Coffee (January 2013), with the idea of establishing a regular farmers' market in Portola Valley. Staff was also approached by Library staff with the idea of a farmers' market as a plan to engage more town residents in Library services and programs. Staff has heard from Laura, Brook and several other residents that the community is looking for something that brings people together more regularly than the Summer Concert Series or Town Picnic, something on a weekly basis.

The growing popularity of farmers' markets underscores the demand in cities and towns for local community-oriented events that promote local produce and products, provide a venue for residents to socialize with each other, and create the opportunity to learn about agriculture and sustainability. Woodside recently started a farmers' market on

Sundays at Woodside Elementary and nearly every neighboring community also hosts at least one farmers' market at some point during the year.

DISCUSSION

To meet the growing demand for farmers' markets in the community, Staff proposes a weekly farmers' market for a trial period of eight weeks. Hours of operation would be from 3:00 p.m. to 7:00 p.m. on Thursday evenings, with two hours before for setup and an hour after for cleanup. The event will be held at the Town Center in the Historic Schoolhouse parking lot (Attachment 2). The market will include no more than 25 vendors selling everything from local produce to honey to prepared foods such as hummus and chocolate truffles. A few local musicians and artisans may also be invited to enhance the atmosphere. The Town will have an outreach booth at the market and will encourage Committees to staff the booth in order to engage residents in their activities.

The event would be managed by a certified farmers' market organization. Staff has already had discussions with the organizer of the Woodside farmers' market who is aware of the unique needs of Woodside and Portola Valley residents and is willing to enter into a trial period. While the Town knows that food trucks are popular among town residents, there is no plan at this time to allow food trucks to participate in the event. For special events such as the Summer Concert Series, we will consider closing the market early so there is no overlap.

This type of use is similar to other events held at the Town Center in which the Town takes advantage of the shared parking agreement with neighboring Christ Church:

- Library events
- Speaker Series
- Community Classes
- Soccer and Softball Games
- Weddings/Memorials
- Flight Night
- Town Picnic
- Blues & BBQ
- Earth Day Fair
- Holiday Fair

The event has positive sustainability impacts. The Town can include the farmers' market as part of its Climate Action Plan to reduce greenhouse gas emissions. Residents who normally drive to the Palo Alto or Menlo Park farmers' market will drive a shorter distance to get their produce, or even walk or bike! Additional environmental benefits of "Sustainable Food Systems," including farmers' markets, are discussed in the attached document originally sent to the Council on May 18, 2012 (Attachment 4).

Staff has also discussed with the farmers' market organizer methods to ensure the event is "zero waste." Vendors will have to comply with the recently adopted Reusable Bag Ordinance and the Town will also require compostable serveware and produce bags.

Outreach – Staff, along with Laura Stec and Brook Coffee, met with local food retailers to explain the concept of the farmers’ markets, hear any concerns and brainstorm ideas for engaging them in the market. Roberts Market and Portola Café Deli are concerned about the impact on their business and people doing business in town with no overhead. They are both especially concerned about food trucks because prepared foods are such a large part of their business. The Parkside Grill is supportive of the market.

Laura and Brook have proposed the idea of creating an “Eat Local” movement around the farmers’ market and encouraging people to frequent the local food retailers. To this end, we are working with the local food retailers to find ways to enhance, rather than detract from their business. For the Parkside Grill and Portola Café Deli, we proposed the idea of shopping at the market on Thursdays and featuring a special “farmers’ market” dish or pizza that night or the following night. With Roberts Market, we are planning to engage their specialty foods buyer and feature the farmers and vintners at the farmers’ market that provide those products at Roberts Market.

Staff also reached out to the Springdown equestrian facility, Christ Church and the Library. Christ Church has agreed to provide their parking lot for overflow parking in exchange for the opportunity to offer community-building activities in their lot on the northern edge of the Town Center campus. Community-building activities could include face painting, bake sales, art activities, etc. Staff recommends that Christ Church is allowed to charge a nominal fee for these activities, such as the Girl Scouts would for cookies. Staff will work with Christ Church in advance to identify appropriate activities. The Library intends to plan programming around the farmers’ market as people will already be at the Town Center and more likely to attend.

Staff also noticed parcels within 1,000 feet of Town Center and all businesses about the Public Hearing and availability of information at Town Hall via U.S. mail (Attachment 1). Public comments in response to the proposed farmers’ market are included as Attachment 3.

Resources – One of the most appealing aspects of the farmers’ market is the fact that it is a turnkey event. The organizer is responsible for the proper disposal of garbage and recycling, cleanup of the site and town facilities, and monitoring vendor compliance with regulatory permits. The event will be financially self-sufficient.

Next Steps – If the Council approves the trial period, staff will work with the Council designee to select an organizer for the event. The selection of an organizer would include a review of the organizer’s references, the commitment from the organizer to provide an eight-week trial farmers’ market, vendor selection sensitive to the needs of Portola Valley residents, advertising capabilities, ability to provide the insurance and indemnity required by the Town and the ability to secure the proper permits for the market vendors. On May 8th, staff will bring back to the Council for review an agreement with the farmers’ market organizer, a shared parking agreement with Christ Church and recommended opening date for the market.

After week six of the trial period, staff will evaluate and report to the Council on the success of the trial period using the following information:

- informal survey of attendees to determine number of Portola Valley residents
- feedback from local food retailers
- received public input

The Council at that time may consider continuing to hold the market indefinitely, setting another time period in which the market may operate, adding additional limitations, or discontinuing the market.

FISCAL IMPACT

If the Town Council approves the farmers' market trial, the next step will be for staff and the Council liaison to select an organizer, formalize the agreements and select a start date. Staff will be present at several of the farmers' market events during the trial period. After the trial period, little staff time will be needed and the market will be financially self-sufficient.

ATTACHMENTS

1. Public Hearing Notice and Information Provided to Public
2. Proposed Farmers' Market Site Map
3. Public Comments in Response to Proposed Farmers' Market
4. Memo to Council - Supporting a Sustainable Food System

APPROVED – Nick Pegueros, Town Manager *N.P.*

TOWN OF PORTOLA VALLEY
NOTICE OF A PUBLIC HEARING
ON PROPOSED FARMERS' MARKET
AT TOWN CENTER

This is to notify you that the Town Council of the Town of Portola Valley is considering the approval of a weekly farmers' market to be located on the parking lot near the Historic Schoolhouse located at 765 Portola Road, Portola Valley, CA.

The Town Council will hold a Public Hearing regarding this proposed weekly event on **Wednesday, April 24th at 7:30 p.m.** in the Council Chambers, Historic Schoolhouse, 765 Portola Road, Portola Valley, CA.

This Public Hearing will provide the general public and interested parties an opportunity to provide input on the proposed weekly farmers' market.

Information relating to the proposed farmers' market is available at Town Hall Building & Planning Department, Monday through Friday, 8:30 a.m. to 1:00 p.m. and 3:00 – 5:00 p.m. All interested persons are invited to appear before the Town Council to be heard at the time and place herein above mentioned.

Dated: April 10, 2013

Brandi de Garmeaux
Sustainability & Special Projects Manager
650-851-1700 ext. 222
bdegarmeaux@portolavalley.net

Information for Public Hearing
to be held April 24, 2013 at 7:30 pm
on Proposed Farmers' Market

Proposed Event

- Community event at Town Center: farmer's market every Thursday from ~ 3:00 pm to 7:00 pm (2:00 – 5:00 pm during Standard Time) in Historic Schoolhouse parking lot
- Target dates: all year; but will begin with a trial period
- Use as corner stone event for other events (e.g. speaker series, summer concert, etc.)
- Create positive, community building/engaging event without expending limited staff resources
 - Third party will manage farmer's markets and handle setup and cleanup
 - Event will be financially self-sufficient

Location

- Portola Valley Town Center
 - 765 Portola Road, Portola Valley CA
 - Historic Schoolhouse parking lot between the Schoolhouse and where it meets main entrance

Vendors/Products

- Event similar to those held in neighboring communities
- 15-20 vendors: fresh fish, grass fed beef, organic produce, eggs, cow/goat dairy, prepared foods such as hummus
- May enlist food trucks, if that is desired for community events during/following the market
- May enlist local artists and musicians (music would not be amplified)
- May include wine sampling from local growers

Proposed Schedule/Hours of Operation

- Day: Thursdays
- Months: all year, depending on results of trial
- Time: 3:00 pm to 7:00 pm during Daylight Savings; 1:00 or 2:00 pm to one hour before dusk during Standard Time (plus two hours for setup and one hour for clean up)

Logistics

- Town engages third party to run farmers' market
 - on site at every market
 - will properly dispose of all garbage and recycling
 - will handle all clean up and will sweep and/or hose down pavement, if necessary
 - third party secures permits, selects vendor and manages

Financial Aspects



- No cost to Town; event will be financially self-sufficient

OVER

Permits

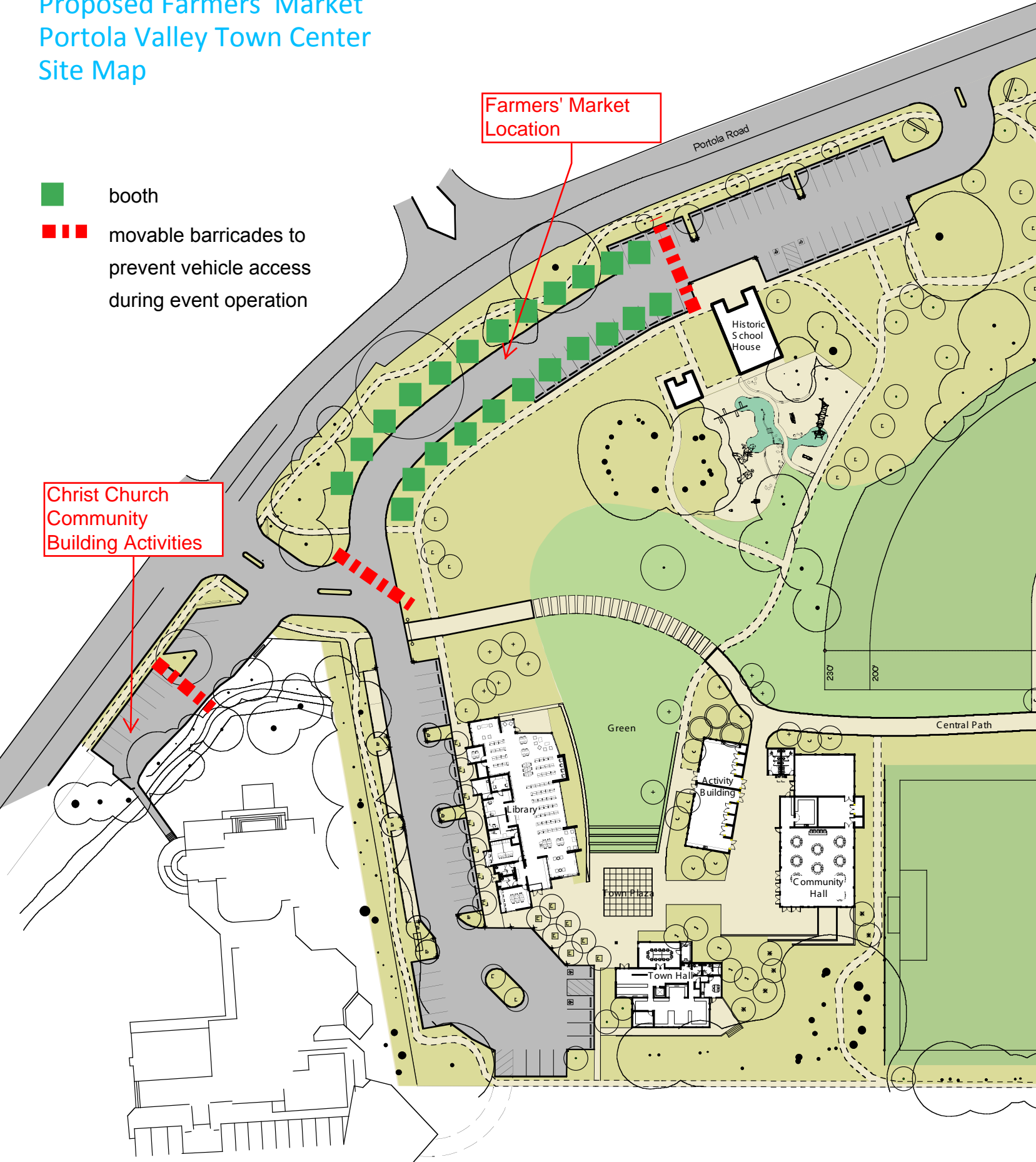
- Health Department Permit
 - Third party secures the permit for market as a whole (including fruits and veggies)
 - Prepared food vendors (e.g., hummus) get their own permit from the Health Department, but third party makes sure all their vendors have a current permit
- Certified Farmer's Market
 - Third party applies for market as a whole
 - Inspected quarterly by County Department of Health and Department of Agriculture
- Fire Department & Sheriff
 - Sheriff and Fire will review market and give recommendations

Proposed Farmers' Market Portola Valley Town Center Site Map

-  booth
-  movable barricades to prevent vehicle access during event operation

Farmers' Market Location

Christ Church
Community
Building Activities



Brandi de Garneau

From: Alison Polkinhorne [alison@digisight.net]
Sent: Wednesday, April 17, 2013 9:03 AM
To: Brandi de Garneau
Cc: Laura Stec
Subject: We support the farmer's market!

Hello --

We're a local family; we live in the Portola Valley Ranch and have been in the community for about 20 years. Both of my boys grew up here. We all treasure it -- best place to live in the world!

We also completely support the idea of a local farmer's market at town center. We currently travel every Sunday morning to the Palo Alto farmer's market on California Ave. It would be fantastic to have the market here: we could support local farmers, it's a great place for the community to gather, and I'm sure there are local musicians and craftspeople that would like to participate as well.

If possible, please add my vote of support to the hearing.

Thank you,
Alison Polkinhorne
19 Valley Oak

Brandi de Garmeaux

From: Danna Breen [pvlily@aol.com]
Sent: Wednesday, April 17, 2013 9:04 AM
To: Brandi de Garmeaux
Subject: Farmer market

Hello Brandi.

I would like voice my support for a farmers market in Portola Valley. I attend faithfully the Menlo Park market and hate getting in the car on Sunday to do this. Having served on the sustainability committee for some time, I think we need to offer this for residents to reduce trips out of PV. It is a also a great community building experience and would make it feel like we live in a working town. Hope we get to give the experience a try. It is such a great idea. Going to the farmers market is a joyful experience and I would love to see it come to our town. Danna

Sent from my iPad

Brandi de Garmeaux

From: Crystal Ciancutti [cciancutti@gmail.com]
Sent: Wednesday, April 17, 2013 10:25 AM
To: Brandi de Garmeaux
Subject: In favor of a local farmers' market

I wanted to express my support for a local farmers' market, to be held Thursday late afternoons. I shop for local, organic produce as much as possible - I'd love to be able to support local farmers closer to home, and it would be another fun event where I could connect with my neighbors.

Thank you,

-Crystal Ciancutti
12 Tynan Way

To Portola Valley Residents and Councilmen:

I will be out of town on the day of the subject Public Hearing regarding weekly Produce, Meat, Fish and Food trucks with music and wine tasting at the town center. I ask that my letter be read to record my position on this matter.

Gentlemen,

Most of us live here for the quiet, rural atmosphere that Portola Valley offers. We moved here from Menlo Park almost forty years ago for that reason. Our town enjoys freedom from the crowded retail-centric cities of Redwood City, Menlo Park, Palo Alto and almost every other city on the Peninsula with the exception of Woodside. Now we are experiencing the unwanted influx of hundreds of visitors (bicyclists) every week-end day that threatens the character of our town. And now, the town is proposing a county-fair atmosphere-midweek - in our midst. And not on the playing fields, where the noise might dissipate, but directly across from a residential district. And not once a year, but WEEKLY.

We enjoy four sources of fresh quality produce, meats and fish nearby. Roberts of Portola Valley is virtually at the geographical center of town, offering both regular and organic vegetables, meats and fish. Roberts of Woodside does the same. Bianchini has a wide selection of excellent produce, meats and fish and is perhaps 4 miles away. And just beyond, Webb ranch offers both locally grown and farmer-fresh produce during the summer months. We have countless fine wine merchants. And of course, we all know Draegers. Finally, both Woodside and Menlo Park have farmer's markets. Do we need another one? Food trucks? Carnival rides? Flea market? If an event of this magnitude were an annual event, it would be no big deal. But a weekly event with music, wine tasting, traffic and crowds stretching from 1pm until 8 pm including clean-up is entirely inappropriate. If you insist on this event, why not locate it at the Woodside horse park, where there is plenty of open space and no one to bother? We have only our priceless rural peace and quiet. Why sell it so cheaply?

Advantages:

Another produce truck or more

Disadvantages:

More vehicle trips and traffic; billboards or banners?

Less parking for the playing fields at town center

More competition for our local merchants from strangers with no local investment or ties

More noise

Required re-zoning

I don't know who is pushing this proposal, but I doubt that they are the residents of Portola Valley. I cannot understand how the benefits from this proposal can outweigh the irritations. More likely it is the foodsellers looking for yet another location to hawk their goods without any investment. Laura Stec, a Portola Valley proponent, told me she represents growers who are looking for an outlet. I don't know whether she would receive remuneration in this case. Remember, not so long ago, we were left without a market in Portola Valley. If we allow sellers with no investment in the town to skim business from our market, we may be without one again. Truck farmers don't sponsor local school events. If their profits don't measure up, their shop is on wheels. Lastly, if you want to build sense of community, have your neighbors over for dinner, join the church, support the schools. Don't count on it happening at the back of a fish truck. Please keep our town rural and residential. We should not be yet another marketing target. Thank you.

Wayne and Judy Earl

110 Farm Road

Portola Valley (directly across from the Old Schoolhouse)

Brandi de Garneau

From: Mary Ann Furda [mahfurda@yahoo.com]
Sent: Wednesday, April 17, 2013 11:51 AM
To: Brandi de Garneau
Subject: PVC farmers' market

I understand there is a consideration happening to try out a farmers' market in Portola Valley. This email comes in support of having such in our town. I drive down to Menlo Park every Sunday to get fresh and local fruit and veg. It would be splendid for our community to have such a market.

Thank you for your consideration of this, Mary Ann Furda
1023 Los Trancos Rd,
Portola Valley, CA 94028

Sent from my iPad

Brandi de Garmeaux

From: Ginger Creevy [gcreevy@yahoo.com]
Sent: Wednesday, April 17, 2013 1:53 PM
To: Brandi de Garmeaux
Subject: support for local Farmers Market

Hi,

Just wanted to lend my support to the Farmer's Market here in Portola Valley. This would be wonderful for our residents and such a great way to support local agriculture and gardening interests.... It's really all about neighbors taking good care of neighbors and we all know local is best!

Thanks for your consideration

All the best,

Ginger and Don Creevy
1175 Westridge Drive

Brandi de Garmeaux

From: Mary Page Hufty [hufty@me.com]
Sent: Wednesday, April 17, 2013 2:00 PM
To: Brandi de Garmeaux
Cc: Laura Stec
Subject: Support for farmer's market!

Dear Brandi,
Please help brings farmer's market toPV. We need it to keep the country heart of the town
alive!

Mary

Brandi de Garneau

From: Meghan Sweet [meghan.t.sweet@gmail.com]
Sent: Wednesday, April 17, 2013 8:16 PM
To: Brandi de Garneau
Cc: Scott Sweet
Subject: PV Farmer's Market

Hi Brandi -

My husband, Scott, and I are interested in supporting the farmer's market in town. That said, we also patronize Roberts and Bianchini's and would like to see them stay in town. We hope the farmer's market won't pull too much from their business. We like that the two markets carry local, organic and overall just really nice, fresh produce. Yet we do like farmer's markets and would definitely patronize that as well.

Thanks,
Meghan

--

Meghan Sweet
c: 650.924.5184
meghan.t.sweet@gmail.com

Brandi de Garmeaux

From: debbie.lehmann@gmail.com on behalf of Debbie Lehmann [debbie@portolavineyards.com]
Sent: Thursday, April 18, 2013 8:58 AM
To: Brandi de Garmeaux
Subject: Support for a farmers market in PV

Brandi,

I'd like to express my support for a farmers market in Portola Valley. While we are fortunate to have two wonderful grocery stores in town, a farmers market would allow residents to support local agriculture, to make connections with the people who grow our food, and to discover new varieties of the freshest, tastiest vegetables and fruits.

Portola Valley is so engaged with the land and the open space. As we begin to build a more sustainable community, we must remember that our food comes from this land as well and that it follows the rhythms of the seasons. Farmers markets are an important tool in teaching people about seasonality, in connecting us to where our food comes from, and in encouraging all of us to eat more healthy foods.

Please add this to the public record.

Best,

Debbie Lehmann
850 Los Trancos Road
Portola Valley

Brandi de Garmeaux

From: Lise Buyer [buyerl@gmail.com]
Sent: Wednesday, April 17, 2013 10:53 PM
To: Brandi de Garmeaux
Subject: Local Market

Hi Brandi,

Thanks for your efforts on the behalf of a local farmer's market. I currently drive to Los Altos on Thursdays when I have a chance to make it on time, but more often than not miss out on the local produce altogether. I would love to be able to go to a market in Portola Valley, assuming it would be open hours possible for someone who works during the week. Following the advice in Laura Stec's email, I am definitely one more voice in favor.

Thanks again,
Lise Buyer

Brandi de Garmeaux

From: Linda [casanido@sbcglobal.net]
Sent: Thursday, April 18, 2013 8:09 AM
To: Brandi de Garmeaux
Subject: I'm in support of a PV Farmer's Market

Please let the Town Council know that there are many supporters of the Farmer's Market. I've been waiting for one for the entire 17 years I've lived in PV!

Linda Carlson

Brandi de Garneau

From: Len Lehmann [len@portolavineyards.com]
Sent: Wednesday, April 17, 2013 10:34 PM
To: Brandi de Garneau
Cc: Debbie Lehmann
Subject: In support of a farmers' market in Portola Valley

Brandi,

I'd like to voice my support for a Farmers' Market in Portola Valley and I urge the town council to approve that initiative.

A Farmers' Market will strengthen our community by providing further opportunities for us to join with others in Portola Valley in enjoying our beautiful outdoors, buying local, healthy, and low-impact produce, and in minimizing our driving.

Our family regularly shops at the Palo Alto farmers' market; a farmers' market in Portola Valley would reduce our driving load, substituting a short drive or bike ride for longer drive.

Also, farmers' markets serve an important educational purpose, engaging youth as well as adults in issues such as nutrition, genetic diversity, and sustainability.

Please add this to the public record.

Thank you very much,

Leonard Lehmann
Manager, Portola Vineyards
850 Los Trancos Rd
Portola Valley

Sent from my iPad

Brandi de Garmeaux

From: David Smernoff [davids@acterra.org]
Sent: Thursday, April 18, 2013 11:33 AM
To: Brandi de Garmeaux
Cc: Cindy Russell
Subject: PV Farmers Market

Dear Ms. DeGarmeaux and Town Council members

I would like to add my unqualified support for a farmers market in Portola Valley. It is precisely the thing we need to add to the Town's already impressive work on sustainability.

Locally grown, healthy organic food is essential the physical and mental well-being of Town residents. It sends a clear message that the Town promotes the well being of area residents, it fits into carbon reduction goals by providing a local outlet for locally produced goods, reduces car trips to grocery stores, and creates a venue where like minded people can gather. Further, it coincides with messages our children receive in school regarding a healthy diet, and the importance of sustainability.

I personally would take full advantage of such an opportunity and know that most if not all of my friends and neighbors would as well.

I sincerely hope the Town Council will move forward with the proposal.

Respectfully yours,

David Smernoff
Cindy Russell

Brandi de Garmeaux

From: Patti Zussman [pzussman@aol.com]
Sent: Thursday, April 18, 2013 4:15 PM
To: Brandi de Garmeaux
Subject: PV Farmers' Market--Yes!

Hi Brandi,

This is to register our enthusiastic support of a Portola Valley farmers' market. What could be better than to get quality produce grown so close to home? PV has been a leader in sustainable living--this is a good example of our commitment to it.

Thank you,
Patti & John Zussman
5 Bear Paw



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Brandi de Garneau, Sustainability Coordinator

DATE: May 18, 2012

RE: Supporting a Sustainable Food System

The Town recently received a letter from San Mateo County regarding the San Mateo County Food System Alliance (Food Alliance). The attached document from the Food Alliance, *Producing, Distributing, and Consuming Healthy Local Food: Ingredients for a Sustainable Food System*, outlines potential land use and local policies that help build a sustainable food system.

Over the last year, staff has observed a growing interest in the local food movement including the potential establishment of a local farmer's market, mobile food vending (Food Trucks), harvest sharing and community-supported agriculture programs.

The Council may consider supporting the land use and local policies outlined by the Food Alliance when relevant issues arise. In addition, staff recommends that these potential policies are considered in the development of the Climate Action Plan as part of our greenhouse gas emissions reduction strategy.



Producing, Distributing & Consuming Healthy Local Food

Ingredients for a Sustainable Food System

A sustainable food system ensures equal access to healthy, local¹ food and is economically viable, environmentally sound, and socially just.² In this type of food system³, farmers, fishermen and chefs profit from the sale of their produce, fish, and value-added products;⁴ all residents can access and afford to buy local, healthy food, and our land is not just maintained, but preserved for future generations.

Why Does a Sustainable Food System Matter?

San Mateo County's agricultural production in 2010 and local seafood harvest in 2009 had a combined worth of \$147 million. The actual impact of food production on the local economy is estimated to be much higher—as much as \$513 million—due to a multiplier effect.^{5,6} Our residents do not consume most of this food because it is purchased by food brokers and distributed outside of San Mateo County. Though this system works well for many farmers, it has decreased the variety of food grown in the county; reduced access to local, fresh and healthy foods, and distanced farmers from the local community.

A sustainable food system:

- Promotes the health of our residents by increasing access to healthy foods
- Benefits the environment by preserving agricultural land and working waterfronts
- Reduces our carbon footprint
- Enhances the economic vitality of our community by creating jobs
- Keeps money circulating within the community by boosting our local restaurant and tourism industries⁷



California Senate Bill 375 and Assembly Bill 32, which mandate planning and land use to reduce carbon emissions, contribute to a sustainable food system.



Actions *to Support a Sustainable Food System in Your Community*

The San Mateo County Food System Alliance can help you build a sustainable food system. You can find resources at <http://aginnovations.org/alliances/sanmateo>, or contact the San Mateo County Health System's Health Policy & Planning division at (650) 573-2398 or hpp@smcgov.org.

There are many ways your city or jurisdiction can join the movement:

Update Land Use & Other Local Policies

San Francisco

San Francisco City & County revised its urban agriculture zoning policies to identify lots which could be used for community gardens.⁹

1 Support Urban Agriculture and Community Gardens

- Establish urban agriculture as an approved land use in residential, multi-family, open space and other zones.
- Encourage residents to donate surplus backyard produce to the food bank and other non-profit organizations.⁸
- Promote school gardens and garden-based education in our schools.

Neighborhoods often have parcels of land that are ideal for community gardens but are unused or unavailable due to zoning restrictions. Changing zoning rules can increase access to fresh produce and bring communities together.

Redwood City

Redwood City recently began to celebrate an annual "Port Fest" to help residents learn more about the city's working waterfront.¹⁰

2 Protect Agricultural Land and Working Waterfronts

- Encourage strategies that protect working landscapes and waterfronts, such as easements, reduced tax burdens, and increased access to land and infrastructure.

Fishermen often struggle to access the space they need to operate their businesses due to tourism and residential and industrial uses that can overtake waterfronts. New farmers also struggle to establish their businesses. Investing in infrastructure for farmland and fisheries can contribute to the future food security of your community.

Sonoma

Sonoma County has preserved more than 70,000 acres of agricultural land and open space by creating an Agricultural Preservation and Open Space District that is funded by a quarter-cent sales tax.¹¹

Purchase and Promote Locally Grown, Harvested & Produced Food

3 Bring the *As Fresh As It Gets* Campaign to Your Community

- Encourage local businesses, including restaurants, grocery stores, catering businesses, and corner stores to use locally grown or harvested produce and seafood. For information on restaurants that sell local produce, visit www.freshasitgets.com.

San Mateo County

The *As Fresh as it Gets* campaign was created in San Mateo County to increase the purchase of locally grown or harvested produce and seafood.¹²

4 Adopt Local Food Purchasing Policies

- Require a percentage of food purchased to be grown locally.
- Create incentives for contractors who prepare food made with local ingredients.

Local food purchasing policies create demand for local food. Guidelines can be added to current policies that address purchasing and describe nutritional guidelines for meals and snacks provided by an organization.

Albany County, New York

Albany County requires at least 10% of the county's food purchasing costs for Residential Healthcare and Correctional Facilities to be spent on locally produced food.¹³

5 Participate in Community-Supported Agriculture and Fishing Programs

- Connect local producers with residents by increasing participation in Community-Supported Agriculture (CSA) or Community-Supported Fishery (CSF) programs.

CSA and CSF members pay a monthly fee for a regular box of produce or fish. This provides a reliable source of income for farmers or fishermen, keeps money in the community and decreases carbon emissions from transporting food long distances.

Half Moon Bay

The Half Moon Bay Fishermen's Association Community-Supported Fishery is the first CSF in Northern California.¹⁴

6 Support Healthy Mobile Food Vending

- Offer incentives to run a healthy mobile food business such as discounts on permit fees, reserved spots at preferred locations, or low-interest loans to purchase equipment for healthy mobile food businesses.¹⁵

In many communities, mobile food vending is an important part of the local economy and a convenient way for residents to purchase food. Healthy mobile food vending policies support small businesses and increase the amount of healthy food available in neighborhoods.

Kansas City, Missouri

Food vendors with a 50% healthy inventory got a 50% discount on their vending permits, and vendors with a 75% healthy inventory received special roaming permits that enabled them to sell at special roaming locations.¹⁶

Receive Recognition

for your Sustainable Food Policies

Many cities and towns throughout California and the United States are adopting policies that support sustainable food systems. The following recognition programs help cities and organizations support and learn from one another:

- Michelle Obama's *Let's Move! Cities and Towns Campaign* encourages officials to take action to reduce childhood obesity. Learn more at www.letsmove.gov.
- *The Healthy Eating Active Living Cities Campaign* by the California Center for Public Health Advocacy offers assistance, training, and publicity to California cities working on policies that improve their food and physical activity environments. Visit www.healcitiescampaign.org.



The San Mateo County Food System Alliance would like to thank the San Mateo County Health System, Ag Innovations Network, and all members and allies of the Alliance who contributed their time and expertise to develop this brief.

The San Mateo County Food System Alliance (FSA) is a collaborative of farmers, fishermen, farmers' market managers, environmental advocates, public health professionals, and residents seeking to support and promote a healthier and more vibrant local food economy. For more information, please visit <http://aginnovations.org/alliances/sanmateo>.

¹ The San Mateo County Food System Alliance (FSA) defines local as value-added products, produce, and seafood that are grown or harvested in the county.

² UC Sustainable Agriculture Research and Education Program. 2008. University of California. 27 May 2011. www.sarep.ucdavis.edu

³ A food system is defined as the chain of activities connecting food production, processing, distribution, consumption, and waste management, as well as all the associated regulatory institutions and activities.

⁴ Value-added products are defined as those products whose value is enhanced due to special manufacturing, marketing, or processing. www.merriam-webster.com

⁵ County of San Mateo, CA. Department of Agriculture, Weights and Measures. *San Mateo County 2010 Agricultural Crop Report*.

⁶ According to the Leopold Center for Sustainable Agriculture, the "local multiplier effect suggests that even small shifts in consumer spending offer positive results for local economies." <http://www.leopold.iastate.edu/foodandfarm/ilffp.pdf>

⁷ Kisner, Corinne. National League of Cities. *Developing a Sustainable Food System*. 2011.

⁸ National Policy and Legal Analysis Network to Prevent Childhood Obesity. *Establishing Land Use Protections for Community Gardens*. 2011.

⁹ City and County of San Francisco, CA. San Francisco Department of Public Health. Executive Directive on Healthy and Sustainable Food 09-03, Summary Report. 2010.

¹⁰ *Port Fest 2010*. 2010. Port of Redwood City. 27 May 2011. www.redwoodcityport.com

¹¹ *The District*. 2006. Sonoma County Ag Preservation and Open Space District. 27 May 2011. www.sonomaopenspace.org

¹² *As Fresh As It Gets* is sponsored by the San Mateo County/Silicon Valley Convention and Visitors Bureau in cooperation with the San Mateo County Farm Bureau and the San Mateo County Harbor District.

¹³ City of Albany, CA. Albany City Council. *Environmentally Preferable Food Policy*. 2008.

¹⁴ Half Moon Bay Fishermen's Association. 2011. sites.google.com/site/hmbfishing/home

¹⁵ City of Richmond, CA. Human Resources Management. *Environmentally Preferable Purchasing Policy*. 2001.

¹⁶ City of Kansas City, MO. Parks and Recreation Department. *Kansas City Parks and Recreation Vending Policies* 4.7.08. 2006.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Leigh Prince, Assistant Town Attorney

DATE: April 17, 2013

RE: **Town Council Review of the Planning Commission's Decision to Approve the Amendment to Conditional Use Permit X7D-30 for the Woodside Priory School and Adopt the Initial Study/Mitigated Negative Declaration**

RECOMMENDATION: Review the Planning Commission's action and based solely on the record determine (1) to affirm the action of the Planning Commission or (2) to set the matter for public hearing if the Town Council believes that new evidence or testimony are required or should the Town Council determine not to affirm the decision based upon the record.

BACKGROUND: The Woodside Priory School ("Priory") applied for an Amendment to Conditional Use Permit X7D-30 consisting of a parcel merger and expansion of athletic facilities with new track and artificial turf infill ("Project") at the property located at 302 Portola Road. An Initial Study/Mitigated Negative Declaration was prepared for the Project. The Architectural and Site Control Commission and the Planning Commission considered the Project over the course of 12 meetings. At the conclusion of the March 20, 2013 meeting, the Planning Commission voted 3-2 to adopt the Initial Study/Mitigated Negative Declaration and conditionally approve the amendment to Conditional Use Permit X7D-30, including allowing the use of artificial turf infill.

The Municipal Code section that provides the process for the Town Council's review of a Planning Commission decision is Section 18.78.120, which states:

"Within ten days of the date of any planning commission action under this title, or at the next meeting of the council, whichever is later, the council may review such action. Within fifteen days of the date of any architectural and site control commission, board of adjustment or administrative official's action under this title, the council may review such action. In its review, the council may affirm the action of the body or official based solely on the record transmitted to the council by the body or official. If, from a review of the

record, the council believes that new evidence or testimony are required, or should they determine not to affirm the decision of the body or official, then the council shall set the matter for public hearing and give notice thereof in the manner required for appeals in Sections 18.78.010 through 18.78.110. Other actions and proceedings shall be the same as those for appeals under Sections 18.78.010 through 18.78.110.”

The March 27, 2013 Council meeting was within the timeframe identified by Section 18.78.120—10 days of the Planning Commission action or the next Council meeting. The Council took action at the March 27th meeting and voted 4-0-1 (Driscoll absent) to review the Planning Commission’s decision regarding the Project. However, the complete record was not yet available and the Council directed staff to provide them the complete record as soon as it was available. By doing this, the Council effectively continued the review until the complete record was available. Having the benefit of the full record is important to the Council’s review to ensure that the Council has the benefit of all of the evidence and testimony available to it before making a determination to affirm the decision or set the matter for public hearing.

The key pieces of information that were missing from the complete record as of the March 27th Council meeting were (1) the minutes of the Planning Commission meeting at which public testimony was taken and Planning Commissioners discussed their impression of the new information presented since the previous meeting and made the decision; and (2) the final conditions associated with the approval of the amendment to the use permit. The Planning Commission reviewed and approved the minutes from the March 20, 2013 meeting at which it made the decision on April 17, 2013. In light of that, and the fact that the April 10, 2013, Council meeting was cancelled, the Council will in fact conduct and complete the review based on the complete record at the first regular meeting after the March 27th meeting or on April 24, 2013. The complete record was transmitted to the Council with the Town Planner’s staff report.

The attorney for the Priory questioned the above described process. Her first argument was that the Council needed to conduct and complete the review at the meeting of March 27, 2013. As described above, the Council began the process in a timely manner and will complete its review expeditiously upon receipt of the complete record. Her second argument related to Municipal Code Section 18.72.200, which provides a conditional use permit shall become effective on the 15th day at the close of business hours following the date on which the permit is approved unless an appeal is filed. Her position was that a review is not an appeal and the decision should be final. The Municipal Code Section that allows the Council to review the Planning Commission decision provides that “Other actions and proceedings shall be the same as those for appeals under Sections 18.78.010 through 18.78.110.” In this context, the Council decision to conduct the review is effectively functioning as an appeal and the Planning Commission decision is stayed and is not final until the review (and, if applicable, public hearing) process is complete. Furthermore, those referenced Municipal Code sections regarding appeals to the Council contemplate transmittal of the complete record to the Council and do not provide a specific time frame regarding when the appeal shall be held, just that it must be held within a reasonable time. After numerous meetings, the Priory is concerned about the length of the approval process and they are anxious to

begin moving forward to prepare their track and field for the next school year; however, the Town is not unreasonably delaying the matter and is moving forward expeditiously.

At the Council meeting on April 24th, in accordance with Municipal Code Section 18.78.120, the Council will review the Planning Commission's action and based solely on the record determine whether to affirm the action of the Planning Commission, in which case no further action is required, or to set the matter for public hearing if the Town Council believes that new evidence or testimony are required or should the Town Council determine not to affirm the decision based solely upon the record. The Brown Act does allow members of the public to speak on any item on the agenda and the Council should hear public comment from anyone who desires to speak on this agenda item. Nevertheless, the Municipal Code provides that the Council's review decision is based solely on the record that was transmitted from the Planning Commission as identified in the Town Planner's staff report.

If the Council determines to affirm the Planning Commission decision, there will be no further action and the Planning Commission decision will be final. Municipal Code Section 18.78.100 provides that the decision to deny an appeal (affirm the decision) is "effective immediately." If the Council decides that new evidence or testimony is required or determines that they will not affirm the Planning Commission's decision a public hearing will be set, which barring any scheduling complications could be at the very next Council meeting on May 8, 2013. If the Council chooses to hold a public hearing, the Council may deny the application for a use permit or may modify the Planning Commission decision and the conditions imposed on the use permit (e.g. approve the use permit with the use of natural grass and otherwise modify/eliminate other conditions relating specifically to the use of artificial turf). In this case, it may be appropriate for the Council to limit the public hearing to the single controversial issue associated with the Project—the selection of natural or artificial turf. The Municipal Code provides that 30 days after the public hearing by the Council the decision is final. The Project would not go back to the Planning Commission and the Priory would have a definitive final answer.

cc: Town Manager
Town Planner



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Tom Vlastic, Town Planner
Karen Kristiansson, Principal Planner

DATE: April 24, 2013

RE: **Transmittal of the Complete Record of the Planning Commission's action on the application for amendment to CUP X7D-30 for parcel merger and expansion of athletic fields with new track and artificial turf infill at 302 Portola Road, Priory School, Initial Study/Mitigated Negative Declaration**

On March 20, the planning commission with a 3-2 vote approved an amendment to the Priory's conditional use permit to allow replacement of an existing soccer field with a new track and artificial turf soccer field on the interior of the track. This decision came at the end of the following 12 meetings:

1. February 1, 2011—joint field meeting of the ASCC and Planning Commission;
2. February 15, 2011—ASCC meeting;
3. February 16, 2011—Planning Commission meeting;
4. June 6, 2012—Planning Commission meeting;
5. September 10, 2012—joint field meeting of the ASCC and Planning Commission;
6. September 10, 2012—ASCC meeting;;
7. September 19, 2012—Planning Commission meeting;
8. September 24, 2012—joint field meeting of the ASCC and Planning Commission;
9. December 5, 2012—Planning Commission meeting;
10. January 14, 2013—ASCC meeting;
11. March 6, 2013—Planning Commission meeting; and
12. March 20, 2013—Planning Commission meeting.

The key issue that was identified over the course of those meetings was the artificial turf component of the project, and particularly whether the artificial turf was consistent with the goals and purposes of Portola Valley's General Plan. Subject to conditions, both the planning commission and the ASCC appeared to fully support the other portions of the project, including the proposed berm removal, grading, utility undergrounding, drainage improvements, equipment shed and track.

The record for the planning commission decision is extensive; a list of the 45 items that comprise the record is attached. Staff has prepared a web page from that list with each item linked to the appropriate document. The web page can be accessed at www.portolavalley.net/prioryfield. Also, two printed copies of the entire record have been prepared for public review. One is available at Town Hall and the other is available at the library. Town council members will receive full-sized paper copies of the project plans and can access the remainder of the documents online. However, if town council members would like any (or all) of the documents in the record printed for their use, town staff will provide those documents upon request.

The most logical place to begin the review of the record would be with staff report (and attachments) for the March 20 planning commission meeting, followed by the minutes of that meeting and the planning commission resolutions and conditions (items #2-5). Next, the CEQA documents provide essential analysis of the project (item #7). In addition, the public comments that were received have been divided into four documents by date (items #8 - 11). Following review of those key items (#2 – #11), the remainder of the record will provide additional background for the town council's consideration.

APPROVED – Nick Pegueros, Town Manager

**List of Record Items for the
Planning Commission's March 20, 2013 Decision on the Priory CUP Amendment**

1. Notice of Determination, filed March 22, 2013
2. Resolution approving the CUP, with conditions of approval attached
3. Resolution approving the IS/MND
4. Minutes of the planning commission's March 20, 2013 meeting
5. Agenda & staff report for the planning commission's March 20, 2013 meeting (dated March 15, 2013) with attachments, including proposed changes to the CEQA documents
6. Project plans
7. Compiled CEQA documents. [*Note: With the exception of the Response to Comments, these documents were not presented to the planning commission as shown but are provided for the town council's reference in addition to the original documents and redline pages which are provided as separate items below.*]
 - a. Mitigated Negative Declaration/Initial Study – Volume I
 - b. Mitigated Negative Declaration/Initial Study – Volume II – Technical Appendices
 - c. Response to Comments
 - d. Mitigation Monitoring and Reporting Program
8. Public comments received on the project: February 2011- November 21 (prior to the release of the Draft IS/MND)
9. Public comments received on the project from 11/21/12 – 1/4/13 (public comment period on the Draft IS/MND)
10. Public comments received on the project from 1/5/13 – 3/6/13
11. Public comments received on the project from 1/7/13 – 3/20/13
12. Memo to planning commission: Sites to view examples of artificial turf (dated March 12, 2013)
13. Updated memo to planning commission: Sites to view examples of artificial turf (dated March 18, 2013)
14. Minutes of the planning commission's March 6, 2013 meeting
15. Agenda & staff report for the planning commission's March 6, 2013 meeting (dated February 26, 2012) with attachments
16. Response to comments on MND and Initial Study (for March 6, 2013 meeting)
17. Redlined version of Initial Study (for March 6, 2013 meeting)
18. Redlined version of Mitigated Negative Declaration (for March 6, 2013 meeting)
19. Letter from State Clearinghouse received January 2, 2013
20. Letter from California Department of Toxic Substances Control received December 17, 2012
21. Minutes of the ASCC's January 14, 2013 meeting
22. Staff report for the ASCC's January 14, 2013 meeting (dated January 10, 2013)
23. Minutes of the planning commission's December 5, 2012 meeting
24. Agenda & staff report for the planning commission's December 5, 2012 meeting (dated December 5, 2012) with attachments
25. Notice of Intent to Adopt a Mitigated Negative Declaration (public review period November 21, 2012 to January 4, 2013)
26. Public Review Draft, Proposed Mitigated Negative Declaration/Initial Study, Volume I (dated November 2012)

27. Public Review Draft, Proposed Mitigated Negative Declaration/Initial Study, Volume II (dated November 2012)
28. Revised application submittal received November 16, 2012
29. Minutes of the joint field meeting of the ASCC and planning commission on September 24, 2012
30. Agenda & staff report for the joint field meeting of the ASCC and planning commission on September 24, 2012 meeting (dated September 20, 2012) with attachments
31. Minutes of the planning commission's September 19, 2012 meeting
32. Agenda & staff report for the planning commission's September 19, 2012 meeting (dated September 13, 2012)
33. Minutes of the ASCC's September 10, 2012 meeting
34. Minutes of the joint field meeting of the ASCC and planning commission on September 10, 2012 meeting
35. Agenda & staff report for the planning commission and ASCC's September 10, 2012 field meeting (dated September 6, 2012)
36. Minutes of the planning commission's June 6, 2012 meeting
37. Agenda & staff report for the planning commission's June 6, 2012 meeting (dated May 30, 2012)
38. Conditional Use Permit Amendment Application received May 11, 2012
39. Minutes of the planning commission's February 16, 2011 meeting
40. Agenda & staff report for the planning commission's February 16, 2011 meeting (dated February 10, 2011)
41. Minutes of the ASCC's February 15, 2011 meeting
42. Agenda & staff report for the ASCC's February 15, 2011 meeting (dated February 10, 2011)
43. Minutes of the joint field meeting of the ASCC and planning commission on February 1, 2011
44. Agenda & staff report for the joint field meeting of the ASCC and planning commission on February 1, 2011 (dated January 27, 2011)
45. Notices of Public Hearings from January 2011 to March 2013

Town Council Review (item #8)

The following communications, addressed to the Town Council, are comments received prior to the close of the April 24, 2013 Council packet.

APR 18 2013

TOWN OF PORTOLA VALLEY

Burt Brent MD
Belinda Brent PhD
341 Grove Drive
Portola Valley, CA 94028
17 April 2013

Town Council
Town of Portola Valley
Town Hall
765 Portola Road
Portola Valley, CA 94028

Re: Priory's Plan for Plastic Grass

Dear Council Members,

After all the "concern" the Town showed in the 1990's regarding watershed issues to protect our local creeks, we are surprised that the Town seems to have lapsed back into its pattern of the 70s and 80's of ignoring past studies* that the Town has done and problems that might arise as a consequence of not creating a Master drainage plan.

You may not have noticed (because the Town has stopped doing its "creek walks) but the Priory's Development Plan that took place in 2005 has created much faster and higher water flow through Corte Madera Creek. In some places, the Creek's bed has dropped three feet.

Although storms in the past that caused great damage consisted of many inches of rain sometimes for extended periods, this past winter's "major" storm measured only five inches of rain, and yet the water flow from this storm was at the top of the Creek bank at 341 Grove Drive, and the water was four inches from the bottom of the Grove Drive bridge. One must note that this change is something to take into consideration.

Portola Valley is a watershed area; it is in a "flood zone." So, we are asking that you stop addressing drainage and watershed problems project by project and create a long-term projection Plan of what is needed regarding future development.

The Priory's latest "grand plan" with a basement to collect run off from its plastic grass is ridiculous. The water from the basement will eventually run off into the Creek with all the "gunk" germs and chemicals that are washed from the plastic. A pertinent example is Sacred Heart School in Menlo Park. They are reporting problems with their plastic grass, and have had to build motes to collect the run-off.

For a Town that prides itself in concentrating on environmental sustainability, this is NOT a good idea. The Priory needs to be treated as any other resident of Portola Valley and the Town MUST do its own, neutral studies that are not connected to those of the Priory. Please return to those days when you were thinking about the founding principles and Town goals of protecting and maintaining a natural "*sustainable*" environment. There are ten and twelve inch steelhead trout at 341 Grove Drive; we would like them to live happily in a clean creek for many years.

The packet of enclosed documents is for your perusal and contemplation.

We would appreciate your responsible consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Burt & Belinda Brent". The signature is written in a cursive, flowing style.

Burt and Belinda Brent

*See: A Master Storm Drainage Report for the Town of Portola Valley dated June 1970 (in your files),

Burt Brent, MD
Belinda Brent PhD
341 Grove Drive
Portola Valley, CA 94028
20 January 2005

Planning Commission
Town of Portola Valley
Town Hall
765 Portola Road
Portola Valley, CA 94028

Dear Planning Commission Members,

Having attended your meeting 19 January addressing the Priory Development Plan, we want to reiterate our concerns with the lack of consideration for long-term drainage challenges for Corte Madera Creek.

We are enclosing **A Master Storm Drainage Report for the Town of Portola Valley** dated June 1970. It was the basis on which all the residents of Grove Drive successfully sued you in 1984, which forced you to make the corrections suggested in the 1970 report. When I last checked records at Town Hall, this document was no longer in the file, so I'm not sure you have had the chance to peruse it.

So, here you go again: addressing drainage problems project by project instead of creating a long-term projection of what is needed, based on future development within the Town. As you learned in 1984, the lack of such planning can lead to expensive consequences for the Town and for the health and well being of our wonderfully natural creeks.

So, we are asking that you, indeed, think seriously about this. It might behoove you to do these needed studies before rushing through approval of more development projects within the Town. Remember, just because it looks good on paper, or sounds good when reiterated by a good salesperson does not always make it good for Town residents nor Town environment. We need you to be more candid with us, your creek residents, so that future law suits and adverse consequences are unnecessary and a thing of the past.

Flooding along Corte Madera Creek at Grove Drive happens quite regularly. We, your constituents rely on you, our Town government, to look out for our best interests and those of the natural environment in which we are fortunate to live.

Thank you for your kind attention.

Sincerely,

Burt and Belinda Brent

e-mail letters to:
letters@AlmanacNews.com

The Almanac, established in September 1965, is delivered each week to residents of Menlo Park, Atherton, Portola Valley, Woodside and adjacent unincorporated areas of southern San Mateo County. The Almanac is qualified by decrees of the Superior Court of San Mateo County to publish public notices of a governmental and legal nature. Decree No. 13500 continues the Menlo-Atherton Recorder (granted Oct. 24, 1927). Decree No. 147350, issued Nov. 9, 1969, covers The Almanac edition. Subscriptions are available at \$25 per year for delivery to ZIP codes 94025, 26, 27, 28 and 94062. For other ZIP codes, 1 year is \$40, and 2 years \$55.



WHAT'S YOUR VIEW?

All views must include a home address and contact phone number. Published letters will also appear on the Almanac web site: www.AlmanacNews.com

EMAIL your views to letters@AlmanacNews.com. Indicate if it is a letter to be published.

FAX to Editor at 854-0677.

MAIL or deliver to: Editor at the Almanac, 3525 Alameda de las Pulgas, Menlo Park, CA 94025.

CALL the Viewpoint desk at 854-2626, ext. 222.

22 ■ **The Almanac** ■ February 2, 2005

Creekside residents want EIR for Priory expansion

Page 123

By Burt and Belinda Brant

To members of the Creek Committee and citizens living on Corte Madera Creek: We are concerned about what we feel is the obstructionist disregard from our town in refusing to require an Environmental Impact Report (EIR) on Corte Madera Creek that addresses the Woodside Priory's proposed addition. This project — up to 56,000 square feet of building space, cement, and paving — will directly add runoff into Corte Madera Creek during “normal” storm drainage.

At the January 19 Town Council meeting we heard a member of the Priory's board of trustees state that, “Anyone who lives on a riparian corridor in this community, and is not ready for the kind of floods we get, deserves what they get.” I don't think he realizes that his comment speaks to at least 1,200 people who live on Corte Madera Creek on building sites approved by the Town of Portola Valley and who will be affected downstream by his project.

We settled in Portola Valley because, until now, the town

seemed committed to preserving the environment in our area. This idyllic dream started to fade in 1982-83 and again in 1998, when all of us along Grove Drive had incredible flood damage to our property—a subdivision that was approved by the Town of Portola Valley.

We were disastrously flooded by Corte Madera Creek, which rose above its banks, as well as when the creek leaped the current drainage system and water poured down Grove Drive itself and through property and houses.

This was a very costly experience for all of us along Corte Madera Creek, and to the Town of Portola Valley, whose council had not heeded a 1970 study which told them that they had to update the drainage system in Portola Valley. Because we sued the town successfully, they had to fork out major amounts of money to fix the problems they had not addressed since 1970.

By the way, the problems addressed in the 1970 study have

not been totally fixed. Since then, we have had floods in 1982-83 and 1998 when Corte Madera Creek flooded its banks and caused great damage to property and to the riparian creek that we are all trying to preserve. As you

know, this seems to be an ongoing occurrence every five years or so.

Although we acknowledge that the Woodside Priory is a wonderful addition to the community and is entitled to make improvements, we don't want them to take shortcuts that may have disastrous consequences

for their neighbors. The Priory must consider an Environmental Impact Report (EIR) by an independent entity to lead this project into the future. It is the correct and honest thing to do.

Having been citizens of Portola Valley for more than 20 years, we know the town has a history of not planning for the long-term future, which causes problems for its citizens and makes the town liable for lawsuits. It seems to approve “simple” fixes in the here-and-now, and



not consider an overall plan that will address flood and drainage problems in a “far-thinking” way. It would seem a thorough “drainage plan” is in order.

Why is it that Santa Clara County is totally involved in trying to create a future plan for drainage for their county, whereas Portola Valley is doing a piece-by-piece approval of unknown consequences?

We invite the approximately 1,200 Corte Madera Creek residents to come to the Planning Commission meeting February 2 at 8 p.m. in the Historic Schoolhouse at Town Center. This is very important, as those of us who live at or below the Grove Drive Bridge will be impacted by a larger drainpipe that is predicted to bring at least 12 per cent more water into the creek during major storms. A detailed report is available at Town Hall.

Burt and Belinda Brant live on Grove Drive and wrote this for the Citizens of Grove Drive, including James and Marion Bradfield, Mrs. Fred Slightham, and Dr. Coleen Barton Tesler.

Planning Commission Meeting
Town of Portola Valley
Public Hearing
January 19, 2005

“For those people, and to be quite honest, I hear too many lawyers talking over here, I’d like to hear from some experts on drainage.

Anyone who lives on a riparian corridor in this community, and is not ready for the kind of floods we get, deserves what they get!

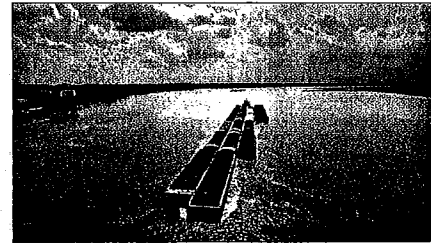
If you’re living on this creek, I don’t care how many thousands of square feet of impervious surface you put at The Priory. What matters is the rain that comes down this mountain.”

Mr. Dale Pfau
Member of The Board of Trustees
The Woodside Priory School

America's polluted waterways

More than half of the rivers and streams in the U.S. have a serious water-quality problem, the *Los Angeles Times* reports. An alarming new study by the Environmental Protection Agency shows that 55 percent of America's rivers and streams "are in poor condition for aquatic life." EPA scientists collected data from roughly 2,000 waterways, from major rivers like the Mississippi to small wading streams. The most persistent problem they found was nutrient pollution: Runoff containing nitrogen and phosphorus—common ingredients in fertilizers and

detergents—fuels algae blooms that decrease the supply of oxygen and sunlight that aquatic plants and animals need to thrive. Land development has also greatly reduced the riparian vegetation that prevents erosion and provides shade to keep waterways cool. High levels of bacteria make 9 percent of U.S. stream and river miles unsafe for swimming, and more than 13,000 miles of rivers contain fish with dangerous mercury levels. "This new science shows that America's streams and rivers are under significant pressure," says the EPA's Nancy Stoner.

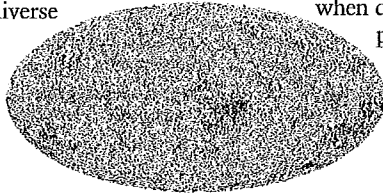


A plague of algae blooms

The survey found that water conditions were the worst in the East, where 70 percent of rivers and streams were in poor shape, compared with 26 percent in Western mountainous areas.

Mapping the infant universe

New data from the European Space Agency's Planck satellite is giving astronomers their most complete look yet at the very earliest moments of the universe. Planck, which measures microwave radiation, has created a heat map of the temperatures present in the universe a mere 370,000 years after the Big Bang. The data suggests that the universe is as much as 100 million years older—and contains slightly more matter—than previously thought. "By matching observations from Planck to predictions from models, we can assemble a surprisingly detailed picture of the universe as it was one nano-nano-nano-nanosecond after the Big Bang," Johns Hopkins University astronomer Marc Kamionkowski tells *CNN.com*. In that first instant, scientists believe, a process called inflation caused the cosmos to expand 100 trillion trillion times, from subatomic size to the dimensions of a grapefruit. Since that first burst, the universe has continued to expand at a slower rate, known as the Hubble constant. The new data from Planck revises the estimate of that rate significantly downward, and suggests that dark energy may be tugging at the cosmos in ways science can't yet explain. A "new physics might be needed" to understand that and other irregularities the map has revealed, says Planck scientist George Efstathiou. "And that's exciting."



A baby picture of the cosmos

man sent nonsensical texts to his wife before seeking treatment at a hospital. There, he scored fine on traditional stroke tests. "He could read, he could write. He wrote a full sentence for us no problem. He spoke fluently," Omran Kaskar, the Detroit neurologist who treated him, tells *Slate.com*. But when doctors handed him a smartphone and asked him to type a text saying, "The doctor needs a new BlackBerry," he wrote "Tjhe Doctor nddd a new bb." When they asked him to check the sentence for errors, he said it looked correct. That evidence led to a diagnosis of acute ischemic stroke, and it suggests that the brain may process texting differently from other kinds of communication.

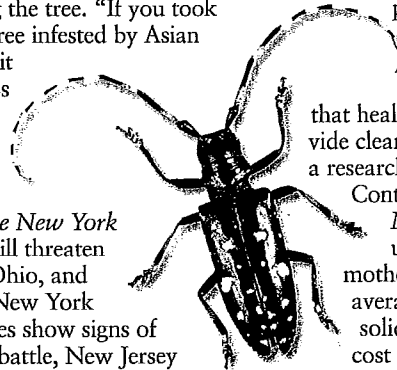
A beetle battle won

After a decade-long fight, New Jersey is completely free of Asian long-horned beetles. The invasive beetles, which scientists believe entered the U.S. in wooden packing crates from their native China, first appeared in Brooklyn in 1996 and in New Jersey in 2002. The insects lay their eggs in the bark of maples, chestnuts, poplars, willows, birches, and elms. Upon hatching, the larvae eat their hardwood home from the inside out, killing the tree. "If you took a cross-section of a tree infested by Asian long-horned beetles, it would look like Swiss cheese," Rhonda Santos, a spokeswoman for the federal Agriculture Department, tells *The New York Times*. The beetles still threaten Massachusetts and Ohio, and some 43 percent of New York City's 5.2 million trees show signs of the pest. To win the battle, New Jersey

officials removed more than 20,000 trees and replaced many of them with beetle-resistant varieties. They also inspected nearly 130,000 hardwood trees, continuing the hunt long after spotting their last live beetle in 2006. "I've been doing this for 11 years nonstop, so it's a little weird that it's over," says state entomologist Paul J. Kurtz. "But at the same time, it's like, 'Wow, we did it.'"

Health scare of the week Weaning babies too soon

A startling number of parents are risking their babies' health by giving them solid food before their bodies can tolerate it. Doctors recommend waiting until children are at least 6 months old before feeding them anything other than breast milk or formula. But a new national survey of mothers found that 40 percent had given their babies solid food before they were 4 months old, and nearly 10 percent had done so at 4 weeks old. That puts infants at risk of choking, as well as developing diarrhea, intestinal inflammation, obesity, and diabetes. It also deprives them of breastfeeding's benefits, which include improved immune system health and decreased risk of sudden infant death syndrome. Many mothers falsely believed solid food would help their babies sleep, and more than 50 percent said that their doctors had "told them it was time to introduce solid food," which "for us indicates that health-care providers need to provide clearer guidance," Kelley Scanlon, a researcher at the Centers for Disease Control and Prevention, tells *NBCNews.com*. Young, unmarried, and low-income mothers were also more likely than average to start their babies on solids early because of the high cost of formula.



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OF COUNSEL
CLINTON H. CODDINGTON

January 19, 2005

Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028

Re: Woodside Priory Revised Initial Study
Proposed Mitigated Negative Declaration

Dear Sir or Madam:

This office represents Burt and Belinda Brent, and on their behalf, submit the following comments with respect to the Proposed Mitigated Negative Declaration for the Woodside Priory Revised Master Plan ("Project"). Pursuant to the California Environmental Quality Act, the following impacts have not been adequately addressed, analyzed and/or mitigated. Therefore, the Mitigated Negative Declaration is legally inadequate and a comprehensive Environmental Impact Report should be prepared to properly assess the full impacts of this Project.

1. Flooding Impacts

In the past, significant flooding has occurred on the Project's property, as well as in adjacent neighborhoods. Corte Madera Creek has, at time, caused tremendous damage to riparian residential properties due to flooding, and in-channel erosion. Such events have resulted in costly litigation, and the necessity for extensive remedial restoration of riparian creek banks. The Project will increase the impervious area of the property by approximately 12% or 48,655 square feet. This will result in an increase in the volume of storm water run-off associated with

GODDINGTON, HICKS & D'ARFORTE

Town of Portola Valley

January 19, 2005

Page 2

the Project. Although the Revised Initial Study includes a master drainage plan that must be implemented prior to any further development of the Project, the Revised Initial Study fails to consider the down stream effects of this increased storm water run-off. Potential effects include increased risk of flooding, erosion, siltation, and adverse effects to sensitive habitat. The Revised Initial Study has failed to address and analyze these potential impacts. The mitigation measures proposed only help to ensure that additional run-off is diverted to a low lying area before it is released into Corte Madera Creek rather than flowing directly into the creek. No other mitigation measures have been raised to address potential down stream effects, especially in the event where the creek is already swollen and the detention facility is full.

Further, the master drainage plan only addresses the increased storm water run-off due to the Project. It does not address the existing issues with on-site flooding. The drainage report recommends a separate storm drainage master plan. However, it is likely that a separate drainage plan addressing on-site flooding will impact the proposed master drainage plan for the Project and further impact Corte Madera Creek by increasing the amount of storm water run off. The Revised Initial Study also fails to address the cumulative impacts of other projects may have on the proposed drainage system. Therefore, these cumulative drainage issues should be addressed entirely in the Revised Initial Study. Failure to do so renders the Mitigated Negative Declaration legally inadequate.

Implementing a drainage system that incorporates the athletic field as a catch basin raises additional issues with potential contamination of the storm water run-off due to the use of fertilizer on the field. This contamination could potentially have a significant impact on riparian habitat and other sensitive habitat. The mitigation measured proposed for the Project do not render the Project's impacts "less than significant" and therefore, a comprehensive Environmental Impact Report should be prepared to properly address these issues.

2. Traffic Impacts**a. The Traffic Study Is Defective And Misleading**

The Revised Initial Study fails to adequately address the impact the Project will have on traffic within the vicinity of the Project. The Traffic Study performed by BFK Engineers fails to account for the full impact of the Project that will result once Woodside Priory's Conditional Use Permit ("CUP"), as proposed, is approved.

Currently, Woodside Priory operates under a CUP that allows a maximum of 250 students, 21 faculty members, and 30 monks. The proposed CUP sought would allow up to 350 students and 50 faculty members, and would decrease the number of monks to 5. This results in a net increase of 104 people. In addition, the Project proposes to increase the number of faculty members

CODDINGTON, HICKS & DANFORTH

Town of Portola Valley
January 19, 2005
Page 3

living on campus by adding 12 new housing units. This is likely to result in an increase of 27 to 54 people living on campus.

Woodside Priory currently is operating in violation of its CUP. The current population of the school is approximately 340 students, 40 faculty members, and 5 monks. Rather than addressing the full impact the Project will have on traffic, the Traffic Study was prepared based on the assumption that Woodside Priory only anticipated an increase of 20 students and no increase in faculty. Merely because Woodside Priory is currently operating in violation of its CUP does not mean that it can ignore the full impact of this Project.

Based on misleading and faulty assumptions, the Traffic Study concluded that the Project would result in an increase in traffic of only 9 trips per morning peak hour and 3 trips per evening peak hour. Additionally, the increase due to the proposed on-campus housing units is expected to only result in 6 out bound and 6 in bound trips per day. Further, as a "worst case scenario," it is assumed that 3 people would reside in each of the 12 on-campus units, resulting in 36 outbound and 36 inbound trips per day.

The Traffic Study concluded that the level of service would remain the same, and therefore, the Project will have a less than significant impact on traffic. Had the Traffic Study been prepared based on the appropriate assumption of a net increase of 104 people, as well as an increase of 27 to 54 people living on campus, the true effects of the Project could be determined.

In order to evaluate the full impact of the Project on traffic in the area, the Traffic Study should have been prepared based on an increase of 104 people and an increase of 27 to 54 people living on campus. This is the true impact of the Project on traffic. Because the Project's traffic impact analysis was defective and misleading, the Mitigated Negative Declaration and Revised Initial Study fails to adequately address the full impact of the Project as required.

b. The Traffic Study Fails To Address Cumulative Impacts

The Traffic Study fails to address the cumulative impacts this Project will have on traffic. Although the Traffic Study includes impacts from anticipated "other development", the study does not recognize the potential cumulative impact on traffic associated with other projects that may occur during the ten years in which the Master Plan is implemented. The Initial Study specifically recognizes the recent expansion of, and likely future expansion of The Sequoias, but fails to include this in the Traffic Study. Failure to consider the cumulative impacts from a Project renders the Initial Study and Proposed Negative Declaration deficient.

For the reasons stated above, the findings and proposed mitigation measures contained in the Revised Initial Study and the Mitigated Negative Declaration are inadequate and fail to address

GODDINGTON, HICKS & DUNFORTH

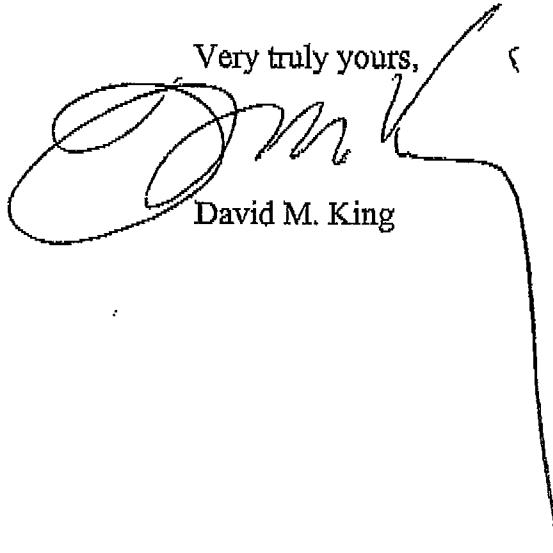
Town of Portola Valley

January 19, 2005

Page 4

the full impact of the Project. The preparation of an Environmental Impact Report is warranted in light of the significant adverse environmental impacts raised by this Project.

Very truly yours,

A large, stylized handwritten signature in black ink, consisting of several loops and a long vertical line extending downwards to the right.

David M. King

**STATUS REPORT ON THE
PLANNING COMMISSION'S CONSIDERATION OF
CREEK SETBACKS**

7/6/07

This report is intended to bring the reader up-to-date with the history of town's interest in the protection of creeks that extends back to the founding of the town. In addition, the report contains preliminary creek setbacks that are under consideration by the planning commission. It is the intent of the commission that the preliminary setbacks now be subjected to meaningful town discussion.

BACKGROUND

The town's General Plan, adopted in 1965, contained as the first community goal, the following statement:

To preserve and enhance the natural features of the Portola Valley Area because these qualities are unusual and valuable resources for the Portola Valley Area, the Peninsula and the entire San Francisco Bay Area.

Over the last 42 years the town has taken steps necessary to guarantee that the community will remain a low-density rural environment largely through limitations on development and the preservation of vast areas of open space. In addition, the town has established a design review process that helps ensure that new homes are consistent with the basic goal of the town. There are, of course, many other actions the town has taken to further this fundamental goal.

The care and protection of the streams in the town was also addressed in the original General Plan with the stated objective:

To preserve and develop streams and streamsides, unique resources in the area, in a manner that will assure maximum retention of their natural beauty and provide for their use and enjoyment.

Since then, the town has not always had the tools and programs that would help implement the above objective. In 1999, the planning commission, having noticed that streams were not always being adequately considered, requested the town council to form a citizen's committee to study the creeks in the town. The council then appointed the Creekside Corridor Committee. This committee held meetings and then submitted its report to the town council in 2000.

In 2001, the town council authorized preparation of a new town topographic base map and directed that the town planner prepare proposed riparian regulations stemming from the committee's report. These proposed regulations were completed in 2001 and the planning commission undertook public meetings where the proposed regulations were discussed. It became clear during the meetings that the proposals were overly restrictive and complex and did not cover the range of issues important to residents. A letter from six members of the Creekside

Corridor Committee, dated 10/21/01, stated their disappointment that sufficient attention had not been given to the following issues:

1. Protecting homes and families from damage caused by flooding of the creeks.
2. Helping all property owners to protect the creek banks from erosion.
3. Determining how to best preserve the environmental quality of our creeks, while also respecting the rights of creekside property owners.

In 2003 the planning commission adopted a simplified set of preliminary guidelines for stream corridors to serve as guidance to staff, officials and residents. At the same time, the commission deferred until later the reevaluation of the recommendations contained in the 2000 report.

The planning commission resumed consideration of creeks in 2005. After considering the work of the past, the commission came to several conclusions:

1. Full public participation would be necessary when moving ahead with the project.
2. The program must deal not only with regulations, but must offer guidance and assistance to residents when proposals are made for development in and along creeks.

RECENT AND CURRENT ACTIVITIES

The town participated in a study of the main creek in the Town, Corte Madera Creek, that resulted in the report "Maintaining Corte Madera Creek: A Citizens' Guide to Creek-Side Property Protection" completed in 2005. This report, prepared by Philip Williams & Associates, Ltd., consultants in hydrology and H.T. Harvey & Associates, botanists, provides superb descriptions of the nature of creeks, how they change, proper and improper modifications to creek channels and the importance of native vegetation to the health of a stream. The study is available at town hall.

The town council recently authorized a detailed study of the riparian habitats in the town that will provide a better understanding of the various habitats along and their importance. This study, when completed, will provide residents with valuable information when considering changes to vegetation in and adjacent to creeks.

The planning commission is now returning to the creeks and considering the range of matters of concern to property owners and the town. A summary of the actions the town can take and that property owners can take to reduce the likelihood of flooding, protect creek banks and preserve the environmental quality of creeks are contained in an attachment to this report. (See attachment: "Actions the Town and Property Owners Can Take to Protect The Creeks")

In general, the approach of the planning commission is: to provide reasonable protection to the natural qualities of the creeks, their banks and borders; and to provide assistance and advice to property owners when changes along creeks are being considered. The focus of this report, then, is on the provisions the planning commission is considering with respect to protection of creeks and their borders. Other topics included in the attachment to this report will be addressed in the future as necessary.

DRAFT CREEK SETBACKS

The planning commission has considered revised creek provisions at a number of the regularly scheduled and noticed public meetings since the middle of 2006. The commission has now reached agreement on provisions that should be circulated to residents and discussed. The commission believes the proposal focuses on major concerns and does not concentrate on details that are better left to the judgment of property owners and their advisors. Also, the following setback provisions are set forth in terms the commission believe can be readily understood.

1. PURPOSES OF CREEK SETBACKS

The overall purpose of the Creek Setback Ordinance is to improve the quality of creek bank protection measures used on Town creeks, discourage practices that pose a risk to property improvements and neighboring properties, and protect the unique scenic and habitat values of the creek environment. It is envisioned that the Creek Setback Ordinance will benefit creekside property owners, residents of the town and region, and the overall environmental quality of the creeks and adjacent habitats. The measures are intended to help ensure that, over time, changes within creek setbacks will help return the creeks and creeksides to a more healthy and natural environment

The specific purposes of the setbacks are:

To keep new buildings out of range of potential creekbank failure and flooding.

To provide for the review of modifications to or replacements of existing buildings and paved areas within creek setbacks to ensure encroachments into creek setbacks are not increased, and also, to encourage a decrease in existing encroachments when modifications or replacements take place.

To restrict new structures in creek setbacks to those deemed necessary for creek bank stabilization projects, utility crossings, roads and driveways.

To retain adequate space adjacent to creek banks to replace failing bank protections, to remove obstructions that pose a risk of flooding and facilitate bank protection projects utilizing state-of-the-art practices, such as grading to achieve more stable bank angles.

To retain adequate space adjacent to creekbanks to allow wildlife movement and migration.

To protect creekside vegetation that stabilizes the soil and reduces flow velocities, erosion, sedimentation and creekbank failure.

To protect creekside vegetation as wildlife habitat for those species (song birds, waterfowl, mammals, fish, amphibians) dependent on creeks and their flanking native vegetation.

To protect creekside vegetation for shading and cooling of creek water to provide an environment supportive of trout, other fish, amphibians and invertebrates.

2. CREEKS SUBJECT TO CREEK SETBACK PROVISIONS

The following creeks are subject to creek setback regulations: Los Trancos Creek, Corte Madera Creek and Sausal Creek.

3. PROPOSED CREEK SETBACKS

Setbacks may be measured from either the top of creek bank or ordinary high water mark (see definition under Section 5. below) at the option of the property owner:

Parcels less than one acre in size - 35 ft. from ordinary high water mark, or 30 ft. from top of bank.

Parcels of 1.0 acre to 2.5 acres - 50 ft. from ordinary high water bank, or 45 ft. from top of bank.

Parcels of 2.5 acres or more – 60 ft. from ordinary high water mark or 55 ft. from top of creek bank.

In new subdivisions, parcels shall have a minimum creek setback of 55 ft. from the top of creek bank, but this setback may be required to be enlarged as part of the subdivision process to increase safety as well as protect the natural environment. Areas included in such setbacks can include, for example, floodplains, eroding banks, and sensitive habitats. In planned unit developments, this setback may be modified when such modification will better secure the purposes of this section of the zoning ordinance.

[Persons proposing development along creeks should consult Section 18.32, F-P (Floodplain) Combining District Regulations, contained in the Zoning Regulations as these provisions affect development in the floodplains along creeks.]

4. Top of Bank

The top of bank is where the creek channel sides intercept adjoining higher ground. It shall include the 100 year flood zone. In cases where the top of bank is difficult to discern, the top of bank shall be based on a physical inspection by Town Staff in concert with the property owner.

5. Ordinary High Water Mark (OHM)

The “ordinary high water mark” is a line on a creek bank that reflects the normal high water mark experienced over time. In Portola Valley, the OHWM is usually about 3 – 4 ft. above the normal base water flow. Town Staff will assist a property owner in identifying the OHWM consistent with the Army Corps of Engineers standards.

6. Repair and Maintenance of Existing Structures

Existing structures, other than fences, in creek setbacks may be maintained and repaired as necessary to keep them in useable condition pursuant to any required building/site development permit. Fences are addressed in Section 9 below.

7. Reconstruction and Replacement of Structures

Existing buildings, decks, driveways, other impervious surfaces, and other minor structures that are within a required creek setback may be reconstructed or replaced as provided for in items A. and B. below, provided that in no case shall such construction increase the extent of the encroachment into the setback area. The extent of encroachment takes into account both the total square footage of structures within the setback and their proximity to the creek. Since flexibility in design is desirable for property owners and provides opportunities to reduce impacts on the creek, new construction is not limited to the footprint or location of the preexisting structure but may be relocated in order to provide a design more consistent with the purposes of Section 1. Such relocations cannot, however, increase the extent of encroachment in the setback. The building permit and/or a site development permit may require measures that are reasonably related to the project in order to prevent creek bank failure and erosion and to mitigate adverse effects on the creek environment. Property owners are encouraged to replace improvements in locations that encroach less into the creek setbacks.

A. Reconstruction and Replacement Following Involuntary Damage

Existing buildings, decks, driveways and other impervious surfaces, and other minor structures may be reconstructed or replaced following involuntary damage or deterioration.

B. Reconstruction Replacement Following Voluntary Demolition

Existing structures including buildings, decks, driveways and other impervious surfaces, and other minor structures may be reconstructed or replaced following voluntary demolition when such demolition affects less than 50% of the floor area or a building or 50% of surface area of other structures. If demolition affects 50% or more of the floor or surface area, such replacement or reconstruction shall conform to the required creek setback unless there is no alternate site for the structure that is completely or partially outside of the required creek setback.

8. Creek Bank Stabilization Projects

New, expanded or repaired creek bank stabilization projects are permitted within the creek setback pursuant to a building permit and/or site development permit. Such projects shall be designed to state-of-the-art practices; particularly those using the most up-to-date techniques for protecting banks by employing natural solutions such as revegetation and biotechnical designs. Projects shall minimize physical damage including creek bank erosion, creek bank failure or flooding to upstream, downstream or opposing properties. Stabilization projects are to be designed to provide long-term protection and at the same time be consistent with the purposes of Section 9.

9. Fences

Existing fences below the top of bank may not be repaired, reconstructed or replaced other than as an approved creek bank stabilization measure as provided for in Section 9. Existing fences above the top of bank may be repaired, reconstructed or replaced when in conformance with Chapter 18.43 of the zoning ordinance. New fences shall conform to Chapter 18.43 of the zoning ordinance. (See Section 18.04.155 for definition of "fence.")

10. Vegetation

Removal of existing non-native vegetation in creek setbacks is encouraged, and new creek stabilizing vegetation is to be selected from the town's list of riparian vegetation, or vegetation shown to be a native species of this watershed.

11. Grading

Grading up to 5 cubic yards and installation of impervious surfaces up to 2% of the setback area are permitted. These limits may be exceeded and approved by the planning staff when they do not reach the threshold for which a site development permit is required, otherwise, a site development permit is required.

12. Creek Crossings

Road, bridge, and utility crossings are permitted in creek setbacks pursuant to a building/site development permit and shall be designed to minimize adverse impacts on the creek channel, adjoining banks and flooding potential. Footings for support of such crossings must be located outside of the creek channel.

13. Trails and Paths

Trails and paths are permitted subject to the provisions of the site development ordinance and must be designed to minimize adverse impacts on the natural environment.

Attachment

cc. Leslie Lambert
Sandy Sloan
Ted Driscoll
Angie Howard

◀ Lake and Streambed Alteration Program

Fish & Game Code Section 1600

1600. Purpose of the Chapter

The protection and conservation of the fish and wildlife resources of this state are hereby declared to be of utmost public interest. Fish and wildlife are the property of the people and provide a major contribution to the economy of the state as well as providing a significant part of the people's food supply and therefore their conservation is a proper responsibility of the state. This chapter is enacted to provide such conservation for these resources.

1601. Construction that Adversely Affects Wildlife Areas

(a) Except as provided in this section, general plans sufficient to indicate the nature of a project for construction by, or on behalf of, any state or local governmental agency or any public utility shall be submitted to the department if the project will (1) divert, obstruct, or change the natural flow or the bed, channel, or bank of any river, stream, or lake designated by the department in which there is at any time an existing fish or wildlife resource or from which these resources derive benefit, (2) use material from the streambeds designated by the department, or (3) result in the disposal or deposition of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into any river, stream, or lake designated by the department. If an existing fish or wildlife resource may be substantially adversely affected by that construction, the department shall notify the governmental agency or public utility of the existence of the fish or wildlife resource together with a description thereof and shall propose reasonable modifications in the proposed construction that will allow for the protection and continuance of the fish or wildlife resource, including procedures to review the operation of those protective measures. The department's description of an existing fish or wildlife resource shall be specific and detailed and the department shall make available upon request the information upon which its conclusion is based that the resource may be substantially adversely affected. The proposals shall be submitted within 30 days from the date of receipt of the plans, except that the time period may be extended by mutual agreement. Upon a determination by the department and after notice to the affected parties of the necessity for an onsite investigation or upon the request for an onsite investigation by the affected parties, the department shall make an onsite investigation of the proposed construction and shall make the investigation before it proposes any modifications.

(b) (1) Within 14 days from the date of receipt of the department's proposals, the affected agency or public utility shall notify the department in writing whether the proposals are acceptable, except that the time period may be extended by mutual agreement. If the department's proposals are not acceptable to the affected agency or public utility, the agency or public utility shall so notify the department. Upon request, the department shall meet with the affected agency or public utility within seven days of receipt of the notification, or at a time mutually agreed upon, for the purpose of developing proposals that are acceptable to the department and the affected agency or public utility.

(2) If mutual agreement is not reached at the meeting held pursuant to paragraph (1), a panel of arbitrators shall be established. The panel of arbitrators shall be established within seven days from the date of the meeting, or at a time mutually agreed upon, and shall be composed of one representative of the department, one representative of the affected agency or public utility, and a third person mutually agreed upon or, if no agreement can be reached, the third person shall be appointed in the manner provided by Section 1281.6 of the Code of Civil Procedure. The third person shall act as chair of the panel. The panel may settle disagreements and make binding decisions regarding the fish and wildlife modifications. The arbitration shall be completed within 14 days from the date that the composition of the panel is established, unless the time is extended by mutual agreement. The expenses of the department representative shall be paid by the department; the expenses of the representative of the governmental agency or the public utility shall be paid by the governmental agency or the public utility; and the expenses of the chair of the panel shall be paid one-half by each party.

(c) A governmental agency or public utility proposing a project subject to this section shall not commence operations on that project until the department has found that the project will not substantially adversely affect an existing fish or wildlife resource or until the department's proposals, or

the decisions of a panel of arbitrators, have been incorporated into the project. The department shall not condition the streambed alteration agreement on a project subject to this section on the receipt of another state or federal permit.

(d) The department shall determine and specify types of work, methods of performance, or remedial measures that are exempt from this section.

(e) With regard to any project that involves the routine maintenance and operation of water supply, drainage, flood control, or waste treatment and disposal facilities, notice to, and agreement with, the department is not required subsequent to the initial notification and agreement, unless the work as described in the agreement is substantially changed or conditions affecting fish and wildlife resources substantially change, and the resources are adversely affected by the activity conducted under the agreement. This subdivision applies in any instance where notice to, and agreement with, the department has been attained prior to January 1, 1977.

(f) This section does not apply to any of the following projects, except that notification by the agency or public utility performing any of the following projects shall be made to the department within 14 days from the date of the commencement of the project:

(1)(A) Immediate emergency work necessary to protect life or property.

(B) Immediate emergency repairs to public service facilities necessary to maintain service as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code.

(2) Emergency projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway, as defined in Section 360 of the Vehicle Code, except for a highway designated as an official state scenic highway pursuant to Section 262 of the Streets and Highways Code, within the existing right-of-way of the highway, damaged as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, within one year of the damage. This paragraph does not exempt from this section any project undertaken, carried out, or approved by a public agency to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide.

(g) The department may enter into agreements with applicants for a term of not more than five years for the performance of operations on projects subject to this section. The terms of the agreement may be renegotiated at any time by mutual consent of the parties. Each agreement shall be renewed automatically by the department at the expiration of its term unless the department determines that there has been a substantial change in conditions. If there is a disagreement between the department and the applicant as to whether there has been a substantial change in conditions, the department and the applicant shall proceed to arbitration pursuant to subdivision (b). The department may charge a fee when the agreement is entered into and for each renewal, but may not charge an annual fee for this purpose.

1602. Obstruction Notice; Arbitration

In addition to the provisions of Section 1601, the department, following submission of the modifications referred to in Section 1601, shall by mutual agreement with any state agency proposing such project, establish such procedures that the parties deem necessary to provide adequate review of the proposed modifications and consideration of alternative conditions designed to protect existing fish and wildlife resources. If no agreement can be reached between the department and the state agency proposing the project, the procedures for arbitration specified in Section 1601 shall then apply.

1603. Diversion or Obstruction of Waters

(a) It is unlawful for any person to substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the department, or use any material from the streambeds, without first notifying the department of that activity, except when the department has been notified pursuant to Section 1601. The department, within 30 days from the date of receipt of that notice, or within the time determined by mutual written agreement, shall, when an existing fish or wildlife resource may be substantially adversely affected by that activity, notify the person of the existence of that fish or wildlife resource together with a description of the fish or wildlife, and shall submit to the person its proposals as to measures necessary to protect fish and wildlife. Upon a determination by the department of the necessity for onsite investigation or upon the request for an onsite investigation by the affected parties, the department shall notify the affected parties that it shall make an onsite investigation of the activity and shall make that investigation before it proposes any

measure necessary to protect the fish and wildlife. The department's description of an existing fish or wildlife resource shall be specific and detailed and the department shall make available upon request the information upon which its conclusion is based that the resource may be substantially adversely affected.

(b) (1) Within 14 days from the date of receipt of the department's proposals, the affected person shall notify the department in writing whether the proposals are acceptable, except that the time period may be extended by mutual agreement. If the department's proposals are not acceptable to the affected person, the person shall so notify the department. Upon request, the department shall meet with the affected person within seven days from the date of receipt of that notification or by a date that may be mutually agreed upon for the purpose of developing proposals that are acceptable to the department and the affected person. (2) If mutual agreement is not reached at the meeting held pursuant to paragraph (1), a panel of arbitrators shall be established. However, appointment of the panel may be deferred by mutual consent of the parties. The panel shall be established within seven days from the date of that meeting and shall be composed of one representative of the department, one representative of the affected person, and a third person mutually agreed upon or, if no agreement can be reached, the third person shall be appointed in the manner provided by Section 1281.6 of the Code of Civil Procedure. The third person shall act as panel chair. The panel may settle disagreements and make binding decisions regarding fish and wildlife modifications. The arbitration shall be completed within 14 days from the date that the composition of the panel is established, unless the time period is extended by mutual agreement. The expenses of the department representative shall be borne by the department; the expenses of the representative of the person who diverts or obstructs the natural flow, or changes the bed, of any river, stream, or lake, or uses any material from the streambeds shall be borne by that person; and the expenses of the chair of the panel shall be paid one-half by each party.

(c) It is unlawful for any person to commence any activity affected by this section until the department has found that it will not substantially adversely affect an existing fish or wildlife resource or until the department's proposals, or the decisions of a panel of arbitrators, have been incorporated into the activity. If the department fails to act within 30 days from the date of the receipt of the notice, the person may commence the activity. The department shall not condition the streambed alteration agreement on the receipt of another state or federal permit.

(d) It is unlawful for any person to engage in an activity affected by this section, unless the activity is conducted in accordance with the department's proposals or the decisions of the panel of arbitrators.

(e) If an activity involves the routine maintenance and operation of water supply, drainage, flood control, or waste treatment and disposal facilities, notice to and agreement with the department shall not be required subsequent to the initial notification and agreement unless the work as described in the agreement is substantially changed or conditions affecting fish and wildlife resources substantially change and those resources are adversely affected by the activity conducted under the agreement. This subdivision applies in any instance where notice to, and agreement with, the department has been attained prior to January 1, 1977.

(f) (1) Except as provided in paragraph (2), this section does not apply to any of the following projects:

(A) Immediate emergency work necessary to protect life or property.

(B) Immediate emergency repairs to public service facilities necessary to maintain service as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code.

(C) Emergency projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway, as defined in Section 360 of the Vehicle Code, except for a highway designated as an official state scenic highway pursuant to Section 262 of the Streets and Highways Code, within the existing right-of-way of the highway, damaged as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, within one year of the damage. Work needed in the vicinity above and below a highway may be conducted outside of the existing right-of-way if it is needed to stop ongoing or recurring mudslides, landslides, or erosion that pose an immediate threat to the highway or to restore those roadways damaged by mudslides, landslides, or erosion to their predamage condition and functionality. This subparagraph does not exempt from this section any project undertaken, carried out, or approved by a public agency to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide. (2) The person performing the project shall notify the department within 14 days from the date of commencement of a project exempted by this subdivision. (3) For purposes of this subdivision, "emergency" means an emergency, as defined in Section 21060.3 of the Public Resources Code.

(g) The department may enter into agreements with applicants for a term of not more than five years for the performance of activities subject to this section. The terms of the agreement may be renegotiated at any time by mutual consent of the parties. Each agreement shall be renewed automatically by the department at the expiration of its term unless the department determines that there has been a substantial change in conditions. If there is a disagreement between the department and the applicant as to whether there has been a substantial change in conditions, the department and the applicant shall proceed to arbitration pursuant to subdivision (b). The department may charge a fee when the agreement is entered into and for each renewal, but may not charge an annual fee for this purpose.

1603.1. Violation of 1603 - Penalties

(a) Every person who violates Section 1603 is subject to a civil penalty of not more than twenty-five thousand dollars (\$25,000) for each violation.

(b) The civil penalty imposed for each separate violation pursuant to this section is separate, and in addition to, any other civil penalty imposed for a separate violation pursuant to this section or any other provision of law.

(c) In determining the amount of any civil penalty imposed pursuant to this section, the court shall take into consideration the nature, circumstance, extent, and gravity of the violation. In making this determination, the court may consider the degree of toxicity and volume of the discharge, whether the effects of the violation may be reversed or mitigated, and with respect to the defendant, the ability to pay, the effect of any civil penalty on the ability to continue in business, any voluntary cleanup efforts undertaken, any prior history of violations, the gravity of the behavior, the economic benefit, if any, resulting from the violation, and any other matters the court determines justice may require.

(d) Every civil action brought under this section shall be brought by the Attorney General upon complaint by the department, or by the district attorney or city attorney in the name of the people of the State of California, and any actions relating to the same violation may be joined or consolidated.

(e) In any civil action brought pursuant to this chapter in which a temporary restraining order, preliminary injunction, or permanent injunction is sought, it is not necessary to allege or prove at any stage of the proceeding any of the following: (1) That irreparable damage will occur if the temporary restraining order, preliminary injunction, or permanent injunction is not issued. (2) The remedy at law is inadequate. The court shall issue a temporary restraining order, preliminary injunction, or permanent injunction in a civil action brought pursuant to this chapter without the allegations and without the proof specified in this paragraph or paragraph (1).

(f) All civil penalties collected pursuant to this section shall not be considered fines or forfeitures as defined in Section 13003 and shall be apportioned in the following manner: (1) Fifty percent shall be distributed to the county treasurer of the county in which the action is prosecuted. Amounts paid to the county treasurer shall be deposited in the county fish and wildlife propagation fund established pursuant to Section 13100. (2) Fifty percent shall be distributed to the department for deposit in the Fish and Game Preservation Fund. These funds may be expended to cover the costs of any legal actions or for any other law enforcement purpose consistent with Section 9 of Article XVI of the California Constitution.

1603.3. Department to Provide Cover Letter to All Applicants; Contents

The department shall provide all applicants for an agreement pursuant to Section 1601 or 1603 with a cover letter which sets forth all of the following information:

(a) The time period for review of the application.

(b) An explanation of the applicant's right to object to conditions proposed by the department.

(c) The time period within which objections may be made in writing by the applicant to the department.

(d) The time period within which the department is required to respond to the applicant's objections, and that the response must be in writing.

(e) An explanation of the right of the applicant to appeal the department's imposition of conditions for the agreement, including the right to arbitration.

(f) The procedures for arbitration and the timelines set forth in statute for using the arbitration procedure, including, but not limited to, information about the payment requirements for the arbitrator's fees.

(g) The current fee schedule for obtaining the agreement, including, but not limited to, an explanation of how the fees are calculated.

1603.5. Napa River Watershed Project Agreements

The department may enter into an agreement with any person, state or local governmental agency, or any

public utility, for projects in the Napa River watershed in accordance with a watershed management plan developed by the Napa Resource Conservation District. Notice to, and agreement with, the department is not required for a project subsequent to the initial agreement pursuant to this subdivision, unless the work as described in the agreement is substantially changed, or conditions affecting fish and wildlife resources substantially change, and those resources are adversely affected by the activity conducted under the agreement.

1604. Arbitration - Petition for Judiciary Review

Any party affected by a decision made by an arbitration panel pursuant to Section 1601 or 1603 may petition a court of competent jurisdiction for confirmation, correction, or vacation of the decision in accordance with the provisions of Chapter 4 (commencing with Section 1285) of Title 9 of Part 3 of the Code of Civil Procedure.

1605. Modifications or Conditions - Include in Bid Notice

Any governmental agency, state or local, or public utility which intends to specify any location of possible construction material such as borrow pits or gravel beds, for the use in any construction project undertaken on its behalf which would be subject to this chapter, shall include in any notice inviting bids, any modifications or conditions established pursuant to Section 1601 of this code.

1606. Timber Harvesting Plans - Contents

Persons submitting timber harvesting plans under provisions of Section 4581 of the Public Resources Code may consider that notification to the department as required in Section 1603 has been given, provided, however, the following information is provided in the contents of such plan:

- (a) The volume, type, and equipment to be used in removing or displacing any one or combination of soil, sand, gravel or boulders.
- (b) The volume of water, intended use, and equipment to be used in any water diversion or impoundment, if applicable.
- (c) The equipment to be used in road or bridge construction.
- (d) The type and density of vegetation to be affected and an estimate of the area involved.
- (e) A diagram or sketch of the location of the operation which clearly indicates the stream or other water and access from a named public road. Locked gates shall be indicated. The compass direction must be shown.
- (f) A description of the period of time in which operations will be carried out.

1607. Fees; Establishment of Schedule, Amounts

- (a) The director may establish a schedule of fees to be charged to any entity or person subject to this chapter. The fees charged shall be established in an amount necessary to pay the total costs incurred by the department in preparing and submitting proposals and conducting investigations pursuant to this chapter and administering and enforcing this chapter. Fees received pursuant to this section shall be deposited in the Fish and Game Preservation Fund as a reimbursement.
- (b) Pursuant to subdivision (a), the department shall establish the fees in an amount not less than fifty dollars (\$50) or more than two thousand four hundred dollars (\$2,400), as adjusted pursuant to Section 713.



Lake and Streambed Alteration Program
 Project Questionnaire

Please complete the following questionnaire and submit it with your notification package to expedite the Department's review of your proposed project or activity.
Please attach or enclose any additional information or documents that support or relate to your response.

	Yes	Maybe/ Uncertain	No	Please explain if you responded "yes" or "maybe/uncertain"
1. Will the project or activity involve work on the bank of a river, stream, or lake?				
2. If you answered "yes" to #1, will the project or activity involve any of the following:				
a. Removal of any vegetation?				
b. Excavation of the bank?				
c. Placement of piers?				
d. Placement of bank protection or stabilization structures or materials (e.g., gabions, rip-rap, concrete slurry/sacks)?				
3. Will the project or activity take place in, adjacent to, or near a river that has been designated as "wild and scenic" under state or federal law?				
4. Will the project or activity involve work in the bed or channel of a river, stream, or lake?				
5. Will the project or activity involve the placement of any permanent or temporary structure in a river, stream, or lake?				

	Yes	Maybe/ Uncertain	No	Please explain if you responded "yes" or "maybe/uncertain"
6. Will the project involve the use of material from a streambed?				
7. Will the project or activity result in the disposal or deposition of debris, waste, or other material in a river, stream, or lake?				
a. If you answered "yes" to #7, describe the material that will be disposed of or deposited in the river stream, or, lake:				
8. Will any type of equipment be used in a river, stream, or lake?				
a. If you answered "yes" to #8, describe the type of equipment that will be used:				
9. Does the project or activity area flood or periodically become inundated with water?				
10. Will water need to be diverted from a river, stream, or lake for the project or activity?				
11. If you answered "yes" to #10, please answer the following:				
a. Will this be a temporary diversion?				
b. Will water quality be affected by the deposition of silt, an increase in water temperature, a change in the pH level, or in some other way?				
c. Will the water be diverted by means of a dam, reservoir, or other water impoundment structure?				
12. Will the project or activity be done pursuant to a water right application or permit?				
13. a. Has a wildlife assessment or study been completed for the area where or near where the project or activity will take place? (If "yes", attach or enclose a copy of the assessment or study.)				

	Yes	Maybe/ Uncertain	No	Please explain if you responded "yes" or "maybe/uncertain"
14. Will the project or activity affect fish, amphibians, insects, or other aquatic resources?				
15. Will the project or activity affect terrestrial wildlife?				
16. Are any endangered or rare plant species thought or known to occur in the area where the proposed project or activity will take place?				
17. Are any endangered or threatened fish, bird, or animal species thought or known to occur in the area where the proposed project or activity will take place?				
18. Have you contacted any other local, State, or federal agency regarding the project or activity?				
a. If you answered "yes" to #18, please list the names of the agencies you have contacted:				
19. Have you applied for or obtained any permit, agreement, or other authorization for your project or activity from any government agency?				
a. If you answered "yes" to #19, please list the names or describe the permit, agreement, or authorization you have applied for or obtained:				
20. Have any environmental documents pertaining to your project or activity been prepared?				
a. If you answered "yes" to #20, please list the environmental documents that have been prepared:				

I hereby certify that all information contained in this notification is true and correct and that i am authorized to sign this document. I understand that in the event this information is found to be untrue or incorrect, I may be subject to civil or criminal prosecution and the Department may consider this notification to be incomplete and/or cancel any Lake or Streambed Alteration Agreement Issued pursuant to this notification.

Operator or Operator's Representative

Date

*◀ Lake and Streambed Alteration Program***Fees for Lake or Streambed Alteration Agreements****Effective March 24, 2000**

The Department of Fish and Game has increased the fees it charges for Lake or Streambed Alteration Agreements to adjust for inflation. Please use the below fee schedule to determine the fees you will need to submit to the Department with your completed notification package for all notifications sent after March 23, 2000. If you need to determine your project cost to calculate your fees, "project cost" as used in the fee schedule refers only to the cost of that part of your project or activity for which you will need an agreement.

- a. **1601 Applications (from public agencies)** - \$154.00 non-refundable application fee, plus:
1. No additional fee for projects costing less than \$25,000.
 2. \$618.75 additional processing fee for projects costing from \$25,000 to \$500,000 [for a total of \$772.75].
 3. \$1,236.5 additional processing fee for projects costing over \$500,000 [for a total of \$1,390.50].
- b. **1601 Routine Maintenance Activities (public agencies) if performed under Memorandum of Understanding with the Department of Fish and Game:**
1. \$129.50 each for the first 20 maintenance projects.
 2. \$102.75 each for the second 20 maintenance projects.
 3. \$78.25 each for maintenance projects in excess of 40.
 4. Projects under this subsection pertain to those waterways under prior 1601 agreement upon which public agencies propose to perform routine maintenance; to be submitted at least 30 days prior to commencement of work.
- c. **1603 Applications (private) excluding commercial gravel operations and timber harvest** - \$154.00 non-refundable application fee, plus:
1. No additional fee for private individuals who do the work themselves or projects costing less than \$25,000.
 2. \$618.75 additional processing fee for projects costing \$25,000 to \$500,000 [for a total of \$772.75].
 3. \$1,236.50 additional processing fee for projects costing over \$500,000 [for a total of \$1,390.50].
- d. **1603 Applications - Commercial Gravel Operations**
1. \$618.75 fee per application.
- e. **Applications - Timber Harvest**
1. \$618.75 fee per application with 1 or 2 stream encroachments.
 2. \$773.00 fee per application with 3 or 4 stream encroachments.
 3. \$927.00 fee per application with 5 to 9 stream encroachments.
 4. \$1,031.00 fee per application with 10 or more stream encroachments.
- f. **One-year time extensions for 1601/1603 agreements, excluding gravel operations, if the project has not changed.**

1. \$127.25 fee per application for renewal of a one-year extension.
2. For the purpose of this subsection, extensions include those agreements which expire before completion of the project and which have no changes in the work described in the original agreement. If the agreement expires prior to a request for an extension, a new notification will be required and all appropriate fees will be charged.

g. Amendments to 1601/1603 existing agreements.

1. 50% of the fee of the existing agreement.

h. Unusual Project Applications. Public or private projects which are unusually extensive and/or protracted, including but not limited to projects that: (1) involve more than one departmental administrative region, or (2) involve more than 15 streams (excluding timber harvest applications), shall be charged fees under the following provisions:

1. The project sponsor shall submit the appropriate application fee required in the above fee schedule. Should this application fee be insufficient to defer the department's costs, then the department shall arrange for a billing schedule to recover the department's additional project-related costs.

Note: These fees are subject to periodic adjustments. In the event of a discrepancy between the fees shown here and the fees listed in the Department's regulations, the fee schedule in the regulations, effective March 24, 2000 will apply.

Fees2000.html 2/26/00

From: Nick Pegueros
Sent: Wednesday, April 17, 2013 9:39 AM
To: Steve Padovan
Subject: FW: Re Tonight's TC meeting--Artificial Turf at Woodside Priory School

-----Original Message-----

From: Alejandro Zaffaroni [<mailto:alex@zaffaroni.us>]
Sent: Wednesday, March 27, 2013 3:14 PM
To: John Richards; Ann Wengert; jaalfs@portolavalley.net mderwin@portolavalley.net tdriscoll@portolavalley.net; Nick Pegueros
Subject: Re Tonight's TC meeting--Artificial Turf at Woodside Priory School

Dear Town Council Members,

I am writing to urge the Town Council to review the Planning Commission's approval of an artificial turf field at the Woodside Priory School. There are both opponents and proponents of artificial turf in our town. The division on this issue is reflected in the split position of the ASCC in advising against the use of artificial turf (3 to 1) and the split decision of the Planning Commission in approving the use (3 to 2 vote). However, the broader issue is that there are a number of playing fields in Portola Valley located along our two scenic corridors that are used extensively by sports teams from surrounding communities and the town. It is foreseeable that approval of an artificial turf field at the Priory will increase interest in artificial turf installation at other sites in town. The approval by the Planning Commission of this project may risk setting a precedent, and it is critical to establish a consistent policy on the issue from the outset. It is therefore appropriate for the Town Council to review this aspect of the project and clarify how our planning policies relate to artificial turf installation on this scale (3 acres) along our scenic corridors.

Thank you for your consideration of this action.

Sincerely,
Leah Zaffaroni

From: Steve Padovan
Sent: Wednesday, March 27, 2013 12:22 PM
To: kristiansson@spangleassociates.com; vlastic@spangleassociates.com
Cc: Carol Borck
Subject: FW: Portola Valley is not a Plastic Landscape
Attachments: PrioryArtificialTurf-Stoecker.docx; ATT00001.htm

FYI

STEVE PADOVAN

From: Howard Young
Sent: Wednesday, March 27, 2013 12:05 PM
To: Nick Pegueros
Cc: Steve Padovan
Subject: FW: Portola Valley is not a Plastic Landscape

fyi

Howard Young
Public Works Director
Town of Portola Valley
650-851-1700 x 214
hyoung@portolavalley.net

From: Stoecker Ecological [<mailto:matt@stoeckerecological.com>]
Sent: Wednesday, March 27, 2013 11:48 AM
To: John Richards; Ann Wengert; Jeff Aalfs; Maryann Derwin; Ted Driscoll
Cc: Brandi de Garneau; Howard Young
Subject: Portola Valley is not a Plastic Landscape

Dear Town Council,

I write today as someone who grew up next to the Woodside Priory, who played sports on all Portola Valley playing fields as a kid and now as an adult, and also as a consulting biologist that has worked with the Town and other watershed groups to protect our local creeks. In addition to the below described negative impacts and risks associated with artificial turf, by Jon Silver, there are additional reasons why Artificial Turf proposals for the Woodside Priory, and anywhere else in the Town, should not be approved at this time (and with current Artificial Turf technology).

In addition to the many human health concerns detailed in the reports below, artificial turf has been shown, through numerous

scientific studies, to cause degradation of underlying groundwater and adjacent creeks. In this case we are talking about Portola Valley's largest and most cherished stream, Corte Madera Creek, which runs adjacent to, and receives run-off from, the Woodside Priory and existing athletic fields. In addition, as described below, this replacement of natural grass with plastic fields would drastically promote global warming. Together, all of these scientifically supported reasons, additional unknowns, and the fake, uninviting look of artificial turf goes completely against the founding principles and Town goals of protecting and maintaining a natural environment.

Attached, please also find a letter I submitted to the Planning Commission on March 20th, 2013, which summarizes new Endangered Species documentation in Corte Madera Creek and adjacent habitats and migration corridors, which are impacted by the adjacent Woodside Priory lands and storm water run-off directly into Corte Madera Creek and groundwater percolation at the athletic fields. It is my understanding that this well documented listed species occurrence adjacent to the Priory and directly impacted by any modifications to the athletic fields, changes in run-off and water quality due to artificial athletic field, habitat reduction and migration concerns associated with the fenced off artificial turf, and adequate US Fish and Wildlife survey protocols (outlined in the attached) have not been addressed to date. I received no response from the Planning Commission on these issues and understand that several members were still misinformed about the endangered species issues and run-off and water quality relationship between the Priory and Corte Madera Creek at the time of their vote.

I have now been to several public PV meetings over the past few years where the red schoolhouse was overwhelmingly packed with citizens opposed to artificial turf in Portola Valley. As our elected officials, it is critical that the clear majority of PV residents wishes be heard and that the founding principles of the town be adhered to despite the wishes of a private school.

I urge the Town Council to review and reconsider the Planning Commission's 3-2 artificial turf approval for the Priory and provide clarity on the Town's position on Artificial Turf for all athletic fields in PV.

Thank you for your consideration and please include this email in the public record for tonight's meeting.

Matt Stoecker

Principle Biologist and Owner
Stoecker Ecological

3130 Alpine Road
Suite #288-411
Portola Valley, Ca
94028

From: Carol Borck <cborck@portolavalley.net>
Sent: Tuesday, March 26, 2013 3:53 PM
To: Tom Vlastic; Karen Kristiansson; Steve Padovan; Nick Pegueros; Tim Molak; Kevin Schwarckopf
Subject: FW: Ask Portola Valley to Reconsider Huge Artificial Turf Project

From: Danna Breen [mailto:pvlily@aol.com]
Sent: Tuesday, March 26, 2013 3:47 PM
To: Cindie White; Cindy; Christopher Bosch; Carol Borck
Subject: Fwd: Ask Portola Valley to Reconsider Huge Artificial Turf Project

Sent from my iPad

Begin forwarded message:

From: Matt Stoecker <mattstoecker@mac.com>
Date: March 26, 2013 2:11:08 PM PDT
To: Matt Stoecker <mattstoecker@me.com>
Subject: Ask Portola Valley to Reconsider Huge Artificial Turf Project

Hello friends of Portola Valley,

Please consider signing the online petition (link below) asking the Portola Valley Town Council to reconsider the Planning Commission's recent approval of a massive artificial turf project at the Woodside Priory. Such a project would have serious impacts on run-off into our adjacent Corte Madera Creek, expected creek and groundwater contamination, expected increased road traffic and noise, loss of existing habitat for deer, heron, owls, and other species, and would adversely change the natural character of the town with a fenced off and ugly artificial plastic playing field.

Finally, let kids play on real grass and get muddy!
Let's say no to acres of plastic in Portola Valley!

https://www.change.org/petitions/portola-valley-town-council-please-review-at-a-public-hearing-the-decision-on-the-use-of-artificial-turf-at-the-woodside-priory?utm_campaign=mailto_link&utm_medium=email&utm_source=share_petition#share

Thanks for considering and please forward to your friends!

Matt Stoecker



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Howard Young, Public Works Director

DATE: April 24, 2013

RE: **Award of Bid – Ford Field Renovation Project # 2011-PW02B**
Enter into Funding Agreement with Alpine West Menlo Little League

RECOMMENDATION

1. It is recommended that the Town Council adopt the attached resolution authorizing the Town Manager to award the contract for the Ford Field Renovation Project to the low bidder “Jensen Corporation Landscape Contractor” for the base bid project of \$403,888.
2. Authorize the Town Manager to approve cumulative change orders up to \$46,005.
3. Authorize the Town Manager to approve additive bid alternates #1 and/or #2 if private funding becomes available to fully pay for either or both of the alternates.
4. Authorize the Town Manager to execute the Ford Field Funding Agreement between the Town of Portola Valley and Alpine West Menlo Little League.

BACKGROUND

At its January 11, 2012 meeting, the Town Council approved a design for the renovation of Ford Field and a community fundraising effort. This was followed up by an approval to solicit public bids for the project at the April 25, 2012 Council meeting. The low bid received at that time was \$587,000., which was 25% higher than the landscape architect’s estimate. At its July 25, 2012 meeting, the Town Council authorized staff to reject all bids for the project due to high bids and authorized staff to reevaluate the project scope, prepare a new cost estimate, and to rebid the project in early Spring of 2013. The Chair of the Park and Recreation Committee concurred with these

RESOLUTION NO. _____-2013

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY AUTHORIZING THE TOWN MANAGER TO AWARD A CONTRACT FOR THE FORD FIELD RENOVATION PROJECT # 2011-PW02B AND ENTER INTO THE FUNDING AGREEMENT WITH ALPINE WEST MENLO LITTLE LEAGUE

WHEREAS, the Public Works Director and Town Clerk of the Town of Portola Valley did, in open session, duly examine and consider the bids submitted to it for the Ford Field Renovation Project #2011-PW02B

WHEREAS, the Public Works Director recommends that a contract be awarded to the lowest responsible bidder, Jensen Corporation Landscape Construction, at the base bid price of \$403,888.00, named in its base bid, and all other bids be rejected.

WHEREAS, the Town Council of the Town of Portola Valley has review the Ford Field Funding Agreement between the Town of Portola Valley and Alpine-West Menlo Little League.

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

1. A contract is awarded to the above-named firm and the Town Manager is hereby authorized and directed to execute the awarded contract on behalf of the Town of Portola Valley and the Public Works Director is directed to reject all other bids.
2. The Town Manager is authorized to approve cumulative change orders to the contract up to a maximum of \$46,005.
3. The Town Manager is authorized to approve additive bid alternates #1 and/or #2 as contained in the bid documents if funds are provided from a private source to fully pay for either or both additive items.
4. The Town Manager is authorized to execute the Ford Field Funding Agreement between the Town of Portola Valley and Alpine West Menlo Little League.

PASSED AND ADOPTED this _____ day of _____, 2013.

By: _____
Mayor

ATTEST:

Town Clerk

recommendations. Staff and the landscape architect, Carducci and Associates, have reevaluated the project scope for value engineering items. In addition, bid alternates were assigned so that optional scope can be added or removed. These bid alternates include the (#1) batting cage and (#2) dugout roofing structure. The ASCC's liaison for this project, Jeff Clark, was informed of the applicable changes.

At its March 13, 2013 meeting, the Town Council approved revised plans and specifications for the Ford Field Renovation Project and called for sealed public bids for the project.

ANALYSIS

Bids for the above referenced project were properly advertised and opened at 1:00 P.M. on Tuesday, April 16, 2013. The Town received the following bids:

	<u>Base Bid</u>	<u>Bid Alt #1</u>	<u>Bid Alt#2</u>	<u>Totals</u>
Suarez and Munoz	\$470,000	\$59,000	\$26,000	\$526,000
Star Construction	\$461,000	\$46,000	\$19,000	\$526,000
Perma Green	\$448,500	\$45,000	\$26,500	\$520,000
Jensen Corporation	\$403,888	\$51,000	\$30,000	\$484,888

Engineers Estimate of Base Bid: **\$460,000**

Bid Alt#1 Batting Cage: \$50,000

Bid Alt#2 Dugout Roof: \$20,000

Total: \$530,000

Jensen Corporation has successfully completed similar projects in the past and is a qualified contractor. Staff and the landscape architect recommend awarding the contract to Jensen Corporation Landscape Contractor. It is anticipated that construction would begin in early June 2013.

FUNDING

State Grant status:

The 2002 Resources Bond Act Per Capita Grant and the Proposition 40 Roberti-Z'berg-Harris Block Grant allocates \$232,000 to the Town for the Ford Field Renovation project. The grant contracts indicate that the Town has until June 30, 2015 to utilize the funds. Although State funding climates can change, the State Department of Parks and Recreation indicated to Town staff on March 6, 2013 and April 17, 2013 that there currently is no foreseeable danger of losing the Town's allocation.

Fundraising:

Fundraising efforts began in April 2012 lead by Jon Myers, Chair of the Park and Recreation Committee. Exhibit A Section B summarizes the fundraising efforts and commitments to date. General donations received on-line by the Town total \$59,000.

Alpine West Menlo Little League:

The Town received a final donation agreement from Alpine West Menlo Little League (AWMLL) for their commitment of \$100,000 (Exhibit B). The agreement was reviewed by Jon Myers, the Town Attorney, and staff. The Town Council is scheduled to review, approve, and authorize the Town Manager to execute the agreement. The recommendation to proceed with only the base bid is supported by AWMLL. Accordingly, if the project comes in at budget, and the full contingency is used, AWMLL will contribute an additional \$8,683. The goal is to have the donation agreement fully executed and funds received prior to executing a construction contract.

Sand Hill Foundation:

On May 11, 2012, a matching grant agreement was executed with Sand Hill Foundation. The grant provides up to \$100,000 in matching funds. The agreement dates were extended from 2012 and now requires that fundraising be complete by June 30, 2013 and construction be completed by December 31, 2013. \$59,000 in general donations plus \$41,000 of the \$100,000 commitment from AWMLL will service as the matching donations.

FISCAL IMPACT

The adopted 2012/2013 Town budget allocated \$540,000 for the Ford Field Renovation project. As a result of the high bids received in July 2012, the Town had to revise the scope and budget. The current anticipated expenditure for the base bid project is \$512,738. Exhibit A illustrates the costs and fund sources as presented at the March 13, 2013 Council meeting vs. after the bid opening on April 16, 2013.

The current funding is short \$17,366 to deliver the anticipated cost of the base bid project including a construction contingency of \$46,005. Little League has indicated that they would share 50% of the cost of any shortfall up to \$40,000. Therefore the Town's portion of the shortfall may be \$8,683. This amount can be covered with the proceeds from the sale of stock donated by Laird Cagan in 2008 which was \$60,387.

Additive bid alternates #1 for the batting cage and #2 for the dugout roof structure will not be considered until available funding is identified or received. Due to the timing of Council meetings during construction, the Town Manager should be given contract authority to execute the authorization of the bid alternates to insure it can be done in a timely manner. If ultimately the bid alternates are not considered, then the available remaining funds from Little League can be directed to minor improvements to the existing batting cage and the purchase of fabric covers for the dugout roofs.

Staff will also be required to make timely decisions should unforeseen conditions be found on the project. Staff suggests that the Council grant the Town Manager the ability to approve cumulative change orders on the project not to exceed the budgeted amount of \$46,005.

ATTACHMENTS:

1. Resolution
2. Exhibit A - Cost and Available Funding
3. Exhibit B- Ford Field Funding Donation Agreement

APPROVED – Nick Pegueros, Town Manager *N.P.*

Cc: Alpine West Menlo Little League
Sand Hill Foundation
Park and Recreation Committee

Costs and Available Funding presented 3/13/2013 vs 4/16/13

	Presented 3/13/13	After bid opening 4/16/13
Section A - Construction and Soft Costs		
1 Construction costs of base bid	\$ 460,048	\$ 403,888
2 10% construction contingency of base bid	\$ 46,005	\$ 46,005
3 Subtotal	\$ 506,053	\$ 449,893
Other costs		
4 Construction soft costs (Inspection, testing, etc.)	\$ 37,600	\$ 37,600
5 Expenditures to date prior to start of fundraising (\$48,451) paid by the Town less reimbursements by ABAG (\$45,769) plus yet to be reimbursed (\$2,682) will result in net \$0	0	0
6 Expenditures to date after start of fundraising to be shared by Little League and Town	\$ 25,085	\$ 25,085
7 Total anticipated expenditures base bid	\$ 568,738	\$ 512,578
Section B - Funds Available		
8 State Grant Funds	\$ 232,212	\$ 232,212
9 Little league donation agreement and other fundraising events	\$ 104,000	\$ 104,000
10 Sand Hill Foundation match grant based on commitments	\$ 100,000	\$ 100,000
11 General donations received on-line by Town	\$ 59,000	\$ 59,000
12 Total anticipated available funds	\$ 495,212	\$ 495,212
Summary		
13 Anticipated shared shortfall of base bid between Town and Little League 50/50*	\$ 73,526	\$ 17,366
14 <i>cost of bid alternates</i>	<i>\$ 70,000</i>	<i>\$ 81,000</i>
15 <i>Total shortfall with base bid and bid alternates</i>	<i>\$ 143,526</i>	<i>\$ 98,366</i>
<i>*Town's share of shortfall from line item #13 base bid only</i>	<i>\$ 36,763</i>	<i>\$ 8,683</i>
<i>*Little League's share of shortfall from line item #13 base bid only</i>	<i>\$ 36,763</i>	<i>\$ 8,683</i>

Exhibit B

FORD FIELD FUNDING DONATION AGREEMENT

This Ford Field Funding Donation Agreement ("Agreement") is entered into by and between the Town of Portola Valley, a municipal corporation of the State of California ("Town") and Alpine-West Menlo Little League, a nonprofit corporation ("AWMLL") effective on this 19th day of April 2013 ("Effective Date").

RECITALS

A. AWMLL is a community organization whose mission is to create a culture where kids of all abilities love playing the game of baseball.

B. Ford Field is a natural turf baseball field that has historically been utilized for AWMLL practices and games. The Town is undertaking the Ford Field Renovation Project ("Project").

C. The Town and AWMLL wish to enter into this Agreement regarding AWMLL's donation of money to the Project on the terms and conditions set forth below.

AGREEMENT

1. Donation. AWMLL agrees to donate the sum of One Hundred Thousand Dollars (\$100,000) to the Town for the Project within ten days of the Town Council's final decision to award the contract for the Project.

2. Plans. The scope of the Project is anticipated to be as proposed in the Project plans dated March 18, 2013 ("Plans"). The Plans and scope of this Public Works project may be modified by the Town. AWMLL acknowledges that there are alternate items in the bid which can be readily removed.

3. Project Commencement and Construction. The Town shall use best efforts, subject to reasonable delays, to commence the Project by June 1, 2013, and to complete construction by February 1, 2014.

4. Term. The term of this Agreement shall be from the Effective Date and shall remain in effect until ten years from the date the Project is completed ("Term").

5. Project Costs and Funding Sources. The Town currently estimates that the cost of the Project will be approximately Five Hundred Twelve Thousand Five Hundred Seventy-Eight Dollars (\$512,578), consisting of:

a. Construction Costs of Base Bid -	\$403,888
b. Construction Soft Costs -	\$ 37,600
c. Expenditures to Date After Start of Fundraising -	\$ 25,085
d. Construction Contingency -	\$ 46,005

The Town has been allocated Two Hundred Thirty-Two Thousand Two Hundred Twelve Dollars (\$232,212) from the State of California, received a commitment for a One Hundred Thousand Dollar (\$100,000) matching grant from the Sand Hill Foundation which is subject to certain limitations, and received Sixty Three Thousand Dollars (\$63,000) from community fundraising, yielding a total, including AWMLL's donation, of Four Hundred Ninety-Five Thousand Two Hundred Twelve Dollars (\$495,212) available for construction of the Project. In event that the project costs exceed the available Four Hundred Ninety-Five Thousand Two Hundred Twelve Dollars (\$495,212), AWMLL and the Town will contribute equal amounts to cover the shortfall or revise the Plans to decrease costs. Notwithstanding the foregoing, in no event will AWMLL's additional contribution under this Paragraph 5 exceed Forty Thousand Dollars (\$40,000). If the other funding sources described above are not secured and/or the Town and AWMLL are unable to jointly cover the shortfall or agree to modifications in the Plans to decrease costs, the Town, in its sole and absolute discretion, may choose not to proceed with the Project and in such event shall promptly return AWMLL's One Hundred Thousand Dollar (\$100,000) donation.

6. Priority Field Use. For the past 40 years, AWMLL has been the primary user of Ford Field and has had priority for field use. Given AWMLL's substantial commitment to the renovation of the field, AWMLL shall retain its current priority for use of Ford Field during the Term of this Agreement. Currently, AWMLL has priority after Town-sponsored events and Portola Valley School District school events.

7. Field User Fees. During the Term of this Agreement, the Town, using the 2011-2012 fiscal year as its base, shall not increase field user fees charged to AWMLL for its use of Ford Field by more than ten percent in any 12 month period. Notwithstanding the foregoing, in the event there is a major expense associated with Ford Field that would result in an increase in field user fees in excess of ten percent in any 12 month period, the parties shall negotiate in good faith to reach agreement regarding an appropriate increase in field user fees for AWMLL. Any such agreement shall be in writing and signed by both parties as an amendment to this Agreement.

8. Maintenance. The Town shall maintain Ford Field at its own expense so that Ford Field functions properly for its intended primary purpose, youth baseball. AWMLL may, on occasion, perform additional maintenance to Ford Field at its own expense, provided that such maintenance activities comply with all applicable laws including, but not limited to, the Town's Municipal Code, and subject to obtaining the Town's prior written approval (which approval shall not be unreasonably withheld). The Town will review any future improvements or modifications (outside of normal maintenance) to Ford Field with AWMLL prior to approval and in no event shall the Town during the Term of this Agreement materially change Ford Field or alter the intended primary purpose of Ford Field, which is currently youth baseball.

9. Conditions Precedent. In addition to the other rights and remedies available to AMWLL, if a court of competent jurisdiction determines that the Town has not reasonably satisfied its obligations pursuant to the terms and conditions of this Agreement, the Town shall promptly refund AWMLL its donation, prorated for the number of years remaining in the Term. If AWMLL fails to timely make the donation

payment to the Town on the date identified in Paragraph 1 above, AWMLL shall not have the benefit of those conditions contained in Paragraphs 2-8 of this Agreement.

10. Attorneys' Fees; Venue. In the event that any party to this Agreement commences any legal action or proceeding to enforce or interpret the provisions of this Agreement, the prevailing party in such action or proceeding shall be entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which the successful party may be entitled. The venue for any litigation shall be San Mateo County.

11. Prior Agreements and Amendments; Entire Agreement. This Agreement, and any other documents incorporated herein by specific reference, represent the entire and integrated agreement between the Town and AWMLL. This Agreement supersedes all prior oral and written negotiations, representations or agreements. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may only be modified by a written amendment duly executed by the parties to this Agreement.

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

TOWN OF PORTOLA VALLEY:

ALPINE/WEST MENLO LITTLE LEAGUE

Nick Pegueros
Town Manager
Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028
Ph: (650) 851-1700

By: Tim Goode
Tim Goode - AWMLL President
4-19-2013



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Nick Pegueros, Town Manager

DATE: April 24, 2013

RE: Deputy Town Planner Job Description and Salary Range

RECOMMENDATION

The recommendation is that the Town Council approve a job class specification and salary range for the position of Deputy Town Planner.

BACKGROUND

The Town has worked over the past eighteen months to identify a clear path to the successful transition of planning services in response to the anticipated retirement of contract Town Planner Tom Vlastic in December 2014. On January 27, 2013, the Town Council approved the job classification of Planning Director and staff subsequently conducted a competitive recruitment. While two candidates emerged from the extensive interview process, for various reasons the recruitment did not result in the hiring of a Planning Director.

DISCUSSION

The Planning Director/Town Planner position is a senior staff position that is responsible for the management of a variety of resources to ensure the efficient delivery of planning services to the community. The proposed Deputy Town Planner position recognizes that the incumbent is junior to the Planning Director/Town Planner position and is in the early development stages of his/her management career.

To arrive at a job description for the new position, staff tweaked the job description previously in place for the Planning Department Manager. While duties of the two positions are substantially the same, the Deputy Town Planner position is a more appropriate title given the current relationship with the contract Town Planner. Further,

the new title provides for a more logical promotion of the Deputy Town Planner to Town Planner should the Deputy Town Planner successfully embrace the challenges of the position and possess a desire to advance to the Town Planner position as Tom Vlasic transitions into retirement.

FISCAL IMPACT

The proposed salary range for this position is tied to the existing salary range of the Deputy Building Inspector which is \$85,214 to \$121,855 per year. Staff has worked closely with Spangle Associates to identify reductions in their professional services contract beginning July 1, 2013 which, if approved by the Town Council as part of the budget, is anticipated to yield a net savings to the Town starting in 2013-14. An appointment to this position will not have a significant impact on the 2012-13 budget and next year's proposed budget will fully incorporate the Deputy Town Planner's salary and benefit costs.

ATTACHMENTS

1. Job Class Specifications for Deputy Town Planner
2. Updated Organization Chart

**TOWN OF PORTOLA VALLEY
DEPUTY TOWN PLANNER**

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

SUMMARY DESCRIPTION

Under general direction of the Town Manager, the Deputy Town Planner works to plan, organize, direct and coordinate the activities of the Town's Planning Department functions in coordination with the consultant Town Planner and Deputy Building Inspector; to coordinate planning activities with other divisions and departments; and to provide highly complex staff assistance to the Town Administration.

REPRESENTATIVE DUTIES

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

- Plan, organize, and direct planning related activities including permit processing, plan review, and code compliance in coordination with the consultant Town Planner; confer with and refer planning-related matters to the consultant Town Planner pursuant to the Town's agreement with Spangle & Associates.
- Attend pre-application meetings as needed; review development and building permit applications for completeness, consistency with zoning requirements and architectural/site condition requirements including, but not limited to, project applications, building permits, site development, subdivision, conditional use permits and variance applications; evaluate alternatives and conformance with Town policies, ordinances, the General Plan and state and federal laws; prepare and present staff reports to the Architectural Site and Control Commission, Planning Commission and Town Council regarding such applications.
- Confer with and provide oral and written information to property owners, contractors, developers, architects, engineers and the public regarding conformance with standards, plans, specifications and codes; explain codes, requirements and procedures and evaluate alternatives.
- Assist property owners with a variety of planning and zoning issues including, but not limited to, review requirements and creek application process.
- Coordinate building and planning projects and other current planning activities with appropriate Town staff, consultants and regulatory agencies; may administer consultant contracts.

Town of Portola Valley
Deputy Town Planner Job Class Specifications
Proposed April 24, 2013

- Respond to code violations; conduct code compliance and enforcement duties.
- Recommend the appointment of personnel; provide or coordinate staff training (including planning methods, procedures and techniques); verify the work of assigned employees for accuracy, proper work methods, techniques, and compliance with applicable standards and specifications; conduct performance evaluations; implement discipline procedures as required; maintain discipline and high standards necessary for the efficient and professional operation of the Department.
- Research and prepare technical and administrative reports; prepare written correspondence.
- Collect and organize specialized data for periodic reports, presentations and maintenance of information related to community needs, goals and services.
- Review planning documents submitted by other agencies; monitor changes in laws, regulations and technology that may affect office operations; recommend policy and procedural changes as required.
- Represent the Town's Planning function to outside agencies and organizations; participate in outside community and professional groups and committees; provide technical assistance as necessary.
- Direct, oversee and participate in the development of planning goals, objectives, policies and procedures.
- Direct, oversee, and participate in the development of planning work plans; assign work activities, projects and programs; monitor workflows; review and evaluate work products, methods and procedures.
- Develop the planning budget; assist in budget implementation.
- Build and maintain positive working relationships with co-workers, other Town employees and the public using principles of good customer service.
- Perform duties of secretary/staff support to Planning Commission, including, but not limited to, preparation of agendas, minutes, hearing notifications and follow up on action items.
- Research planning and building cases, issues, policies and procedures as appropriate.

QUALIFICATIONS

The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.

Incumbent should have excellent leadership, teambuilding, and communication and interpersonal skills; have a proven ability to effectively solve problems and communicate verbally and in writing, a thorough knowledge of zoning laws and comprehensive plans; extensive knowledge of planning programs and processes; a working knowledge of computer programs; and an ability to establish and maintain effective working relationships.

Education and Experience Guidelines - *Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:*

Education/Training: A Bachelor's degree from an accredited college or university with major course work in land-use planning, urban planning, landscape architecture or a closely related field.

Experience: Five (5) years progressively responsible experience in municipal planning.

Licenses or Certificates: Possession of, or ability to obtain, valid California Driver's License; ICS 100, 200, and 700 certification; AB1234 certification. AICP certification is highly desirable.

FLSA STATUS

This classification is exempt from the Fair Labor Standards Act (FLSA) as an administrative employee whose primary duty is to the performance of office or non-manual work directly related to the management or general business operations of the Town. The incumbent will exercise discretion and independent judgment with respect to matters of significance. The incumbent will supervise at least two FTE personnel and will be exempt from the FLSA as an executive employee.

PHYSICAL DEMANDS AND WORKING ENVIRONMENT

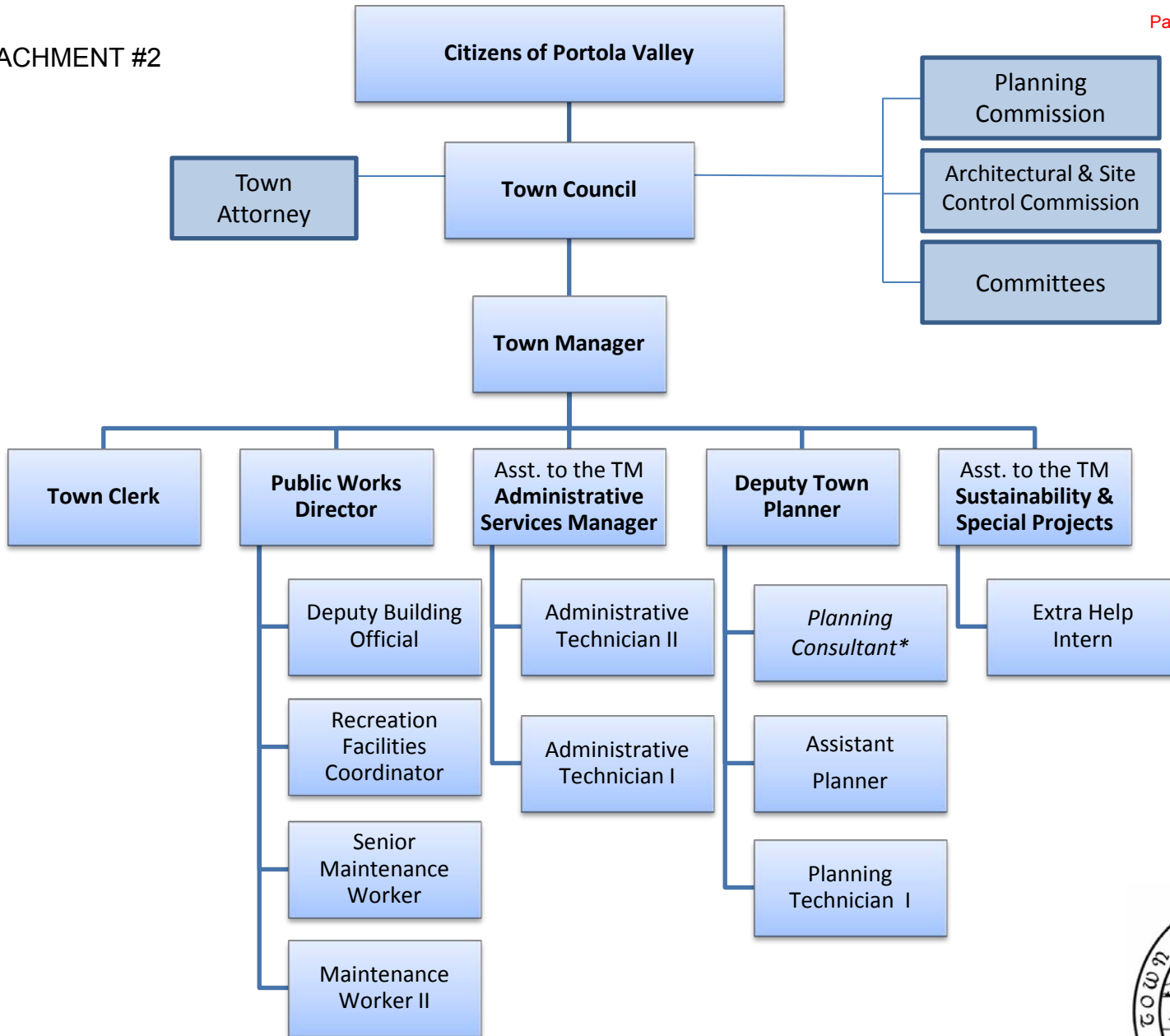
The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

Environment: Standard office setting. CONTINUOUS work indoors in close proximity to co-workers and members of the public. Work schedule is standard business hours (currently 37.5 hours per week and may be amended or prorated) and frequent after-hours meetings. Work environment is both formal and informal, team oriented, having variable tasks, pace, and pressure. Work is performed indoors in office and in meeting rooms, occasional assignments outside and field visits in hilly terrain.

Physical: Primary functions require sufficient physical ability to work in an office setting and operate office equipment. CONTINUOUS sitting and upward and downward flexion of neck; fine finger dexterity; light to moderate finger pressure to manipulate keyboard, equipment controls, and office equipment; pinch grasp to manipulate writing utensils. FREQUENT side-to-side turning of neck, walking, standing, bending, stooping, pushing/pulling, and twisting at waist; moderate wrist torque to twist equipment knobs and dials; lifting objects weighing up to 20 lbs. OCCASIONAL squatting, kneeling, and reaching above and at shoulder height; moderate grasp to manipulate reference books and manuals.

Vision: See in the normal visual range with or without correction; vision sufficient to read computer screens and printed documents and to operate equipment.

Hearing: Hear in the normal audio range with or without correction.





MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Nick Pegueros, Town Manager

DATE: April 24, 2013

RE: **Adoption of Revised Compensation Plan for Town Staff**

RECOMMENDATION

It is recommended that the Town Council adopt the attached resolution authorizing a revised compensation plan for Town employees for 2012-13. The revised compensation plan will include a modification to the salary schedule and the creation of a benefits schedule.

BACKGROUND

In accordance with Section 8.1 of the Town's Personnel Policies Manual: "During the budget preparation period each year, or whenever directed by the Town Council, the Town Manager or designee will prepare a Compensation Plan covering all classes of positions except the Town Manager position, including a range of pay for each position." Historically, the Town has not prepared a comprehensive "Compensation Plan" but rather has only prepared a salary schedule that outlines the range of pay for each position. The last comprehensive salary schedule update was adopted by the Town Council on February 22, 2012.

DISCUSSION

A Compensation Plan (Plan) typically includes both a salary schedule and benefits schedule. A comprehensive Plan is an important document that provides transparency in public compensation. Further, a comprehensive Plan serves as a resource to current employees, prospective employees, management, and policy makers when questions regarding employee benefits are discussed. It is important to note that a Plan is not a contract with employees and may be changed by resolution of the Town Council.

Given that the Town has adopted a salary schedule but not formally adopted a benefits schedule, this action will have two impacts. First, the salary schedule which was last adjusted in February 2012 will be adjusted by the Consumer Price Index as discussed below. Second, this action will document employee benefits as they are today with a minor modification as discussed below.

1. Salary Range Adjustment – To maintain salary ranges that are competitive, it is recommended that the Town adjust the top of all salary ranges by the annual change in the Consumer Price Index (CPI) as measured in February for All Urban Wage Earners San Francisco-San Jose-Oakland. From February 2012 to February 2013, the CPI for this region was +2.4%. It is important to note that this type of adjustment does not automatically increase the amount paid to Town employees. Employees are traditionally considered for merit salary increases in July of each year to the extent that the adopted budget provides for a salary adjustment. This action will have no impact on the salary currently provided to the Town Manager.
2. Benefit Schedule Adoption – To document the Town’s existing benefit program, the Compensation Plan document (attached to the Resolution) outlines the health and welfare, retirement and other benefits available to Town employees. This document reflects the Town’s current benefits program with the following exception:
 - Section 3.1 “Cafeteria Flexible Benefits Plan” – This section creates a Cafeteria Flexible Benefits Plan that provides employees with greater control over their benefits package. The Town would provide a monthly flexible spending allowance that is currently tied to the CalPERS/PEMHCA Kaiser premium for the Bay Area region. Employees could use the allowance to select a health plan, pay dependent premiums for vision insurance, make contributions to a flexible spending account or a deferred compensation account, or may elect to receive an opt-out payment in lieu of participating in the Town’s Cafeteria Flexible Benefits Plan. The opt-out payment option encourages those employees who may have coverage from another source to decline Town-paid medical, thereby reducing the Town’s Cafeteria Flexible Benefits Plan benefit cost for that employee by approximately 50%. The Cafeteria Flexible Benefits Plan also provides employees the option of using pre-tax dollars to pay for health insurance premium costs in excess of the allowance. Currently employees are required to pay for excess premiums using post-tax dollars.

As a point of clarification, Section 3.2 “Designated Health Contribution Toward Premium” is a benefit that is already provided by the Town. As part of the Town’s contract with CalPERS to provide group health insurance coverage for employees through the Public Employees’ Medical and Hospital Care Act (PEMHCA), the Town is required to make a minimum contribution for each

employee. This minimum contribution continues into retirement for employees who retire directly from the Town. Unless an employee opts out of the Cafeteria Flexible Benefits Plan, a portion of the monthly flex dollar amount is designated toward the health contribution. In 2013, this amount is \$115 per month. That amount will increase in 2014 to \$119 per month. Again, this is an existing benefit and does not represent a new cost to the Town.

Additionally, the benefit schedule of the Plan incorporates new pension reform programs that were enacted as part of the Public Employees' Pension Reform Act of 2012 (PEPRA). This legislation requires employers to conduct a test of new hires to determine their status as a "classic" or "new" employee. "Classic" employees are typically public employees who are currently members of CalPERS or a pension system with a reciprocity agreement with CalPERS. For example, if the Town were to hire a new employee who currently works for the Town of Woodside, the employee would be classified as a "Classic" employee and receive the same pension benefits afforded to current Town employees. A new hire that is entirely new to the CalPERS system or has not worked for a CalPERS agency for more than six months would be classified as a "New" employee and would be subject to a pension benefit that is less generous when compared to the benefit provided to "Classic" employees. For example, if the Town were to hire a new employee who has worked in the private sector all his/her career, that employee would be classified as a "New" employee.

FISCAL IMPACT

If the Town Council approves the attached resolution, there will be no increase in salaries or benefit costs. Management of the Cafeteria Flexible Spending Plan will add approximately \$2,500 a year in third-party administrator costs. However, it is important to note that the annual savings in medical premiums is estimated to be between \$8,000 and \$10,000 if only one employee takes advantage of opt-out payment in lieu of participating in the Town's Cafeteria Flexible Benefits Plan. With the planned hiring of three new employees over the next three months to fill vacancies, the opt-out provision may prove attractive to the new hires. Existing employees will also have access to the opt-out provision.

ATTACHMENTS

1. Resolution of the Town Council of the Town of Portola Valley Adopting the Employee Compensation Plan Including a Modification of the Salary Schedule and the Creation of a Benefits Schedule
2. "Consumer Price Index, San Francisco Ares – February 2013" from the Bureau of Labor Statistics, U.S. Department of Labor

RESOLUTION NO. _____-2013

**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF PORTOLA VALLEY
ADOPTING THE EMPLOYEE COMPENSATION PLAN
INCLUDING A MODIFICATION OF THE SALARY SCHEDULE
AND THE CREATION OF A BENEFITS SCHEDULE**

WHEREAS, on the 25th day of January, 2012, the Town Council considered and approved Resolution 2542-2012 which adopted modifications to the Personnel Policies; and

WHEREAS, Section 8 of the Personnel Policies titled “Compensation and Payroll Practices” provides for the Town Council to adopt by resolution a Compensation Plan covering all positions except the Town Manager position; and

WHEREAS, the Compensation Plan includes a salary range for each position referred to as the “salary schedule”; and

WHEREAS, the Town Manager has recommended an adjustment to the salary schedule of 2.4% as based on the Consumer Price Index - Urban Wage Earners and Clerical Workers for the San Francisco-Oakland-San Jose region (CPI) when measured from February 2012 to February 2013; and

WHEREAS, best practices recommend that a benefits schedule which describes those benefits provided to employees that are not detailed in the Personnel Policies should also be included in the Compensation Plan; and

WHEREAS, the Town Manager has compiled those benefit descriptions and has represented that no known benefit schedule has been adopted that requires amendment; and

WHEREAS, this action has minimal fiscal impact on the Town and may be amended at any point in the future by Resolution of the Town Council; and

WHEREAS, the Town Council has considered such recommendations and wishes to adjust salary schedule and adopt a benefit schedule for the benefit of the employees of the Town,

NOW, THEREFORE, the Town Council of the Town of Portola Valley does RESOLVE that the Compensation Plan as Exhibit A is adopted by the Town effective April 24, 2013.

REGULARLY PASSED AND ADOPTED this 24th day of April 2013.

John Richards, Mayor

ATTEST:

Sharon Hanlon, Town Clerk

EXHIBIT A

Town of Portola Valley Compensation Plan

Proposed April 24, 2013



Insert Adopted Resolution

COMPENSATION PLAN

The purpose of the compensation plan is to outline the compensation package for eligible employees and their eligible dependents. Eligibility is determined by the Town's Personnel Policies unless otherwise defined in the benefit description.

SECTION 1

AUTHORIZED CLASSIFICATIONS AND SALARIES

1.1 Monthly Salary Schedule by Permanent Employee Classification

Proposed Effective date of April 25, 2013

Proposed CPI adjustment of 2.4%

	Annual Range		
	Bottom	Current	Proposed
Administration			
Town Manager	\$162,000, set by contract		n/a
Town Clerk	\$ 70,762	\$ 101,191	\$ 103,620
Assistant to the Town Manager	\$ 70,762	\$ 101,191	\$ 103,620
Administrative Technician III	\$ 54,384	\$ 77,766	\$ 79,632
Administrative Technician II	\$ 47,290	\$ 67,623	\$ 69,245
Administrative Technician I	\$ 42,991	\$ 61,475	\$ 62,950
Planning			
Planning Director/Town Planner	\$ 114,131	\$ 163,195	\$ 167,112
Deputy Town Planner	\$ 85,214	\$ 121,855	\$ 124,780
Assistant Planner	\$ 54,384	\$ 77,766	\$ 79,633
Planning Technician II	\$ 47,290	\$ 67,623	\$ 69,246
Planning Technician I	\$ 42,991	\$ 61,475	\$ 62,951
Public Works / Facilities Maintenance			
Public Works Director/Town Engineer	\$ 114,131	\$ 163,195	\$ 167,112
Deputy Building Official	\$ 85,214	\$ 121,855	\$ 124,779
Recreational Facilities Coordinator	\$ 52,605	\$ 75,222	\$ 77,027
Senior Maintenance Worker (40hr workweek)	\$ 52,605	\$ 75,222	\$ 77,027
Maintenance Worker II	\$ 44,491	\$ 63,630	\$ 65,157
Part-Time Classifications			
Stable Inspector	<i>part-time, as needed</i>		

1.2 Temporary and Part-Time Employee Salaries

Temporary and Part-Time employees are paid an hourly rate equivalent to the monthly rate for permanent employees in a like classification at a salary commensurate with the employee's experience. If there is no related permanent employee classification, the Town Manager shall set a temporary rate not to exceed \$25.00 per hour.

SECTION 2

LEAVE

All leaves provided to employees (both paid and unpaid) are documented in Section 7 “Attendance and Leaves of Absence” of the Adopted Personnel Policies.

SECTION 3

HEALTH AND WELFARE

3.1 Cafeteria Flexible Benefits Plan

The Town provides a cafeteria plan flexible dollar amount as follows:

<i>Level of coverage</i>	<i>Monthly Flexible Dollar Amount</i>
Employee	\$668.03
Employee plus one	\$1,337.26
Employee plus two or more	\$1,738.44

The flexible dollar amount may be used to select any of the CalPERS - Public Employees' Medical and Hospital Care Act (PEMHCA) medical plans available to the employee or any other benefits available in the Town's Cafeteria Flexible Benefits Plan (Plan). In 2013 the additional Plan options include payment of dependent coverage vision insurance, contribution to a deferred compensation program, and contribution to a flexible spending account option. Employees selecting a plan or benefits for which the cost is greater than the Town's applicable flexible dollar amount shall pay the excess cost and may opt to pay the excess cost on a tax deferred basis. Eligible employees with proof of insurance from another source may elect to receive an opt-out payment in lieu of participating in the Town's Cafeteria Flexible Benefits Plan. Opt-out payments are:

<i>Level of coverage</i>	<i>Monthly opt-out payment</i>
Employee Only & Employee plus one	\$600.00
Employee plus two or more	\$800.00

The Town shall adopt and maintain a An IRS Section 125 Cafeteria Flexible Benefits Plan Document and the monthly flexible benefit contribution may be adjusted by resolution of the Town Council.

3.2 Designated Health Contribution Toward Health Premium

The Town contracts with CalPERS for PEMHCA medical insurance and pays the minimum monthly health contribution toward the health premium, as established by PEMHCA on an annual basis, for eligible employees and qualifying retirees. For eligible employees, this benefit begins on the first day of the calendar month following the employee's hire date and terminates on the last day of the calendar month following the employee's separation date. For 2013, the PEMHCA contribution for health is \$115 per month for eligible employees and qualifying retirees. For 2014, the PEMHCA contribution for health is \$119 per month for eligible employees and qualifying retirees. Retirees will be required to qualify as CalPERS annuitants and meet all statutory and

legal requirements necessary to receive this benefit. The PEMHCA health contribution is included in the Cafeteria Flexible Benefit Plan amounts described in Section 3.1.

3.3 Dental Plan

The Town contracts for dental insurance and pays the full premium for eligible employees and their eligible dependents. This benefit begins on the first day of the calendar month following the employee's hire date and terminates on the last day of the calendar month following the employee's separation date.

3.4 Vision Plan

The Town contracts for vision insurance and pays the employee-only premium. An employee may add dependents at his/her own cost and may do so on a pre-tax basis. This benefit begins on the first day of the calendar month following the employee's hire date and terminates on the last day of the calendar month following the employee's separation date.

3.8 Workers' Compensation

3.8.1 General Description

Through worker's compensation, employees are insured against losses due to job-related illness or injury. Under this program, medical expenses are paid and, while disabled, employees are eligible for weekly compensation based on their salary.

3.8.2 Eligibility

Regular, full-time employees, part-time employees and temporary employees are eligible for this benefit. Retired employees are not eligible for this benefit.

3.8.3 Benefit

When an employee suffers a workers' compensation injury, the employee is eligible for receipt of two-thirds (2/3) of his/her salary or the amount statutorily assigned by the State of California, whichever is lower, as well as authorized health care costs, through the workers' compensation claim. Employees on workers' compensation leave may use accrued sick leave to supplement any monetary difference between their normal rate of pay and the temporary disability benefits of workers' compensation.

3.8.4 Method of Administration

Workers compensation claims are administered for the Town by a third-party administrator. All on-the-job injuries must be reported to the Administrative Services Manager immediately. When an employee makes a workers' compensation claim, the claim must be submitted to the Town on the appropriate

claim form, and must be accompanied with verification of the injury by a physician as well as the recommendation that the employee be absent from work for a certain length of time to allow recovery from the injury. The third-party administrator makes the determination as to whether a claim is eligible for payment and which medical bills are eligible for reimbursement.

3.9 Uniforms and Safety Gear

Town employees who work in the field may be provided uniforms and safety gear necessary to protect the employee's well-being and establish a consistent Town image. The Town Manager shall determine which employee classifications are eligible for this benefit and what type of uniform or safety gear is appropriate.

The Town's annual budget includes a line item for this benefit and purchases must be authorized by the employee's supervisor under the general guidance of the Town Manager. Uniforms and safety gear are replaced as deemed necessary by the supervisor.

SECTION 4

OTHER BENEFITS

4.1 Deferred Compensation

4.1.1 General Description

Town employees are eligible to participate in approved deferred compensation plans through payroll deductions. These deductions are forwarded to the appropriate institution by the Town at the end of each month.

4.1.2 Eligibility

Regular, full-time employees and part-time employees who regularly work twenty (20) hours per week or more are eligible for this benefit. Part-time employees who work less than twenty (20) hours per week, temporary employees, and retired employees are not eligible for this benefit.

4.1.3 Benefit

The two companies that are approved by the Town to administer this benefit are the National Deferred and the ICMA Retirement Trust Corporation. Deferred compensation is self-funded with no contribution from the Town unless otherwise stipulated by contract. Employees who elect to participate have an amount deducted from each paycheck deposited directly into their deferred compensation account. The amount of the maximum annual contribution is determined by federal and state regulations.

4.1.4 Method of Administration

Deferred compensation transactions are handled as payroll deductions. Deductions from an employee's gross pay are deposited in the appropriate account and are itemized on the employee's check stub. Taxable income at year-end is based on an employee's post-deduction gross pay. Federal and state income taxes are not calculated or withheld on amounts deposited in employee deferred compensation accounts, as they are deferred until withdrawals from the accounts begin (usually upon retirement).

4.2 Credit Union

All Town employees are eligible to become members of the San Mateo County Employee's Credit Union. The advantages of the programs offered to member employees are typical of credit union membership, at no cost to the Town.

4.3 Automobile Allowance

4.3.1 General Description

The automobile allowance provides reimbursement for the maintenance and use of a management employee's personal vehicle for Town business. This benefit is in lieu of a Town-provided vehicle.

4.3.2 Eligibility

The following positions are eligible for an automobile allowance: Deputy Building Official.

4.3.3 Benefit

Eligible employees will receive a monthly allowance of two hundred fifty dollars and zero cents (\$250.00) per calendar month as compensation for the use of their personal vehicle while conducting Town business.

4.3.4 Method of Administration

This benefit is paid each pay period worked during the calendar year at the rate of two hundred fifty dollars and zero cents (\$250.00) per calendar month.

SECTION 5

RETIREMENT

5.1 Pension – “Classic Members”

5.1.1 General Description

The Town’s retirement program provides employees with benefits through their retirement years in an amount which is based upon years of service, age of employee at the beginning of their retirement and the three highest years’ compensation during their tenure.

5.1.2 Eligibility

All regular, full-time and part-time employees who work twenty (20) hours per week or more hired prior to December 31, 2013 are members of the California Public Employees Retirement System (CalPERS) are “Classic Members”. Employees hired on or after January 1, 2013 must meet the tests established by the Public Employees’ Pension Reform Act of 2012 to determine their eligibility to qualify as a “Classic Member”. In order to be eligible any such employee must meet all applicable CalPERS eligibility rules.

5.1.3 Benefit

The Town contributes an employer share of retirement contribution based on the eligible compensation for each eligible employee, and also pays the employee’s share of the retirement contribution. The employee’s share is equal to 7% of their eligible compensation. No deduction is made from an employee’s earnings for this retirement benefit. Eligible compensation is defined as base salary less \$133.33 per month due to the Town’s participation in Social Security. Eligible compensation excludes the following pay types, not all of which are currently available to Town employees: one-time or ad hoc payments; terminal pay; pay for unused leave or time off; pay for work outside of normal hours; uniform, housing or auto allowances; and employer contributions to defined contribution deferred compensation plans.

The Town’s contract with CalPERS provides service retirement benefits under the “2% at 55” formula. The formula uses a multiplier of X%, times the number of years of service, to determine retirement benefits at a given age. For example, under the 2% at 55 formula, a retiree with 10 years of service retiring at age 55 would receive an annual retirement benefit of 20% of his/her adjusted final compensation (calculated as the highest average annual compensation over a consecutive three-year period). The earliest retirement date is age 50, with at least 5 years of service. The table below shows the “benefit factor”, or multiplier for the 2% at 55 plan.

Retirement Age	2% @ 55 Percent Per Year
	X
50	1.426
51	1.522
52	1.628
53	1.742
54	1.866
55	2.000
56	2.052
57	2.104
58	2.156
59	2.210
60	2.262
61	2.314
62	2.366
63 and over	2.418

5.1.4 Method of Administration

The Town makes the appropriate payment to CalPERS each month. CalPERS keeps detailed records of each employee's account and sends annual statements to all employees within six months following the close of each fiscal year (June 30th). Once an employee retires, CalPERS administers the retirement benefit to the former employee. CalPERS offers many retirement planning workshops throughout the year to assist employees with retirement planning decisions. Details regarding the accrual and disbursement of retirement benefits can be discussed directly with a CalPERS representative.

5.2 Pension – “New Members”

5.2.1 General Description

The Town’s retirement program provides employees with benefits through their retirement years in an amount which is based upon years of service, age of employee at the beginning of their retirement and the three highest years’ compensation during their tenure.

5.2.2 Eligibility

All regular, full-time and part-time employees who work twenty (20) hours per week or more hired on or after January 1, 2013 are “New Members” unless they meet the tests established by the Public Employees’ Pension Reform Act of 2012 to determine their eligibility to qualify as a “Classic Member”. In order to be eligible any such employee must meet all applicable CalPERS eligibility rules.

5.2.3 Benefit

The Town contributes an employer share of retirement contribution based on the eligible compensation for each eligible employee. The employee’s share is equal to one-half of the normal cost of the pension benefit for both employer and employee. The employee’s share is deducted from the employee’s earnings on a pre-tax basis for this retirement benefit. Eligible compensation is defined as base salary less \$133.33 per month due to the Town’s participation in Social Security. Eligible compensation excludes the following pay types, not all of which are currently available to Town employees: one-time or ad hoc payments; terminal pay; pay for unused leave or time off; pay for work outside of normal hours; uniform, housing or auto allowances; and employer contributions to defined contribution deferred compensation plans

The Town’s contract with CalPERS provides service retirement benefits under the “2% at 62” formula. The formula uses a multiplier of X%, times the number of years of service, to determine retirement benefits at a given age. For example, under the 2% at 62 formula, a retiree with 10 years of service retiring at age 62 would receive an annual retirement benefit of 20% of his/her of his/her adjusted final salary (calculated as the highest average annual compensation over a consecutive three-year period). Final compensation excludes the following pay types, not all of which are currently available to Town employees: one-time or ad hoc payments; terminal pay; pay for unused leave or time off; pay for work outside of normal hours; uniform, housing or auto allowances; and employer contributions to defined contribution deferred compensation plans. The earliest retirement date is age 52, with at least 5 years of service. The table below shows the “benefit factor”, or multiplier for the 2% at 62 plan.

Retirement Age	2% @ 62 Percent Per Year
	X
52	1.000
53	1.100
54	1.200
55	1.300
56	1.400
57	1.500
58	1.600
59	1.700
60	1.800
61	1.900
62	2.000
63	2.100
64	2.200
65	2.300
66	2.400
67 and over	2.500

5.2.4 Method of Administration

The Town makes the appropriate payment to CalPERS with each month. CalPERS keeps detailed records of each employees account and sends annual statements to all employees within six months following the close of each fiscal year (June 30th). Once an employee retires, CalPERS administers the retirement benefit to the former employee. CalPERS offers many retirement planning workshops throughout the year to assist employees with retirement planning decisions. Details regarding the accrual and disbursement of retirement benefits can be discussed directly with a CalPERS representative.

5.3 **Social Security & Medicare Benefits**

Payroll taxes for both Social Security and Medicare are deducted from employee wages in addition to any deduction for CalPERS Pension to fund Social Security and Medicare benefits which include old-age, survivors, and disability insurance. These taxes are paid by both the employee and the employer and are set by the federal government. An annual maximum tax is established by the federal government for Social Security and the tax is no longer deducted from the employee's wages once the employee reaches the maximum tax in a calendar year. There is no cap on Medicare taxes. Certain types of tax deferred income are exempt from these taxes.

WEST INFORMATION OFFICE
San Francisco, Calif.

For release 10:00 a.m. (PDT) Friday, March 15, 2013

13-462-SAN

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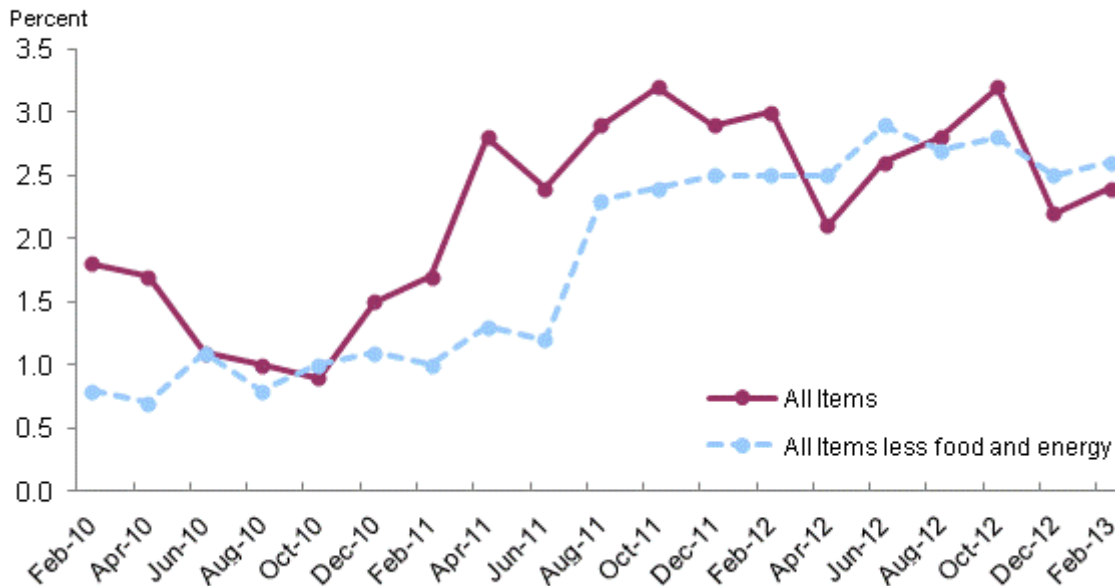
CONSUMER PRICE INDEX, SAN FRANCISCO AREA – FEBRUARY 2013

Area prices were up 1.3 percent over the past two months, up 2.4 percent from a year ago

Prices in the greater San Francisco area, as measured by the Consumer Price Index for All Urban Consumers (CPI-U), increased 1.3 percent for the two months ending February 2013, the U.S. Bureau of Labor Statistics reported today. (See table A.) Regional Commissioner Richard J. Holden noted that the February increase was influenced by higher prices for gasoline and shelter. (Data in this report are not seasonally adjusted. Accordingly, month-to-month changes may reflect seasonal influences.)

Over the last 12 months, the CPI-U advanced 2.4 percent, largely due to increased shelter prices. (See chart 1.) Energy prices increased 1.0 percent, mainly the result of an increase in the price of gasoline. The index for all items less food and energy rose 2.6 percent since February 2012.

Chart 1. Over-the-year percent change in CPI-U, San Francisco, February 2010–February 2013



Source: U.S. Bureau of Labor Statistics

Food

Food prices increased 0.7 percent from December to February. (See table 1.) Prices for food at home advanced 0.5 percent, and prices for food away from home increased 1.0 percent for the same period.

Over the year, food prices rose 2.2 percent. Prices for food at home increased 1.0 percent since a year ago, and prices for food away from home moved up 3.7 percent.

Energy

The energy index advanced 9.8 percent for the two months ending in February 2013. The increase was mainly due to higher prices for gasoline (14.4 percent). Prices for electricity rose 2.3 percent, and prices for natural gas service were up 0.5 percent in February.

Energy prices increased 1.0 percent over the year, largely due to higher prices for gasoline (1.2 percent). Prices paid for electricity advanced 2.4 percent, but prices for natural gas service declined 3.5 percent during the past year.

All items less food and energy

The index for all items less food and energy advanced 0.8 percent in the latest two month period. Higher prices for medical care (2.0 percent) and apparel (1.3 percent) were partially offset by lower prices for recreation (-0.5 percent) and household furnishings and operations (-0.3 percent).

Over the year, the index for all items less food and energy rose 2.6 percent. Components contributing to the increase included shelter (3.5 percent) and medical care (3.2 percent). Partly offsetting the increases were price declines in household furnishings and operations (-3.7 percent) and recreation (-0.6 percent).

Table A. San Francisco-Oakland-San Jose CPI-U bi-monthly and annual percent changes (not seasonally adjusted)

Month	2008		2009		2010		2011		2012		2013	
	Bi-monthly	Annual	Bi-monthly	Annual	Bi-monthly	Annual	Bi-monthly	Annual	Bi-monthly	Annual	Bi-monthly	Annual
February	0.5	2.8	1.7	1.2	0.8	1.8	1.0	1.7	1.1	3.0	1.3	2.4
April	1.1	2.9	0.8	0.8	0.7	1.7	1.8	2.8	0.9	2.1	-	-
June	1.4	4.2	0.8	0.2	0.2	1.1	-0.2	2.4	0.3	2.6	-	-
August	0.1	4.2	0.0	0.2	-0.1	1.0	0.4	2.9	0.6	2.8	-	-
October	0.2	3.6	0.1	0.1	0.1	0.9	0.3	3.2	0.7	3.2	-	-
December	-3.2	0.0	-0.8	2.6	-0.2	1.5	-0.4	2.9	-1.4	2.2	-	-

CPI-W

In February, the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) was 240.262, up 1.6 percent from December. The CPI-W increased 2.4 percent over the year.

The April 2013 Consumer Price Index for the San Francisco-Oakland-San Jose is scheduled to be released on May 16, 2013, at 10:00 a.m. (PDT).

Technical Note

The Consumer Price Index (CPI) is a measure of the average change in prices over time in a fixed market basket of goods and services. The Bureau of Labor Statistics publishes CPIs for two population groups: (1) a CPI for All Urban Consumers (CPI-U) which covers approximately 88 percent of the total population and (2) a CPI for Urban Wage Earners and Clerical Workers (CPI-W) which covers 29 percent of the total population. The CPI-U includes, in addition to wage earners and clerical workers, groups such as professional, managerial, and technical workers, the self-employed, short-term workers, the unemployed, and retirees and others not in the labor force.

The CPI is based on prices of food, clothing, shelter, and fuels, transportation fares, charges for doctors' and dentists' services, drugs, and the other goods and services that people buy for day-to-day living. Each month, prices are collected in 87 urban areas across the country from about 4,000 housing units and approximately 26,000 retail establishments--department stores, supermarkets, hospitals, filling stations, and other types of stores and service establishments. All taxes directly associated with the purchase and use of items are included in the index.

The index measures price changes from a designated reference date (1982-84) that equals 100.0. An increase of 16.5 percent, for example, is shown as 116.5. This change can also be expressed in dollars as follows: the price of a base period "market basket" of goods and services in the CPI has risen from \$10 in 1982-84 to \$11.65. For further details see the CPI home page on the Internet at www.bls.gov/cpi and the *BLS Handbook of Methods, Chapter 17, The Consumer Price Index*, available on the Internet at www.bls.gov/opub/hom/homch17_a.htm.

In calculating the index, price changes for the various items in each location are averaged together with weights that represent their importance in the spending of the appropriate population group. Local data are then combined to obtain a U.S. city average. Because the sample size of a local area is smaller, the local area index is subject to substantially more sampling and other measurement error than the national index. In addition, local indexes are not adjusted for seasonal influences. As a result, local area indexes show greater volatility than the national index, although their long-term trends are quite similar. NOTE: Area indexes do not measure differences in the level of prices between cities; they only measure the average change in prices for each area since the base period.

The San Francisco-Oakland-San Jose, CA. metropolitan area covered in this release is comprised of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, San Benito, Santa Clara, Santa Cruz, Sonoma, and Solano Counties in the State of California.

Information in this release will be made available to sensory impaired individuals upon request. Voice phone: 202-691-5200; Federal Relay Service: 1-800-877-8339.

Consumer Price Index for All Urban Consumers (CPI-U): Indexes and percent changes for selected periods

San Francisco-Oakland-San Jose, CA (1982-84=100 unless otherwise noted)

Item and Group	Indexes			Percent change from—		
	Dec. 2012	Jan. 2013	Feb. 2013	Feb. 2012	Dec. 2012	Jan. 2013
Expenditure category						
All items	239.533	-	242.677	2.4	1.3	-
All items (1967=100)	736.391	-	746.058	-	-	-
Food and beverages	241.401	-	242.828	2.1	.6	-
Food	241.219	-	242.922	2.2	.7	-
Food at home	235.826	236.007	236.905	1.0	.5	0.4
Food away from home	247.165	-	249.648	3.7	1.0	-
Alcoholic beverages	248.842	-	246.868	1.0	-8	-
Housing	259.285	-	262.027	3.2	1.1	-
Shelter	291.139	293.217	294.266	3.5	1.1	.4
Rent of primary residence ¹	324.185	325.377	326.574	4.5	.7	.4
Owners' equivalent rent of residences ^{1 2}	316.307	317.251	318.164	3.2	.6	.3
Owners' equivalent rent of primary residence ^{1 2}	316.307	317.251	318.164	3.2	.6	.3
Fuels and utilities	299.580	-	306.430	8.5	2.3	-
Household energy	272.342	272.720	277.676	.5	2.0	1.8
Energy services ¹	271.625	271.871	276.480	.7	1.8	1.7
Electricity ¹	293.696	300.408	300.408	2.4	2.3	.0
Utility (piped) gas service ¹	206.941	195.809	208.073	-3.5	.5	6.3
Household furnishings and operations	130.426	-	130.049	-3.7	-3	-
Apparel	115.150	-	116.689	1.2	1.3	-
Transportation	191.011	-	198.884	2.7	4.1	-
Private transportation	180.601	-	188.167	1.7	4.2	-
Motor fuel	268.569	274.605	306.602	1.3	14.2	11.7
Gasoline (all types)	267.032	273.213	305.455	1.2	14.4	11.8
Gasoline, unleaded regular ³	268.380	274.667	307.491	1.3	14.6	12.0
Gasoline, unleaded midgrade ^{3 4}	246.478	252.016	280.878	1.1	14.0	11.5
Gasoline, unleaded premium ³	248.281	253.843	282.731	1.2	13.9	11.4
Medical care	408.341	-	416.539	3.2	2.0	-
Recreation ⁵	111.457	-	110.846	-6	-5	-
Education and communication ⁵	143.281	-	143.349	-4	.0	-
Other goods and services	404.015	-	404.288	3.2	.1	-
Commodity and service group						
All items	239.533	-	242.677	2.4	1.3	-
Commodities	178.359	-	182.003	.9	2.0	-
Commodities less food and beverages	142.238	-	146.742	.0	3.2	-
Nondurables less food and beverages	181.233	-	190.342	.6	5.0	-
Durables	104.758	-	104.749	-1.2	.0	-
Services	290.848	-	293.552	3.3	.9	-
Special aggregate indexes						
All items less medical care	232.581	-	235.530	2.4	1.3	-
All items less shelter	220.008	-	223.221	1.8	1.5	-
Commodities less food	147.075	-	151.407	.0	2.9	-
Nondurables	212.949	-	218.448	1.4	2.6	-
Nondurables less food	186.566	-	195.012	.7	4.5	-
Services less rent of shelter ²	306.041	-	308.253	3.0	.7	-
Services less medical care services	283.134	-	285.623	3.3	.9	-
Energy	273.251	277.338	300.059	1.0	9.8	8.2
All items less energy	240.655	-	242.536	2.5	.8	-
All items less food and energy	241.323	-	243.240	2.6	.8	-

¹ This index series was calculated using a Laspeyres estimator. All other item stratum index series were calculated using a geometric means estimator.

² Index is on a December 1982=100 base.

³ Special index based on a substantially smaller sample.

⁴ Indexes on a December 1993=100 base.

⁵ Indexes on a December 1997=100 base.

- Data not available.

NOTE: Index applies to a month as a whole, not to any specific date.

#12

There are no written materials for this agenda item.

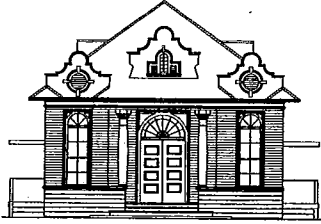
TOWN COUNCIL WEEKLY DIGEST

Friday – March 29, 2013

1. Agenda (Action) – ASCC – Monday, March 25, 2013
2. Agenda (Action) – Town Council – Wednesday, March 27, 2013
3. Agenda – Bicycle, Pedestrian & Traffic Safety Committee – Wednesday, April 3, 2013
4. Agenda – Planning Commission – Wednesday, April 3, 2013
5. April 2013 Meeting Schedule
6. Town Center Reservations for April 2013
7. Email from Danna Breen, ASCC Commissioner, to the Town Council re: Request for reconsideration of PC decision approving artificial turf at the Woodside Priory – March 27, 2013
8. Tuesday Harvest – Lighting Technology & Green Design – April 9, 2013
9. Grand Jury Report: "Can We Talk? Law Enforcement and Our Multilingual County" – March 20, 2013

Attached Separates (Council Only)

1. Invitation to C/CAG's Annual Retreat – Thursday, April 11, 2013
2. Invitation from ABAG – Spring General Assembly and Business Meeting - Thursday, April 18, 2013
3. ABAG's "Service Matters" – March/April 2013



TOWN OF PORTOLA VALLEY
 ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)
 Monday, March 25, 2013
Special Field Meeting (time and place as listed herein)
 7:30 PM – Regular ASCC Meeting
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

ACTION

SPECIAL FIELD MEETING*

4:00 p.m., 18 Redberry Ridge Afternoon session for consideration of plans that have been proposed for restoration and remediation of portions of the subject Blue Oaks parcel that was impacted by unauthorized removal of trees and vegetation. (ASCC review to continue at Regular Meeting) **Project team discussed remediation proposal as site was walked, answered questions from the ASCC and the public. Meeting continued and ended at Elkind residence, 14 Hawk View to view site from across ravine. Discussion continued to evening meeting.**

7:30 PM - REGULAR AGENDA*

1. Call to Order: 7:30 p.m.
2. Roll Call: Breen, Clark, Hughes, Koch, Ross (**All present. Also present: Tom Vlasic Town Planner; Carol Borck Assistant Planner; Jeff Aalfs Town Council Liasion; Steve Padovan Interim Planning Manager arrived at 8:30 p.m.**)

3. Oral Communications: **None.**

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

4. Old Business:
 - a. Continued Architectural Review for New Blue Oaks Residence and Site Development Permit X9H-650, 6 Buck Meadow Drive (Lot 34), Strick **Commission supported site development permit with revised grading plan and comments will be forwarded to the Planning Commission. Project approved subject to conditions of site development permit approval.**
5. New Business:
 - a. Architectural Review for Residential Additions and Remodeling, 25 Zapata Way, Duran **Project approved as submitted.**
 - b. Review for Conformity with Conditional Use Permit (CUP) X7D-30 – Plans for Renovation of Existing Classrooms, 302 Portola Road, Woodside Priory School **Project approved as submitted.**
 - c. Restoration and Remediation Plans, 18 Redberry Ridge, Douglass **Commission continued discussion of proposed remediation plan, heard public comments and project team response. Remediation plan is approved subject to conditions that will be met to the satisfaction of a designated ASCC member.**

Biological report will be completed in September and an ASCC site meeting will be scheduled for 10/28/13 to assess the progress of the remediation and determine appropriate timing to refer recommendation to Town Council to lift moratorium on building development submittal.

6. a. Conservation Committee Redwood Tree Guidelines Padovan presented the updated proposed guidelines and Conservation Chair Murphy gave further background on need and use of the guidelines. Commission discussed, provided suggestions for refinements as guidelines next go to the Planning Commission for comment.

b. Commission and Staff Reports

Vlasic informed that the Planning Commission approved the Woodside Priory CUP Amendment including the proposed artificial turf at their 3/20/13 meeting.

Breen reported she reviewed follow-up ASCC conditions of approval for 40 Tagus Court project.

7. Approval of Minutes: March 11, 2013 **Approved as corrected.**

8. Adjournment: **9:35 p.m.**

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

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

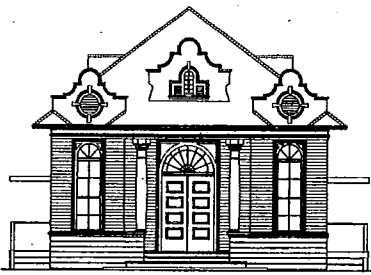
WRITTEN MATERIALS. Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours.

ASSISTANCE FOR PERSONS WITH DISABILITIES

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

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge a proposed action(s) in court, you may be limited to raising only those



TOWN OF PORTOLA VALLEY

Page 194

2

7:30 PM – Town Council Meeting

Wednesday, March 27, 2013

Historic Schoolhouse

765 Portola Road, Portola Valley, CA 94028

ACTION AGENDA

7:30 PM – CALL TO ORDER AND ROLL CALL

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

Absent: Councilmember Driscoll

ORAL COMMUNICATIONS

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

Resident, Jon Silver, presented Council with a petition, with roughly 218 signatures, requesting that the Council hold a Public Hearing to review the Planning Commission's approval of use of artificial turf at the Woodside Priory.

- (1) **PRESENTATION** on the Occasion of the Retirement of Joe Fil, from the San Mateo County Mosquito and Vector Control District

Mayor Richards presented the proclamation to Joe Fil and thanked him for his many years of dedicated service to the Town.

CONSENT AGENDA

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

- (2) **Approval of Minutes** – Regular Town Council Meeting of March 13, 2013
- (3) **Approval of Warrant List** – March 27, 2013
- (4) **Appointment by Mayor** – Request for appointment of member to the Open Space Acquisition Advisory Committee
- (5) **Request for Appointment** – of Steve Hedlund to the Board of Trustees for the San Mateo Mosquito and Vector Control District
- (6) **Recommendation by Sustainability and Special Projects Manager** – Adoption of a Resolution Approving Annual Franchise Agreement Rate Adjustment for GreenWaste Recovery, Inc.
 - (a) A Resolution of the Town Council of the Town of Portola Valley Allowing a Rate Increase Under the Franchise Agreement for Collection of Garbage, Recyclables and Compostable Materials Between the Town of Portola Valley and GreenWaste Recovery, Inc. (Resolution No. 2582-2013)

Items 2 – 6 approved 4-0

REGULAR AGENDA

- (7) **Recommendation by Sustainability and Special Projects Manager** – Proposed Monthly Garden Share Event at Town Center

Garden Share approved 4-0. Council agreed with the request to bring forward a proposal of a Farmer's Market, at a future Council meeting.

- (8) **Oral Report from Town Manager** – Update on the Affordable Housing Ad-Hoc Committee's Progress and Request for Town Council direction on the Committee's work

Council advised the Committee to take the necessary time to review and bring forward to the Council recommendations on how best to meet the obligation for 8 housing units, resulting from the sale of the Blue Oaks land, and achieve the required RHNA number of units for 2014-2022

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS**(9) Reports from Commission and Committee Liaisons**

There are no written materials for this item.

Council voted (4-0) to call the Planning Commission decision on the Priory Use Permit Amendment up for review and directed staff to prepare the record. Upon review of the record, Council can decide to affirm the Planning Commission decision or if Council believes that new evidence or testimony are required, or should the Council determine not to affirm the Planning Commission decision, then the Council shall set the matter for public hearing

Vice Mayor Wengert – Parks & Recreation Committee is discussing a skateboard ramp and dog park in Town.

Councilmember Aalfs – Open Space Committee welcomed new member Terry Lee. The suggested staggering of Blues & BBQ was reviewed and agreed to. The ASCC approved mediation plan for 18 Redberry Ridge.

Councilmember Derwin – C/CAG meeting discussed the Caltrain “Go Pass” Program. This is where employers can buy Caltrain passes for their employees.

Sustainability Committee discussed the April 9 Tuesday Harvest in which lighting will be the topic. Earth Day is scheduled for April 27th and is being held at Runnymede in Woodside. HEART meeting topic was on affordable housing.

Mayor Richards – Emergency Preparedness Committee, along with Woodside Fire, will hold an exercise at the Sequoias in May. The radio antenna is still being discussed. The Cultural Arts Committee reported the proposed art show at the Priory has been cancelled. Mayor Richards attended the Silicon Valley Joint Venture luncheon where John Englander discussed his book “High Tide on Main Street”. Mayor Richards participated in Meals on Wheels, noting what a fantastic program it is. Conservation Committee finalized the redwood guidelines and continues to work on the backyard habitat program.

WRITTEN COMMUNICATIONS**(10) Town Council Weekly Digest – March 15, 2013**

#9 – Town Attorney is preparing a response

#10 – Place on next Trails & Paths committee agenda

(11) Town Council Weekly Digest – March 22, 2013

None

ADJOURN TO CLOSED SESSION: 9:25pm**(12) 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 –

Council gave Town Attorney authority to negotiate settlement within specified parameters.

ADJOURNMENT: 9:40pm**ASSISTANCE FOR PEOPLE WITH DISABILITIES**

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AVAILABILITY OF INFORMATION

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



TOWN OF PORTOLA VALLEY
Bicycle, Pedestrian and Traffic Safety
Committee
Wednesday, April 3, 2013 – 8:15 AM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

AGENDA

1. Call meeting to order
2. Roll Call
3. Oral Communications
4. Approve Minutes from March 6, 2013 meeting
5. Law Enforcement
 - a. Sheriff's Report
6. Report from Town Staff
 - a. Windy Hill Parking
 - b. Follow up on priority areas (New signage, Enforcement, Approach to MROSD)
 - c. Progress of Alpine Trail near CM School
 - d. Outline next steps on road striping in PV Ranch
7. Budget
 - a. Vote on budget approval (due for submission by April 19th)
8. Proposal of Quarterly evening meetings
 - a. Vote to schedule May BP&TS in the evening
 - b. Proposal of additional "Workshop" event to discuss School and Neighborhood traffic concerns in the Corte Madera locale
9. Contribution to the Portola Valley Post Newsletter
 - a. Vote on intent to contribute (Copy is due April 28th)
10. BP&TS Events calendar
 - a. Bike Rodeo – discuss ongoing business
 - b. Bike to Work Day – outline plan & timing for bike station on Alpine Road
11. Adjournment at 9:15 am



**TOWN OF PORTOLA VALLEY
REGULAR PLANNING COMMISSION MEETING**
765 Portola Road, Portola Valley, CA 94028
Wednesday, April 3, 2013 – 7:30 p.m.
Council Chambers (Historic Schoolhouse)

AGENDA

Call to Order, Roll Call

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

Oral Communications

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

Regular Agenda

1. *Public Hearing:* Site Development Permit X9H-650, for New Residential development, 6 Buck Meadow Drive (Lot 34), Strick

Commission, Staff, Committee Reports and Recommendations

Approval of Minutes:

Adjournment:

ASSISTANCE FOR PERSONS WITH DISABILITIES

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PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge a proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public

Hearing(s) described later in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

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

Date: March 29, 2013

CheyAnne Brown
Planning Technician

Town of Portola Valley

Town Hall: 765 Portola Road, Portola Valley, CA 94028 Tel: (650) 851-1700 Fax: (650) 851-4677

APRIL 2013 MEETING SCHEDULE

Note: Unless otherwise noted below and on the agenda, all meetings take place in the Historic Schoolhouse, located at 765 Portola Road, Portola Valley, CA

TOWN COUNCIL – 7:30 PM (Meets 2nd & 4th Wednesdays)

Wednesday, April 10, 2013

Wednesday, April 24, 2013

PLANNING COMMISSION – 7:30 PM (Meets 1st & 3rd Wednesdays)

Council Liaison – Jeff Aalfs (for months April, May & June)

Wednesday, April 3, 2013

Wednesday, April 17, 2013

ARCHITECTURAL & SITE CONTROL COMMISSION - 7:30 PM (Meets 2nd & 4th Mondays)

Council Liaison – Ted Driscoll (for months April, May, June)

Monday, April 8, 2013

Monday, April 22, 2013

AD-HOC AFFORDABLE HOUSING COMMITTEE

Tuesday, April 16, 2013 - 7:00pm in Historic Schoolhouse

AD-HOC AFFORDABLE HOUSING COMMITTEE

Tuesday, April 30, 2013 - 7:00pm in Historic Schoolhouse

BICYCLE, PEDESTRIAN & TRAFFIC SAFETY COMMITTEE – 8:15 AM (Meets 1st Wednesday of every month)

Council Liaison – Ann Wengert

Wednesday, April 3, 2013

CABLE TV COMMITTEE – 8:15 AM (Meets 2nd Thursday) alternate odd numbered months

Council Liaison – Ted Driscoll

COMMUNITY EVENTS COMMITTEE

Council Liaison – Maryann Derwin

As announced

CONSERVATION COMMITTEE – 7:45 PM (Meets 4th Tuesday)

Council Liaison – John Richards

Tuesday, April 23, 2013

CULTURAL ARTS COMMITTEE – (Meets 2nd Thursday of every month)

Council Liaison – John Richards

Thursday, April 11, 2013

EMERGENCY PREPAREDNESS COMMITTEE – 8:00 AM (Meets 2nd Thursday) in the EOC /
Conference Room at Town Hall
Council Liaison – John Richards
Thursday, April 11, 2013

FINANCE COMMITTEE
Council Liaison – Jeff Aalfs
As announced

GEOLOGIC SAFETY COMMITTEE – 7:30 PM
Council Liaison – Ted Driscoll
As announced

HISTORIC RESOURCES COMMITTEE
Council Liaison – Jeff Aalfs

NATURE AND SCIENCE COMMITTEE – 4:00 PM (Meets 2nd Thursday) alternate even numbered
months
Council Liaison – Jeff Aalfs
Thursday, April 11, 2013

OPEN SPACE ACQUISITION ADVISORY COMMITTEE
Council Liaison – Jeff Aalfs

PARKS & RECREATION COMMITTEE – 7:30 PM (Meets 3rd Monday)
Council Liaison – Ann Wengert
Monday, April 15, 2013

PUBLIC WORKS COMMITTEE
Council Liaison – Ted Driscoll
As announced

SUSTAINABILITY COMMITTEE – 3:30 PM (Meets 3rd Monday)
Council Liaison – Maryann Derwin
Monday, April 15, 2013

TEEN COMMITTEE
Council Liaison – Jeff Aalfs
As announced

TRAILS & PATHS COMMITTEE – 8:15 AM (2nd Tuesday of each month, or as needed)
Council Liaison – Ann Wengert
Tuesday, April 9, 2013 – 8:15 AM



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: San Mateo County Sheriff's Department
FROM: Sharon Hanlon
DATE: March 29, 2013
SUBJ: Town Center Reservations for April 2013

Following is the current schedule of events for the Town Center and surrounding area for April 2013.

April 20: Bike Rodeo / Historic Schoolhouse Parking Lot / 8:00 am – 5:00 pm

April 27: Compost Delivery / Historic Schoolhouse Parking Lot / 8:00 am – 5:00 pm

From: Danna Breen [pvlily@aol.com]
Sent: Wednesday, March 27, 2013 4:40 PM
To: TownCenter
Cc: Nick Pegueros
Subject: Fwd: Tonight

Sent from my iPad

Begin forwarded message:

From: Danna Breen <pvlily@aol.com>
Date: March 27, 2013 9:46:12 AM PDT
To: "fjrarchitect@gmail.com" <fjrarchitect@gmail.com>, Ted Driscoll <ted@claremontcreek.com>, Maryann Derwin <maryann@derwin.com>, Jeff Aalfs <almiteja@yahoo.com>, Ann Wengert <awengert@portolavalley.net>
Subject: Tonight

I will be going to a talk, an invitation I accepted a long time ago so I cannot be there tonight, My heart is broken over the planning commission decision. I work so hard and it is difficult on ASCC. Our own 3-1 decision was difficult but clear. We had a new commissioner (the ne who supported the artificial turf)who had not yet seen the turf. But we did recommendation 3-1 against turf. The planning commission decision was close by a hair.

It was a big big decision and I think it was a bad decision.and sometimes bad decisions wake people up. As I have been collecting signatures asking you to hold a public hearing, most people I talk to simply did not have this on their radar. There has also been comfort is assuming that the Town Council would oversee this and make it right and not let this happen.

The General Plan has not been changed. Until it is, there is too much in it to prevent this turf product from being used in the priory installation. Section 2213 #5 the scale and type of materials used in developments should be harmonious with the surrounding natural scenery.

I was on the Portola Rd scenic corridor committee who resoundingly recommended the removal of trees along the roadway to open up vistas across the land. The PC approval mandates retaining all the trees and adding more so as to screen this unsightly product. That is a conflict! the fact that ASCC and PC, your two commissions look at this differently is a conflict! I think it is incumbent on you to take this up. I think it is your obligation to hear this and decide it for yourselves. This is just too big and the ramifications too terrible. People are in a lot of pain over this. I urge you to decide to consider the turf for yourselves and to hear the residents of the town who have been slumbering. Respectfully submitted, Danna Breen,

Sent from my iPad



tuesday harvest

presents

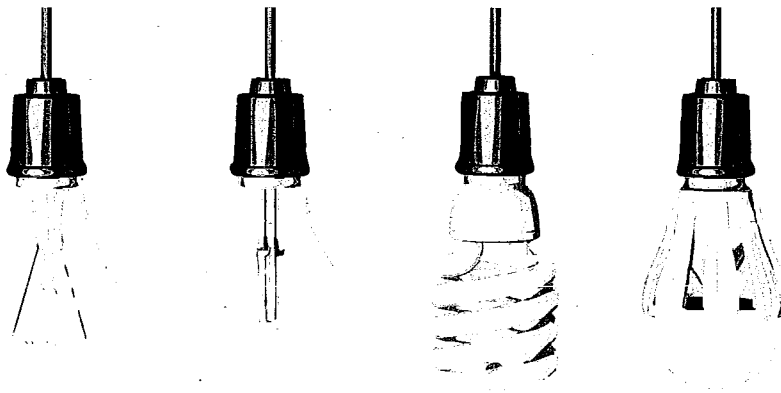
Cultivating fresh
and local ideas,
every second
Tuesday of the month.

Lighting Technology & Green Design

April 9, 2013

7:00 pm

Portola Valley Town Center - Community Hall



Confused about lighting options? Local lighting designer and educator, Linda Sanford, will help you sort out the latest lighting choices. Learn the criteria for assessing lighting quality and the “greenness” of each product. Find out which products are best suited for new construction and renovation and see some options for replacement lamps. Also, depending on audience interest, Linda will talk about the best lighting for aging eyes! Linda is the principal at Sanford Lighting Design and has taught lighting design courses at West Valley College. She currently teaches at Cañada College and the Pacific Energy Center in San Francisco.

Visit www.portolavalley.net
to see speaker bios and
future topics.



2012-2013 Grand Jury

COUNTY OF SAN MATEO

Hall of Justice

400 County Center

Redwood City, CA 94063-1655

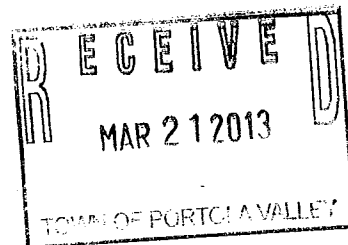
(650) 599-1210; Fax (650) 363-4698

March 20, 2013

To: Town Council
Town of Portola Valley

From: Timothy Johnson, Foreperson
2012-2013 San Mateo County Grand Jury

Re: Grand Jury Report: "Can We Talk? Law Enforcement and Our Multilingual County"



THE ENCLOSED GRAND JURY REPORT IS AN
INFORMATIONAL COPY ONLY. NO RESPONSE
IS NECESSARY.

cc: Town Manager

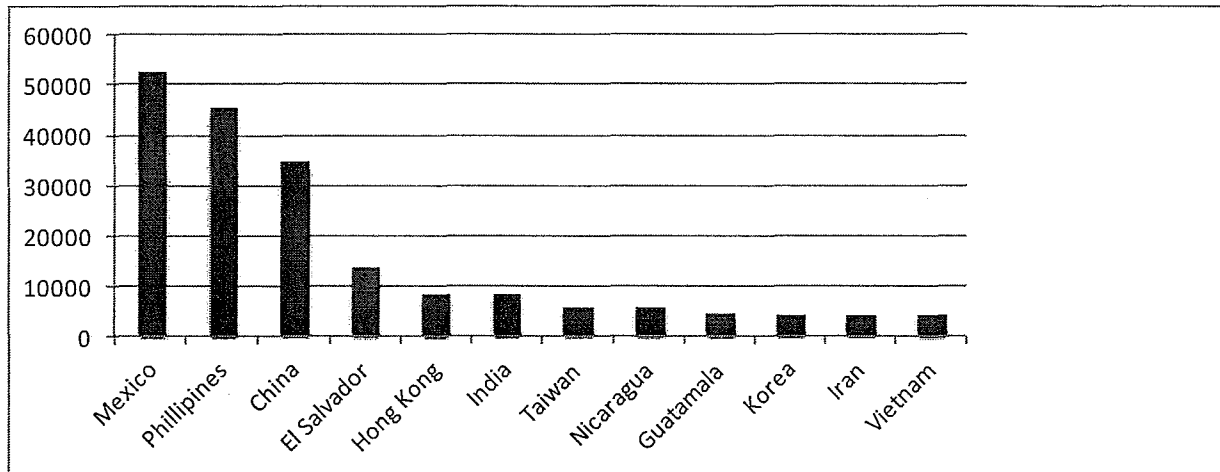


CAN WE TALK? LAW ENFORCEMENT AND OUR MULTILINGUAL COUNTY

SUMMARY

The law enforcement agencies for the 20 cities and towns located in San Mateo County (County), together with the County Sheriff's Office, have a mandate to safeguard the County's citizens. This mandate has become more difficult to fulfill as demographic changes over the past 20 years have brought into the County an increasing number of people who speak English either poorly or not at all.

The population of the County is linguistically diverse. The 2010 census lists the County's population at 718,451,¹ with 239,225 people indicating a birthplace other than the United States.² Immigrants comprise 33% of the County's total population, which does not include the children of immigrants or undocumented immigrants. Over the past decade, San Mateo County has seen an increase in the Asian population (25%), the Hispanic population (18%) and a decrease in the white population (14%).³ Hispanics represent the largest population (22.1%), followed by Asians (18.3%) and Pacific Islanders (1.4%). The chart below shows the most common country of origin of immigrants to the County, as measured by the number of permanent visas provided.⁴



As part of only the 2000⁵ census, the U.S. Census Bureau gathered English fluency data by asking respondents to rate their ability to speak English on a scale from "very well" to "not at all." The results indicated that 55% of the County's residents speak English "very well," 22%

¹ <http://www.bayareacensus.ca.gov/counties/SanMateoCounty.htm> (11/28/2012).

² Ibid.

³ Preliminary Findings from the Assessment of Immigrant Needs in San Mateo County, http://svcgii.sjsu.edu/content/20120126_SMC_Key_Findings.pdf pg. 4 (1/28/2013).

⁴ Ibid.

⁵ 2000 data is the most recent as the question was not asked in the 2010 census.

“well,” 16% “not well,” and 7% “not at all.”⁶ This indicates that a minimum of 23% of the County’s residents, or 165,000 people, have some level of difficulty communicating in English.

In light of this problem, the 2012-2013 San Mateo County Civil Grand Jury (Grand Jury) sought to determine how the law enforcement officers of the 20 cities and towns in the County and the County Sheriff’s Office deal with communication obstacles that might prevent them from effectively discharging their duties. The Grand Jury found that both the County’s police departments⁷ and the Sheriff’s Office⁸ are making credible efforts at recruiting, hiring, training, and retaining multilingual officers and support personnel.

The Grand Jury recommends that every policing agency in the County develop a written policy/procedure for language access, subscribe to effective translation services, and actively encourage language training for its personnel.

BACKGROUND

Whether it is a routine vehicle stop or a high-profile homicide investigation, law enforcement officers need to be able to communicate effectively to do their job. The size of the non-English speaking population in the County presents a serious challenge for law enforcement to provide effective policing programs while developing trust and cooperation in the communities they serve. As the number of non-English speakers increases, so does the number of non-English speaking residents who become witnesses to crime and even targets of crime. Because of language difficulties, these crimes may go unreported. Improved communications between officers and citizens can improve upon this situation.

Several laws mandate that law enforcement agencies find ways to overcome language barriers. Under Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d et seq.),⁹ police agencies receiving federal assistance must take reasonable steps to ensure that their services are meaningfully accessible to those who do not speak English well.¹⁰ Additionally, California’s Dymally-Alatorre Bilingual Services Act (Cal. Gov. Code §7290) requires state and local agencies serving a “substantial number of non-English speaking people” to employ a “sufficient number of qualified bilingual staff in public contact positions” and to translate documents explaining available services to their clients’ languages. (See, Appendix A).

Law enforcement agencies operate within a culture of written policies and procedures. Accordingly, written policies and procedures regarding language access would be useful in guiding officers and support personnel on how and when to use language resource services. The Department of Justice Civil Rights Division has created a number of planning tools for law

⁶ U.S. Department of Health and Human Services, <http://www.ahrq.gov/research/iomracereport/reldata4a.htm> (11/29/2012).

⁷ Atherton, Belmont, Brisbane, Burlingame, Colma, Daly City, East Palo Alto, Foster City, Hillsborough, Menlo Park, Pacifica, Redwood City, San Bruno, San Mateo, and South San Francisco.

⁸ Includes Half Moon Bay, Millbrae, Portola Valley, San Carlos, and Woodside.

⁹ No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

¹⁰ Overcoming Language Barriers, Solutions For Law Enforcement, pg. 5, www.cops.usdoj.gov (11/28/2012).

enforcement agencies to assist with formulating such policies and procedures.¹¹ Further, the development and implementation of such policies and procedures can demonstrate a department's commitment to ensuring access for residents with limited English skills and combating national origin discrimination.¹²

METHODOLOGY

The Grand Jury collected information from all the law enforcement agencies in the cities and towns in the County, and from the County Sheriff's Office, regarding the level and efficiency of their interactions with non-English speakers in their jurisdictions. The Grand Jury requested these agencies' assessments of the difficulties that language barriers create for both police officers and the public. Additionally, the Grand Jury asked these agencies to supply data regarding multilingual law enforcement officers and support personnel within their jurisdictions, information regarding programs to recruit, hire, train, and retain multilingual personnel, and current written policies/procedures addressing language access.

Interviews

The Grand Jury interviewed patrol officers from several police agencies to determine the actions they take when confronted with a language barrier. The Grand Jury also interviewed personnel from the County's Office of Public Safety Communications (911).

Site Tours

In an emergency, the public often calls 911 as its first choice for obtaining police and medical services. As this is often the public's initial contact point with law enforcement, the Grand Jury sought to determine the linguistic effectiveness of the 911 control center in the County's Office of Public Safety Communications.

Documents

The Grand Jury reviewed the following documents:

- Civil Rights Act of 1964
- Summary of Language Access Laws in California (Appendix A)
- California Government Code Sections 7290-7299.8 (Appendix B)
- Overcoming Language Barriers, Solutions for Law Enforcement¹³
- Enhancing Community Policing with Immigrant Populations¹⁴
- Dymally-Alatorre Bilingual Services Act
- Lexipol Policy 368 (Appendix E)

¹¹ Executive Order 13166 Limited English Proficiency Resource Document: Tips and Tools from the Field, Washington, D.C: U.S. Department of Justice, Civil Rights Division, 2004:
<http://www.justice.gov/crt/about/cor/lep/Final%20Tips%20and%20Tools%20Document.%209%2021%2004.pdf>
(1/24/2013).

¹² Ibid.

¹³ www.cops.usdoj.gov/Publications/vera_translating_justice_final.pdf (1/9/2013).

¹⁴ www.cops.usdoj.gov/Publications/e04106266-Enhancing-CP-Immigrant-Populations_b.pdf (1/9/2013).

The Grand Jury gathered statistical information from the 2000 and 2010 U.S. Censuses,¹⁵ from various websites dedicated to employment opportunities in law enforcement, and from the websites maintained by the various law enforcement departments in the County.

DISCUSSION

The Grand Jury's investigation revealed widespread awareness among the County's law enforcement agencies regarding the need for more multilingual law enforcement and emergency personnel, particularly those fluent in Spanish. While several communities have as many as 22% of their officers fluent in a second language,¹⁶ two cities (Belmont and Hillsborough) reported no multilingual officers. The departments in these communities must depend on neighboring agencies or non-police employees for their translation needs. Fifteen communities of the 20 surveyed stated their agencies could benefit from additional multilingual officers. (Appendix C) Atherton, Brisbane, Burlingame, Foster City, and Hillsborough stated no additional multilingual officers are currently needed.

The primary concern among the policing agencies is how difficult basic communication is with non-English speakers during an initial contact, which is often during an emergency. When non-English speaking residents are involved, the departments reported that delays were common in obtaining information critical to the resolution of an incident or the investigation of a crime.

911 Calls

As part of the Emergency Telephone Users Surcharge Law,¹⁷ the State of California has mandated that language translation services be available to limited or non-English speakers. A general tax on telephone usage funds the cost for this service.

Under the County Manager's direction the County's 911 center processes emergency calls for the Sheriff's Office, which services the cities of Half Moon Bay, Millbrae, Portola Valley, San Carlos, and Woodside, together with the unincorporated areas of the County. 911 also processes calls for all the fire departments in the County and ambulance dispatch, transit police (BART), Caltrain, and occasional direct calls from the public.¹⁸ As this is generally the first interface the public has with potential assistance, the Grand Jury reviewed the Public Safety Communications departmental policies and procedures when encountering a non-English speaking caller. This review revealed that when necessary, 911 operators can provide translation services for limited or non-English speakers through a service called "Language Line."

Language Line

Language Line is a telephonic service operated by AT&T that enables users to speak through a translator in 98.6% of the world's 6,809 languages, and includes sign language, when a video

¹⁵ <http://quickfacts.census.gov/qfd/states/06/06081.html> (1/30/2013).

¹⁶ See Appendix C.

¹⁷ California State Board of Equalization www.boe.ca.gov/pdf/pub39a.pdf (1/28/2013).

¹⁸ Cities not serviced by the Sheriff's Office have their own 911 operations that, for whatever reason, seldom receive direct calls from the public.

feed is available, and TTY (text telephone) users.¹⁹ A transfer button at all 911 operator workstations accomplishes this quickly. County administrators track the calls to determine the usage of Language Line. 911 Service's internal policies dictate a 30-second processing time for incoming 911 calls. The transfer to Language Line for non-English speakers is occasionally longer than the 30-second goal. However, 911 Service reports a favorable experience with this service.

All, except two (Brisbane and Hillsborough) of the cities' police departments, use Language Line for translation services.²⁰ The patrol officers interviewed indicated that use of Language Line in the field is cumbersome, as officers have to pass a telephone back and forth between the officer and the non-English speaker. The patrol officers preferred using Language Line for follow up investigations when a second telephone line is available.

Patrol Officers in the Field

Patrol officers in the field are resourceful when dealing with language barriers. They initially rely on their dispatchers to identify the language needs of the parties involved. This allows the officer to secure necessary translators while in route to the scene. At the scene, their first resource frequently is family members and neighbors. If additional translation is necessary, the officer can contact multilingual members of their department or neighboring departments for assistance. Officers also report having used web-based smart phone translation applications such as Google Translate on their personal phones.

All law enforcement agencies in the County stated that they actively recruit multilingual officers. Additionally, all responding departments except Brisbane and Colma provide additional compensation to their multilingual officers according to their language proficiency.

Written Language Access Policies

The cities of Belmont, Brisbane, Burlingame, Foster City, Menlo Park, City of San Mateo, South San Francisco²¹, and the Sheriff's Office (which services the cities of Half Moon Bay, Millbrae, Portola Valley, San Carlos, Woodside, and the unincorporated areas of the County) provided the Grand Jury with written policies and procedures addressing language access. The Sheriff's Office also recognizes the need for additional efforts, such as including the salary premium information in job postings and assigning multilingual officers to duty areas aligned with their language skills. The cities of Atherton, Colma, Daly City, East Palo Alto, Hillsborough, Pacifica, Redwood City, and San Bruno did not provide any written policies or procedures addressing language access to the Grand Jury and the Grand Jury is not aware that any such policies or procedures exist for those jurisdictions.

¹⁹ http://languageline.com/main/files/Language_List.pdf (1/30/2013).

²⁰ See Appendix C.

²¹ Appendix E www.Lexipol.com (1/24/2013).

POST

The State of California provides continuing education through its Commission on Peace Officers Standards and Training (POST) program. POST offers language classes in Spanish (five proficiency levels) including courses to develop the basic skills needed for an initial interaction with Spanish speakers. The cost for the courses ranges from \$20 to \$350. The skills thus obtained have the potential to minimize language barriers during emergencies with a large percentage of the immigrant population, thereby allowing law enforcement officers to render better service to their communities.

FINDINGS

- F1. The law enforcement agencies in the County are aware of the linguistic issues presented by the County's non-English speaking population and, in general, have responded well by implementing written policies for language access and instituting hiring procedures designed to recruit multilingual personnel.
- F2. The 911 Service does a good job for the non-English speakers in the communities serviced by the San Mateo Sheriff.
- F3. Written policies and procedures, such as those adopted by Belmont, Brisbane, Burlingame, Foster City, Menlo Park, City of San Mateo, South San Francisco, and the Sheriff's Office, are useful in guiding law enforcement during encounters with non-English speakers.
- F4. Language Line is helpful in reducing communication difficulties between the immigrant population and law enforcement.
- F5. Alternative language translation services such as Google Translate, accessible by smart phones in the field, are useful in multilingual law enforcement situations.
- F6. It would be beneficial for law enforcement agencies to take advantage of low cost Spanish education available through the POST program.

RECOMMENDATIONS

The Grand Jury recommends that:

- R1. The cities of Atherton, Colma, Daly City, East Palo Alto, Hillsborough, Pacifica, Redwood City, and San Bruno develop a written policy/procedure for language access based on the guidelines set forth by the United States Department of Justice²² and customized for California Law by Lexipol in Policy 368 (See, e.g., Appendix E)
- R2. The cities of Brisbane and Hillsborough subscribe to a telephonic translation service that provides immediate access for dispatchers and officers in the field.

²² Overcoming Language Barriers, Solutions For Law Enforcement, Community Oriented Policing Services, U.S. Department of Justice, www.cops.usdoj.gov/Publications/vera_translating_justice_final.pdf (1/9/2013).

- R3. Every County policing agency examine the feasibility of providing smart phones to patrol officers so that they can access free translation services such as Google Translate²³.
- R4. Every County policing agency encourage and financially support participation in POST²⁴ language skills classes.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the Grand Jury requests the following, as applicable, to respond to the foregoing Findings and Recommendations, referring in such responses to the numerical reference thereof:

- San Mateo County Sheriff
- The Town/City Councils of Atherton, Belmont, Brisbane, Burlingame, Colma, Daly City, East Palo Alto, Foster City, Hillsborough, Menlo Park, Pacifica, Redwood City, San Bruno, City of San Mateo, and South San Francisco.

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

²³<https://play.google.com/store/apps/details?id...google...apps.translate> (1/24/2013).

²⁴ Ca. Gov. Post, www.post.ca.gov (12/17/2012).

APPENDIX A

SUMMARY OF LANGUAGE ACCESS LAWS IN CALIFORNIA

There are a number of federal, state, and local laws that govern language access for limited-English proficient (LEP) individuals. The following is an overview of the federal, state, and local laws governing language access.

Title VI of the 1964 Civil Rights Act

“No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin by any recipient of federal funding. This obligation applies to all recipients, including government agencies, public educational institutions, nonprofit organizations, private corporations, and other entities. Title VI also applies without regard to the amount of funds received by an entity. Although the law does not define national origin discrimination, courts and regulations have consistently interpreted the provision as requiring linguistically assessable services. This means that agencies that receive federal funds and fail to provide meaningful access for limited English speaking individuals to services can violate Title VI. Title VI also covers private for-profit and nonprofit entities that receive federal funds, including those re-allocated by state or local governments. In the past several years, policies have been put in place at the federal level to provide direction that is more specific to federal recipients regarding their legal duty to provide language-accessible services. In August 2000, President Clinton issued Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” requiring federal agencies to develop guidance for federal funding recipients on how to comply with Title VI. The Bush administration has reaffirmed Executive Order 13166, and the U.S. Department of Justice has led a multi-agency effort to issue guidance outlining four factors that a recipient of federal funding should apply in determining its level of obligation to provide access to services for people who are LEP:

1. Number or proportion of LEP persons served. While programs that serve fewer LEP individuals are still required to take reasonable steps to provide meaningful access, the number of LEP individuals expected to be encountered will determine the reasonableness of the efforts.
2. Frequency of contact with LEP persons. The more frequent the need by LEP individuals to access the services, the greater the responsibility to provide meaningful access.
3. Nature and importance of the program. The greater the importance of the program to beneficiaries, the greater the duty to provide access.
4. Resources available and costs. Cost is a legitimate consideration in assessing the reasonableness of particular language access measures, and a smaller recipient of federal funding with limited resources may not have to take the same steps as a larger one.

In balancing these four factors, recipients of federal funding must provide an appropriate level of both oral interpretation and translation of important written documents. More information about

Title VI's language access requirements can be found at the federal government's web site, www.lep.gov. This web site contains:

- Background information about Title VI;
- Executive Order 13166 (requesting federal agencies to develop detailed guidance on enforcing Title VI);
- Guidance for implementing Title VI for over 30 federal agencies;
- Federal implementation and enforcement policies;
- "Know Your Rights" materials;
- "I Speak" Flashcards (flashcard written in 38 languages that can be used to identify the language spoken by individuals who attempt to access services); and
- General resources for providing multilingual services.

Dymally-Alatorre Bilingual Services Act

California's Dymally-Alatorre Bilingual Services Act requires state and local agencies serving a "substantial number of non-English speaking people," to employ a "sufficient number of qualified bilingual staff in public contact positions" and to translate documents explaining available services into their clients' languages. In enacting the law over 30 years ago, the California Legislature recognized that "the effective maintenance and development of a free and democratic society depends on the right and ability of its citizens and residents to communicate with their government and the right and ability of the government to communicate with them." Gov. Code § 7291. Because a substantial number of limited English proficient ("LEP") Californians were unable to effectively utilize government services to which they were entitled, in 1973, the Legislature passed the Dymally-Alatorre Bilingual Services Act (the "Act"). See Gov. Code §§ 7290 et seq. The Bilingual Services Program of the State Personnel Board monitors agency compliance with Dymally-Alatorre and provides guidance to agencies seeking to meet their legal obligations to serve LEP individuals. For more information see, <http://www.spb.ca.gov/bilingual/>

Equal Access to Services Ordinance

San Francisco's Equal Access to Services (EAS) Ordinance, Chapter 91 of the SF Adm. Code, requires covered city departments to make its services accessible in any language spoken by limited English proficient persons who make up either 1) five percent of the population served by the Department, or 2) 10,000 residents citywide. The EAS Ordinance applies to all city departments that provide services to the public and have at least 30 full-time employees. The EAS delineates a range of obligations including, but not limited to: conducting annual language needs assessments, utilizing written and oral language services to ensure individuals have equal access to services regardless of language ability. The Ordinance requires City departments that provide extensive public services (enumerated in the Ordinance as "Tier 1" departments), to translate vital governmental documents into the languages spoken by at least 10,000 LEP residents or 5 percent of the clients served by the department.

[Section 91.4.]

At this time, the languages that fall under the broad, citywide 10,000 persons categories are Spanish and Chinese. The seven categories of “vital” documents designated for translation by Tier 1 departments include:

- (1) applications or forms to participate in a Department’s program or activity or to receive its benefits or services;
- (2) written notices of rights to, determination of eligibility of, award of, denial of, loss of, or decreases in benefits or services, including the right to appeal any Department’s decision;
- (3) written tests that do not assess English language competency, but test competency for a particular license or skill for which knowledge of written English is not required;
- (4) notices advising limited English-proficient persons of free language assistance;
- (5) materials explaining a Department’s services or programs;
- (6) complaint forms; and
- (7) any other written documents that have the potential for important consequences for an individual seeking services from or participating in a program of a city department.

Oral Language Services

The ordinance requires each City department with at least 30 full-time employees to provide information and services to the public not only in English, but also in the languages spoken by at least 10,000 LEP residents or 5 percent of the clients served by the department.

[Section 91.3.]

Again, the languages that fall under the citywide threshold are Spanish and Chinese (specifically Cantonese). Also, a local office of a City department that provides direct services to the public and serves as the workplace for 5 or more full-time City employees must additionally provide information and services to the public in the languages spoken by at least 5 percent of the population of the supervisorial district in which the facility is located or at least 5 percent of the clients served by the local office, when either of those constituencies is LEP and shares a primary language other than English.

[Section 91.3.]

In order to comply with the spoken language component of the Ordinance, departments must utilize sufficient numbers of bilingual staff in public contact positions (made vacant by retirement or attrition – no existing employee would be dismissed to implement this ordinance). A public contact position is defined in the ordinance as “a position in which a primary job responsibility consists of meeting, contacting, and dealing with the public in the performance of the duties of that position.”

[Section 91.2(i).]

The standard for determining whether departments comply with this “Tier 1 Departments” include the following:

Adult Probation Department, Department of Consumer Assurance,

Department of Elections, Department of Human Services, Department of Parking and Traffic, Department of Public Health, Department of Public Transportation, District Attorney's Office, Emergency Communications Department, Fire Department, Juvenile Probation Department, Police Department, Public Defender's Office, Department of Aging and Adult Services, Rent Stabilization and Arbitration Board, and Sheriff's Office requirement of the Ordinance is whether they "provide the same level of service to Limited English Speaking Persons as they provide English speakers."

[Section 91.3(a).]

The Ordinance may require the use of other means (such as language translation telephone lines) to communicate with the public in non-English languages in order to supplement bilingual staffing.

Monitoring

Individual departments and the city's Immigrant Rights Commission are charged with monitoring compliance with the EAS. Departments must submit annual compliance plans by February 1. Amongst other items, the plans must include

- The number and percentage of LEP individuals who actually use the Department's services citywide, listed by language.
- The number and percentage of LEP residents of each district in which a covered departmental facility is located and persons who use the services provided by such facility.
- The number of public contact positions in the Department.
- The number of bilingual employees in public contact positions, their titles, office locations, the languages other than English that the person speaks.
- A description of any telephone based interpretation services offered, including the number of times such services were used and that languages for which they were used.
- A narrative assessment of the procedures used to facilitate communications with LEP individuals.
- A numerical assessment of the number of bilingual employees in public contact positions needed to meet the requirements of the EAS.
- A list of the Department's written materials required to be translated under the EAS.
- A description of procedures for accepting and resolving complaints of an alleged violation of the EAS.

APPENDIX B

GOVERNMENT CODE SECTION 7290-7299.8

7290. This chapter may be known and cited as the Dymally-Alatorre Bilingual Services Act.

7291. The Legislature hereby finds and declares that the effective maintenance and development of a free and democratic society depends on the right and ability of its citizens and residents to communicate with their government and the right and ability of the government to communicate with them.

The Legislature further finds and declares that substantial numbers of persons who live, work and pay taxes in this state are unable, either because they do not speak or write English at all, or because their primary language is other than English, effectively to communicate with their government. The Legislature further finds and declares that state and local agency employees frequently are unable to communicate with persons requiring their services because of this language barrier. Therefore, substantial numbers of persons presently are being denied rights and benefits to which they would otherwise, be entitled.

It is the intention of the Legislature in enacting this chapter to provide for effective communication between all levels of government in this state and the people of this state who are precluded from utilizing public services because of language barriers.

7292. (a) Every state agency, as defined in Section 11000, except the State Compensation Insurance Fund, directly involved in the furnishing of information or the rendering of services to the public whereby contact is made with a substantial number of non-English-speaking people, shall employ a sufficient number of qualified bilingual persons in public contact positions to ensure provision of information and services to the public, in the language of the non-English-speaking person.

(b) For the purposes of this chapter, the furnishing of information or rendering of services includes, but is not limited to, providing public safety, protection, or prevention, administering state benefits, implementing public programs, managing public resources or facilities, holding public hearings, and engaging in any other state program or activity that involves public contact.

7293. Every local public agency, as defined in Section 54951, serving a substantial number of non-English-speaking people, shall employ a sufficient number of qualified bilingual persons in public

contact positions or as interpreters to assist those in such positions, to ensure provision of information and services in the language of the non-English-speaking person. The determination of what constitutes a substantial number of non-English-speaking people and a sufficient number of qualified bilingual persons shall be made by the local agency.

7294. An employee of a state or local agency, as defined by Sections 11000 and 54951, may not be dismissed to carry out the purposes of this chapter. A state or local public agency need only implement this chapter by filling employee public contact positions made vacant by retirement or normal attrition.

7295. Any materials explaining services available to the public shall be translated into any non-English language spoken by a substantial number of the public served by the agency. Whenever notice of the availability of materials explaining services available is given, orally or in writing, it shall be given in English and in the non-English language into which any materials have been translated. The determination of when these materials are necessary when dealing with local agencies shall be left to the discretion of the local agency.

7295.2. Every state agency that serves a substantial number of non-English-speaking people, and which provides materials in English explaining services, shall also provide the same type of materials in any non-English language spoken by a substantial number of the public served by the agency. Whenever notice of the availability of materials explaining services available is given, orally or in writing, it shall be given in English and in the non-English language into which any materials have been translated. This section shall not be interpreted to require verbatim translations of any materials provided in English by a state agency.

7295.4. Whenever a state agency finds that the factors listed in both subdivisions (a) and (c) or (b) and (c) exist, it shall distribute the applicable written materials in the appropriate non-English language through its local offices or facilities to non-English-speaking persons, or, as an alternative, the state agency may instead elect to furnish translation aids, translation guides, or provide assistance, through use of a qualified bilingual person, at its local offices or facilities in completing English forms or questionnaires and in understanding English forms, letters, or notices:

(a) The written materials, whether forms, applications, questionnaires, letters, or notices solicit or require the furnishing

of information from an individual or provide that individual with information.

(b) The information solicited, required, or furnished affects or may affect the individual's rights, duties, or privileges with regard to that agency's services or benefits.

(c) The local office or facility of the agency with which the individual is dealing, serves a substantial number of non-English-speaking persons.

7296. (a) As used in this chapter, a "qualified bilingual person," "qualified bilingual employee," or "qualified interpreter" is a person who is proficient in both the English language and the non-English language to be used. For any state agency, "qualified" means one of the following:

(1) A bilingual person or employee who the State Personnel Board has tested and certified as proficient in the ability to understand and convey in English and a non-English language commonly used terms and ideas, including terms and ideas regularly used in state government.

(2) A bilingual employee who was tested and certified by a state agency or other testing authority approved by the State Personnel Board as proficient in the ability to understand and convey in English and a non-English language commonly used terms and ideas, including terms and ideas regularly used in state government.

(3) An interpreter who has met the testing or certification standards established by the State Personnel Board for outside or contract interpreters, as proficient in the ability to communicate commonly used terms and ideas between the English language and the non-English language to be used and has knowledge of basic interpreter practices, including, but not limited to, confidentiality, neutrality, accuracy, completeness, and transparency.

(b) The determination of what constitutes "qualified" for local agencies, shall be left to the discretion of the local agency.

7296.2. As used in Sections 7292 and 7295.2, a "substantial number of non-English-speaking people" are members of a group who either do not speak English, or who are unable to effectively communicate in English because it is not their native language, and who comprise 5 percent or more of the people served by any local office or facility of a state agency.

7296.4. As used in Section 7292, "a sufficient number of qualified bilingual persons in public contact positions" is the number required to provide the same level of services to non-English-speaking persons as is available to English-speaking persons seeking these

services. However, where the local office or facility of the state employs the equivalent of 25 or fewer regular, full-time employees, it shall constitute compliance with the requirements of this chapter if a sufficient number of qualified bilingual persons are employed in public contact positions, or as qualified interpreters to assist those in those positions, to provide the same level of services to non-English-speaking persons as is available to English-speaking persons seeking the services from the office or facility.

7297. As used in this chapter, a "public contact position" is a position determined by the agency to be one which emphasizes the ability to meet, contact and deal with the public in the performance of the agency's functions.

7298. The provisions of this chapter are not applicable to school districts, county boards of education, or the office of a county superintendent of schools.

7299. The provisions of this act shall be implemented to the extent that local, state or federal funds are available, and to the extent permissible under federal law and the provisions of civil service law governing the state and local agencies.

7299.1. State agencies may, utilizing existing funds, contract for telephone-based interpretation services in addition to employing qualified bilingual persons in public contact positions.

7299.2. The State Personnel Board shall be responsible for informing state agencies of their responsibilities under this chapter and providing state agencies with technical assistance, upon request on a reimbursable basis.

7299.4. (a) Notwithstanding any other provision in this chapter, each state agency shall conduct an assessment, develop, and update an implementation plan that complies with the requirements of this chapter.

(b) Each agency shall conduct a survey of each of its local offices every two years to determine all of the following:

- (1) The number of public contact positions in each local office.
- (2) The number of qualified bilingual employees in public contact positions in each local office, and the languages they speak, other than English.
- (3) The number and percentage of non-English-speaking people served by each local office, broken down by native language.
- (4) The number of anticipated vacancies in public contact positions.

(5) Whether the use of other available options, including contracted telephone-based interpretation services, in addition to qualified bilingual persons in public contact positions, is serving the language needs of the people served by the agency.

(6) A list of all written materials that are required to be translated or otherwise made accessible to non- or limited-English-speaking individuals by Sections 7295.2 and 7295.4.

(7) A list of materials identified in paragraph (6) that have been translated and languages into which they have been translated.

(8) The number of additional qualified bilingual public contact staff, if any, needed at each local office to comply with this chapter.

(9) Any other relevant information requested by the State Personnel Board.

(c) Each agency shall calculate the percentage of non-English-speaking people served by each local office by rounding the percentage arrived at to the nearest whole percentage point.

The survey results shall be reported on forms provided by the State Personnel Board, and delivered to the board not later than October 1 of every even-numbered year beginning with 2008.

(d) Beginning in 2009 and in every odd-numbered year thereafter, each state agency shall develop an implementation plan that, at a minimum, addresses all of the following:

(1) The name, position, and contact information of the employee designated by the agency to be responsible for overseeing implementation of the plan.

(2) A description of the agency's procedures for identifying written materials that need to be translated.

(3) A description of the agency's procedures for identifying language needs at local offices and assigning qualified bilingual staff.

(4) A description of how the agency recruits qualified bilingual staff.

(5) A description of any training the agency provides to its staff on the provision of services to non- or limited-English-speaking individuals.

(6) A detailed description of how the agency plans to address any deficiencies in meeting the requirements of this chapter, including, but not limited to, the failure to translate written materials or employ sufficient numbers of qualified bilingual employees in public contact positions at local offices, the proposed actions to be taken to address the deficiencies, and the proposed dates by when the deficiencies can be remedied.

(7) A description of the agency's procedures for accepting and resolving complaints of an alleged violation of this chapter.

(8) A description of how the agency complies with any federal or

other state laws that require the provision of linguistically accessible services to the public.

(9) Any other relevant information requested by the State Personnel Board.

(e) In developing its implementation plan in 2003, each state agency may rely upon data gathered from its 2002 survey.

(f) Each state agency shall submit its implementation plan to the State Personnel Board no later than October 1 of each applicable year. The board shall review each plan, and, if it determines that the plan fails to address the identified deficiencies, the board shall order the agency to supplement or make changes to its plan. A state agency that has been determined to be deficient shall report to the State Personnel Board every six months on its progress in addressing the identified deficiencies.

(g) If the board determines that a state agency has not made reasonable progress toward complying with this chapter, the board may issue orders that it deems appropriate to effectuate the purposes of this chapter.

7299.5. The State Personnel Board may exempt state agencies from the requirements of Section 7299.4, where the State Personnel Board determines that any of the following conditions apply:

(a) The agency's primary mission does not include responsibility for furnishing information or rendering services to the public.

(b) The agency has consistently received such limited public contact with the non-English-speaking public that it has not been required to employ bilingual staff under Section 7292 and the agency employs fewer than the equivalent of 25 full-time employees in public contact positions.

In order to receive an exemption, each state agency shall annually petition the State Personnel Board for the exemption and receive approval in writing by the date established by the board. An agency may receive an exemption for up to five consecutive surveys or implementation plans, if it demonstrates that it meets the requirements of subdivision (a) or (b), and provides all required documentation to the State Personnel Board.

7299.6. The State Personnel Board shall review the results of the surveys and implementation plans required to be made by Section 7299.4, compile this data, and provide a report to the Legislature every two years. The report shall identify significant problems or deficiencies and propose solutions where warranted.

7299.8. It is not the intent of the Legislature in enacting this chapter to prohibit the establishment of bilingual positions, or printing of materials, or use of qualified interpreters, where less

than 5 percent of the people served do not speak English or are unable to communicate effectively, as determined appropriate by the state or local agency. It is not the intent of the Legislature in enacting this chapter to require that all public contact positions be filled with qualified bilingual persons.

Appendix C

Survey Results

Does your law enforcement department have a significant number of interactions with non-English speakers?

Yes	No
Atherton	Brisbane
Belmont	Burlingame
Colma	Hillsborough
Daly City	Pacifica
East Palo Alto	
Foster City	
Menlo Park	
San Bruno	
City of San Mateo	
San Mateo Sheriff*	
South San Francisco	

What language(s) in addition to English is spoken by a significant number of people with who your department has interaction?

Spanish – 19
None – 1(Hillsborough)

What number and percentage of your law enforcement officers are fluent in each of the languages listed?

Atherton = 1 officer, 2 dispatchers
Belmont = 0%
Brisbane = 18%
Burlingame = 8%
Colma = 20%
Daly City = 10%
East Palo Alto = 12%
Foster City = 16%
Hillsborough = 0%
Menlo Park = 8%
Pacifica = 15%
Redwood City = 16%
San Bruno = 22%
City of San Mateo = 10%
San Mateo Sheriff = 14%
South San Francisco = 10%

*Includes Half Moon Bay, Millbrae, Portola Valley, San Carlos, Woodside, and the unincorporated areas of the County.

Do you consider that you have a sufficient number of multilingual officers?

Yes	No
Atherton	Belmont
Brisbane	Colma
Burlingame	Daly City
Foster City	East Palo Alto
Hillsborough	Menlo Park
	Pacifica
	Redwood City
	City of San Mateo
	San Bruno
	San Mateo Sheriff*
	South San Francisco

What issues do non-English speakers present to your department?

Communication and accurate reporting = 16
None = 4

Does your department have a stated policy and/or an active program addressing the recruiting, hiring and retention of multilingual officers and does your department have written policy/procedures when encountering a non-English speaker?

Yes	No
Belmont	Atherton
Brisbane	Colma
Burlingame	Daly City
Foster City	East Palo Alto
Menlo Park	Hillsborough
San Mateo	Pacifica
San Mateo Sheriff*	San Bruno
South San Francisco	Redwood City

Are multilingual police officers paid a premium?

Yes	No
Atherton = 5%	Brisbane
Belmont = 5%	Colma
Burlingame = 5%	
Daly City = \$30 per pay period	
East Palo Alto = \$100 per month	
Foster City = \$75 per month	
Hillsborough = 5%	
Menlo Park = \$75 per pay period	
Pacifica = \$373 per month	
Redwood City = 2.5%-5% relative to proficiency	
San Bruno = 2.5% relative to proficiency	
City of San Mateo = \$181.96 bi-weekly	
San Mateo Sheriff* = \$42.50 bi-weekly	
South San Francisco = 5% relative to proficiency	

Does your jurisdiction have in-house translators for police business?

Yes	No
Atherton	Belmont
Burlingame	Brisbane
Daly City	Colma
East Palo Alto	Foster City
Hillsborough	Pacifica
Menlo Park	
Redwood City	
San Bruno	
City of San Mateo	
San Mateo Sheriff*	
South San Francisco	

Does your city use outside vendors for translating? Who are those vendors?

Yes	No
<i>Language Line</i>	
Atherton	Brisbane
Belmont	Hillsborough
Burlingame	
Colma	
Daly City	
East Palo Alto	
Foster City	
Menlo Park	
Pacifica	
Redwood City	
San Bruno	
City of San Mateo	
San Mateo Sheriff*	
South San Francisco	

Appendix D - Example



Menlo Park Police Department Policy Manual

Limited English Proficiency Services

368.1 PURPOSE AND SCOPE

Language barriers can sometimes inhibit or even prohibit individuals with limited English proficiency (LEP) from gaining meaningful access to, or an understanding of important rights, obligations and services. It is therefore the policy of this department to take all reasonable steps to ensure timely and equal access to all individuals, regardless of national origin or primary language (Title VI of the Civil Rights Act of 1964, § 601, 42 USC 2000d).

368.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized Interpreter - Any employee who is bilingual and has successfully completed department-prescribed interpreter training and is authorized to act as an interpreter or translator.

Bilingual - The ability to communicate in two languages fluently, including the ability to communicate technical and law enforcement terminology. Bilingual includes a variety of skill levels. For example, some bilingual individuals may be fluent enough to engage in direct communications in a non-English language but insufficiently fluent to interpret or translate from one language into another. For example, a bilingual individual, depending on his/her skill level, could be utilized to communicate fluently in a non-English language but not to interpret between two languages if he/she does not possess the specialized skills necessary to interpret between two languages effectively. In order to be utilized to interpret or translate from one language into another, an individual must possess the skill, training and demonstrated competence to do so. For purposes of this policy, employees, in order to be identified as bilingual, must initially and periodically demonstrate, through a procedure to be established by the Department, their level of skill and competence such that the Department is able to determine the purposes for which an employee's language skills may be used.

Interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Limited English Proficient (LEP) - Designates individuals whose primary language is not English and who have a limited ability to read, write, speak or understand English. LEP individuals may be competent in certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific: An individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

368.2 FOUR FACTOR ANALYSIS

Since there are potentially hundreds of languages department personnel could encounter, the Department will utilize the four-factor analysis outlined in the Department of Justice LEP *Guidance to Federal Financial Assistance Recipients* available at the DOJ website in determining which measures will provide reasonable and meaningful access to

Limited English Proficiency Services - 183

Adopted: 2012/09/28 © 1995-2012 Lexipol, LLC

Issued: March 20, 2013

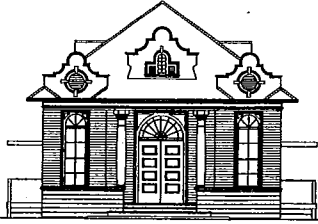
TOWN COUNCIL WEEKLY DIGEST

Friday – April 5, 2013

1. Agenda (Action) – Planning Commission – Monday, April 3, 2013
2. Agenda – Emergency Preparedness Committee (Special) – Saturday, April 6, 2013
3. Agenda – ASCC – Monday, April 8, 2013
4. Agenda – Teen Committee – Monday, April 8, 2013
5. Agenda – Trails & Paths Committee – Tuesday, April 9, 2013
6. Agenda – Emergency Preparedness Committee – Thursday, April 11, 2013
7. Agenda – Cultural Arts Committee – Thursday, April 11, 2013
8. Agenda – Nature & Science Committee – Thursday, April 11, 2013
9. Month End Financial Report for the month of March 2013
10. Woodside Fire 2013 Chipping Dates
11. Email to the Town Council from Town Manager Nick Pegueros re: Council review of the Planning Commission's decision on the Priory Field – April 1, 2013
12. Email to Town Manager and Public Works Director from Charles Krenz re: Alpine Road Repair Schedule
13. Letter to Mayor Richards from Congresswoman Eshoo re: Available support for federally funded projects – March 27, 2013
14. Letter to the Town Council from Gunther Steinberg re: Concern of Dead Tree / Lumber Removal
15. Bay Area Plan – Notice of Draft Environmental Impact Report (DEIR) for Plan Bay Area – Public Hearing dates – April 16 (a.m. and p.m. mtgs.) and April 17, 2013
16. Memo from Nick Pegueros, Town Manager re: – Weekly Update – April 5, 2013

Attached Separates (Council Only)

1. Western City – April 2013
2. San Francisco Estuary News – April 2013 – Vol. 22 No. 2
3. Invitation to Family & Children Services – 10th Annual Circle of Support Breakfast – May 2, 2013
4. Invitation to Planned Parenthood – Toast It Up! – May 18, 2013



TOWN OF PORTOLA VALLEY
REGULAR PLANNING COMMISSION MEETING
 765 Portola Road, Portola Valley, CA 94028
 Wednesday, April 3, 2013 – 7:30 p.m.
 Council Chambers (Historic Schoolhouse)

ACTIONS

Call to Order, Roll Call 7:33 p.m.

Commissioners Targ, Vice-Chairperson Gilbert and Chairperson Von Feldt present. Commissioners McIntosh and McKitterick absent.

(Also present: Jeff Alfs, Town Council Liaison; Tom Vlastic, Town Planner; Steve Padovan, Interim Planning Manager)

Oral Communications None

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

Regular Agenda

1. *Public Hearing:* Site Development Permit X9H-650, for New Residential development, 6 Buck Meadow Drive (Lot 34), Strick

Town Planner Vlastic provided a staff report summarizing the project and the modifications to the site grading. The Commission requested additional clarification on the grading plans, control of invasive species and the surface of the additional parking area. The public hearing was opened and no public testimony was taken. Following closure of the public hearing the Commission discussed modifications to the native landscape screening. A motion was made and seconded to approve the project. Motion passed 3-0-2 (McIntosh and McKitterick absent).

Commission, Staff, Committee Reports and Recommendations

Town Planner Vlastic briefly discussed the previous Planning Commission decision on the Woodside Priory stating that the Town Council will discuss the decision at its April 24th meeting.

Approval of Minutes: None

Adjournment: 8:05 p.m.



TOWN OF PORTOLA VALLEY
Special Meeting of the
Emergency Preparedness Committee
Saturday, April 6, 2013 - 8:00 AM
EOC / Town Hall Conference Room
765 Portola Road, Portola Valley, CA 94028

AGENDA

1. Call to order
2. Oral communications
3. AM Radio tests, procedures and deployment
4. Test radios in EOC
5. Adjourn



**TOWN OF PORTOLA VALLEY
ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)
Monday, April 8, 2013
7:30 PM – Regular ASCC Meeting
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028**

7:30 PM - REGULAR AGENDA*

1. Call to Order:
2. Roll Call: Breen, Clark, Hughes, Koch, Ross
3. Oral Communications:

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

4. New Business:
 - a. Architectural Review for Conversion of Carport to Garage and Associated Entry Staircase and Landing Improvements with Adjustments to "Accessory Parking Easement," 30 Coyote Hill, Portola Valley Ranch, McClendon
 - b. Architectural Review for House Additions and Renovations, and Landscape Modifications, 145 Bear Gulch Drive, Wernikoff
 - c. Preliminary Architectural Review for New Residence with Detached Pool House, Swimming Pool and Horse Keeping Facilities, and Site Development Permit X9H-649, 117 Pinon Drive, Divita (*Continued to April 22, 2013 Meeting*)
 - d. Architectural Review for House Additions and Remodeling, 65 Prado Court, Hutchinson/Fann
5. Commission and Staff Reports
6. Approval of Minutes: March 25, 2013
7. Adjournment

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

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

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

ASSISTANCE FOR PERSONS WITH DISABILITIES

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

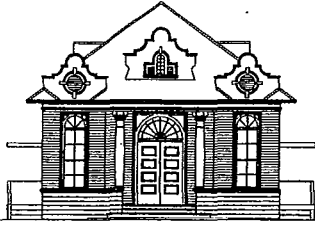
PUBLIC HEARINGS

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

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

Date: April 5, 2013

CheyAnne Brown
Planning Technician



TOWN OF PORTOLA VALLEY
Teen Committee Meeting
Monday, April 8, 2013 - 6:45 PM
Buckeye Room behind the Community Hall
765 Portola Road, Portola Valley, CA 94028

AGENDA

1. Call to Order. Welcome.
2. Oral Communications
3. Approval of minutes from March meeting
4. Dance on Friday, April 12 – planning: Make posters; discuss volunteers and publicity, distribution of funds raised, etc.
5. More social events: Town Picnic participation? Another casual Friday movie night at the library in winter?
6. Bill and Jean Lane Civic Involvement Project. Agreed that we will schedule the Jan. meeting to coincide with a Town Council meeting on below market rate housing.
fyi – <http://www.icivics.org> is a new site set up with former Supreme Court Justice Sandra O'Connor's support to encourage middle school students to learn about government. We can perhaps play with this – and then can think if there are ways we might use it for our project?
7. Outreach for CM members: Katherine to speak to leadership at CM, Sharon to put in Tuesday Post – need 6 & 7 graders and a parent to help
8. Stacie Nerdahl's budget worksheet to request funding for next fiscal year (Sharon trying to get budget figures for an outdoor movie night)
9. Adjournment. Members are encouraged to go to Alpine Hills for the Town's Ad-Hoc Committee on Affordable Housing meeting that starts at 7:30 p.m. This will count toward the Bill and Jean Lane Civic Involvement Project requirements. Meeting notice below:

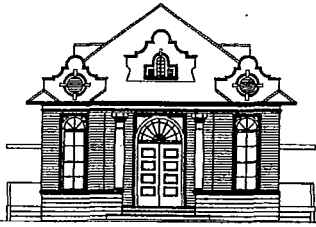
*Portola Valley's Town Council and the Ad-Hoc Committee on Affordable Housing are seeking community input on the subject of affordable housing. Residents are encouraged to make comments, offer input and voice concerns at one or more of the neighborhood meetings to be held around town as noted below. Residents are also encouraged to offer written input (name and contact information is optional) on comment cards that will be provided and collected at each meeting. These comment cards are also available in Town Hall at the Town Center from **March 21st until April 11th** and can be downloaded [here](#).*

Monday, April 8, 7:30 – 9:00 PM @ Alpine Hills Swim & Tennis Club, The Alpine Room

In an effort to reach a broad audience of residents, members of the Ad-Hoc Committee on Affordable Housing will also host meetings in homes on different dates and times in various neighborhoods throughout Portola Valley. All meetings will cover the same topic and will be facilitated in the same manner. If you are interested in attending a home-based meeting rather than one of the meetings above, please contact the Town for information as noted below. As home-based meetings are scheduled, additional notices will be provided on the PV Forum and Town's website.

The purpose of these meetings is not to discuss in detail the Town's plans for affordable housing, but to collect commentary on the community's expectations and values. This community input will help identify and prioritize the Town's efforts to meet state mandates on affordable housing.

You are encouraged to forward this message to Portola Valley neighbors and email forums.



TOWN OF PORTOLA VALLEY
Trails and Paths Committee
Tuesday, April 9, 2013 - 8:15 AM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

AGENDA

1. Call to Order
2. Oral Communications
3. Approval of Minutes from March 12, 2013
4. Financial Review
5. Old Business
 - a) Community Hike: May 18th
 - b) Update on Alpine Road Trail along Woods Property
 - c) Communication regarding signage on Shady Trail
 - d) Update on bench along Dwight Crowder Trail
 - e) Update on driveway scoring
6. New Business
 - a) Trail Work March 2013
 - b) Budget Discussion
 - c) Reallocation of trail monitoring responsibilities
 - d) Review of responsibilities for commenting on plans
7. Other Business
8. Adjournment

Enclosures:

Minutes from Regular Meeting of March 12, 2013
Financial Review
Trail work and map – March 2013
Budget discussion materials



TOWN OF PORTOLA VALLEY
Meeting of the
Emergency Preparedness Committee
Thursday, April 11, 2013 - 8:00 AM
EOC / Town Hall Conference Room
765 Portola Road, Portola Valley, CA 94028

AGENDA

1. Call to order
2. Oral communications
3. Review minutes of March meeting
4. Review plan and actions for completing AM radio
5. Review Goals for 2013 as discussed in March meeting
6. Review budget for 2013-2014
7. Subcommittee Reports (Medical Corp., Home Data Collection Alt. EOC)
8. Other Business
9. Adjourn



TOWN OF PORTOLA VALLEY
Cultural Arts Committee
Thursday, April 11, 2013 - 1:00 PM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

AGENDA

1. Call to Order
2. Oral Communications
3. Approval of March minutes
4. Old Business:
 - Quilt project - status
 - Tile project - status
 - Summer concerts/art walk - status
 - Increase CAC size - status
 - Write-up for PV Newsletter
 - Budget
 - Fredrick's Follies
5. New Business:
6. Adjournment



Town of Portola Valley
Nature and Science Committee Meeting
Thursday, April 11, 2013 – 4:00 pm
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

REGULAR MEETING AGENDA

1. Call to Order
2. Oral Communications (Anyone wanting to address the Committee OR anyone wanting to speak on something that is not on the agenda)
3. Minutes of February 14, 2013 meeting
4. Reports:
 - Report on Fun with Figures – George Comstock
 - Update on the Hawthorns support plans (bring sign-up sheets)
5. Planning:
 - Earth Fair in Woodside (Runnymede Sculpture Garden) – April 27 (11–3)
 - Lyme disease program – Bonnie Carter
 - Flight Night 2013 plans – Steve Dunn Town Picnic plans – May 31
 - Town Picnic – Nancy Lund – June 8 from 10:30 – 2:30
 - Star Party 2013 plans – Andrew – August 10
 - “Fun with Figures” – George Comstock – for zero and infinity
6. Budget Report:
7. Action Items:
 - Allocate program funds as needed
 - Recommendation regarding Hawthorns
 - Dates for upcoming programs
 - Membership
8. Publicity:
9. Other reports including Sub-Committee/Liaison Reports:
 - Climate Protection Task Force
 - Conservation Committee
 - Sudden Oak Death Study Group
10. Adjournment:
 - Next meeting date: June 13, 2013



MONTH END FINANCIAL REPORT

FOR THE MONTH OF: March 2013

C	Bank of America	\$77,213.28
A	Local Agency Investment Fund (0.286%)	\$9,912,160.97
S		
H	Total Cash	\$9,989,374.25
<hr/>		
F	05 General Fund	\$2,092,800.86
U	08 Grants	23,173.09
N	10 Safety Tax	16,761.96
D	15 Open Space	3,492,868.91
S	20 Gas Tax	6,317.44
	22 Measure M	(293.47)
	25 Library Fund	484,371.66
	30 Public Safety/COPS	(51,456.57)
	40 Park in Lieu	6,236.21
	45 Inclusion In Lieu	2,877,922.53
	60 Measure A	162,429.24
	65 Road Fees	138,726.07
	75 Crescent M.D.	94,494.48
	80 PVR M.D.	14,012.92
	85 Wayside I M.D.	5,733.02
	86 Wayside II M.D.	(75,451.61)
	90 Woodside Highlands M.D.	147,873.96
	95 Arrowhead Mdws M.D.	(1,799.67)
	96 Customer Deposits	554,653.22
	Total Fund Balance	\$9,989,374.25
<hr/>		
A	Beginning Cash Balance:	\$9,916,086.29
C	Revenues for Month:	347,314.00
T	Total Revenues for Month:	\$347,314.00
I		
V	Warrant List 3/13/13	(\$94,656.12)
I	Warrant List 3/27/13	(86,790.38)
T	Payroll	(91,723.79)
Y	Total Expenses for Month:	(\$273,170.29)
R		
E	Total JE's and Void Checks:	(\$855.75)
C		
A	Ending Cash Balance	\$9,989,374.25
P		

FISCAL HEALTH SUMMARY:

Unreserved/Spendable Percentage of General Fund:	56.20%
<i>Adopted Town Policy is 60%</i>	
Days of Running Liquidity of Spendable General Fund:	205
<i>GASB recommends no less than 90 days</i>	

Per CGC #53646 governing the reporting of cash and investments, the Town's investment portfolio is in compliance with its adopted Investment Policy. Based on anticipated cash flows and current investments, the Town is able to meet its expenditure requirements for the next six months.

**WOODSIDE FIRE PROTECTION DISTRICT
2013 CHIPPING DATES**

Chipping Dates Per CERPP Division

Division	Chipping Date
Viste Verde/Viste Verde Blue Oaks	5/8/13
Portola Valley Ranch Sequoias - Brookside	5/15/13
Woodside South	5/22/13
Old LaHonda Skyline	6/5/13
Alpine Hills Family Farm	6/12/13
Cañada East	6/19/13
Westridge	7/10/13
Ladera	7/17/13
Woodside Glens	7/24/13
Los Trancos/Viste Verde	8/7/13
Woodside Highlands	8/14/13
Emerald Hills Wds	8/21/13
Woodside West & North	8/28/13
Portola Valley Ranch	9/11/13
Emerald Hills RWC	9/18/13
Woodside Hills	9/25/13
Westridge	10/2/13
Woodside Heights	10/9/13
Old La Honda Skyline	10/16/12
Skywood - Bear Gulch Rapley Trail	10/30/13
Woodside West & North	11/6/13

Nick Pegueros

From: Nick Pegueros
Sent: Monday, April 01, 2013 9:30 AM
To: John Richards (JRichards@portolavalley.net); Ann Wengert (AWengert@portolavalley.net); Jeff Aalfs (JAalfs@portolavalley.net); Maryann Derwin (mderwin@portolavalley.net); Ted Driscoll (tdriscoll@portolavalley.net)
Cc: Sandy Sloan (ss@jsmf.com); Leigh F. Prince <lfp@jsmf.com> (lfp@jsmf.com); Sharon Hanlon; Tom Vlastic (vlastic@spangleassociates.com); Karen Kristiansson (kristiansson@spangleassociates.com); Steve Padovan
Subject: Town Council review of Planning Commission's 3/20 decision on the Priory

Just a quick update on the timing of the abovementioned item:

The Town Council review of the PC's 3/20 decision on the Priory's application will be placed on the 4/24 regular Town Council meeting agenda. Per Section 18.78.120 of the Municipal Code: "In its review, the council may affirm the action...based solely on the record transmitted to the council. If, from a review of the record, the council believes that new evidence or testimony are required, or should they determine not to affirm the decision...then the council shall set the matter for public hearing."

We expect that the PC's 3/20 meeting minutes to be on the PC agenda for approval on 4/17. With their approval of the meeting minutes, the "record" will be complete and ready for the Town Council's review on 4/24.

This email is for information purposes only. Please do not reply all.

A copy of this email will be in the weekly digest.

Nick Pegueros

From: Charles Krenz <charleskrenz@sbcglobal.net>
Sent: Friday, April 05, 2013 6:34 AM
To: Nick Pegueros; Howard Young
Subject: Alpine Rd (unpaved section): Repair Schedule?

Nick, Howard:

Below I'm forwarding a copy of a mail I've sent to Joe LoCoco, the San Mateo County Public Works Director in charge of the trail segment of Alpine Rd.

In the letter I've included links to a [change.org](#) petition to the County on the matter. The petition was signed by 670 local trail users, 180 of which are Portola Valley residents. I've included comments from 210 of the signers.

Although, as you know, the San Mateo County Roads Department "owns" this section of dirt road through the Coal Creek Open space, the route is actually more of a trail and serves only visitors to MROSD lands. I'm hopeful that you will do what you can do to encourage the County's and or MidPen's quickly taking action to reopen trail access to users of this important connector route. With the warm weather approaching, this could be done expensively, safely and quickly. Thank you for your consideration.

Charlie Krenz

650 291 4100

To: Joe LoCoco Deputy Director, Road Services, San Mateo County

cc:

San Mateo County Board of Supervisors
Public Works Director, San Mateo County, James Porter,
Midpeninsula Regional Open Space District Board and District Manager,
Portola Valley Town Council, Trail Committee and Town Manager
Los Trancos County Water District Board and Management.
President, Vista Verde Home Owners Association, Deb Smith
President, Los Trancos Woods Home Owners Association, Tom Thayer
The 660 Signers of the petition created by our organization

Joe:
It's been a month or so since we talked. I'd very much like to hear the status of proposed repairs to Alpine Rd. I personally am curious, but I also want to report back to the 660 local signers of our petition. I'll try to call you later in the week.

We all agree that the County needs to maintain appropriate and consistent safety precautions around hazards. That said, the land slide that consumed part of Alpine Rd is quite dry and stationary now. The orange fencing that had prevented any fall hazard could be re-established and and the area reopened for hiker, cyclist

and equestrian use. Signers of our petition have expressed interest in volunteering for the effort: If you think it is needed, I think we can organize a volunteer work party to do any minor grading required to smooth out a trail bed such that it is consistent with MidPen design standards.

This approach, where trail access is re-established soon, could work well for the trail users as you and your staff work to obtain the funding and design studies required to repair the under road drainage system.

Once we work through this repair, we hope The County can work with MidPen and volunteers drawn from the trail user community to upgrade the level of care this important connector trail receives.

Finally, I think it is important that you realize how important this is to the population you serve: 210 of our signers left comments. I've reproduced them below.

Charles Krenz
Coordinator, COPAR
Concerned Outdoorspeople for the Preservation of Alpine Road

Name	City		Date	Comment
Karen Tate	Portola Valley	CA	3/11/13	We live near this trail and love to access Mid Pen from Alpi
Robert Kalman	Portola Valley	CA	3/11/13	The closed trail section makes it difficult for me, my family, our favorite places for hiking and biking along Skyline Blvd.
Christopher Rust	Portola Valley	CA	3/11/13	Dirt Alpine between paved Alpine Road in Portola Valley ar critical access route for walkers, hikers, naturalists, horseb; also provides important through-access for emergency vehic; proposed bypass is not a viable solution
Grant Yonehiro	Woodside	CA	3/11/13	Recreational use for me and my three kids.
Nate McKitterick	Portola Valley	CA	3/11/13	This road is a critical access point to three preserves spaces (Ridge, and Los Trancos Open Space Preserves).
Mike Dineen	Portola Valley	CA	3/12/13	This is an important connection between the lowlands and th My two young boys and I use this trail almost every weeken
Amit Pandey	Portola Valley	CA	3/12/13	Ridge or Montebello. The closure of the trail makes access i especially for children and those not in excellent shape.
Brian Moriarty	Portola Valley	CA	3/12/13	I enjoy the Alpine Road trail about once per week. Alpine R who want to ascend to the MidPen lands. The Clouds Rest b steep, muddy and much less enjoyable.
Daniel Lawson	San Jose	CA	3/12/13	I ride Alpine multiple times a year. It is a great way to get to
Kris Moriarty	Portola Valley	CA	3/12/13	It makes my husband and his friends happy to go through thi
Linda George	Saratoga	CA	3/12/13	Alpine Rd. & trail provide a great off-highway access to upp
Connie Lawson	San Jose	CA	3/12/13	This trail is a much loved local gem! It provides terrific acco preserves up on Page Mill and Hwy 35 by bike or foot. It's a extra ride/walk in without having to drive all the way up to tl and much loved by locals. Please re-open it! We miss it.
Joel Gartland	Palo Alto	CA	3/12/13	This is one of very few off-road options to get up to the Skyl bicyclists
Jeffrey Staley	Menlo Park	CA	3/12/13	I used it often before closure
Julie Kanagy	half moon bay	CA	3/12/13	I work on the west side of Palo Alto, and dirt Alpine is a gre Montebello and Russian Ridge without having to drive up th
Colin Duwe	Portola Valley	CA	3/12/13	I ride it nearly daily spring through fall
Suresh Vasudevan	Portola Valley	CA	3/12/13	I use the trail every weekend - biking as well as hiking

Peter Donohue	San Francisco	CA	3/12/13	MROSD trails (which are currently signed as the alternate after hours, so this closure could be a problem for people w/
Phil Solk	Menlo Park	CA	3/12/13	Hiking and biking access to MidPen areas without driving a
Robert Zimmerman	Portola Valley	CA	3/12/13	Emergency egress plus hiking trail and cycling opportunities. trails depends on this link.
Alan Robinson	Los Altos	CA	3/13/13	Need more mountain bike access in MPROS.
Ian Buckley	San Carlos	CA	3/13/13	I've been riding Alpine Road for nearly 20 years now, my favorite ridge.
Michael Vanderlaan	Palo Alto	CA	3/13/13	Because I can bike to the Open Space Preserves rather than car too!
Tracy Usher	Montara	CA	3/13/13	I work at SLAC and ride, or did ride, Alpine to Skyline frequently. Its a nice ride with the reward of beautiful views at the top. I don't want to lose it!
Mike Sawyer	San Carlos	CA	3/13/13	This is the 'dirt' link to the top, and the route cited as justification for areas closed to MTB. Please address, or open an alternate dirt link to top.
Erik Hansen	Redwood City	CA	3/13/13	I bike it weekly most weeks of the year. This would be devastating.
William Chapman	Redwood City	CA	3/13/13	My wife and I enjoy taking our kids on rides and they love it. I hope we have to explore the better for everyone .
Debi Cory	Bellingham	WA	3/13/13	it is a great place to get away from it all . A safe place to ride
Don Templeton	Los Gatos	CA	3/13/13	A slide ... why is this a problem for MT Bikes, Great route.
Jeff Jordan	Portola Valley	CA	3/13/13	I am an avid mountain biker. I have ridden Alpine Fire Road frequently in recent years. I was even up there the day that it eroded due to rain.
Michael McLaughlin	Portola Valley	CA	3/13/13	Without a practical route up Alpine, the only alternative for biking along Skyline road is to drive up there, needlessly but warming the planet.
Richie Porter	Palo Alto	CA	3/13/13	I bike up Alpine to the Skyline Open Space areas dozens of times a year.
Sam Yount	Portola Valley	CA	3/13/13	This is one of my favorite trails in the Bay Area.
Lisabet Koblos	Los Gatos	CA	3/13/13	My friends and I love this ride and ride it numerous times a year. It's one of our favorites.
Brad Freitag	San Mateo	CA	3/13/13	Critical family time / close access to nature.
Matt Hale	Redwood City	CA	3/13/13	Reduces pollution of driving up to Skyline to ride. Obesity is a problem. We need to foster exercise for our children. This trail is non-technical and beginners, but is outstanding exercise for all.
Matt Wilson	San Carlos	CA	3/13/13	Beautiful trail that is one of the few in the area that can be ridden by all types of bikers. It's also a great hiking trail.
Pedro Ruiz	Portola Valley	CA	3/13/13	This is a vital trail in our open space system. There are no other trails with direct access to Page Mill Rd from Alpine road.
andrew yee	mountain view	CA	3/13/13	access to skyline w/o driving
Ammon Skidmore	San Bruno	CA	3/13/13	Even though I live 30 miles away, I regularly use Alpine as a link between Montebello and surrounding open spaces. Alpine helps avoid Mill or 84+Skyline and is a beautiful link in the trail system.
donna conley	Ballwin	MO	3/13/13	Because it is a beautiful place to run and it means a lot to my
Michelle Thomsen	Soquel	CA	3/13/13	My mt. biking group rides there often.

Tony Perri	Sunnyvale	CA	3/13/13	Refreshing alternative to driving up Page Mill Rd to reach the Skyline Blvd
David Brown	La Honda	CA	3/13/13	I ride my mountain bike there
Henry Pastorelli	Los Altos	CA	3/13/13	Need to reopen to avoid having to ride up dangerous Page M
Jeff Santucci	San Jose	CA	3/13/13	I mountain bike on this trail
Ray Gauthier	Santa Clara	CA	3/13/13	This connects to many areas at the Skyline area and is very q
David Kastanis	Portola Valley	CA	3/13/13	I am a hiking and biker who uses this route to Skyline Ridge
Anna Ralston	Portola Valley	CA	3/13/13	I'm a Portola Valley resident and love hiking in the Open Sp
Steve Wraith	Portola Valley	CA	3/13/13	Have enjoyed the trail for 30 years
Devin Prouty	Menlo Park	CA	3/13/13	I hike and mountain bike on this trail frequently. Use of this on Page Mill Rd. and in the open space parking areas.
James Ozaki	San Jose	CA	3/13/13	Access to open spaces is very crucial.
Patrick Herlihy	Redwood City	CA	3/13/13	Alpine is a very important access trail from Portola Valley to
Antony Merz	Portola Valley	CA	3/13/13	I regret that the first five lines don't permit letters below the l y.
chiyoko ono	portola valley	CA	3/13/13	trails need to be enjoyed with safety and responsibilities by a
rita terdiman	portola valey	CA	3/13/13	Easy access to wonderful hiking. One of the reasons I move
Christin Chong	San Francisco	CA	3/13/13	It is important for me to ensure that there are as many safe rc area bikers.
David Smernoff	Portola Valley	CA	3/13/13	Arguably the most important regional trail connection on the repair and re-opening as a joint priority for San Mateo Count
Robert Enns	Los Gatos	CA	3/13/13	I love getting up to the OSPs up this road!
Ellen Byrne	Los Gatos	CA	3/13/13	My husband and I are long time resident and avid hikers.
Geoff Baldwin	Portola Valley	CA	3/13/13	25 years ago this road was the best way for cyclists to get up smooth and had an even, steady grade, with no traffic -- rea cyclists. Unfortunately it has been allowed to seriously dete longer the case.
Justin Broughton	Mountain View	CA	3/13/13	Avoiding the traffic on Page Mill Road
Karen Grove	Menlo Park	CA	3/13/13	We are so incredibly lucky to live near culture, technology, / immerse us in nature. I realize the county has many prioritie maintaining our trails, and in particular the "low hanging fru to trail users.
Dennis Wilkinson	Los Altos Hills	CA	3/13/13	It's one of the few dirt roads up to Skyline! And I see absolut closed.
Sheldon Breiner	Portola Valley	CO	3/13/13	I live in Portola Valley Ranch at the foot of trails that go up / very much miss access to the upper reached. I was a co-foun and love access to this land. Please convert these trials to TR
Yuhong W	San Francisco	CA	3/13/13	Alpine Road is a work of art, a safer alternative to nearby ro for all trail users, and an experience in itself.,
Eduardo Llach	Palo Alto	CA	3/13/13	I love to hike and cycle in the area and Alpine is one of my f
Jeff Gee	Daly City	CA	3/13/13	I love hiking on the Peninsula trails
Justin Young	Menlo Park	CA	3/13/13	I have been using this trail twice a week for the past 4 years.
John McNamara	Daly City	CA	3/13/13	I want open spaces preserved for hiking/biking into the futur
Kevin Menninger	Portola Valley	CA	3/13/13	This is the only mountain bike access to skyline in the area

John Toor	Portola Valley	CA	3/13/13	As a cyclist and PV resident, this was a wonderful route to S it impossible on a road bike, so it takes away a prime route.
Steven Carleton	Burlingame	CA	3/13/13	I ride and hike this trail and the detour is in no way an adequ
Daniel Connelly	San Francisco	CA	3/13/13	This is an important path for cyclists who prefer riding away traffic of Page Mill Road.
Kerry Barnholt	Mountain View	CA	3/13/13	it's a beautiful trail and one of only a few around that's open
Jane Jensen	San Mateo	CA	3/13/13	I'm an avid mt biker.
Lanier Benkard	Woodside	CA	3/13/13	I ride this section about once every couple months. It's the o Skyline parks. (Windy hill is too far North to be of use.)
jim sullivan	pacifica	CA	3/13/13	Historically used off pavement route to Skyline+ beyond.
Alistair Adams	San Carlos	CA	3/13/13	It is a safe quick way to access skyline and it is pretty as wel
Jason Kangas	San Jose	CA	3/13/13	Dirt Alpine Road road provides quick and easy access to the
Scott Hill	San Jose	CA	3/13/13	I ride it.
Mariela Cardosa	San Francisco	CA	3/13/13	Interacting with nature is very important to me.
Andrea Ivan	Portola Valley	CA	3/13/13	it's in my neighborhood
rob mathews	portola valley	CA	3/13/13	need easy access to skyline. This has to be open, no alternat
Eric Risley	Portola Valley	CA	3/13/13	I hike and ride this trail many times a year. Please make eve reopen the trail to the broad array of users who see this as a I
Andrew Murray	Mountain View	CA	3/13/13	There aren't that many legal mountain bike trails to begin wi artery.
Mark Johnson	Mountain View	CA	3/13/13	I love mtb biking in Russian Ridge, and taking Alpine is the
Robertt Estes	Mountain View	CA	3/13/13	I like to bike there.
John Easton	Los Altos Hills	CA	3/13/13	Bikers will enhance and improve the trails beyond their curre
marios leventopoulos	palo alto	CA	3/13/13	Beutiful biking trail, good connection from Alpine Rd to Pa
Janet lafleur	mountain view	CA	3/13/13	I love to ride the trails along Skyline in the Montebello, Rus Ridge open spaces. I don't like using Page Mill to access the: my bike on the quiet dirt route of Alpine and not add to traff Please reopen the bypass trail on Alpine Road!
GEORGE SMITH	daly city	CA	3/13/13	I ride dirt alpine often!
Andrea Reid	Woodside	CA	3/13/13	I'm a regular hiker and biker of this section of Alpine and we opened!
Peter Lunk	Los Altos	CA	3/13/13	This is a key trail connection for hiking and biking
Yvonne Walbroehl	Mountain View	CA	3/13/13	One of my favorite routes to get from the valley to Skyline e on foot. Please re-open this trail!
Mark Sutherland	Portola Valley	CA	3/13/13	I am a regular user of this hiking and biking trail with my fri
Dennis Crespo	Redwood City	CA	3/13/13	Mountain Biking and Hiking
Jason Thorpe	San Francisco	CA	3/13/13	The dirt section of Alpine is one of the best places to ride a b Area. Please re-open this!
Harold Legore	morgan hill	CA	3/14/13	ride bike up it.
TOMMY KUO	SAN MATEO	CA	3/14/13	I RIDE BIKES
Gary Gellin	Menlo Park	CA	3/14/13	Safe through access via foot or bicycle travel is very importa
Gus Meyner	San Jose	CA	3/14/13	The government should not close our established routes with not a good reason to close a route from hikers and mountain are far more competent than the government trying to protec

Sheri Laramie	Los Altos	CA	3/14/13	I ride and hike this trail up and back from Skyline and would this route! Can there be a single track bypass built there? The
Shandon LLOYD	Portola Valley	CA	3/14/13	Alpine Road trail is a wonderful way to reach Skyline by bike with cars.
Mark Leeper	Hong Kong	China	Hong Kong	41347, I enjoy riding the beautiful California countryside with
Tod Francis	Menlo Park	CA	3/14/13	Alpine rd trail is key to enjoying the open space in the peninsula. this terrain is one of the reasons we live in the area. It would
Darrell Duffie	Palo Alto	CA	3/14/13	access to natural beauty without cars
Colin Duffie	Menlo Park	CA	3/14/13	biking, hiking
ana williamson	portola valley	CA	3/14/13	This is the best way for local cycling/hiking enthusiasts to access at the top of Page Mill
Don Schilling	Anta Barbara	CA	3/14/13	Well stated case should be considered as one of multiple alternative trade study affecting decisions affecting many stakeholders. both up and down.
Ken Warren	San Leandro	CA	3/14/13	Because I love to mountain bike!
Menko Johnson	Sunnyvale	CA	3/14/13	This is a great trail that I use frequently and always run into
Katharine Carroll	Portola Valley	CA	3/14/13	Because this trail allows me to ride from my door and access on skyline. I hate the idea of driving a car to get there.
Sandor Dornbush	Mountain View	CA	3/14/13	It is the best way to get to skyline by mtn bike.
Leslie Latham	Portola Valley	CA	3/14/13	I love to hike and bike in this area to get up to Skyline. How the necessary repairs to reopen the trail?
Kenji Tanabe	Menlo park	CA	3/14/13	I regularly used the trail before, and am very much appreciate the trail.
David Hanzel	Palo Alto	CA	3/14/13	Rode the bypass yesterday, it is unacceptable.
George Miranda	Fremont	CA	3/14/13	I love this trail and would like to introduce my kids and friends
Ted Huang	Menlo Park	CA	3/14/13	It's a truly beautiful yet alternate route to Skyline for cyclists
Patt Baenen	Portola Valley	CA	3/14/13	It is one of the only safe routes to Skyline from the valley for
Brian McDevitt	San Francisco	CA	3/14/13	I hike there several times a year.
Jonathan Rayner	Redwood City	CA	3/14/13	This is an artery for many cyclist/runners/hikers. It needs to
anthony Graves	Palo Alto	CA	3/14/13	its one of our primary cycling trails
David Belden	San Francisco	CA	3/14/13	I enjoy riding from the peninsula up to skyline via trails and Dirt Alpine is much more fun and convenient than having to that's prone to getting super muddy and eroded.
sushil karer			3/14/13	its important to allow ease of access for bikers/ hikers since mental barriers and discourage those on the fence!!!!
Zach Hanzel	Palo Alto	CA	3/14/13	I've been using the road as a link to the Midpenn parks off of new detour is unrideable when damp. I and the mountain bike a single track adjacent to Alpine road.
Mark Trail	Menlo Park	CA	3/14/13	I've ridden and run the dirt Alpine road and trails for 30 years to the Skyline preserves without driving or dealing with cars
Erik Cords	Sunnyvale	CA	3/14/13	Alpine road is a connector from Portola Valley to the trails in preserves along Skyline. The reroute is not an acceptable alternative
Ron Espeseth	Portola Valley	CA	3/14/13	My friends, family, and I hike and run on Alpine Road trail
Carola Berger	Mountain View	CA	3/14/13	This is the only car-free access route for miles. A permanent exposing lots of trail-users to dangerous traffic.

jenifer nogaki	portola valley	CA	3/14/13	I hike this trail fairly regularly, and live in Los Trancos Work me to have alternate routes to Page Mill
K Lee	Palo Alto	CA	3/14/13	The best access route to Skyline for people without cars.
Russell Vernick	San Francisco	CA	3/14/13	Being able to ride this trail again would be terrific, and it se it.
jon behrens	redwood city	CA	3/14/13	would love to be able to use this trail with both my kids and resource!
Ralph Eschenbach	Woodside	CA	3/14/13	This is a great trail...keep it open.
Kevin Scott	San Carlos	CA	3/14/13	access to open space is critical
Naomi Comfort	Santa Clara	CA	3/14/13	This trail provides critical access to higher-elevation preserv of San Mateo and Santa Clara Counties and avid hiker and c efforts to re-stabilize the damaged section of the trail so that impact, recreational use.
Sean Gordon	Los Altos	CA	3/14/13	This trail is very useful for ocean > valley bicycle rides. The and dangerous. Let's make a plan to fix this trail.
Marco SOLDANO	San Jose	CA	3/14/13	Provides a much safer option for bikers and hikers
Josh Davidson	los gatos	CA	3/14/13	it's where i learned to mountain bike...
Giovanni Schiochet			3/14/13	One of the most beautiful places to bike!
Matt Leonard	San Mateo	CA	3/14/13	This is a great way to get to many of the peninsula trails and having to ride my bike on busy roads.
Richard Tasker	Los Altos	CA	3/14/13	One of the few dirt routes to get up onto Skyline ridge.
Chad Frost	Sunnyvale	CA	3/14/13	This trail is the only practical link between two key high-use
Johnson Chan	Temple City	CA	3/14/13	One of my favorite spots for biking whenever I am in the bay
Sam Woodward	San Carlos	CA	3/14/13	This trail makes for a low impact (I.e. no car required), safe skyline.
Roger Brown	Santa Clara	CA	3/14/13	I have ridden Alpine Road since the early '80s on various bic safe access route, avoiding the dangerous traffic on Page M
Leif Johnson	Sunnyvale	CA	3/14/13	Improves Cycling Access to Skyline Blvd (and associated pa
Alessandro Borroni	San Jose	CA	3/14/13	Tis is where I learned to mountainbike
Alex Mather	Menlo Park	CA	3/14/13	Because it is a beautiful trail that has been a part of my life f
Charles McGadden	San Carlos	CA	3/14/13	WAN incredibly beautiful ride or hike from Portola Valley up Park. No cars! This is one of my favorite rides and I really i important to you? (Optional)
JOHANNA DOLAN	Portola Valley	CA	3/14/13	I often hike this gorgeous trail
Keisuke Nishimoto	Mountain View	CA	3/14/13	I rode Alpine Road on last year's Bike to Work Day. This is Skyline Boulevard on trail.
Bill Koerner	Manitou Springs	CO	3/14/13	THis a great recreation amenity for Los Trancos/VV and the accessible again
Jerry Hopkins	Portola Valley	CA	3/14/13	It's a great hike.
Akin Dirik	Menlo Park	CA	3/14/13	What differentiates the Bay Area from other parts of the U.S beautiful open space, and the healthy and active lifestyle pra citizens. Having such a popular trail inaccessible will impact people who hike and bike it on a regular basis.
Paul Komarek	San Jose	CA	3/14/13	I love this trail. It is one of the best mountain bike climbs in technical, with a lot of fun waiting for you at the destination
Joe Brennan	Mountain View	CA	3/14/13	I think this is an important recreational area and would like t

Jason Evans	Palo Alto	CA	3/14/13	My family and I enjoy this low traffic access route to Skyline
Linda Carlson	Portola Valley	CA	3/14/13	This trail enables people to access the many hiking and biking without having to drive 45 minutes by car, so this is an environmental as well as an open space one.
Tom Sisson	Portola Valley	CA	3/15/13	Easy trail, heavily used.
Chris Tucher	Palo Alto	CA	3/15/13	We use this to hike and bike Dirt Alpine
karen brems	redwood city	CA	3/15/13	I ride this section of road frequently as it connects to all the
Sterling Watson	Palo Alto	CA	3/15/13	Great way to enjoy the Peninsula, Skyline, etc. These places
Tom Romano	Saratoga	CA	3/15/13	It's a nice trail that was open to bikes where nobody pissed at all. Get off your lazy county worker asses and re-open it.
Jamie Sovereign	Fiddletown	CA	3/15/13	I'm a former resident of this neighborhood and love this area
JAMES MORGAN	BAINBRIDGE ISLAND	WA	3/15/13	My son and family live in Portola Valley and are very active as well walk many miles in the area.
David Leahy	Portola Valley	CA	3/15/13	Just common sense.
James Spiller	Palo Alto	CA	3/15/13	How is this not important?
Brian Sterling	Palo Alto	CA	3/15/13	It's by far the best way for mountain bikers to get up to the top alternative is to ride all the way up Page Mill, a narrow paved traffic.
Scott Sampson	Palo Alto	CA	3/15/13	I ride and run in that area a lot and it is a great route to Mountain reopen it if it's doable.
Denise Ellestad	Portola Valley	CA	3/15/13	I regularly run and bike on this trail and like to be able to do steep to go up the Thompson Rd/Clouds Rest bypass trail.
Nancy Freire	portola valley	CA	3/15/13	The trail was in excellent shape 25+ years ago when I first rode Menlo Park all the way to Skyline. It needs maintenance but reopened. I recently moved to Portola Valley and can see that a shame to let it fall into disrepair.
Linda Drey-Nightingale	Portola Valley	CA	3/16/13	I enjoy hiking in this wonderful area.
Kirt Williams	Portola Valley	CA	3/16/13	I ride this trail weekly. It is a minor slide. Please re-open!
Lynne Penek-Holden	Saratoga	CA	3/16/13	I own a house in LOS TRANCOS BUT LIVE ON SKYLINE. skyline via Alpine (in the 70s) would love to bike/ walk it.
Derek Lindsey	SANTA CLARA	CA	3/16/13	This is a great beginner hike and ride for people that doesn't to get to. We need to cut down on driving and make getting quicker.
robert pinotti	daly city	CA	3/16/13	Enjoy hiking and biking trail and is good access to skyline. please
Heather Kirkby	Portola Valley	CA	3/16/13	I love this trail. I have used it for many years with my family our neighborhood and a gateway to great adventures.
stig nybo	Portola Valley	CA	3/16/13	access to open space
Christopher M Balz	Palo Alto	CA	3/16/13	Cycling safety.
chris garcia	MENLO PARK	CA	3/16/13	I run on those trails frequently.
Joan Owen	Portola Valley	CA	3/17/13	As a long time resident in this isolated community access to Alpine Road is essential to our safety and to our appreciation of our home.
Matthew Walters	Pacifica	CA	3/17/13	Because it's a great piece of trail that allows access to the sky parks.

Lucille Kalman	Portola Valley	CA	3/17/13	My husband and I have used this trail for hiking and cycling here. The network of trails providing wildlife, recreation and of heaven for residents and a major reason why many of us r live here. Please reopen.
Joan Blackmon	Portola Valley	CA	3/17/13	Having this connection to Skyline has been important to us t biking and hiking. Now we share it with our grandchildren.
Rosemary Broome	Redwood City	CA	3/17/13	I am equestrian and use that trail very frequently - it is really barricade especially for equestrians as both bikers and hikers not so equestrians. Please keep this very widely used trail of
Bob Powers	Soquel	CA	3/17/13	Have hiked this trail several times with friends who live near
Keri Tate	Portola Valley	CA	3/17/13	I love hiking and this section is important, that's why I move
Wayne Smith	Palo Alto	CA	3/18/13	I am a cyclist who enjoys this trail.
Elizabeth Weil	Portola Valley	CA	3/18/13	My only getaway time is a long weekend run on the Open Sp many combinations of routes I can make with the Alpine roa photos of some of our travels from @elizabeth like here https://twitter.com/mrosd/status/304278294
Tad Doxsee	Palo Alto	CA	3/18/13	For that past 20 years, I've ridden my mtn bike up and down open space preserves along Skyline. Driving up and down Pa alternative.
Kevin McKee	Mountain View	CA	3/18/13	This is an enjoyable bike/hiking route that can easily be re-o already there there is little environmental impact in re-openin
Jeremy High	Modesto	CA	3/18/13	This critical foot, bike & equestrian trail access closure will ramifications that outweigh the cost of reopening and mainta the appropriate value to this trail and its destination points w its reopening, restoration and cost-effective maintenance de namely children should have the access that I and others hav years. This is not simply a County Roads access; it is the co
James Campbell	Weymouth	MA	3/18/13	Used to ride it every weekend when I lived in the area betwe one of my fondest memories. I will be moving back to the ar 2013, and it will be a true loss if this route to the top is not c
Mary Southam	Portola Valley	CA	3/18/13	I have enjoyed using this trail for jogging and hiking since 1! important part of living in this area and should continue to be
Gideon Glass	Los Altos	CA	3/19/13	This is a very important recreational connector from the mid upper Page Mill / Skyline Junction.
Charles Fry	Sunnyvale	CA	3/19/13	This important route has been neglected too long.
chris clutton	fort bragg	CA	3/19/13	this is a needed route for cyclists and hikers!
Jim Southam	Portola Valley	CA	3/19/13	We have been running, hiking and biking on the Old Alpine 1986. I am confident that this road/trail has been used contr before 1986. It is inconceivable that it could be closed after of public usage. Not only is this road/trail important because because it provides an escape route in the event of a fire or e other arteries -- namely Los Trancos Road and Lower Alpine

Dan Houdek	Los Altos Hills	CA	3/19/13	Alpine is one of my favorite rides on the whole peninsula and many local riders. It is also within close proximity to my home and many other great trails as well. Keeping this trail open is for thousands of local riders. Let me know if you need a group to help up and rebuild the trail. Thank you!
Chris Frantz	Sunnyvale	CA	3/19/13	Open space access
Bret Richmond	Mountain View	CA	3/19/13	This has been one of the few areas accessible in the evening near-by parks close (at or near sunset). Work hours often restrict dark and having a safe and accessible place to ride is important to ride it
kathryn shaw	Palo Alto	CA	3/19/13	
Doug Mann	long beach	CA	3/20/13	This is an important local trail.
Michael Butler	san carlos	CA	3/21/13	Open space access is key to living in the area
brent vaughan	portola valley	CA	3/21/13	I live in the area and use this trail.
Sandra Wallace	Emerald Hills	CA	3/22/13	I enjoy hiking in the area.
Kenyon Lee	San Mateo	CA	3/22/13	I want to retain access to the open space for hiking and cycling
john anderson	portola valley	CA	3/24/13	its an incredible trail and the closure makes zero sense to me damage to the trail that trucks created by inserting the barricade



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

*Anna G. Eshoo
Fourteenth District
California*

March 27, 2013

The Honorable John Richards, Mayor
Town of Portola Valley
765 Portola Road
Portola Valley, California 94028

Dear Mayor Richards,

Last week Congress passed a Continuing Resolution to fund the government through September 30, 2013. Beginning in April, Congress will commence its annual appropriations process for Fiscal Year 2014.

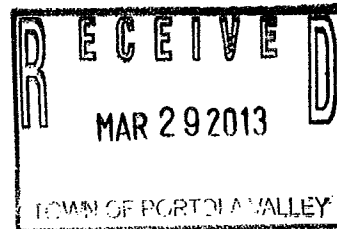
In previous years, as part of the appropriations process, I've invited public entities and community nonprofits to submit worthy projects in our Congressional District for my review. However, there continues to be a ban on Member-requested projects, commonly called "earmarks."

I care a great deal about ensuring that worthy projects in my District receive the federal support and attention they deserve. While current budget constraints necessitate difficult budget choices, I remain committed to assisting you in every way I can. If you apply for a grant or need help with a federal agency, my staff will work with you to identify the best possible way to position your project for funding, or help you look for alternative funding options. You can also find more information on my website.

Should you have any questions or comments, you can contact Karen Chapman in my Palo Alto office at (650) 323-2984 or Geoffrey Browning in my D.C. office at (202) 225-8104.

All my best,

Anna G. Eshoo
Member of Congress



H

Gunther Steinberg
95 Lerida Court
Portola Valley CA 94028

Tel: 650-854-0726

E-Mail: gunste24@comcast.net

4 April 2013

Council
Town of Portola Valley

I note that Portola Valley is very much concerned with preserving trees and controls the removal of living trees. **Question:** how concerned are you with dead trees and tree debris?

My home on Lerida Court abuts the town borders. Most of my lot has a common fence with the Conservation Lots which is, I think, part of Mr. Chaput's property on Alamos Rd. My current concerns are

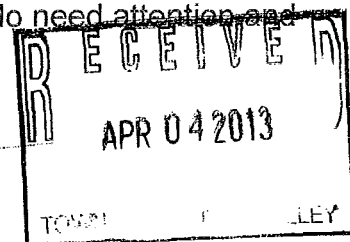
- 1. two trees which are dead, one of which has fallen on the other – See encl, B/W picture. This right on the fence line and will impact the surface storm drain on my side if the fall over completely.
- 2. A third tree, also on the fence line is on its final time, with barely any new leaves. (picture 2)
- 3. Another tree was so unsightly for years, on the Chaput side of the fence, that I cut it down, since Mr. Chaput does not take care of the Conservation portion of his property. The dead lumber litters that hills (Picture)
- 4. There is a pile of dead twigs and branches elsewhere on that land, well away from the fence line.

Last year was the first time that Mr. Chaput cut some weeds as required by the WFPD, Albeit it was generally left much too long (306 in) compared to the results of clearing my own lot and others in the area. – Prior to last year I filed annual complaints with the Fire District about the state of that area and the potential danger to my home in case of fire. My home is 27 feet from the fence line.

I had asked the WFPD to inspect the lot and given them permission to come on my decks, but all they usually did was to inspect from the street. With that in mind, only the part of the area visible from the end of the Court was properly cleared of weeds in summer.

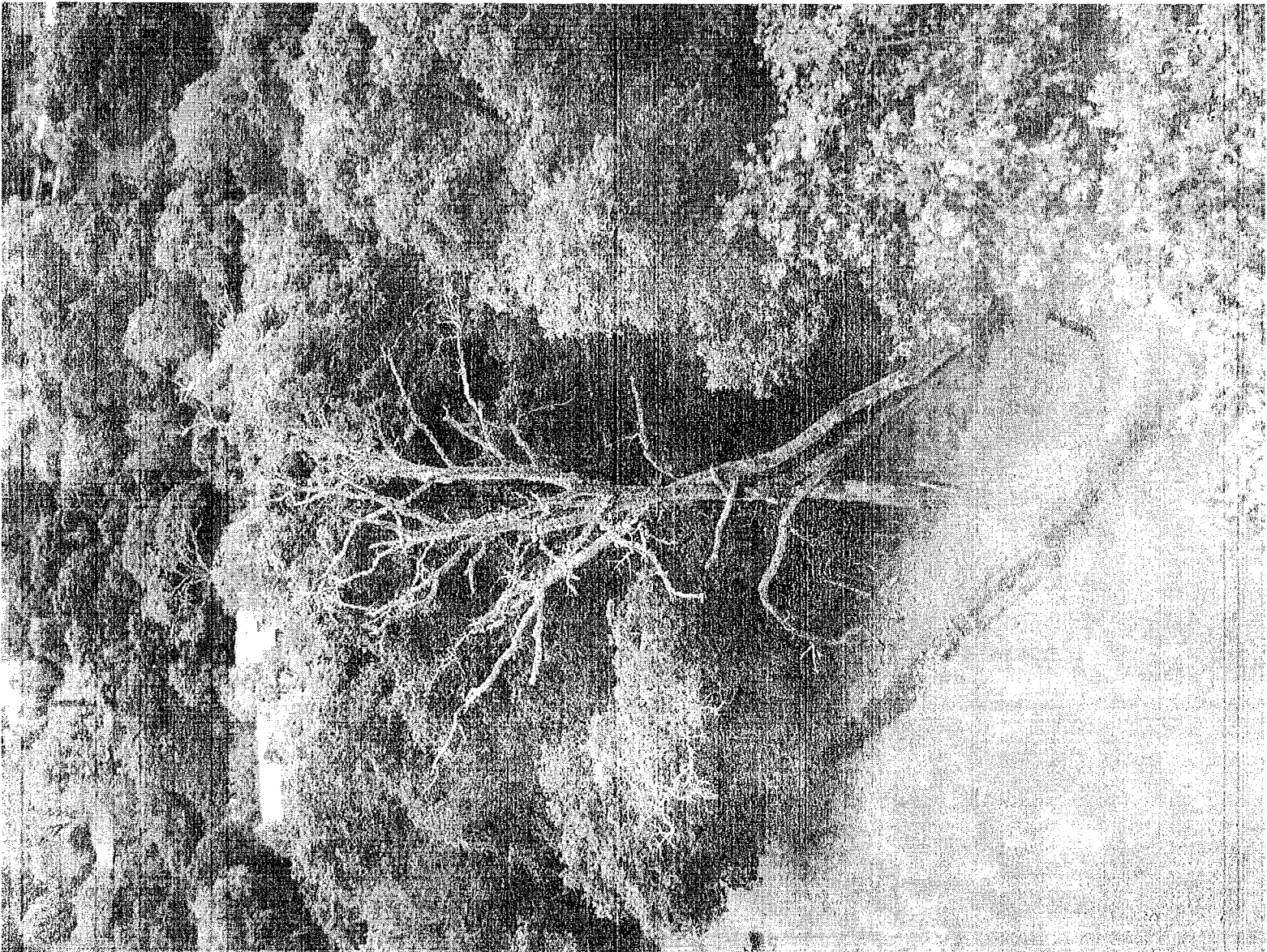
Unfortunately, my repeated requests directly to Mr. Chaput in past years had the result that no longer communicated with me. I have resided here for 44 years, fortunately without any incidence of fire. However, the Conservation lot trees do need attention and dead tree/lumber removal.

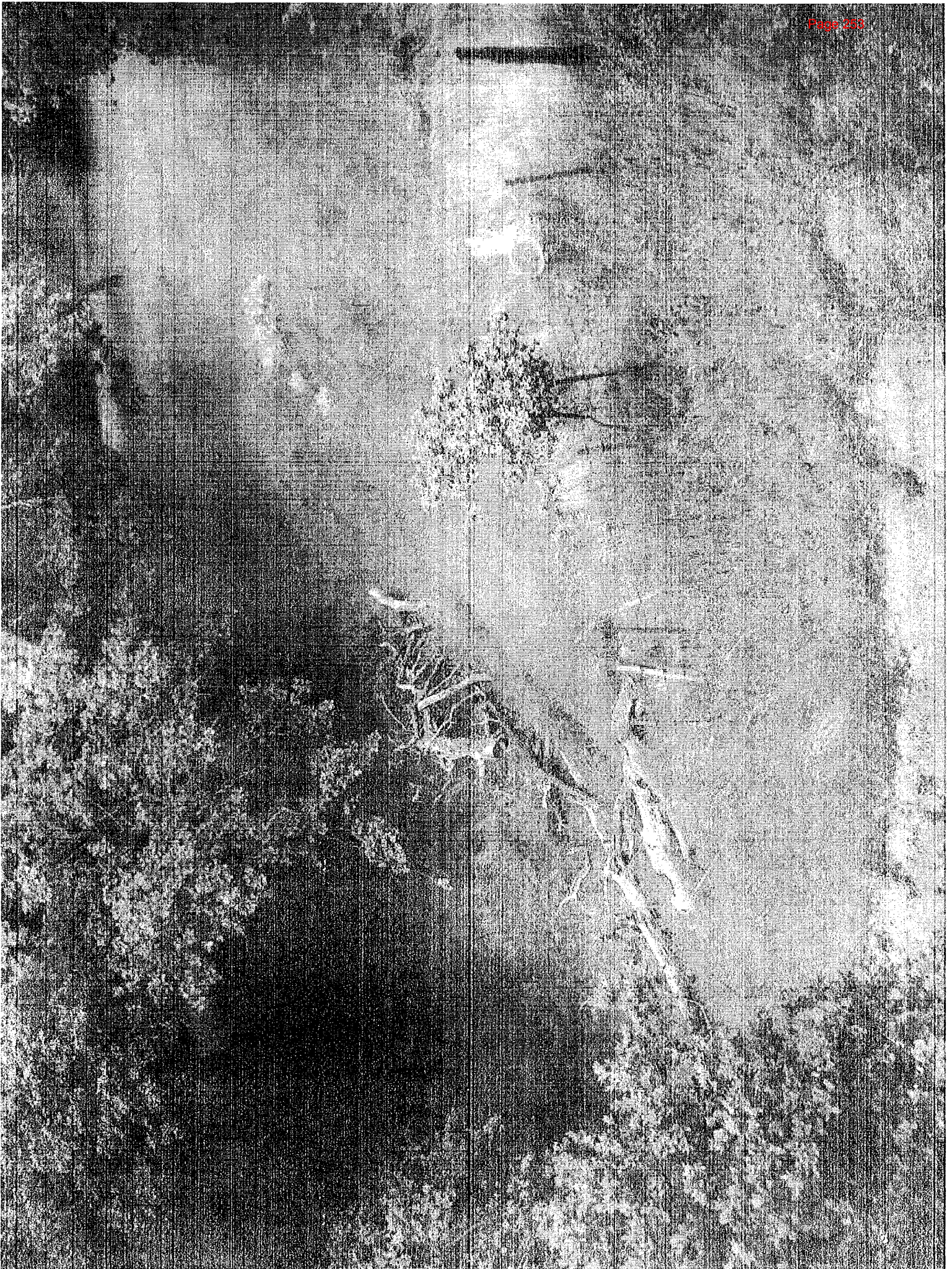
Gunther Steinberg

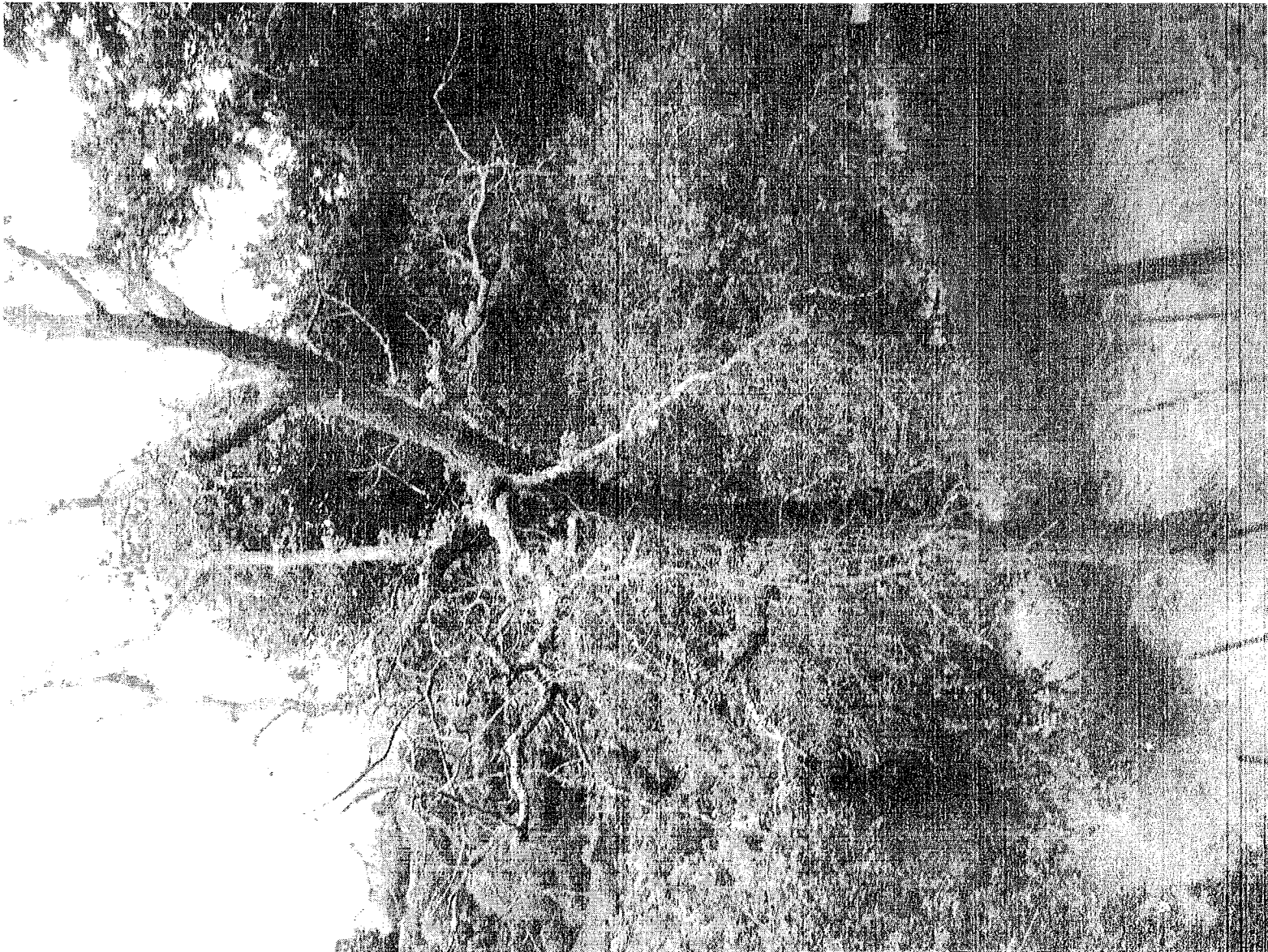


PS. Sorry, I do not have color printer

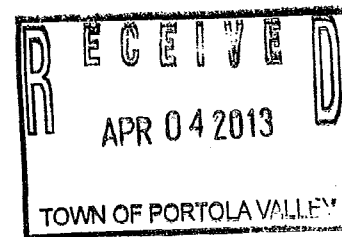
View SE from
85 Lerida Ct
Fence = PV border







Plan Bay Area



Notice of Availability of Draft Environmental Impact Report for Public Review

Date: April 2, 2013

To: Interested Agencies, Organizations, and Individuals

Subject: **Notice of Availability of a Draft Environmental Impact Report for Plan Bay Area (SCH No. 2012062029) for Public Review**

Lead Agencies

Metropolitan Transportation Commission &
Association of Bay Area Governments
Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700

Contact Person

Carolyn Clevenger, EIR Project Manager
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-4700
Phone: 510.817.5736/ Fax: 510.817.5848
Email: eircomments@mtc.ca.gov

The Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) have prepared a Draft Environmental Impact Report (DEIR) for Plan Bay Area. This Notice is to inform you of the availability of the DEIR as well as other documents, such as the Draft Plan Bay Area, referenced in the DEIR. Plan Bay Area is the region's first integrated land use and transportation plan that addresses the requirements of SB 375, which strives to attain the per-capita GHG emission reduction targets of -7 percent by year 2020 and -15 percent by year 2035 from 2005 levels. Plan Bay Area presents a vision of what the Bay Area's land use pattern and transportation network might look like in 2040 and proposes a set of future transportation projects that can be implemented with available funding. Transportation projects proposed in Plan Bay Area are located within Alameda, Contra Costa, Napa, Marin, San Francisco, San Mateo, Santa Clara, Solano, and/or Sonoma counties.

The DEIR has been prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.). The DEIR for Plan Bay Area is a program EIR as defined in the CEQA Guidelines. The DEIR presents a region-wide assessment of potential impacts of Plan Bay Area. Significant effects on the environment are anticipated in the following areas: transportation; air quality; land use; energy; climate change/sea level rise; noise; water resources; biological resources; visual resources; cultural resources; public utilities; and public services. The DEIR does not evaluate the site-specific impacts of individual projects, which will be the responsibility of the appropriate project sponsors.

The public review period on the DEIR starts on Tuesday, April 2, 2013 and ends on Thursday, May 16, 2013 at 4 p.m. **All comments on the DEIR must be made in writing and received at MTC by 4 p.m. on May 16, 2013.** Written comments on the DEIR should be sent to MTC, attention Carolyn Clevenger, EIR Project Manager, by mail, fax, or email, as shown above.

The following three public hearings have been scheduled to receive oral comment on the DEIR:

Tuesday, April 16, 2013
10 a.m. to 12 noon
Embassy Suites Hotel
Novato/Larkspur Room
101 McInnis Parkway
San Rafael, California

Tuesday, April 16, 2013
7 p.m. to 9 p.m.
Metropolitan Transportation Commission
First Floor Auditorium
101 8th Street
Oakland, California

Wednesday, April 17, 2013
1 p.m. to 3 p.m.
Martin Luther King Jr. Library
Room 225/229
150 E. San Fernando Street
San Jose, California

You may download the DEIR from MTC's web site at www.onebayarea.org or request a copy from the MTC-ABAG Library by email at library@mtc.ca.gov or by telephone at 510.817.5836. Copies are also available for viewing at the MTC-ABAG Library and selected Bay Area public libraries have the DEIR on CDs. For more information, or for the location of the library closest to you, call MTC's Public Information Office at 510-817-5757.

We appreciate your interest in the Bay Area's future and look forward to hearing from you.

Sincerely,
Carolyn Clevenger, EIR Project Manager



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council
FROM: Nick Pegueros, Town Manager
DATE: April 5, 2013
RE: Weekly Update

The purpose of this report is to provide a summary update on items/projects of interest for the week ended April 5, 2013.

1. **Planning Director Recruitment** – Staff is in the process of conducting the background investigation on one of the top candidates identified by the interview panels. The background investigation will wrap up within the next several business days.
2. **Newsletter** – The Spring newsletter is under development and Julia Dillingham will be reaching out to committee members for articles.
3. **Affordable Housing Neighborhood Meetings** – Wednesday's meeting (3rd of 4) at Valley Presbyterian saw the addition of several new voices and the discussion was quite lively. The 4th meeting is on Monday, April 8th at Alpine Hills Swim and Tennis in the Alpine Room at 7:30.
4. **Chipper Program Dates Announced** – This year's chipper program has been announced (schedule included in the digest) and staff will work with the fire district to publicize the dates for each neighborhood in town. The first area served in town is Blue Oaks on 5/8, followed by the Ranch, Sequoias and Brookside on 5/15.
5. **EPC Testing the AM Radio this Weekend** – The EPC will be testing the emergency radio system: AM1680 here at Town Hall on April 6th shortly after 8AM.

TOWN COUNCIL WEEKLY DIGEST

Friday – April 12, 2013

1. Agenda (Action) – ASCC – Monday, April 8, 2013
2. Agenda – Sustainability Committee (Special time) – Monday, April 15, 2013
3. Agenda – Parks & Recreation Committee – Monday, April 15, 2013
4. Agenda – Ad-Hoc Affordable Housing Committee – Tuesday, April 16, 2013
5. Agenda – Planning Commission – Wednesday, April 17, 2013
6. Town Issued Building Permit Activity: March 2013
7. Bike Rodeo, Portola Valley Town Center - Saturday, April 20th from 10am – 4pm
8. Earth Day Fair 2013, Runnymede Farm in Woodside - Saturday, April 27th from 11am – 3pm
9. Email to the Webmaster from resident Ms. Tina Nguyen re: Noise Generated from Commercial Flights over Portola Valley – April 8, 2013
10. Letter to Mayor Richards and Town Councilmembers from City of South San Francisco Councilmember Richard Garbarino re: Request for Support as Representative to LAFCo
11. Letter to the Town Council from Senator Barbara Boxer re: Municipal Bond Tax Exemption
12. Memo from Nick Pegueros, Town Manager re: – Weekly Update – April 12, 2013

Attached Separates (Council Only)

None this week



**TOWN OF PORTOLA VALLEY
ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)
Monday, April 8, 2013
7:30 PM – Regular ASCC Meeting
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028**

ACTION

7:30 PM - REGULAR AGENDA*

1. Call to Order: 7:31 p.m.
2. Roll Call: Breen, Clark, Hughes, Koch, Ross (**Ross absent. Also present: Tom Vlasic Town Planner; Carol Borck Assistant Planner; Chip McIntosh Planning Commission Liaison**)
3. Oral Communications: **None.**

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

4. New Business:
 - a. Architectural Review for Conversion of Carport to Garage and Associated Entry Staircase and Landing Improvements with Adjustments to "Accessory Parking Easement," 30 Coyote Hill, Portola Valley Ranch, McClendon **Project approved subject to conditions to be met to the satisfaction of Planning staff prior building permit issuance.**
 - b. Architectural Review for House Additions and Renovations, and Landscape Modifications, 145 Bear Gulch Drive, Wernikoff **Project approved subject to conditions to be met to the satisfaction of a designated ASCC member prior to building permit issuance. Additionally, final landscape plan shall be referred to Conservation Committee for comment.**
 - c. Preliminary Architectural Review for New Residence with Detached Pool House, Swimming Pool and Horse Keeping Facilities, and Site Development Permit X9H-649, 117 Pinon Drive, Divita (*Continued to April 22, 2013 Meeting*) **Continued to 4/22/13 meeting.**
 - d. Architectural Review for House Additions and Remodeling, 65 Prado Court, Hutchinson/Fann **Project approved subject to condition to be to the satisfaction of Planning staff at final inspection.**
5. Commission and Staff Reports
Vlasic informed Commission that Town Council will review the Planning Commission decision on the Priory turf at their next meeting 4/24/13.

Vlasic informed Commission that with the recently approved Priory classroom renovation project, temporary buildings will be needed to house necessary activities during construction. Buildings would be permitted only during the span of construction on the project.

Vlasic updated Commission on 18 Redberry – he will be meeting with the Town Attorney on 4/9/13 to review the agreements and bond.

6. Approval of Minutes: March 25, 2013 **Approved as submitted.**
 7. Adjournment **8:20 p.m.**
-

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

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

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

ASSISTANCE FOR PERSONS WITH DISABILITIES

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

PUBLIC HEARINGS

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

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

Date: April 5, 2013

CheyAnne Brown
Planning Technician



TOWN OF PORTOLA VALLEY
Special Sustainability Committee Meeting
Monday, April 15, 2013 7:00PM
Town Hall, Conference Room
765 Portola Road, Portola Valley, CA 94028

AGENDA

1. Call To Order
2. Oral Communications
3. Approval of Minutes from March 18, 2013
4. Update on Programs
 - a. Acterra High Energy Homes Program
 - b. Energy Upgrade Portola Valley
 - c. Tuesday Harvest Speaker Series
 - d. Climate Action Plan and Greenhouse Gas Emissions Inventory
 - e. Catalog Choice
 - f. Earth Day Events
 - g. Tip of the Month
5. Update on Projects/Outreach
6. Discussion & Approval of Budget for 2013-14 Fiscal Year
7. Next Steps, Next Meeting Date & Reminders
 - a. Next Meeting on Monday, May 20, 2013
8. Announcements
9. Adjournment



Town of Portola Valley
Parks & Recreation Committee Meeting
Monday, April 15, 2013 – 7:30 pm
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

AGENDA

1. Call to Order
2. Oral Communications (5 minutes)
Persons wishing to address the Committee on any subject, not on the agenda, may do so now. Please note however, the Committee is not able to undertake extended discussion or action tonight on items not on the agenda. *Two minutes per person.*
3. Approval of Minutes: March 18, 2013 (5 minutes) *Minutes were unavailable at time of packet distribution. They will be a hand-out at the meeting.*
4. Reports from Staff and Council (5 minutes)
5. Zots to Tots Planning (5 minutes)
6. Ford Field Renovation Update (15 minutes)
7. Discussion of possible Skateboard ramp plan (15 minutes)
8. Discussion of possible Dog Park locations (10 minutes)
9. Adjournment

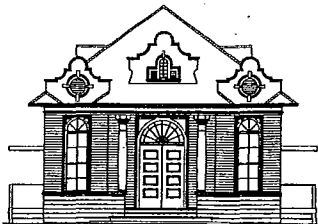
Next meeting: May 20, 2013



TOWN OF PORTOLA VALLEY
Affordable Housing Ad-Hoc Committee
Tuesday – April 16, 2013 at 7:00 p.m.
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

AGENDA

1. Call To Order
2. Oral Communications
3. Approval of March 19, 2012 Meeting Minutes
4. Roundtable discussion:
 - a. Committee charter (**Provide Council Adopted Charter**)
 - b. Town Council's clarification of deliverables provided on March 27th (**Provide DRAFT council meeting minutes**)
 - c. Process to achieve deliverables (**Provide possible process to achieve deliverables to be prepared by Karen K.**)
5. Questions/Concerns on Affordable Housing Submitted to Staff (the "Bin List") (**Provide the Bin List prioritized by Wanda/Carter/Judith**)
6. Neighborhood Meetings Notes and Word Cloud (**Provide the documents sent to the subcommittee by email yesterday**)
7. Wrap up and discussion of April 30th meeting agenda
8. Adjournment (9:00)



**TOWN OF PORTOLA VALLEY
REGULAR PLANNING COMMISSION MEETING
765 Portola Road, Portola Valley, CA 94028
Wednesday, April 17, 2013 – 7:30 p.m.
Council Chambers (Historic Schoolhouse)**

AGENDA

Call to Order, Roll Call

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

Oral Communications

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

Regular Agenda

1. Request for Planning Commission Approval of one time special "car show" event, Conditional Use Permit (CUP) X7D-30, 302 Portola Road, Woodside Priory School
2. *Preliminary* Review, Proposed Amendments to Conditional Use Permit (CUP) X7D-151 and X7D-169, 555 Portola Road, Spring Ridge LLC (Neely/Myers)
3. Review of Conservation Committee's Modified Redwood Guidelines
4. Annual Housing Element Monitoring Report for 2012

Commission, Staff, Committee Reports and Recommendations

Approval of Minutes: March 20, 2013 and April 3, 2013

Adjournment:

ASSISTANCE FOR PERSONS WITH DISABILITIES

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

AVAILABILITY OF INFORMATION

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

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley branch of the San Mateo County Library located at Town Center.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge a proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public

Hearing(s) described later in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

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

Date: April 12, 2013

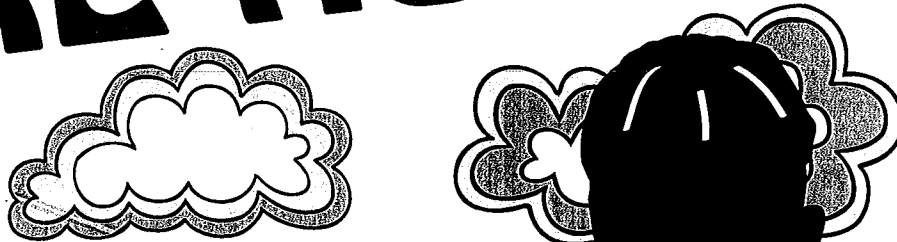
CheyAnne Brown
Planning Technician

Town of Portola Valley

Issued Building Permit Activity: March 2013

	Permits This Month	Permits FY 12-13 To Date	Total Valuation This Month	Total Valuation FY 12-13 To Date	Application Fees Collected This Month	Application Fees FY 12-13 To Date	Plan Check Fees Collected This Month	Plan Check Fees FY 12-13 To Date	Total Fees Collected FY 12-13	Total Fees Collected FY 11-12
New Residence	1	6	859,000	8,546,987	3,065.00	33,081.00	4,939.00	36,049.71	69,130.71	11,241.86
Commercial/Other	0	1	0	68,032	0.00	1,505.00	0.00	509.44	2,014.44	320.92
Additions	0	21	0	3,015,125	0.00	33,164.91	0.00	16,811.91	49,976.82	35,540.94
Second Units	2	2	190,000	190,000	3,454.00	3,454.00	1,920.00	1,920.00	5,374.00	9,917.33
Remodels	2	26	208,000	1,912,618	2,708.00	26,633.50	120.00	8,920.13	35,553.63	44,868.62
Pools	0	0	0	0	0.00	0.00	0.00	0.00	0.00	12,248.13
Stables	0	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00
Termite/Repairs	2	3	290,000	295,500	2,248.75	2,401.25	1,191.94	1,279.44	3,680.69	665.11
Signs	0	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00
House Demos	1	4	0	0	240.00	1,054.00	44.00	88.00	1,142.00	500.00
Other	10	113	282,831	3,376,706	4,434.50	45,882.00	677.00	5,531.45	51,413.45	45,932.27
	18	176	1,829,831	17,404,968	16,150.25	147,175.66	8,891.94	71,110.08	218,285.74	161,235.18
Electrical	13	94	0	0	3,484.56	18,754.33	0.00	0.00	18,754.33	5,820.66
Plumbing	7	62	0	0	3,316.56	18,669.47	0.00	0.00	18,669.47	5,837.21
Mechanical	5	46	0	0	2,547.36	13,139.06	0.00	0.00	13,139.06	3,460.40
Total Permits	43	378	1,829,831	17,404,968	25,498.73	197,738.52	8,891.94	71,110.08	268,848.60	176,353.45

All Welcome! BIKE RODEO



**PORTOLA VALLEY BIKE RODEO
SATURDAY, APRIL 20TH
10 AM - 4 PM
PORTOLA VALLEY TOWN CENTER**

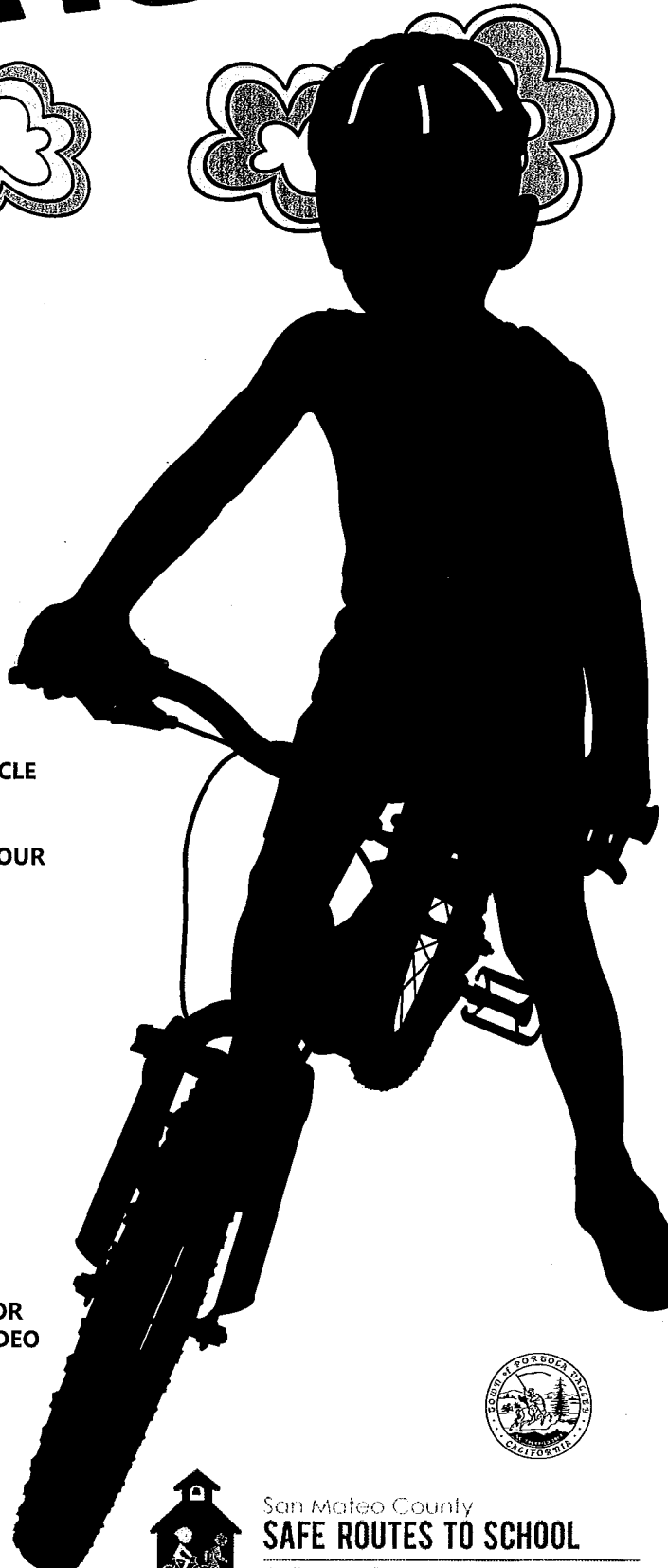
SCHEDULE OF EVENTS

- 10 AM – 4 PM BIKE RODEO – SAFE MOVES
- 10 AM – 4 PM HELMET FITTING AND BICYCLE SAFETY CHECKS
- 10 AM – 4 PM BLENDER BIKES – POWER YOUR OWN SMOOTHIE
- 11 AM – 2 PM BICYCLE TUNE UPS
- 11 AM – 4 PM FIRE TRUCK TOURS
- 12 PM – 2 PM GUIDED BICYCLE RIDES
- 4 PM EVENT ENDS

**AND THERE IS MORE
REFRESHMENTS BAKED GOODS, COFFEE,
ICE CREAM**

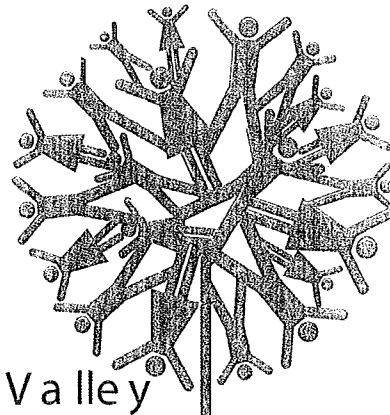
**LOCAL SHERIFF AND/OR
FIRE MARSHAL OFFICIAL CERTIFICATION FOR
KIDS COMPLETING THE RODEO**

**CHILDREN UNDER 18
MUST BE ACCOMPANIED BY AN ADULT.**



San Mateo County
SAFE ROUTES TO SCHOOL

Healthy Kids • Green Communities • Safe Journeys



Woodside Portola Valley
earth fair 2013

Saturday, April 27 • 11:00am to 3:00pm
 Runnymede Farm • 980 Runnymede Rd. • Woodside

Bring your family and join your Woodside friends and neighbors at beautiful Runnymede Farm on April 27 from 11am to 3pm for a day of fun and fresh discoveries. The event is sponsored by the Woodside Sustainability & Conservation Committee and the Portola Valley Sustainability Committee.

The day includes:

- **Lunch 11am - 2pm**
 Your ticket is redeemable for \$10 worth of food at food trucks provided by Rolling in Dough and Oaxacan Kitchen Mobile.
- **Earth Fair Exhibitors**
 Find out how to explore and enhance your environment and make smart, sustainable choices.
- **Awards Presentation 12:30 - 1pm**
 Woodside Environmental Champion and Heritage Tree Awards.
- **Happy Birds Performing Parrot Show 1-1:30pm**
- **Music by the Grateful Dads and Friends**

• **Self-Guided Tour of Runnymede Sculpture Farm**

Cycling and carpooling to the event are encouraged. Each cyclist will receive a \$2 cash gift.

Attendance is limited and advance tickets are required. Tickets are \$10 until April 19 (\$12 after) and are available at Woodside Town Hall and Portola Valley Town Hall.

Bring your ticket to Woodside Library before the event for a free book from the Friends of the Woodside Library Book Sale (opens at 10 am).

Event parking is along Runnymede Road. Wear comfortable hiking attire and bring your own water bottle.

For more information, contact Brandi de Garneau at 650-851-1700 ext. 222 and visit www.portolavalley.net for more upcoming events!

Thank you to the entire Rosekrans Family!

See you there!

Sharon Hanlon

-----Original Message-----

From: Stacie Nerdahl
Sent: Monday, April 08, 2013 7:49 AM
To: tnps2008@gmail.com
Cc: Ann Wengert; Sharon Hanlon
Subject: FW: Feedback On Website

Hello Ms. Nguyen,

Thank you for your email expressing your concerns regarding flight routing this past weekend. I am forwarding your email via cc to Council Member Ann Wengert, who acts as the Town's liaison with the SFO Airport Roundtable, and will also forward your comments to our Town Clerk for inclusion in the next weekly digest, which the entire Town Council will then receive and review.

Please also see the link below, which is for the "File a Noise Complaint" webpage of the SFO Aircraft Noise Abatement Office's (ANAO) website. This webpage outlines several methods for filing a Noise Complaint directly with the ANAO agency.
http://www.flyquietsfo.com/file_noise_complaint.asp

Sincerely,
Stacie Nerdahl
Administrative Services Manager

Subject: Feedback On Website
Sent: 08 Apr '13 13:26
Submission information

Name:
Tina Nguyen

Email Address: *

Message: *

I would like to report that this weekend just about every arriving flight was routed through Portola Valley and that I suffer tremendously from the intense level and frequency of noise generated from commercial airplanes. This weekend I was not able to have peace in my garden and the constant noise disrupted my concentration as I am preparing for a big presentation that I will be giving tomorrow. In the short time that it took me to write this message, four screeching planes flew right over my home i.e. at a rate of 1 plane every 1 1/2 to 2 minutes.

The airplane noise has gotten worse over the years. In my opinion, it is the biggest offender against the rural ambiance that this town strives to preserve. I would like to request that Town Council members be more active in representing citizens' concerns over SFO air traffic through our neighborhoods.

Respectfully,
Tina Nguyen
45 Alhambra Ct, Portola Valley



PEDRO GONZALEZ, MAYOR
KARYL MATSUMOTO, MAYOR PRO TEM
MARK ADDIEGO, COUNCILMEMBER
RICHARD A. GARBARINO, COUNCILMEMBER
PRADEEP GUPTA, PH.D, COUNCILMEMBER

BARRY M. NAGEL, CITY MANAGER

OFFICE OF THE CITY COUNCIL

April 8, 2013

Honorable John Richards
Town Council Members
Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028

Dear Mayor Richards and Town Council Members,

I am applying for the position of City representative on the LAFCo Commission created by the resignation of the current representative, Naomi Patridge. I have served as the alternate for Sepi Richardson and presently serve as the alternate for both Naomi Patridge and Nadia Holober. I have filled in for both Sepi and Naomi when they were unable to attend the meetings. In addition, I voluntarily attend meetings and review agendas to keep abreast of the issues addressed by LAFCo and to prepare myself should the need arise to serve in the absence of the full time Commission member.

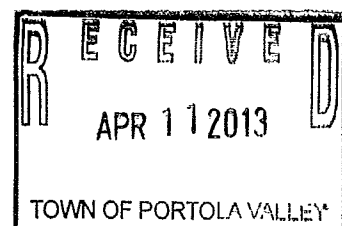
The issues that LAFCo addresses have an impact on each of our Cities. The decisions rendered by the Commission impacts land use policies throughout San Mateo County. My service as a member of the ABAG Executive Board, Regional Airport Planning Committee and the Airport Land Use Committee as well as the former South San Francisco Redevelopment Agency and the present Successor Agency, have given me the experience in land use issues that I believe make me well qualified to represent you as a LAFCo Commission member.

You have placed your confidence and trust in me in the past. I believe that I have earned that respect and trust by serving you effectively and efficiently as a member of various boards and commissions. I am asking for your continued support and vote to appoint me as your representative to LAFCo.

Thank you for your consideration of this request.

Respectfully submitted,


Richard Garbarino, Council Member
City of South San Francisco



United States Senate

HART SENATE OFFICE BUILDING
SUITE 112
WASHINGTON, DC 20510-0505
(202) 224-3553
<http://boxer.senate.gov>

April 5, 2013

The Honorable John Richards
Mayor of Portola Valley
765 Portola Rd
Portola Valley, California 94028-7205

Dear Mayor Richards:

In recent weeks, a number of California local officials have contacted me to express concerns about proposals to shift the federal government's fiscal burdens to states and cities by capping or eliminating the tax-exempt status of municipal bonds.

I want you to know that I share these concerns. That is why I recently joined a group of Senators in writing to President Obama to share our view that capping or eliminating the municipal bond tax exemption would jeopardize important services provided by local governments, including utilities and public safety. Also at risk are key infrastructure projects such as road, airport, port, housing, and hospital construction and maintenance.

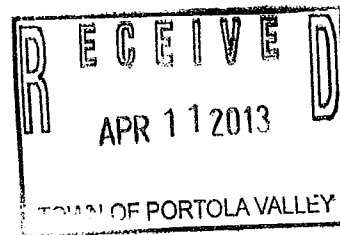
As Congress continues to address the federal deficit in a balanced and responsible way, be assured that I will keep fighting to defend the tax-exempt status of municipal bonds - and with it, the ability of California's cities and counties to invest in essential services and infrastructure.

Sincerely,



Barbara Boxer
United States Senator

BB:mci





MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council
FROM: Nick Pegueros, Town Manager
DATE: April 12, 2013
RE: Weekly Update

The purpose of this report is to provide a summary update on items/projects of interest for the week ended April 12, 2013.

1. **Front Counter Interviews** – First round interviews for the permanent front counter position were held this week. The panel met with five candidates and two of the five rose to the front of the pack. Over the next two/three weeks, staff will be meeting with the finalists in a series of interviews. An appointment is expected in mid to late May.
2. **Planning Director Selection** – The background investigation is still underway on the top candidate and will be finalized in the next week. An announcement of the new hire is expected in May.
3. **Joint Field Meeting at 555 Portola Road on May 13th** – The owner of 555 Portola Road has submitted an application for a CUP amendment request for additional vineyards to be considered as part of the agricultural use on the property. The joint field meeting will be a noticed public meeting of the Town Council, Planning Commission, and ASCC.

TOWN COUNCIL WEEKLY DIGEST

Friday – April 19, 2013

1. Agenda (Action) – Planning Commission – Wednesday, April 17, 2013
2. Agenda – ASCC / Planning Commission Joint Field Meeting – Monday, April 22, 2013
3. Agenda – Conservation Committee – Tuesday, April 23, 2013
4. Bid Results for the 2012/2013 Resurfacing Project #PW2012-01
5. Memo from Howard Young, Public Works Director re: Storm Drain facility at 120 Fawn Lane
6. Memo from Stacie Nerdahl, Administrative Services Manager re: Town's Website and Government Transparency
7. Memo from Nick Pegueros, Town Manager re: Weekly Update – April 19, 2013

Attached Separates (Council Only)

1. Invitation - Council of Cities dinner meeting – April, 26, 2013
2. Invitation – Housing Leadership Council of San Mateo County re: Legislative Policy Breakfast, Creating Sustainable Funding for Affordable Housing – Event date: May 10, 2013



TOWN OF PORTOLA VALLEY
REGULAR PLANNING COMMISSION MEETING
 765 Portola Road, Portola Valley, CA 94028
 Wednesday, April 17, 2013 – 7:30 p.m.
 Council Chambers (Historic Schoolhouse)

ACTIONS

Call to Order, Roll Call 7:32 p.m.

Commissioners McIntosh, McKitterick, Targ, Chairperson Von Feldt, and Vice-Chairperson Gilbert present.

(Also present: Jeff Aalfs, Town Council Liaison; Tom Vlasic, Town Planner; Steve Padovan, Interim Planning Manager; Karen Kristiansson, Principal Planner)

Oral Communications **None**

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

Regular Agenda

1. Request for Planning Commission Approval of one time special "car show" event, Conditional Use Permit (CUP) X7D-30, 302 Portola Road, Woodside Priory School

Town Planner Vlasic provided a staff report with background on the proposed event and the need for Planning Commission review. The applicants, Michael Brett and Hollyn Mudge gave a brief presentation. The Commission asked about parking and coordination with other events on the campus and then opened the item up for public comment. Following the close of public comments, Commissioner Gilbert made a motion to approve the event and it was seconded by Commissioner McKitterick. Motion passed 5-0.

2. *Preliminary* Review, Proposed Amendments to Conditional Use Permit (CUP) X7D-151 and X7D-169, 555 Portola Road, Spring Ridge LLC (Neely/Myers)

Town Planner Vlasic provided a staff report with background on the previous Use Permit approval by the Planning Commission and the scope of the current proposal. Mr. Neely provided further details on the existing vineyard operations and the need to expand the vineyard acreage to make the winery operation economically viable. The Commission opened the item for public comment. Upon close of public comment, the Commission discussed historical uses of the meadow area, general plan consistency, fencing issues and community interests. The Commission agreed that the scheduled joint field meeting on Monday, May 13th with the Town Council, Planning Commission and the ASCC will be very beneficial in the review of this project.

Planning Commission Actions
 April 17, 2013
 Page Two

3. Review of Conservation Committee's Modified Redwood Guidelines

Steve Padovan presented the staff report outlining how the guidelines originated, the changes that have been made in the review process, and how the guidelines will be implemented. Judith Murphy, Chair of the Conservation Committee, provided further details on the reasoning behind the guidelines. The Commission discussed how the guidelines will be incorporated into the review process. No public comments were taken. A motion was made and seconded to recommend that the Redwood Guidelines be forwarded to the Town Council. The motion passed 5-0.

4. Annual Housing Element Monitoring Report for 2012

Karen Kristiansson presented the staff report and provided information on the three programs to be monitored (inclusionary housing, multi-family housing, second units), the Housing Element goals, and the progress to date on implementing those goals. The Commission discussed potential future state legislation, second unit production numbers and the need to build moderate income housing. The item was opened for public comment and there was additional discussion related to the ad-hoc committee on affordable housing, options for the use of funds received from the sale of the Blue Oaks lots, opportunities for expanding second units, and the potential for an affordable housing impact fee.

Commission, Staff, Committee Reports and Recommendations None

Approval of Minutes: March 20, 2013 **Approved 5-0 as corrected.**
 April 3, 2013 **Approved 3-0-2 as corrected.**

Adjournment: **9:38 p.m.**

ASSISTANCE FOR PERSONS WITH DISABILITIES

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

AVAILABILITY OF INFORMATION

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

Planning Commission Actions
April 17, 2013
Page Three

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley branch of the San Mateo County Library located at Town Center.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge a proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public

Hearing(s) described later in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

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

Date: April 12, 2013

CheyAnne Brown
Planning Technician



TOWN OF PORTOLA VALLEY
 ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)
 Monday, April 22, 2013
Special Joint Field Meeting (time and place as listed herein)
 7:30 PM – Regular ASCC Meeting
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

SPECIAL JOINT ASCC/PLANNING COMMISSION FIELD MEETING*

4:00 p.m., 117 Pinon Afternoon session for preliminary consideration of plans for new residential development of 2.5 acre Westridge Subdivision property. (ASCC review to continue at Regular Meeting)

7:30 PM - REGULAR AGENDA*

1. Call to Order:
2. Roll Call: Breen, Clark, Hughes, Koch, Ross
3. Oral Communications:

 Persons wishing to address the Commission on any subject, not on the agenda, may do so now. Please note, however, the Commission is not able to undertake extended discussion or action tonight on items not on the agenda.
4. Old Business:
 - a. Follow-up Review for Landscaping and Exterior Lighting Related to Proposed Residential Additions, Remodeling and Guest House, 230 Shawnee Pass, Gurtner
5. New Business:
 - a. Architectural Review, Carport and Guest House Additions, 45 Granada Court, Postich *Continued to May 15, 2013 Meeting*
 - b. Preliminary Architectural Review for New Residence with Detached Pool House, Swimming Pool and Horse-keeping Facilities, and Site Development Permit X9H-649, 117 Pinon Drive, Divita
6. Commission and Staff Reports
7. Approval of Minutes: April 8, 2013
8. Adjournment

*For more information on the projects to be considered by the ASCC at the Special Field and Regular meetings, as well as the scope of reviews and actions tentatively anticipated, please contact Carol Borck in the Planning Department at Portola Valley Town Hall, 650-851-1700 ex. 211. Further, the

start times for other than the first Special Field meeting are tentative and dependent on the actual time needed for the preceding Special Field meeting.

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

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

ASSISTANCE FOR PERSONS WITH DISABILITIES

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PUBLIC HEARINGS

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

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

Date: April 19, 2013

CheyAnne Brown
Planning Technician

**TOWN OF PORTOLA VALLEY****Conservation Committee****Tuesday, April 23, 2013 - 7:45 PM****Historic Schoolhouse****765 Portola Road, Portola Valley, CA 94028**

AGENDA

1. Call to Order
2. Oral Communications
3. Approval of Minutes - March 26, 2012
4. A. Site Permits
 - NEW - 308 Canyon (by May 1)
 - 25 Larguita (ASCC 4/22 or 5/13)

 - REVISED - None
- B. Tree Permits - None
5. Old Business
 - A. Backyard habitat - DeStaebler
 - B. Tip of the month - Plunder
 - C. Earth Day 4/27 Woodside Runnymede \$10
 - D. Final native plant lists for town website and
ASCC - recommended, discouraged, invasive
 - E. Weeding checklist/creek maintenance calendar
 - F. Redwood Guidelines - added appendix JM
 - G. Intern - subcommittee to task/supervise
 - H. Broom pull - evaluation continued
6. New Business
 - A. MROSD Imagine project - Heiple
7. Action Plan
8. Announcements
9. Adjournment

Attachment: Appendix to Redwood Guidelines

4



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Howard Young, Public Works Director

DATE: April 19, 2013

RE: 2012/2013 Resurfacing Project #PW2012-01 – Bid Results

Bids for the above referenced project were properly advertised and opened by the Town Clerk at 11:00 A.M. on April 11, 2013. Along with the base bid, this year's project included an additive bid alternate for concrete gutter repair on Wyndham Drive.

	<u>Base Bid</u>	<u>Additive Bid Alt</u>
1. American Asphalt	\$477,893.00	\$11,800.00
2. Pavex	\$425,222.50	\$5,500.00
3. Interstate Grading and Paving	\$414,257.50	\$5,000.00
4. O'Grady Paving	\$375,967.50	\$5,000.00
5. Tri Valley Excavating	\$349,624.80	\$4,500.00
6. G. Bortolotto & Co	\$338,193.43	\$3,150.00
7. VSS International	\$332,939.00	\$2,450.00
8. Half Moon Bay Grading and Paving	\$326,269.15	\$2,262.50

Low bidder total with additive bid alt: \$328,531.65

Engineers Estimate without 10% contingency: \$330,000.00

Town staff is in the process of verifying contractor certifications and intends to award the project to the lowest bidder "Half Moon Bay Grading and Paving, Inc." for a base bid plus additive bid alternate total of \$328,531.65. Town Council has authorized the Town Manager to award the project to the lowest responsible bidder with a total contract and change order amount not to exceed \$360,000.00. Construction is scheduled to begin May 2013 and completed by end of June 2013.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Howard Young, Public Works Director

DATE: April 19, 2013

RE: **120 Fawn Lane - Private Storm Drain facility**

As directed by the Town Manager, staff would like to keep the Council informed concerning the above item as it relates to a private storm drainage facility, as the property owner may present the topic during oral communications at a future Council meeting.

The property owner, Soa Tsung, requested that the Town replace and maintain the metal storm drain pipe and concrete drainage ditch on her property. After consulting with the Town Attorney, the Town drafted a response summarizing why the Town believes it does not own and is not responsible for maintaining the concrete ditch and storm drain pipe on her private property (Attachment 1).

Subsequently, the property owner contacted Mayor John Richards via email requesting him to look into the matter (Attachment 2). The homeowner was not satisfied with the results of the correspondence and has requested information from the Mayor about options for appealing the current denial of her request.

Staff consulted with the Town Attorney. There is no official appeal process that addresses the property owner's requests that the Town maintain and repair her private property drainage facilities. The Town Attorney advises that the property owner can address her issue during oral communications at any Town Council meeting.

Attachment 1: Town response letter

Attachment 2: Email Correspondence with Mayor

TOWN of PORTOLA VALLEY

Town Hall: 765 Portola Road, Portola Valley, CA 94028 Tel: (650) 851-1700 Fax: (650) 851-4677

February 6, 2013

Re: 120 Fawn Lane- Storm Drain Facilities

Soa Tsung
120 Fawn Lane
Portola Valley, CA 94028

Dear Ms. Tsung,

The Town has received your letter dated December 28, 2012 concerning the storm drain facilities on your property at 120 Fawn Lane. I also understand that you have also had a site visit and discussed this issue last year with Howard Young, Public Works Director. We understand your concerns and want to address them properly.

Upon receiving your letter, Town staff performed field visits and research of available files concerning the approximately 100'x15" of storm drain pipe and the 50'x2' of concrete ditch in question. Based on the research, we have found that:

1. Our records indicate that a 15" storm drainage pipe existed across Fawn Lane in 1970 and day lighted to the south side of the road. The pipe only existed across the road and facilitated drainage of the surrounding uphill topography. The Town does not own any property or infrastructure uphill or downhill of this pipe. No new pipe is shown connected to this pipe or installed down along your driveway onto private property as it exists today.
2. The subject 15" corrugated metal storm drain pipe and concrete ditch is located on private property and not within the Town's right of way. The Town never constructed this pipe and the pipe does not belong to the Town. We believe that the pipe and concrete ditch was installed and modified by a previous property owner to facilitate development of the property. We also note that the concrete ditch has a decorative finish. According to County maps, the subdivision was built in the 1950's. Because we have no known records of this pipe and concrete ditch, we encourage you to search on your end for any related documents.
3. The Town is not aware of any storm drainage easement for this pipe. The Town does not construct drainage improvements or maintain improvements on private property without obtaining recorded drainage easements from the property owner.
4. Portola Valley's Storm drainage system consists almost entirely of natural stream channels augmented by roadway culverts. The system is a typical rural type facility and was designed principally for the protection of roadways constructed across the natural stream channels. Your lot is located downhill on a slope and in a valley. The natural surrounding topography and drainage pattern flows through your lot. The Town's original

drainage pipe facilitated the natural drainage pattern. The Town's pipe only extends from the north side of the road to the south side of the road. The Town does not own any storm drain infrastructure uphill or downhill of the pipe. The drainage pipe collects storm water from the surrounding uphill areas. Without the pipe, natural flow would flow through your lot in a natural dispersed way. We also note that the concrete ditch also collects water flows from the uphill lot to the west.

Based on the information above, staff concludes that the Town does not own and is not responsible for maintaining the subject corrugated metal storm drain pipe and concrete ditch on private property. We advise that the owner of the facilities maintain them.

The Town does not assess private facilities. However, concerning the condition of the concrete ditch, you have indicated that you have added concrete to parts of the ditch to cover cracks. It was observed that half the length of the ditch was covered with an additional layer of concrete. As you indicated in your letter, this appears to have reduced the capacity of the ditch by 50% and causing overflow to be directed onto your driveway. We encourage you to reestablish the capacity which would address your main concern. A visual inspection of the 15" pipe indicated no unusual conditions. In addition, according to Town aerial maps, it is not completely clear if the subject drainage facility is completely located on your property or your western neighbor's property. We encourage you to determine this with your own resources.

If you have any further questions, please call Howard Young, Public Works Director at 851-1700 x 214 or email at hyoung@portolavalley.net.

Sincerely,


Nick Pegueros
Town Manager

Cc: Parcel file with photos
Howard Young, Public Works Director
Sandy Sloan, Town Attorney

Nick Pegueros

From: fjrarchitect@gmail.com on behalf of John Richards <jrichards@portolavalley.net>
Sent: Friday, April 05, 2013 10:12 AM
To: Nick Pegueros
Subject: Fwd: storm drain

FYI

----- Forwarded message -----

From: <tv@sonic.net>
Date: Fri, Apr 5, 2013 at 10:07 AM
Subject: Re: storm drain
To: John Richards <jrichards@portolavalley.net>

Hi John,

Thank you for your reply and your time spent in investigating this matter.

As you may have guessed, however, this is not the answer that I was looking for since this water is all completely from the Town's street. The fact that the Town will not do anything at all greatly disturbs me. The Town spends a lot of money on a lot of other projects that are not nearly as vital as appropriate storm drainage. The Town is purposefully and knowingly, collecting this water in the storm drain and piping it onto my property. This is not all the natural drainage of water. When someone (in this case, the Town) concentrates and directs the natural flow of water and then directs it at someone else, it is then their responsibility of the person not to cause damage to the other person's property. In this case, the Town's water is causing damage. If your neighbor collected all his water in a pipe and shot it out at your property in a way that caused damage to your property, you would most certainly hold him responsible for the damage being caused by his piped water.

In fact, I knew an old couple (who have now moved away) on Grove Drive where their house was at the very end of the road (culdesac). The water from the street then emptied in a swale through their property. This swale then drained into the creek. That drainage system started to fail. The Bradfield's said they "fought with the Town" and eventually, the Town paid for fixing that problem.

My question to you is: what are the options for me to appeal this decision through the normal Town government process? If you say that there are no options then I guess I will look for other resources/experts to help resolve this matter.

Soa

On Fri 04/05/13 9:33 AM , John Richards jrichards@portolavalley.net sent:

Hello Soa,

I've had a chance to talk to Howard and our Town Manager Nick Pegueros regarding your drainage issue. Please forgive me if I repeat what you've already heard.

As I understand it, the town installed the culverts within the street rights-of-way all over town in order to protect the town-owned roads from water damage. Beyond the rights-of-way, all drainage systems in town are privately owned, except in the unusual situations where the town holds an easement over private property. It appears that at some point, the town culvert under Fawn Lane was extended along your driveway, most likely by the original developer of your parcel. Efforts of this type by landowners to control storm drainage from off-site are very common, as I can attest from personal experience, having seen many similar situations in my 30 years of architectural practice here in town. Since the drainage features in question are on private property, I'm afraid the responsibility of maintaining them falls to the property owner.

Although I expect this explanation is not exactly what you were looking for, I hope it adds some clarity to the situation.

Sincerely,
John

On Fri, Mar 29, 2013 at 2:26 PM, <tv@sonic.net> wrote:

Hi John,

Thanks very much for the prompt response regarding the drainage issues. I appreciate that you will be looking into this and getting back to me. I have no trouble whatsoever understanding what Howard is saying (after having had several conversations and a letter from the Town Manager). I also understand that the Town' may be reticent to spend money. This, however, is something necessary related to proper functioning of the Town's storm drain system and not something that I should be paying for.

Hope you have a nice weekend and I look forward to your response.

Soa

On Fri 03/29/13 11:44 AM , John Richards jrichards@portolavalley.net sent:

Soa Tsung,

I'm so sorry to hear about your difficulty with these drainage issues. I will speak with Howard and try to understand the situation, and hopefully I can get back to you with at least an answer that will explain the town's position in a more satisfactory manner.

Sincerely,
John Richards
Mayor

On Thu, Mar 28, 2013 at 4:53 PM, <tv@sonic.net> wrote:

To: Mayor, Portola Valley

From: Soa Tsung (120 Fawn Lane)

I am sorry to bother you but I am asking for your assistance in a matter that I have been unsuccessfully trying to resolve with the Director of Public Works and the Town Manager since last July. The short story is that my house at 120 Fawn Lane is across the street from a storm drain that collects water from the street and uphill

houses – not from my property which is downhill. This storm drain goes under the road and empties into a covered culvert that runs down the edge of my driveway. The culvert then daylightes onto an open concrete ditch that eventually runs into another property that flows into the creek in the canyon.

The concrete ditch is cracked, leaking and in need of replacement. Leaking of the water from the ditch is causing damage to my driveway. The metal culvert is rusty and in need of inspection inside with a scope to see if any repairs are needed. Since it is part of the Town's storm water drainage system, I called Howard Young last July to replace the ditch and inspect the culvert. Howard has told me that it is not the responsibility of the Town to do anything about this storm water that is being collected, concentrated and directed down my property. Howard says it is all because "water flows downhill" and thinks still that I somehow do not understand the physics of water flowing down the hill. The Town Manager sent me a letter mirroring Howard's thoughts.

Contrary to Howard's opinion, I do indeed understand the flow of water and have done considerable research into the matter. I have obtained quotes for the concrete ditch portion that range from about \$7000 to \$14000 which does not include the culvert portion. I have even gone so far as to double check the flow of water by pouring buckets of water down the storm drain and watching the water come down the culvert opening because the Town Manager's letter questioned where the water was coming from. This is most clearly part of the Town's storm drainage system and therefore, the responsibility of the Town to inspect, repair, and replace as needed.

I feel like I have been trapped in a Twilight Zone of explanations of how the Town's responsibility somehow mysteriously ends at the open, draining end of the storm drain at the edge of my property. When it was water pooling in my own garden, I personally installed my own French drains and certainly, did not ask the Town to pay. This, however, is The Town's street storm drain system. As a taxpayer and Town citizen, I am quite certain that the Town should maintain its own storm drains and that it should not fall on a private citizen to pay for the Town's systems. I already have to spend hours personally shoveling out heavy, wet dirt from the ditch with every rain since the Town does not clean the ditch. I certainly should not have to pay for the system that is draining the Town's street and uphill houses.

Please help resolve this matter that has been going on since last summer before another rainy season does more damage. Thank you in advance for your attention and I look forward to your response.

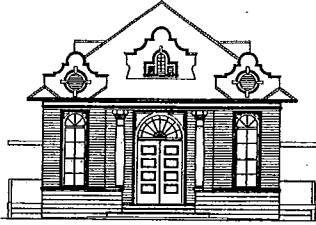
Sincerely,

Soa Tsung

cell: 650-644-7127

--

John Richards
Town Council
Town of Portola Valley
765 Portola Road



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Council
FROM: Stacie Nerdahl, Administrative Services Manager
DATE: April 12, 2013
RE: **Town's Website and Government Transparency**

A recent article published by the Institute for Local Government provided ideas and suggestions to government agencies to broaden transparency via their websites. While one size certainly does not fit all when it comes to what and how information is presented on any given agency's website, staff is pleased to note the Town's compliance with the applicable recommendations presented in this article.

Decision-Making Information

- Information on agency decision-making and advisory bodies
- Agendas and supporting materials for upcoming meetings
- Minutes and agendas for past meetings
- Explanation of how an interested member of the public can participate in meetings
- How to apply to be on a commission or committee
- How to receive email notices and agendas for meetings
- Contact information

Financial and Human Resources Information

- Current year budget and explanatory information, including past years information, budget trends and governing body resolution adopting current budget
- Graphs and charts describing budget and budget trends
- Annual financial reports for at least three years
- Monthly financial summary
- Salary information
- Job descriptions
- Check register or equivalent
- Contact information

Permits and Zoning

- Land Use Permitting and Building Permits
 - Permit and building code information and application forms
 - Regulations
 - General plan
 - Design review standards
 - Decision-making body meeting schedules, agendas and minutes
 - How to participate in the planning process
- Hours of operation (including list of scheduled closures/holidays)
- Staff contact information

Elected Official Information

- Names, terms, contact information
- Information on powers, duties and functions of elected position
- Biographies of elected officials (*NOTE: the Town's website does not currently offer Council Member bio's, but can certainly do so if the Council wishes.*)
- How to run for office/election information
- Voter registration information

Disclosure, Public Service Ethics and Transparency

- Form 700s/statement of economic interests
- Campaign disclosure forms
- Town Conflict of Interest Code

News and Other

- E-Subscription for news, agendas, minutes
- Information on how to sign up for emergency notification
- Municipal Code
- Service requests, compliments and complaint submittal information
- General contact information for help in navigating website

An additional recommendation encouraged prompt acknowledgement of website-generated comments or questions, and ways to notify residents when new information is posted. Staff personally responds to all website-generated email within 24-hours, and utilizes both website e-notices and postings to the PV Forum to advise residents of important information available on the website.

Finally, the report recommended that an effective municipal website should be flexible and responsive to the questions and concerns of its residents. In recent years, the Portola Valley website has published the following pages in direct response to resident concerns:

- Pelotons in Portola Valley
- Bark! Bark! Bark!
- Affordable Housing in Portola Valley
- Soliciting in Portola Valley

Managing the Town's website is an "all hands on deck" effort, and therefore every staff member is to be acknowledged for contributing their energy and talents to the research, compilation, verification, and collaboration that is behind each webpage. I would particularly like to acknowledge the special efforts of the "webmaster team" made up of Carol Borck, CheyAnne Brown, Brandi de Garmeaux, and Cindy Rodas.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council
FROM: Nick Pegueros, Town Manager
DATE: April 19, 2013
RE: Weekly Update

The purpose of this report is to provide a summary update on items/projects of interest for the week ended April 19, 2013.

1. **Interim Audit** – The Town's auditors (Maze & Associates) were on site and Stacie's team did an outstanding job of providing the information requested by the auditors in a timely manner. In fact, the auditor's report that Stacie is so organized that they should "pay the Town" for the ease of auditing our records. The auditors did not report any items to me as part of their interim review which focuses mostly on compliance with town policies and relevant regulations. The final audit will be in September and, at that time, the auditors will review the financial statements.
2. **2013-14 Town Planner Budget Review** – The staff met with the Mayor, Planning Commission liaison, and the chairs of the PC and ASCC to review the Town Planner's proposed budget for 2013-14. As part of the review the Town Planner outlines a work plan for the upcoming year. This year's work plan included continuation of some existing efforts such as the housing element update but also provided for the transition that will result from Tom Vlastic's retirement. Overall, the budget proposes a decrease in General Fund costs of \$40,000.
3. **Damage from Heavy Winds** – Howard and his team responded to minor damage caused by the heavy winds earlier this week. Luckily no major has been reported. Of interest, however, a lamp post in Town Center parking lot was knocked over. There were no indications that the damage was caused by a vehicle so we've attributed to the heavy winds on Monday night.