



TOWN OF PORTOLA VALLEY

**7:30 PM – Special Joint Meeting of the
Town Council and Planning Commission
Wednesday, October 9, 2013
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028**

SPECIAL 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.

STUDY SESSION – TOWN COUNCIL / PLANNING COMMISSION - 7:30 – 9:00 PM 2

- (1) **Study Session** - Housing Element

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 September 25, 2013 18

- (3) **Approval of Warrant List** – October 9, 2013 24

REGULAR AGENDA

- (4) **Recommendation by Mayor and Vice Mayor**– Resolution Amending the Employee Compensation Plan and Authorizing a One-Time Bonus to Town Staff Effective January 1, 2014 36

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

- (5) **Reports from Commission and Committee Liaisons** 44
There are no written materials for this item.

WRITTEN COMMUNICATIONS

- (6) **Town Council Weekly Digest** – September 27, 2013 45

- (7) **Town Council Weekly Digest** – October 4, 2013 98

ADJOURNMENT

ASSISTANCE FOR PEOPLE WITH DISABILITIES

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

AVAILABILITY OF INFORMATION

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

SUBMITTAL OF AGENDA ITEMS

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

PUBLIC HEARINGS

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



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Town Council and Planning Commission

FROM: Karen Kristiansson, Deputy Town Planner

DATE: October 9, 2013

RE: **Joint Study Session on the 2014 Housing Element Update**

RECOMMENDATIONS

Staff recommends that the Town Council and Planning Commission:

- review the recommended public process, work plan, and schedule for the housing plan update, and
- discuss and provide initial feedback on the three priority programs recommended by the Ad Hoc Housing Committee for the housing element.

At the conclusion of the study session, staff recommends that the Town Council approve, with any modifications, the public process, work plan and schedule. The Town Council may also wish to direct staff and the Planning Commission to consider particular programs, options or ideas based on the discussion at the study session.

PURPOSE OF THE STUDY SESSION

The purpose of this joint study session is to develop a public process for the 2014 Housing Element Update which is open and participatory, to review the work plan and schedule for the housing element update, and to discuss the programs that were identified by the Ad Hoc Housing Committee as priorities for the housing element update (the Committee's report to the Town Council is attached). This memo discusses each of these items below.

BACKGROUND

This memo does not review state housing element requirements or the discussions that have taken place in Town concerning affordable housing over the past couple of years,

including the work done in the spring with the Ad Hoc Housing Committee, but builds on these previous efforts.

The Town's webpage on "Planning for Housing in Portola Valley" (formerly the "Affordable Housing" webpage) provides links to background information on the state housing element mandate and FAQs about the housing element and affordable housing in Portola Valley, as well as links to the final report of the Ad Hoc Housing Committee to the Town Council.

RECOMMENDATIONS FOR AN OPEN AND PARTICIPATORY PUBLIC PROCESS

One of the key recommendations from the Ad Hoc Housing Committee was the importance of having an open and public process when developing housing programs and the housing element. To do this, we recommend the following:

- Enhance the Town's existing housing webpages and use them to provide information specific to the 2014 housing element process. This will include providing information about upcoming meetings as well as posting links to staff reports, drafts, and related documents. The webpages will also inform residents of different ways to participate in the process, including emailing and mailing comments and suggestions to the town or submitting comments through the webpage itself, as well as attending meetings. The webpages will be revised starting this month and will continue to be updated throughout the housing element process.
- Distribute timely information about the update process to interested residents through the Town's e-notification system. This past summer, residents were reminded about the e-notification system by a postcard that went to every household. A "housing" option was added to the e-notify service, and approximately thirty-five people are currently subscribed. Enrollment in the e-notification system is ongoing, and anyone can add or remove themselves from the list at any time.
- Schedule and hold two community meetings. To get the word out about these, staff will distribute information to e-notification subscribers, send postcards to town residents, post meeting information to the PVForum, and draft a press release to be sent to the Almanac about each meeting. These two community meetings will be in addition to a minimum of five anticipated public meetings before the Planning Commission and three public meetings before the Town Council, all of which will be publicly noticed.
- Participate in county-wide meetings with housing advocates in order to engage with the broader housing community in San Mateo County. These meetings are being organized through the County-wide 21 Elements process and are intended to help jurisdictions ensure that all segments of the population are consulted as part of the Housing Element update process, as is required by state law.

In addition, it should be noted that the town continues to participate on Assemblyman Gordon's housing taskforce. Councilmember Derwin and staff will continue to be active

participants in this regional effort to identify legislative options to address the pressing needs to balance local control and state mandates, while also addressing the need for affordable housing in the region. Notes from the Taskforce's meetings will be posted to the Town's housing webpage when available.

WORK PLAN AND SCHEDULE

The draft work plan and schedule discussed below works toward the goal of the Town having a certified updated housing element by the state-mandated deadline of January 31, 2015. In addition, the schedule also assumes that the Town will continue to participate in the 21 Elements program for San Mateo County.

This program involves all 21 jurisdictions in the County and represents an effort to develop shared resources that can benefit all participants. For example, the 21 Elements program prepared a second unit affordability study for the last housing element update which all communities in the County were able to use, including Portola Valley. As a result, the Town did not need to carry out its own analysis. That study will be updated for the 2014 housing element update process. In addition, the 21 Elements program is providing basic demographic data to all communities in the County for use in updating the background sections of the housing element. Continued participation in this regional effort will benefit the Town by providing these shared resources and also facilitating discussions with the State about issues as they arise.

With these in mind, staff has developed the work plan outlined below for the housing element update. A draft schedule for these tasks is attached.

1. Update the background sections of the Housing Element. These include the sections on demographic and economic trends, constraints on housing, and evaluation of the 2009 Housing Element. This update will rely heavily on previous housing element progress reports and data from the 21 Elements program for San Mateo County. This work is underway and staff anticipates completing it by the end of 2013.
2. Update the site inventory section of the Housing Element. Review the site inventory from the 2009 element and update it to reflect development since element adoption. This inventory update will result in both a map of sites and a table listing each site. If any new sites are proposed for the site inventory, owners of all properties within 1,000 feet will be notified and provided with opportunities to comment. Work on Task 2 and Task 3 will be done at the same time.
3. Explore and assess options for housing programs. The Planning Commission, together with staff, will use the Ad-Hoc Housing Committee's report and input from this study session to start work on this task in November. Early in 2014, broader public input will be solicited through the first of two planned community meetings.
4. Develop recommendations for housing programs. The Planning Commission will use the information collected at the first community meeting to develop a

suggested set of housing programs for the Housing Element Update. These programs will be reviewed by the Town Council at a study session and adjusted as necessary.

5. Create a complete draft of the updated housing element and present it at a second scheduled community meeting. The updated sections from Tasks 1 and 2, and the revised housing programs from Task 3, will be combined to create a complete draft of the updated housing element. This draft will be made available for public review, and a second community meeting will be held in March or April to obtain comments and suggestions from the public. The Planning Commission will review these comments and prepare the housing element for Town Council consideration.
6. Obtain Town Council authorization to submit the draft housing element to the State for review. The complete and revised draft as approved by the Planning Commission will be presented to the Town Council, together with a request for authorization to submit the draft housing element to the California Department of Housing and Community Development (HCD). The proposed schedule calls for submittal of a draft of the Housing Element to HCD in May 2014.
7. Conduct CEQA analysis and prepare draft CEQA documents. Work on this task will begin when the draft housing element is being developed, in order to identify any potentially significant environmental impacts and determine whether the draft housing element should be modified. As the housing element is being reviewed and revised, work on the CEQA analysis and documents will continue. The final CEQA documents will be prepared for consideration and action as part of the public hearing process.
8. Receive comments from HCD and revise the draft housing element. Once we have comments from HCD, staff will work with HCD, the Planning Commission and the Town Council in order to address those comments as determined appropriate.
9. Public hearing and adoption process. The updated Housing Element and its related CEQA document will be noticed for public hearing and adoption. Because the Housing Element is part of the Town's General Plan, both the Planning Commission and the Town Council must hold public hearings and act on the Element. The draft schedule anticipates completing the public hearing and adoption process in October 2014, well before the January 2015 deadline.

Altogether, this process includes a minimum of ten public meetings, not including the October 9 joint study session: five before the Planning Commission, three before the Town Council, and two well-advertised community meetings as part of the housing element update process, in addition to the six Ad Hoc Housing Committee meetings and five community meetings that were held on affordable housing last spring.

Staff has started work on the first task and, as noted above, is scheduled to complete that work by the end of the year. To provide an opportunity for initial feedback leading

into Planning Commission discussions of potential programs in November, the following section of this memo discusses the three programs which the Committee recommended as the priorities for the housing element update.

DISCUSSION OF KEY PROGRAMS

In its report to the Town Council, the Ad Hoc Housing Committee recommended that the Town prioritize three specific housing programs: second units, affiliated housing, and inclusionary housing. The Committee also made several suggestions concerning these programs. These programs and related suggestions are discussed below.

Second Units

The Ad Hoc Housing Committee recommended that second units continue to be the Town's main program for providing affordable housing. Currently, each year the Town issues building permits for approximately 5-6 new second units. The county-wide 21 Elements effort is developing a new second unit affordability study, and the Town will need to use the information from that study to determine how much of the Town's affordable housing needs can be met through second units. However, based on past studies, it seems likely that the Town will need to find ways to encourage more people to build second units.

In an appendix to their report (attached), the Committee provided a number of ideas for increasing second unit production, which generally fall into the following categories:

- Adjusting the maximum size for second units
- Relaxing some town standards for second units
- Allowing second units in some parts of town where they are not currently permitted
- Allowing two second units on some larger parcels in town
- Reducing permitting requirements or fees for second units
- Providing economic incentives for second units
- Educating and informing residents about second units
- Developing an amnesty program to assist people who may have unpermitted second units to "legalize" the units

In addition, some residents have been developing additional suggestions for encouraging second unit production. These would be considered and discussed at the Planning Commission study sessions later this year.

At the October 9 study session, the Town Council and Planning Commission may want to provide initial reactions and feedback, particularly relative to the Committee ideas that should be examined in more detail as housing element work moves forward.

Affiliated Housing

This housing program is to encourage on-site housing for staff and employees of various institutions in Town. For example, the Priory already has seven units of affiliated housing on their campus for Priory faculty and staff. The 2009 housing element allows affiliated housing in three locations in Town: the Priory School, the Sequoias, and the Stanford Wedge on Alpine Road. As part of the housing element update process, staff anticipates contacting the three institutions to further discuss the possibilities for housing on their sites.

The Ad Hoc Housing Committee also suggested that affiliated housing may be appropriate on some commercial or agricultural properties in Town. The Town Council and Planning Commission may want to discuss whether these possibilities should be further explored as part of the housing element update.

Inclusionary Housing

The Town's inclusionary housing program requires developers to dedicate land for below market rate housing as part of the subdivision process. About ten years ago, the Planning Commission worked on revising this program to require less land but to also require the developers to build the below market rate housing, but those revisions were not adopted. Revising the program in this way would avoid potential difficulties with getting the required inclusionary units actually constructed.

Another alternative which is suggested in the 2009 housing element would be the establishment of a housing impact fee to replace the inclusionary housing program. If the Town were to develop and adopt a housing impact fee, that fee could then be charged to new development in Town and the funds from the fee could be used to support housing for low or moderate income households.

During the October 9 study session, the Town Council and Planning Commission could provide comments about whether the inclusionary housing program should be revised to require developers to build housing and also whether the Town should further explore the possibility of a housing impact fee.

ATTACHMENTS

1. Ad-Hoc Housing Committee Report to the Town Council
2. Proposed Housing Element Schedule

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

cc. Tom Vlastic, Town Planner
Leigh Prince, Town Attorney

Report to the Town Council
From the Portola Valley Ad-Hoc Committee on Affordable Housing
 May 28, 2013

Recommended Mission Statement for Housing in Portola Valley

The Town of Portola Valley will plan for and encourage the provision of housing for a diverse population. Such housing should be distributed throughout the community rather than be concentrated. The town's housing should maintain and enhance the rural character and natural beauty of the town's residential neighborhoods, scenic corridors, and open spaces. All housing should be designed and located to minimize impacts on wildlife and be subservient to the environment.

General Recommendations to the Town Council

Ongoing Regional and Statewide Coordination

The committee's first recommendation is that the town should continue to coordinate with other communities, especially other small, low-density towns, on a regional and statewide level to work with the State, HCD, ABAG, C/CAG, and other relevant governing bodies to ensure that RHNA assignments and mandatory requirements over time are fair. As part of this process, the town should work to secure legislative refinements to recognize that supplying regional open space and recreational resources limits available development opportunities and housing capacity, as do the physical constraints of unstable geology, steep topography, regional open space preserves, and areas of high wild fire danger. Housing needs should be defined in a way that recognizes the special cultural and historic planning conditions that communities like Portola Valley have adopted as guiding principles.

Town Housing Funds

Town housing funds should be spent to meet the town's housing goals and implement the programs in the housing element and should be allocated in a manner reflecting the priorities below. Any project on which town housing funds are spent should comply with the five overarching criteria presented below. In addition, the Ad-Hoc Housing Committee recommends that town funds should only be used to purchase land or pay for construction of housing after a rigorous open and public process that includes adequate notice, identification of the property and disclosure of the financial viability, and proposed density of the project, before entering into a contract.

Overarching Criteria for the Provision of Housing in Portola Valley

1. The rural character and natural beauty of the town must be protected.
2. Visual impacts of housing should be minimized. Housing will have similar setbacks, mass, and height as neighboring homes, and be subservient to the natural environment, as is required by the town's design guidelines.
3. The cumulative impact of additional housing over time must have minimal discernible effect on the capacity of infrastructure, safety, geology, views, open space, public facilities and services.

4. Local control should be maintained over zoning, diversified housing locations and design.
5. The fiscal impact of new housing on the Town should be minimized.

Recommendations for Specific Housing Programs

Priority 1: Second Units

1. Second units are smaller dwelling units that have their own kitchen and bathroom facilities as well as a separate entrance from the exterior, and which are located on a property which has a main house.
2. The goal is to achieve as much as possible of the town's RHNA obligations through the second unit program.
3. The town should encourage more second units. Through the community meetings and its own research, the committee has identified a number of possible ways to do this. These are listed in Appendix A, "Ideas for Increasing Second Unit Production." The town should look at the feasibility of these options and the number of new units that each could encourage in order to determine which should be included in the next revision of the housing element.

Priority 2: Affiliated Housing

1. Affiliated housing refers to housing that is located on a property which is primarily used for a purpose other than housing, and that provides housing for staff and employees of the entity having the primary use of the property.
2. Affiliated housing, including multi-family housing, may be appropriately provided on institutional properties in town, including the Priory, the Sequoias, the Stanford Wedge and other institutional properties that may become available in the future.
3. Some affiliated housing, possibly including multi-family housing, may be appropriate on some commercial properties, perhaps on a second floor or at the back of the property.
4. Some affiliated housing for agricultural uses, possibly including multi-family housing, may be appropriate on some larger parcels, if the housing is designed in a way that preserves the open rural character of the land.
5. As part of the next housing element update process, the town should identify potential sites for affiliated housing and actions to encourage the production of affiliated housing as appropriate. The committee has identified some possible ways to do this, which are listed in Appendix B, "Ideas for Encouraging Affiliated Housing."

Priority 3: Inclusionary Housing

1. Inclusionary housing refers to below market rate housing that is created as part of new subdivisions in town.
2. The town should revise its inclusionary housing program to require subdivision developers to build the affordable housing units rather than simply providing land. To balance this requirement, the Town should provide incentives such as reduced requirements and reduced approval and permit costs.
3. The town should require that affordable housing units be built before or at the same time as market rate units.
4. Inclusionary housing should be distributed rather than concentrated to integrate the units within the development.

Recommendations for Unaffiliated Multi-family Housing

The Ad-Hoc Affordable Housing Committee recommends that the town attempt to meet its housing needs using the three priority programs discussed in the previous section of this report. If, however, the town allows unaffiliated multi-family housing, the committee would recommend the following:

1. Unaffiliated multi-family housing refers to housing types such as small lot developments, duplexes, townhomes and the like which are the primary use of a property and which are intended principally to house people who live or work in Portola Valley.
2. To the greatest extent possible, unaffiliated multi-family housing should be provided by the private market rather than with significant public subsidies. The town could, however, assist with planning and zoning changes, reduced town application and permit fees, and expedited processes.
3. Unaffiliated multi-family housing should be distributed rather than concentrated in a few major developments, unless a site can be found that would avoid visual and other impacts.
4. The town should only increase density if the resulting project would comply with the five overarching criteria, the increased density would be necessary in order to make the housing development financially viable, and after a rigorous open and public process. If a development requires a zoning or General Plan revision, the amendment should be considered as part of a community process that prioritizes compatibility with surrounding land uses.
5. Proximity to Alpine Road or Portola Road and community-serving businesses is desirable, but visual impacts need to be considered, and preserving scenic values along the scenic corridors may supersede the desire to locate multi-family housing near the town's arterials.
6. Creative options should be encouraged to enable non-public financing of appropriate unaffiliated multi-family housing, including voluntary housing funds (e.g., Lane family's past support for teacher housing).

Portola Valley Ad Hoc Committee on Affordable Housing
Report to the Town Council
May 28, 2013 Draft

7. To make it financially viable to build affordable units for households with moderate incomes or below, it may be necessary to allow unaffiliated multi-family housing for households with a mix of income levels. However, at least 15% of units should be required to be provided for households at moderate incomes or below.
8. The committee has identified options for encouraging unaffiliated multifamily housing, which are listed in Appendix C. The town should consider these options if the town wishes to encourage unaffiliated multifamily housing.

Appendix A: Ideas for Increasing Second Unit Production *

Size

1. Expand the maximum size for second units from 750 square feet to between 1,000 and 1,500 square feet in order to provide housing that appeals more to those eligible for moderate-income housing.
2. Make allowed second unit sizes proportional to individual adjusted parcel areas.

Standards

1. Modify existing zoning and policy guidelines to liberalize elements in town housing policies that impede the production of second units. These could include removing the prohibition on separate utility meters and/or separate mailboxes or changes to the parking requirements for second units.
2. Consider relaxation of setback requirements for second units where doing so will not impact neighbors or the town's scenic corridors.
3. Consider encouraging owners of tear-downs to build rental affordable housing units.

Lot Sizes & Locations

1. Allow second units to be built on all legal residential parcels that have remaining adjusted maximum floor area.
2. In consultation with the applicable HOAs, consider amending existing PUDs to allow second units on parcels where existing limitations disallow second unit production.
3. Reduce minimum lot sizes for adding second units, to allow second units on parcels of less than 1 acre, even if such units have a smaller square footage to reflect smaller parcel size.

Number of Second Units per Lot

1. Allow two second units on some parcels in town, when the second units can be provided within the allowed adjusted maximum floor area and a deed restriction is used to require that at least one second unit be rented at an affordable rate to a household with a moderate income or below. The town should explore whether a minimum parcel size should be established for this program.

Permitting/Processing and Fees

1. Additional relaxation of permitting requirements to reduce costs to owners, especially for second units that are developed within the footprint of an existing home ("internal" second units)
2. Streamline and shorten the approval processes for second units.

* These ideas were identified at community meetings and through the committee's research. This is not an exhaustive list. The ideas have not been prioritized or assessed by the committee but provide some possibilities to consider in order to increase second unit production. Additional input from the community will be necessary.

3. Reduce or waive building and planning fees for second units and/or conversion of other buildings on properties to conforming second units. It is not clear how these fee waivers/reductions could be subsidized.
4. Develop preapproved designs or prototype floorplans for second units to remove the need for ASCC review.
5. Pre-approve certain prebuilt second units to remove the need for ASCC review.
6. Waive building fees if owner will guarantee use for affordable housing for 10 years or so.

Incentives

1. Explore other economic/tax incentives for second unit construction.

Information

1. Update the Town website to allow easier connection with the second unit ordinance and the housing element, and encourage rentals by indicating the benefits of having local employees and community officials, educators and firefighters live locally.
2. Update the Town's second unit manual as needed to provide information on aging in place in a second unit, and providing guidance on conversion of existing structures into second units.
3. Conduct an educational and awareness campaign on second units, including holding meetings at the Town center to educate homeowners on second unit policies and procedures, distributing information where local bulletins are posted, and posting information on sites such as PV Forum.

Amnesty

1. Conduct another amnesty program, allowing homeowners to avoid fees and penalties for nonconforming units. Portola Valley's amnesty program in the early 1990's produced 38 second units but it is not clear how many more would be available after a new amnesty program, or whether and to what extent these units could be relied upon for compliance with state requirements.
2. To encourage folks to volunteer their new, existing or soon-to-be-updated second unit, consider hiring a third-party independent building inspector (or appropriately qualified person) to confidentially inspect second units to assess if they "meet code" and, if not, explain what it would take to bring them up to code.
3. Allow people to ask questions and get information on second unit amnesty questions anonymously in order to encourage residents to bring non-permitted second units into compliance.

Miscellaneous

1. Consider providing information on the town website about options such as the "Tiny House Company" for options of 100-150 square feet second units, BluHomes, prefab green construction that looks like some of the new homes built in town, and pocket neighborhood/cottage communities like Ross Chapin units in Seattle.
2. Develop a list of homeowners who are interested in providing second unit affordable housing for rental.

3. Develop a list of eligible individuals interested in purchasing or renting an affordable unit to establish the true demand for units and the size demanded.
4. Can the town have a contractual relationship with people who say that they have a second unit and make it available as an affordable rental (deed restrictions)?
5. Consider allowing duplexes.

Appendix B: Ideas for Encouraging Affiliated Housing*

1. Relaxing permitting requirements to reduce costs to owners, especially for affiliated multi-family units that are developed within the footprint of an existing structure (“internal” units)
2. Paying for planning and consultant efforts to identify appropriate land, geologic conditions, infrastructure assessment, unit densities, and permit and CEQA approval process support.
3. Subsidizing application, design, engineering, and approval costs.
4. Coordinating and facilitating funding of infrastructure support to housing sites. Exceptional costs for infrastructure improvements are an impediment to diversified housing development.
5. The town could provide information to employers in town about mechanisms they could use to affordably house employees, such as sustainable hiring, rental housing assistance, downpayment assistance, first-time homebuyer education, financial planning, and on-site housing. In addition, the town could coordinate efforts among the various employers in town.
6. A cooperative arrangement with MROSD on the former Woods property might be pursued to provide both affiliated and unaffiliated units. The next housing element could include such a plan.

* These ideas were identified at community meetings and through the committee's research. This is not an exhaustive list. The ideas have not been prioritized or assessed by the committee but provide some possibilities to consider in order to encourage the production of affiliated housing. Additional input from the community will be necessary.

Appendix C: Ideas for Encouraging Unaffiliated Multi-Family Housing*

1. Additional relaxation of permitting requirements to reduce costs to owners, especially for multi-family units that are developed within the footprint of an existing structure (“internal” multi-family units)
2. Provide planning and consultant efforts to identify appropriate land, unit densities, and permit and CEQA approval process support.
3. Reduce application, design, engineering, and approval costs.
4. Coordinate and facilitate funding of infrastructure support to housing sites by helping property owners and developers in negotiations with infrastructure providers. The town could also consider floating a bond or developing another financing mechanism to provide infrastructure in cases where costs are very high. Exceptional costs for infrastructure improvements are an impediment to diversified housing development.

* These ideas were identified at community meetings and through the committee's research. This is not an exhaustive list. The ideas have not been prioritized or assessed by the committee but provide some possibilities to consider if the town wishes to encourage unaffiliated multifamily housing. Additional input from the community will be necessary.

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 866, SEPTEMBER 25, 2013

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

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

Absent: Councilmember Ted Driscoll

Others: Nick Pegueros, Town Manager
Leigh Prince, Town Attorney

ORAL COMMUNICATIONS

Jeff Castina, GreenWaste representative, announced a Neighborhood Clean-Up scheduled for 8:00 to 11:00 a.m. on October 5, 2013.

Cory Wolbach, from the office of Senator Jerry Hill, reported that Governor Jerry Brown has signed Senator Hill's bill, SB132, to protect mountain lions that do not pose a threat. He also recommended reaching out to Senator Hill with ideas, suggestions and/or concerns.

CONSENT AGENDA [7:35 p.m.]

- (1) Approval of Minutes: Town Council Special Meeting of September 11, 2013
- (2) Ratification of Warrant List: September 25, 2013 in the amount of \$133,458.72
- (3) Recommendation by the Parks and Recreation Committee: Proposed change to Committee Charter

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

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

Abstain: Councilmember Derwin and Vice Mayor Wengert (Item 1)

No: None

REGULAR AGENDA [7:36 p.m.]

- (4) Report from Town Attorney: Consideration of direction to the Town Attorney regarding participating in the preparation of an Amicus Brief supporting No Toxic Air Incorporated's Lawsuit against Lehigh Quarry related to the Board of Supervisors' determination related to vested rights.

Ms. Prince explained that when the Lehigh Quarry applied to amend its reclamation plan, Santa Clara County decided a formal determination of the geographic scope of the quarry's vested rights as a legal nonconforming use was appropriate. No Toxic Air, Inc. – also known as BACE, which stands for Bay Area for Clean Environment – challenged the Santa Clara County Board of Supervisors' determination that the vested mining rights covered 13 of the 19 parcels that comprise the property and appealed the Santa Clara County Superior Court's decision to uphold the Supervisors' determination.

Ms. Prince also explained that amicus briefs are generally letters from people (or organizations) who aren't parties to a case but bring different perspectives on an issue to light for the court's consideration.

Because this is a Santa Clara County matter, Vice Mayor Wengert asked how towns and cities in that county have responded if they also have been approached to support the Amicus Brief. Ms. Prince said she spoke with Sheryl Schaffner, General Counsel for the Midpeninsula Regional Open Space District (MROSD), who informed her that so far, Los Altos Hills and Los Altos have agreed to support the Amicus Brief. She said the Cupertino City Council curtailed its discussion of the matter after an issue arose questioning whether BACE has legal standing to bring suit or pursue an appeal. Campbell and Mountain View have been approached, too, but have not yet made decisions, Ms. Prince said.

Ms. Schaffner, who also indicated the presence of MROSD Board Member Yoriko Kishimoto in the audience, added that petitioners in opposition to the decision about the quarry's vested rights are reaching out to the wider community and the Atherton City Council apparently is considering a discussion on the Amicus Brief in a future meeting. According to Ms. Schaffner, MROSD considers the broad interpretation reflected by the vested rights determination a core reason why environmental impacts of quarry activities haven't been analyzed, and perhaps mitigated as a result. She said MROSD is concerned about the effects of quarry mining activity on both water quality and air quality, and in an earlier lawsuit, challenged the baseline data used in the quarry's environmental impact report (EIR) as well as the adequacy of the EIR analysis. She said approval of the EIR formed the basis of the amendment the quarry made to its 1985 reclamation plan.

Councilmember Aalfs asked for an example of circumstances that would apply to the so-called "diminishing-asset doctrine" discussed in Ms. Prince's staff report dated September 20, 2013. Ms. Schaffner said the case cited most frequently is the California Supreme Court's ruling in Hansen Brothers Enterprise versus the Nevada County Board of Supervisors in 1996. Councilmember Aalfs asked whether any comparable objective evidence from the Lehigh Quarry's primary vesting date in 1948 has been considered. Ms. Schaffner said that's a level of factual inquiry about which she lacks detail except in terms of equipment on a chemical manufacturing site.

Paula Wallis of Cupertino, who serves on the board of BACE, showed some maps of the quarry property, which she described as the single largest stationary source of pollution in Santa Clara County and the largest polluter in the nation that's so close to a densely populated area.

Jitze Couperus, member of Los Altos Hills Planning Commission, said he came to tonight's meeting at the request of Los Altos Hills Mayor Gary Waldeck. Mr. Couperus said he also wanted to be on hand to counter any comments if a quarry representative came to speak. He recalled that when the Los Altos Hills City Council discussed this issue, a quarry representative "managed to tar and feather, and cast mud and assertions with wild abandon."

Mr. Couperus, who's been taking aerial photos of the quarry for about 10 years for a variety of reasons, said he takes pride in the fact that Los Altos Hills will "belly up to the bar," committing up to \$7,500 toward the Amicus Brief if at least one other community does the same. Los Altos has done so.

Ms. Kishimoto, one of MROSD's seven directors, said she also served eight years on the Palo Alto City Council, including a term as Palo Alto Mayor. Although MROSD doesn't often involve itself in lawsuits, she said its Board felt very strongly that it needed to take action, inasmuch as quarry activities affect the adjacent Rancho San Antonio Open Space Preserve, which attracts more than 500,000 visitors annually. In addition to joining communities in support of the Amicus Brief, in November of 2012, MROSD filed suit, charging that the quarry's EIR lacked sufficient analysis of air and water quality, biological resources, hazardous materials, baseline conditions and visual impacts.

Ms. Kishimoto emphasized that no one is trying to close the quarry down; the main point is frustration due to the piecemeal approach to its plans, with analysis of three major components – the quarry, the cement plant and reclamation – all broken out rather than being considered holistically. She urged Portola Valley to join those who are supporting the Amicus Brief. She said addressing the legal aspect – the right to regulate – is huge, but it's also important to send a strong message of communities acting together to tackle important regional issues.

Cindy Russell, Foxwood Road, a physician, said she's speaking as an individual but has been Chair of the Santa Clara County Medical Association's Environmental Health Committee since 1999. She said she's known and been involved with Lehigh issues for six or more years, and attended the meeting when the Santa Clara County Board of Supervisors decided to extend the operation's vested rights.

Dr. Russell pointed out that it's come through the Environmental Health Committee to support stricter limits on mercury emissions, which the EPA has been working on. She said she was shocked to learn how much the Lehigh operation has gotten away with, including multiple violations in air quality, mining operations, waste disposal and reclamation. She's pleased to see that the operation has indicated willingness to clean up the creek, she said, but still, Lehigh is the fifth-largest mercury emitter in the nation, in fact emitting more mercury than all the coal-fired plants in the state of New Jersey.

Alex Von Feldt, Creek Park Drive, expressed support for the MROSD, an excellent partner of the Town, and said the Lehigh operation has a long history of pollution. The facility is now being required to pay for some remediation of the Permanente Creek watershed, but what affects Portola Valley the most and should be a concern to all residents, Ms. Von Feldt said, is air quality. She said it's taken a lot to reach the point of the Amicus Brief, and she wouldn't want Portola Valley to be a hurdle to accomplishing its goals. Although the Town may not be able to contribute significant funds to the cause, she said that at this point even being a signatory would be a sign of regional cohesion.

Councilmember Derwin said she favors joining the Amicus Brief effort for four overlapping reasons:

- Neighborliness; she said she's a great believer in regionalism, and as Ms. Von Feldt stated, MROSD is a great partner to Portola Valley. Because they rarely ask, she said, Portola Valley should take very seriously the request for support, joining next-door neighbor Los Altos Hills, and Los Altos, which is just a bit further down the road.
- Precedent; according to Councilmember Derwin, the Town has precedents for taking stands on regional environmental issues, including weighing in on the Cargill project and passing a resolution in opposition to diverting water from the Tuolumne River.
- Health and safety of Town residents and the larger community; as previously stated, the quarry is the fifth-largest mercury producer in the U.S., and also the South Bay's biggest air and water polluter. Councilmember Derwin said it's even more troubling to have mercury in the fish in Crystal Springs Reservoir tied to the quarry. She pointed out, too, that Crystal Springs Reservoir is the source of some of the Town's drinking water.
- The Town's longstanding record of environmental leadership; for instance, she said, our Town Center was the first platinum-certified municipal complex in the country.

Councilmember Aalfs said he, too, supports the MROSD's request, although he's very concerned about having to spend money on what should be very basic environmental review.

Vice Mayor Wengert said she has a slightly different view at this time. While she said she values the Town's relationships with the various agencies and jurisdictions, the Lehigh Quarry situation has a long, complex and significant history that involves a number of jurisdictions, and an important element missing in tonight's conversation is why the Santa Clara County Board of Supervisors reached the decision it did. (In later discussion, Mr. Couperus addressed this issue, also noting that the Supervisors made their decision contrary to staff's recommendation.)

Vice Mayor Wengert said there's no doubt about the Town's commitment to environmental leadership and public safety, and while the Town's engagement on broader environmental issues would be more appropriate, she said the Amicus Brief's scope is a very limited and very specific. She also said she'd like to understand why other communities that are much more directly affected either haven't weighed in or chosen not to join the effort.

Mayor Richards said he's somewhere in between the sentiments expressed by Vice Mayor Wengert on the one hand and Councilmembers Derwin and Aalfs on the other. He agreed that there's a lot of information the Council doesn't have available to consider, such as which portions of its property would be affected by Lehigh's expansion plans. If the timing isn't critical, he suggested possibly continuing the item until the next Council meeting. Ms. Schaffner stated that the Amicus Brief would have to be submitted by November 12, 2013, or later if it's necessary to take advantage of a grace period.

After further discussion of the issue and the pros and cons of holding off on a decision, Councilmember Derwin moved to support the Amicus Brief. Councilmembers agreed to commit up to \$1,300 in support. Seconded by Councilmember Aalfs, the motion carried 3-1, with Vice Mayor Wengert dissenting.

- (5) Recommendation by Town Manager: Approve Town Council Fall/Winter meeting schedule [8:10 p.m.]

Mr. Pegueros outlined the remaining Town Council meetings for the calendar year, including two joint study sessions with the Planning Commission and one joint meeting with the Emergency Preparedness Committee. An October 13, 2013 meeting with the EPC would focus on the new Travelers' Information Service (TIS) AM radio antenna, which is expected to be installed and operational by that time. Joint meetings with the Planning Commission are scheduled for:

- October 9, 2013; a study session devoted to the 2014 Housing Element update and follow-up on the Ad Hoc Affordable Housing Committee priority recommendations
- November 13, 2013; a study session to obtain Council input on the Portola Road Corridor Plan draft

Councilmembers also discussed the timing of applications and interviews for new appointments to the Planning Commission.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

- (6) Reports from Commission and Committee Liaisons [8:15 p.m.]

Councilmember Derwin:

- (a) Resource Management Climate Protection (RMCP) Committee

The September 18, 2013 meeting of the RMCP Committee, part of the City/County Association of Governments (C/CAG), featured:

- A presentation regarding the development and adoption of the City of Santa Cruz's Climate Adaptation Plan
- An update on San Mateo County Energy Watch Initiatives, including schools benchmarking programs, the Regional Integrated Climate Action Planning Suite (RICAPS) and residential programs.
- Councilmember Derwin explained that school districts are receiving Proposition 39 funds to undertake energy-efficiency projects, and a Prop 39 Funding Workshop is scheduled for October 10, 2013.

- (b) San Mateo County Poet Laureate Selection Committee

The Poet Laureate Selection Committee interviewed the five finalists, but Councilmember Derwin was unable to stay for the entire process due to a meeting with Congresswomen Anna Eshoo and Jackie Speier and Federal Aviation Administration (FAA) representatives.

(c) Meeting with Congresswomen Eshoo and Speier

Councilmember Derwin said she had no idea what she was walking into when she entered the conference room full of senior West Coast FAA members, local constituents and officials from other jurisdictions. Councilmember Derwin said they discussed findings about flight arrivals (a particular concern in Portola Valley) and departures (a particular concern in Brisbane). After much discussion, she said the FAA accepted the local constituent's findings. Councilmember Derwin considered it a productive meeting, with everyone walking away with an assignment.

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

The first report from the group charged to do a feasibility study for a \$200 million campaign to raise money for affordable housing in San Mateo County was presented at the HEART meeting today, September 25, 2013.

Councilmember Aalfs:

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

Meeting on September 12, 2013, C/CAG Board members discussed setting aside dedicated money to fund retiree medical obligations for C/CAG employees.

Vice Mayor Wengert:

(f) TRACON

On September 19, 2013, Vice Mayor Wengert participated in a tour of the Northern California TRACON (NCT) facility. TRACONS – an acronym for Terminal Radio Approach CONTROL – provide safety alerts, separation and sequencing of air traffic arriving, departing and transiting airspace and airports.

(g) Architectural and Site Control Commission (ASCC)

At its September 23, 2013, following a second site meeting for continued review of proposed new residence, detached garage, office and site improvements at 5 Naranja Way, the ASCC approved revised plans for the project on this 2.5-acre Westridge Subdivision property.

The ASCC also:

- Continued its architectural review of the project proposed at 1305 Westridge Drive by Kenneth Hirsch and Rebecca Long; this project would involve converting an existing garage to living space, building a new garage and relocating the driveway.
- Reviewed a proposal for a construction tent at 50 Pine Ridge Way.

Mayor Richards:

(h) San Mateo County Emergency Services Council

Meeting September 19, the ESC discussed completion of the radio tower for San Mateo County.

(i) Conservation Committee

Members of the Conservation Committee, meeting on September 24, 2013, discussed the Redwood Guidelines, Backyard Habitat, upkeep for the Native Plant Garden at Town Center and plans for a field trip to examine the willows planted in the creek at Town Center.

WRITTEN COMMUNICATIONS [8:27 p.m.]

(7) Town Council September 13, 2013 Weekly Digest

- (a) #5 – Memo from Administrative Services Manager Stacie Nerdahl re: update to Field Rental Policy – September 6, 2013

Vice Mayor Wengert said it was a good idea to change policy for private use of Town fields to “residents only” to align with the new policy on Community Hall rentals. It applies to private events such as wedding parties and private picnics, rather than sporting events.

(8) Town Council September 20, 2013 Weekly Digest – None

Town Attorney Prince announced the two closed sessions that are on the agenda. The first closed session item is conference with labor negotiators. The designated representatives are Mayor Richards and Vice Mayor Wengert with regard to town staff and benefits, and the other is regarding disputed litigation.

CLOSED SESSION [8:30 p.m.]

(9) Conference with Labor Negotiators

Government Code Section 54957.6

Agency Designated Representatives: Mayor Richards and Vice Mayor Wengert

Unrepresented Employees: Town Staff

(10) Conference with Legal Counsel: Anticipated Litigation

Government Code Section 54956.9(b)

Significant Exposure to Litigation: one case

REPORT OUT OF CLOSED SESSION

No reportable actions.

ADJOURNMENT [10:15 p.m.]

Mayor

Town Clerk

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Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
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City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

ACTION SIGN SYSTEMS INC	Mail Drop Box for Lobby	14625	10/09/2013	
			10/09/2013	
1200 INDUSTRIAL ROAD	0270		10/09/2013	0.00
SAN CARLOS	BOA	48047	10/09/2013	0.00
CA 94070-4129	26429			220.51

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4340	Building Maint Equip & Supp	220.51	0.00

Check No.	48047	Total:	220.51
Total for	ACTION SIGN SYSTEMS INC		220.51

MIKE AGOFF	Fall Instructor Fee	14658	10/09/2013	
			10/09/2013	
2341 KEHOE AVENUE	0016		10/09/2013	0.00
SAN MATEO	BOA	48048	10/09/2013	0.00
CA 94403				3,456.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	3,456.00	0.00

Check No.	48048	Total:	3,456.00
Total for	MIKE AGOFF		3,456.00

AT&T (2)	October Microwave	14659	10/09/2013	
			10/09/2013	
P.O. BOX 5025	877		10/09/2013	0.00
CAROL STREAM	BOA	48049	10/09/2013	0.00
IL 60197-5025				64.39

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4152	Emerq Preparedness Committee	64.39	0.00

Check No.	48049	Total:	64.39
Total for	AT&T (2)		64.39

BANK OF AMERICA	September Statement	14626	10/09/2013	
Bank Card Center			10/09/2013	
P.O. BOX 53155	0022		10/09/2013	0.00
PHOENIX	BOA	48050	10/09/2013	0.00
AZ 85072-3155				1,464.97

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4144	Conservation Committee	108.31	0.00
05-52-4165	Sustainability Committee	2.45	0.00
05-64-4311	Internet Service & Web Hosting	9.99	0.00
05-64-4326	Education & Training	570.50	0.00
05-64-4335	Sustainability	75.16	0.00
05-64-4336	Miscellaneous	698.56	0.00

Check No.	48050	Total:	1,464.97
Total for	BANK OF AMERICA		1,464.97

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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
CAL WATER SERVICE CO	Statements (8/14 - 9/13)	14655	10/09/2013	
			10/09/2013	
	0035		10/09/2013	0.00
	BOA	48051	10/09/2013	0.00
				10,197.46

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	10,197.46	0.00

Check No.	48051	Total:	10,197.46
Total for	CAL WATER SERVICE CO		10,197.46

CALPERS	September Retirement	14627	10/09/2013	
FISCAL SERVICES DIVISION			10/09/2013	
ATTN: RETIREMENT PROG ACCTG	0107		10/09/2013	0.00
SACRAMENTO	BOA	48052	10/09/2013	0.00
CA 94229-2703				15,520.49

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2522	PERS Payroll	854.66	0.00
05-50-4080	Retirement - PERS	14,665.83	0.00

Check No.	48052	Total:	15,520.49
Total for	CALPERS		15,520.49

CCAG	Housing Element Update	14628	10/09/2013	
City of San Carlos Finance			10/09/2013	
P.O. BOX 3009	0028		10/09/2013	0.00
SAN CARLOS	BOA	48053	10/09/2013	0.00
CA 94070-1309	7960			1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4322	Dues	1,000.00	0.00

Check No.	48053	Total:	1,000.00
Total for	CCAG		1,000.00

JEFF CLARK	Deposit Refund (10 Sioux)	14667	10/09/2013	
			10/09/2013	
149 CORTE MADERA ROAD	1011		10/09/2013	0.00
PORTOLA VALLEY	BOA	48054	10/09/2013	0.00
CA 94028				2,889.08

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	2,889.08	0.00

Check No.	48054	Total:	2,889.08
Total for	JEFF CLARK		2,889.08

CLEAN FUEL CONNECTION, INC	EV ChargeStation, 1yr Svc Plan	14629	10/09/2013	
		00006154	10/09/2013	
11800 CLARK STREET	1240		10/09/2013	0.00
ARCADIA	BOA	48055	10/09/2013	0.00
CA 91006	6593			840.00

GL Number	Description	Invoice Amount	Amount Relieved
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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

05-64-4335	Sustainability		840.00	840.00
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Check No.	48055	Total:	840.00
Total for	CLEAN FUEL CONNECTION, INC		840.00

COMCAST	WiFi (9/21 - 10/20)	14630	10/09/2013	
			10/09/2013	
P.O. BOX 34227	0045		10/09/2013	0.00
SEATTLE	BOA	48056	10/09/2013	0.00
WA 98124-1227				80.45

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	80.45	0.00

Check No.	48056	Total:	80.45
Total for	COMCAST		80.45

CSG CONSULTANTS INC	Bldg Inspection, 8/2/13	14664	10/09/2013	
			10/09/2013	
1700 S. AMPHLETT BLVD	622		10/09/2013	0.00
SAN MATEO	BOA	48057	10/09/2013	0.00
CA 94402	25183			760.00

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4062	Temp Bldg Inspection	760.00	0.00

Check No.	48057	Total:	760.00
Total for	CSG CONSULTANTS INC		760.00

RICHARD GIVENS	Litter Deposit Refund	14631	10/09/2013	
			10/09/2013	
617 VETERANS BLVD, STE. 106	558		10/09/2013	0.00
REDWOOD CITY	BOA	48058	10/09/2013	0.00
CA 94063				100.00

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

Check No.	48058	Total:	100.00
Total for	RICHARD GIVENS		100.00

KATHRYN HALL	Deposit Refund	14668	10/09/2013	
			10/09/2013	
30 GRANADA COURT	1142		10/09/2013	0.00
PORTOLA VALLEY	BOA	48059	10/09/2013	0.00
CA 94028				276.25

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	276.25	0.00

Check No.	48059	Total:	276.25
Total for	KATHRYN HALL		276.25

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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

HILLYARD, INC	Janitorial Supplies	14632	09/30/2013	
		00006155	10/09/2013	
P.O. BOX 874338	531		09/30/2013	0.00
KANSAS CITY	BOA	48060	10/09/2013	0.00
MO 64187-4338	238922			694.29

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4340	Building Maint Equip & Supp	231.43	309.49
05-66-4341	Community Hall	231.43	309.50
25-66-4340	Building Maint Equip & Supp	231.43	309.50

Check No.	48060	Total:	694.29
Total for	HILLYARD, INC		694.29

ICMA	September Def'd Comp	14634	10/09/2013	
VANTAGE POINT TFER AGTS-304617			10/09/2013	
C/O M&T BANK	0084		10/09/2013	0.00
BALTIMORE	BOA	48061	10/09/2013	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.	48061	Total:	500.00
Total for	ICMA		500.00

INFORMATION STATION SPECIALIST	TIS Antenna	14665	10/09/2013	
		00006143	10/09/2013	
P.O. BOX 51	1361		10/09/2013	0.00
ZEELAND	BOA	48062	10/09/2013	0.00
MI 49464	1191308			4,556.20

GL Number	Description	Invoice Amount	Amount Relieved
30-70-4478	CIP12/13 Equipment	4,556.20	4,556.20

Check No.	48062	Total:	4,556.20
Total for	INFORMATION STATION SPECIAL		4,556.20

INT'L CODE COUNCIL, INC.	CA Code Books, 2013 Edition	14633	10/09/2013	
ACCOUNTS RECEIVABLE		00006153	10/09/2013	
4051 WEST FLOSSMOOR ROAD	0243		10/09/2013	0.00
COUNTRY CLUB HILLS	BOA	48063	10/09/2013	0.00
IL 60478-5795	0343934			1,286.18

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	1,286.18	1,293.59

Check No.	48063	Total:	1,286.18
Total for	INT'L CODE COUNCIL, INC.		1,286.18

JENSEN LANDSCAPE SERVICES INC	Ford Field Project, Sept-13	14656	10/09/2013	
			10/09/2013	
1983 CONCOURSE DRIVE	849		10/09/2013	0.00
SAN JOSE	BOA	48064	10/09/2013	0.00
CA 95131	#4			79,800.00

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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
08-68-4531	Ford Field Renovation	79,800.00	0.00

Check No.	48064	Total:	79,800.00
Total for	JENSEN LANDSCAPE SERVICES I		79,800.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
JORGENSON SIEGEL MCCLURE & FLEGEL	August Statement	14635	10/09/2013	
1100 ALMA STREET	0089		10/09/2013	0.00
MENLO PARK	BOA	48065	10/09/2013	0.00
CA 94025				8,383.01

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4182	Town Attorney	8,181.01	0.00
96-54-4186	Attorney - Charges to Appls	202.00	0.00

Check No.	48065	Total:	8,383.01
Total for	JORGENSON SIEGEL MCCLURE &		8,383.01

Vendor Name	Invoice Description1	Ref No.	Discount Date	
LUCILLE KALMAN	Fall Instructor Fee	14660	10/09/2013	
245 OLD SPANISH TRAIL	1082		10/09/2013	0.00
PORTOLA VALLEY	BOA	48066	10/09/2013	0.00
CA 94028				1,228.80

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	1,228.80	0.00

Check No.	48066	Total:	1,228.80
Total for	LUCILLE KALMAN		1,228.80

Vendor Name	Invoice Description1	Ref No.	Discount Date	
JONATHAN KAWAJA	C&D Refund (45 Tagus)	14637	10/09/2013	
100 CANYON DRIVE	1099		10/09/2013	0.00
PORTOLA VALLEY	BOA	48067	10/09/2013	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.	48067	Total:	5,000.00
Total for	JONATHAN KAWAJA		5,000.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
LOS GATOS ROOFING	C&D Refund (115 Stonegate)	14636	10/09/2013	
P.O. BOX 1726	862		10/09/2013	0.00
LOS GATOS	BOA	48068	10/09/2013	0.00
CA 95031				1,000.00

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

Check No.	48068	Total:	1,000.00
Total for	LOS GATOS ROOFING		1,000.00

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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

LYNGSO GARDEN MATERIALS INC	Organic Fertilizer, RMiller Fd	14639	10/09/2013	
		00006152	10/09/2013	
19 SEAPORT BOULEVARD	923		10/09/2013	0.00
REDWOOD CITY	BOA	48069	10/09/2013	0.00
CA 94063	860277			1,040.95

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	1,040.95	1,040.95

Check No.	48069	Total:	1,040.95
Total for	LYNGSO GARDEN MATERIALS INC		1,040.95

SUSANNA MCADAM	Stable Inspections Aug/Sept	14654	10/09/2013	
			10/09/2013	
125 CONNEMARA WAY #5	1022		10/09/2013	0.00
SUNNYVALE	BOA	48070	10/09/2013	0.00
CA 94087				429.00

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4044	Stable Inspector	429.00	0.00

Check No.	48070	Total:	429.00
Total for	SUSANNA MCADAM		429.00

PATTY MCLUCAS	Fall Instructor Fee	14640	10/09/2013	
			10/09/2013	
143 LOS TRANCOS CIRCLE	690		10/09/2013	0.00
PORTOLA VALLEY	BOA	48071	10/09/2013	0.00
CA 94028				80.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	80.00	0.00

Check No.	48071	Total:	80.00
Total for	PATTY MCLUCAS		80.00

BOB NEBRIG	Deposit Refund	14669	10/09/2013	
			10/09/2013	
20 GRANADA STREET	1147		10/09/2013	0.00
PORTOLA VALLEY	BOA	48072	10/09/2013	0.00
CA 94028				276.25

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	276.25	0.00

Check No.	48072	Total:	276.25
Total for	BOB NEBRIG		276.25

PG&E	September Statements	14641	10/09/2013	
			10/09/2013	
BOX 997300	0109		10/09/2013	0.00
SACRAMENTO	BOA	48073	10/09/2013	0.00
CA 95899-7300				212.65

GL Number	Description	Invoice Amount	Amount Relieved
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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

05-64-4330	Utilities		212.65	0.00
		Check No.	48073	Total:
		Total for	PG&E	212.65

PLATINUM FACILITY SERVICES	September Janitorial	14642	10/09/2013	
1530 OAKLAND RD., #150	402		10/09/2013	0.00
SAN JOSE	BOA	48074	10/09/2013	0.00
CA 95112	14209			2,793.06

GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4341	Community Hall	722.01	0.00	
05-66-4344	Janitorial Services	1,293.20	0.00	
25-66-4344	Janitorial Services	777.85	0.00	
		Check No.	48074	Total:
		Total for	PLATINUM FACILITY SERVICES	2,793.06

PORTOLA VALLEY ASSOCIATES	C&D Refund (3 Thistle)	14643	10/09/2013	
29 VALLEY OAK	736		10/09/2013	0.00
PORTOLA VALLEY	BOA	48075	10/09/2013	0.00
CA 94028				3,700.00

GL Number	Description	Invoice Amount	Amount Relieved	
96-54-4205	C&D Deposit	3,700.00	0.00	
		Check No.	48075	Total:
		Total for	PORTOLA VALLEY ASSOCIATES	3,700.00

PORTOLA VALLEY HARDWARE	September Statement	14644	10/09/2013	
112 PORTOLA VALLEY ROAD	0114		10/09/2013	0.00
PORTOLA VALLEY	BOA	48076	10/09/2013	0.00
CA 94028				297.60

GL Number	Description	Invoice Amount	Amount Relieved	
05-58-4240	Parks & Fields Maintenance	101.16	0.00	
05-60-4267	Tools & Equipment	121.06	0.00	
05-66-4340	Building Maint Equip & Supp	75.38	0.00	
		Check No.	48076	Total:
		Total for	PORTOLA VALLEY HARDWARE	297.60

GINA RAYFIELD	Deposit Refund	14666	10/09/2013	
55 ADAIR LANE	1150		10/09/2013	0.00
PORTOLA VALLEY	BOA	48077	10/09/2013	0.00
CA 94028				1,696.60

GL Number	Description	Invoice Amount	Amount Relieved	
96-54-4207	Deposit Refunds, Other Charges	1,696.60	0.00	
		Check No.	48077	Total:
				1,696.60

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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 for GINA RAYFIELD 1,696.60

REGINA PLUMBING INC	Repair Leak at Kitchen Sink	14657	10/09/2013	
1955 CARMELITA DRIVE	685		10/09/2013	0.00
SAN CARLOS	BOA	48078	10/09/2013	0.00
CA 94070	960221			422.13

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	422.13	0.00

Check No. 48078 Total: 422.13

Total for REGINA PLUMBING INC 422.13

GARY REYNOLDS	Reimb for Wayside II Exps	14645	10/09/2013	
540 WAYSIDE ROAD	1238		10/09/2013	0.00
PORTOLA VALLEY	BOA	48079	10/09/2013	0.00
CA 94028				95.01

GL Number	Description	Invoice Amount	Amount Relieved
86-00-4375	General Expenses	95.01	0.00

Check No. 48079 Total: 95.01

Total for GARY REYNOLDS 95.01

RON RAMIES AUTOMOTIVE, INC.	Repairs to 2001 Chev	14646	10/09/2013	
115 PORTOLA ROAD	422		10/09/2013	0.00
PORTOLA VALLEY	BOA	48080	10/09/2013	0.00
CA 94028	42404			119.63

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	119.63	0.00

Check No. 48080 Total: 119.63

Total for RON RAMIES AUTOMOTIVE, INC. 119.63

LINDA ROSS	Fall Instructor Fee	14661	10/09/2013	
190 GABARDA WAY	1233		10/09/2013	0.00
PORTOLA VALLEY	BOA	48081	10/09/2013	0.00
CA 94028				1,391.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	1,391.00	0.00

Check No. 48081 Total: 1,391.00

Total for LINDA ROSS 1,391.00

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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

SHERMAN RUTHERFORD	C&D Refund	14638	10/09/2013	
			10/09/2013	
60 GOLDEN OAK DRIVE	0079		10/09/2013	0.00
PORTOLA VALLEY	BOA	48082	10/09/2013	0.00
CA 94028				1,000.00

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

Check No.	48082	Total:	1,000.00
Total for	SHERMAN RUTHERFORD		1,000.00

SAN MATEO CO INF SERVICES	August Microwave	14647	10/09/2013	
			10/09/2013	
455 COUNTY CENTER, 3RD FLOOR	0307		10/09/2013	0.00
REDWOOD CITY	BOA	48083	10/09/2013	0.00
CA 94063	1YPV11308			76.00

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

Check No.	48083	Total:	76.00
Total for	SAN MATEO CO INF SERVICES		76.00

SHARP BUSINESS SYSTEMS	September Copies	14648	10/09/2013	
			10/09/2013	
DEPT. LA 21510	0199		10/09/2013	0.00
PASADENA	BOA	48084	10/09/2013	0.00
CA 91185-1510	C695938-541			22.34

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	22.34	0.00

Check No.	48084	Total:	22.34
Total for	SHARP BUSINESS SYSTEMS		22.34

SHELTON ROOFING	C&D Refund (220 Cervantes)	14649	10/09/2013	
			10/09/2013	
1988 LEGHORN ST., #C	0309		10/09/2013	0.00
MOUNTAIN VIEW	BOA	48085	10/09/2013	0.00
CA 94043				1,000.00

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

Check No.	48085	Total:	1,000.00
Total for	SHELTON ROOFING		1,000.00

SPANGLE & ASSOCIATES	Aug 22 - Sept 17 Statement	14650	10/09/2013	
			10/09/2013	
770 MENLO AVENUE	0121		10/09/2013	0.00
MENLO PARK	BOA	48086	10/09/2013	0.00
CA 94025-4736				27,427.50

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4162	Planning Committee	6,500.00	0.00

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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

05-54-4196	Planner	5,107.50	0.00	
96-54-4198	Planner - Charges to Appls	15,820.00	0.00	

Check No.	48086	Total:	27,427.50
Total for	SPANGLE & ASSOCIATES		27,427.50

STATE COMP INSURANCE FUND	October Premium	14651	10/09/2013	
			10/09/2013	
PO BOX 748170	0122		10/09/2013	0.00
LOS ANGELES	BOA	48087	10/09/2013	0.00
CA 90074-8170				1,652.67

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4094	Worker's Compensation	1,652.67	0.00

Check No.	48087	Total:	1,652.67
Total for	STATE COMP INSURANCE FUND		1,652.67

LAURA STEC	Reimb (Propane Tank)	14652	10/09/2013	
	Town Grill		10/09/2013	
1100 WESTRIDGE DRIVE	1133		10/09/2013	0.00
PORTOLA VALLEY	BOA	48088	10/09/2013	0.00
CA 94028				65.39

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	65.39	0.00

Check No.	48088	Total:	65.39
Total for	LAURA STEC		65.39

TOTLCOM, INC.	VM Tel Programming	14663	10/09/2013	
			10/09/2013	
65 HANGAR WAY	349		10/09/2013	0.00
WATSONVILLE	BOA	48089	10/09/2013	0.00
CA 95076	218366			90.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	90.00	0.00

Check No.	48089	Total:	90.00
Total for	TOTLCOM, INC.		90.00

KATHY WADDELL	Fall Instructor Fee	14662	10/09/2013	
			10/09/2013	
460 CERVANTES ROAD	1354		10/09/2013	0.00
PORTOLA VALLEY	BOA	48090	10/09/2013	0.00
CA 94028				5,592.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	5,592.00	0.00

Check No.	48090	Total:	5,592.00
Total for	KATHY WADDELL		5,592.00

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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

TOM WASCHURA	C&D Refund	14653	10/09/2013	
			10/09/2013	
115 SHAWNEE PASS	2010		10/09/2013	0.00
PORTOLA VALLEY	BOA	48091	10/09/2013	0.00
CA 94028				1,400.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	1,400.00	0.00

Check No.	48091	Total:	1,400.00
Total for	TOM WASCHURA		1,400.00

Total Invoices: 45

Grand Total:	190,197.86
Less Credit Memos:	0.00
Net Total:	190,197.86
Less Hand Check Total:	0.00
Outstanding Invoice Total:	190,197.86

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
October 9, 2013

Claims totaling \$190,197.86 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: Members of the Town Council

FROM: Mayor Richards and Vice Mayor Wengert

DATE: October 9, 2013

RE: **Resolution Amending the Employee Compensation Plan and Authorizing a One-Time Bonus to Town Staff Effective January 1, 2014**

RECOMMENDATION:

That the Town Council approve a resolution Amending the Employee Compensation Plan and Authorizing a One-Time Bonus to Town Staff Effective January 1, 2014.

BACKGROUND & DISCUSSION

At the Town Council's regularly scheduled meeting on September 25, 2013, Mayor Richards and Vice Mayor Wengert were designated as agency negotiators to provide town staff with proposed changes to the 2014 Employee Compensation Plan. The attached report from Town Manager Nick Pegueros outlines the issues considered by the Mayor and Vice Mayor along with a discussion of the proposed resolution.

ATTACHMENTS

1. Memo from Nick Pegueros, Town Manager dated October 3, 2013
2. Resolution Amending the Employee Compensation Plan and Authorizing a One-Time Bonus to Town Staff Effective January 1, 2014



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor Richards and Vice Mayor Wengert

FROM: Nick Pegueros, Town Manager

DATE: October 3, 2013

RE: **Proposed Changes to the Employee Compensation Plan**

DISCUSSION

The Town's current benefits package provides employees with a flexible spending allowance that is sufficient to pay the Kaiser premiums for the employee and his/her eligible dependents. Employees may then use that allowance to select from a variety of HMO and PPO insurance plans available through CalPERS health under the Public Employees' Hospital and Medical Care Act (PEHMCA). In 2014, CalPERS Health will offer a total of 9 plan options; six HMOs and three PPOs.

Kaiser has long been among the most affordable plans available through CalPERS Health and therefore made a good benchmark by which the Town could set the flexible spending allowance as part of the employee benefits package. In the past year, however, Kaiser premiums have increased by 11%, making it one of the less affordable options available through CalPERS Health. With the recent increase and a trend both in the public and private sectors to share some of the costs of medical insurance with employees, the recommendation is to introduce a structural change to the fringe benefit plan that provides for employees to purchase medical insurance.

The Town's flexible benefit allowance currently provides sufficient funds to pay for 100% of the Kaiser premium for the employee plus dependents. The annual cost for an employee with two or more dependents will be \$23,172 in 2014. This is compared to \$20,173 in 2013, an 11% increase. Since 2003, the Kaiser premium for an employee plus two or more dependents has increased from \$8,087 to \$23,172 per year or 286%. The change in Consumer Price Index from April 2003 to April 2013 was 24%.

A key consideration in the next several years will be the impact of the Affordable Care Act (ACA) on premiums and plans that are available to employees. In a quick review of

premiums available through Covered California, California's ACA health benefits exchange, it appears that the Kaiser premium for an employee plus two or more dependents is approximately 30% less expensive than a comparable plan from CalPERS Health. It is unknown if this savings will continue into future years and the Town is past the opportunity to terminate its contract with CalPERS Health. In 2015, however, Covered California may provide the Town and employees with a competitive alternative to CalPERS.

Recommendation #1 – Modify the flexible spending allowance beginning January 1, 2014 to start the implementation of a four year phase-in of cost sharing for employees with dependents. The cost sharing would target parity in the flexible benefit allowance provided to employees, with or without dependents. Beginning in 2014, the Town's flexible dollar allowance for employees with no dependents would be 125% of the Kaiser premium and this amount would remain unchanged in future years. By 2017, employees with one dependent will pay 20% of the Kaiser premium if the employee selects coverage for him/herself and an eligible dependent. Also by 2017, employees with two or more dependents will pay 37.5% of the Kaiser premium if the employee selects coverage for him/herself and two or more eligible dependents. At the end of a four year phase-in period the Town's allowance for all employees in terms of dollars will be roughly equal, thereby closing the gap that currently exists where an employee with two or more dependents receives a benefit that is 259% of the benefit provided to an employee without dependents. In 2014, it is estimated that this change will save the Town approximately \$13,547. Future savings are unknown at this time given the unpredictability of health premiums. The cost sharing phase-in is demonstrated in the following chart:

	Flexible Benefit Allowance as % of CalPERS Kaiser Premium				
	2013	2014	2015	2016	2017
<i>Employee only</i>	100%	125.0%	125.0%	125.0%	125.0%
<i>Employee +1</i>	100%	95.0%	90.0%	85.0%	80.0%
<i>Employee +2/more</i>	100%	92.5%	82.5%	72.5%	62.5%

Recommendation #2 – To recognize the excellent service that Town employees have provided to Town residents, the recommendation is for the Town Council to authorize a one-time bonus to all Town staff members of \$1,750 per employee payable in the pay period ending on January 15, 2014. The amount was determined based on a desire to ensure that the first year impact of the cost sharing arrangement would be cost neutral to employees with two or more dependents. This one-time payment will cost \$24,490 or 2% of total payroll and as it is not considered CalPERS wages it will not have an impact on pension benefits or liabilities. As an equal amount provided to all Town staff members, it supports the Town's effort to achieve parity in fringe benefit costs by employee.

FISCAL IMPACT

The net one-time cost of both recommendations is estimated at \$10,943 and this amount can be paid for using current fiscal year operating budget surplus. Depending on how this change in the benefits package influences employee decisions on health care, there may be additional savings realized due to employees opting out of the Town's plan or changes in the number of covered dependents. This recommendation also provides additional future cost savings through the implementation of the cost sharing goals that will be phased in beginning January 1, 2014 and fully implemented on January 1, 2017.

ATTACHMENTS

1. Medical Benefit Comparison Chart – 2014

Town of Portola Valley
 Medical Benefit Comparison Chart - 2014
 Updated September 26, 2013

Plan	Type	Access to PAMF	Basic Benefit Summary						2014 Monthly Premiums		
			Annual Deductible	Annual Maximum Co- Pay	Cost for Office Visit (up to deductible)	Diagnostic X- ray/ Lab	Prescription Drugs (Retail)	Max Prescription Co-pay pp/yr	EE only	EE+1	EE+2/more
Anthem Blue Cross Select	HMO	n	\$ -	\$ 1,500	\$ 15	\$ -	\$5/\$20/\$50	\$ 1,000	\$ 657	\$ 1,315	\$ 1,709
Anthem Blue Cross Traditional	HMO	y	\$ -	\$ 1,500	\$ 15	\$ -	\$5/\$20/\$50	\$ 1,000	\$ 728	\$ 1,457	\$ 1,894
Blue Shield Access Plus	HMO	y	\$ -	\$ 1,500	\$ 15	\$ -	\$5/\$20/\$50	\$ 1,000	\$ 837	\$ 1,673	\$ 2,175
Blue Shield NetValue	HMO	n	\$ -	\$ 1,500	\$ 15	\$ -	\$5/\$20/\$50	\$ 1,000	\$ 704	\$ 1,408	\$ 1,830
Kaiser Permanente	HMO	n	\$ -	\$ 1,500	\$ 15	\$ -	\$5/\$20	\$ -	\$ 743	\$ 1,485	\$ 1,931
UnitedHealthcare Alliance	HMO	y	\$ -	\$ 1,500	\$ 15	\$ -	\$5/\$20/\$50	\$ 1,000	\$ 762	\$ 1,528	\$ 1,987
PERS Choice	PPO	y	\$500/\$1,000	\$3,000/\$6,000	\$20/20%/40%	20%/40%	\$5/\$20/\$50	\$ 1,000	\$ 691	\$ 1,382	\$ 1,796
PERS Select	PPO	n	\$500/\$1,000	\$3,000/\$6,000	\$20/20%/40%	20%/40%	\$5/\$20/\$50	\$ 1,000	\$ 662	\$ 1,323	\$ 1,720
PERSCare	PPO	y	\$500/\$1,000	\$2,000/\$4,000	\$20/10%/40%	10%/40%	\$5/\$20/\$50	\$ 1,000	\$ 720	\$ 1,440	\$ 1,872
2014 Proposed Cap									\$ 928	\$ 1,411	\$ 1,786

Monthly Impact on Employee Comp.			
Kaiser	\$ 186	\$ (74)	\$ (145)
BC Trad.	\$ 200	\$ (46)	\$ (108)
BS Access+	\$ 92	\$ (262)	\$ (389)
PERS Choice	\$ 238	\$ 30	\$ (10)

Highlighted plans are those that fall @ or below proposed 2014 cap

Notes:
 This summary was prepared to assist in policy level decision making. Employees should not rely this chart when choosing medical plans. Please refer to CalPERS for official EOC booklets
 PPO Deductibles - \$500 for individual; \$1,000 for family
 PPO Cost for Office Visit - \$20 min; 20% in PPO; 40% non-PPO doctor or hospital
 PPO Diagnostics - 20% in PPO; 40% non-PPO doctor or hospital
 Prescription Drugs Co-Pay - \$5 for generic; \$20 for "Brand Formulary"; \$50 for "Brand Non-Formulary" (note that Kaiser does not have a formulary distinction)

RESOLUTION NO. _____-2013**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF PORTOLA VALLEY
AMENDING THE EMPLOYEE COMPENSATION PLAN AND
AUTHORIZING A ONE-TIME BONUS TO TOWN STAFF
EFFECTIVE JANUARY 1, 2014**

WHEREAS, on the 24th day of April, 2013, the Town Council considered and approved Resolution 2587-2013 which adopted the Employee Compensation Plan in accordance with the Town's Personnel Policies; and

WHEREAS, Section 3.1 of the Compensation Plan includes a flexible benefit allowance that is used by employees for purposes specified in the plan; and

WHEREAS, the flexible benefit allowance is benchmarked at the Kaiser medical premium as set by California Public Employees' Retirement System (CalPERS) under the Public Employees' Medical and Hospital Care Act (PEMHCA) and adjusted annually subject to change on January 1st of each year; and

WHEREAS, Kaiser insurance premiums have increased two hundred eighty-six percent (286%) since 2003; and

WHEREAS, Kaiser insurance premiums will increase eleven percent (11%) effective January 1, 2014; and

WHEREAS, the Town Council finds the current flexible benefit allowance unsustainable; and

WHEREAS, the Mayor and Vice Mayor have met with employees to discuss a new flexible benefit allowance that would require employees electing to cover their dependents under a CalPERS health plan to pay a portion of the premium;

NOW, THEREFORE, the Town Council of the Town of Portola Valley does hereby RESOLVE that:

1. Section 3.1 of the Employee Compensation Plan shall be amended to provide a four year formula for calculating the amount provided to employees for the flexible benefit plan as outlined in Exhibit A.
2. Payable in the January 15, 2014 payroll, all employees will be provided a one-time bonus of one thousand seven hundred fifty dollars and zero cents (\$1,750.00) in recognition of their service to the Town.
3. The Town's payroll budget shall hereby be increased and amended by \$10,943 to provide for these changes.

REGULARLY PASSED AND ADOPTED this 9th day of October 2013.

John Richards, Mayor

ATTEST:

Sharon Hanlon, Town Clerk

SECTION 3

HEALTH AND WELFARE

3.1 Cafeteria Flexible Benefits Plan

The Town shall calculate the flexible benefit allowance (flexible dollar amount) based on the following chart effective January 1st of each year. The percentages shown below represent the amount of the flexible benefit allowance as a percentage of the CalPERS Kaiser premium as adopted by the CalPERS Board annually.

	<u>Flexible Dollar Amount, as % of CalPERS Kaiser Premium</u>				
	<u>1/1/13</u>	<u>1/1/14</u>	<u>1/1/15</u>	<u>1/1/16</u>	<u>1/1/17</u>
<u>Employee only</u>	<u>100%</u>	<u>125.0%</u>	<u>125.0%</u>	<u>125.0%</u>	<u>125.0%</u>
<u>Employee +1</u>	<u>100%</u>	<u>95.0%</u>	<u>90.0%</u>	<u>85.0%</u>	<u>80.0%</u>
<u>Employee +2/more</u>	<u>100%</u>	<u>92.5%</u>	<u>82.5%</u>	<u>72.5%</u>	<u>62.5%</u>

The Town provides a cafeteria plan flexible dollar amount as follows:

<u>Level of coverage</u>	<u>2013 Monthly Flexible Dollar Amount</u>	<u>2014 Monthly Flexible Dollar Amount</u>
Employee	\$668.03	<u>\$928.00</u>
Employee plus one	\$1,337.26	<u>\$1,411.00</u>
Employee plus two or more	\$1,738.44	<u>\$1,786.00</u>

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 2014~~3~~ 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:

<u>Level of coverage</u>	<u>Monthly opt-out payment</u>
Employee Only & Employee plus one	\$600.00
Employee plus two or more	\$800.00

#5

There are no written materials for this agenda item.

TOWN COUNCIL WEEKLY DIGEST

Friday – September 27, 2013

1. Agenda (Action) – ASCC – Monday, September 23, 2013
2. Agenda (Action) – Town Council – Wednesday, September 25, 2013
3. Agenda – Bicycle, Pedestrian & Traffic Safety Committee – Wednesday, October 2, 2013
4. Agenda – Planning Commission – Wednesday, October 2, 2013
5. Meeting Schedule - October 2013
6. Planning Commission Attendance Summary for July – September 2013
7. ASCC Attendance Summary for July – September 2013
8. Notice – Portola Valley Neighborhood Clean-Up Day and Drug Disposal Program – Saturday, October 5, 2013
9. Email from Gary Waldeck, Mayor of Los Altos Hills to Nick Pegueros, Town Manager re: Discussion points regarding MidPen’s Amicus Brief – September 25, 2013
10. Email from Jitze Couperus, resident of Los Altos Hills to Nick Pegueros, Town Manager re: Forwarding a link <http://www.couperus.org/albums/quarry> to aerial photos of Lehigh Quarry – September 26, 2013
11. Letter from resident Caroline Vertongen to the Town Council re: Request for consideration of a proclamation regarding “Freedom from Workplace Bullies Week” – September 23, 2013
12. Letter from Martha Poyatos, of LAFCo to Cities of San Mateo County re: Approved Final Budget for 2013-14 – September 23, 2013
13. Letter from Fred Castro, Clerk of Board for ABAG to Town Council re: Notice of Election of the President and Vice President of the Association of Bay Area Governments – September 20, 2013
14. Notice – Public Workshop re: Bay Area Commuter Benefits Program – September 6, 2013
15. Memo from Nick Pegueros, Town Manager re: Weekly Update – Friday, September 27, 2013

Attached Separates (Council Only)

1. InnVision Shelter Network Newsletter – Fall 2013
2. Invitation – 30th Anniversary of the Women’s Hall of Fame – March 21, 2014



46

**TOWN OF PORTOLA VALLEY
ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)
Monday, September 23, 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 ASCC FIELD MEETING*

4:00 p.m. 5 Naranja Way Field meeting for continued consideration of plans for residential redevelopment of this 2.5-acre Westridge Subdivision property. (ASCC review to continue at Regular Meeting) **Vlasic summarized key changes to proposal, project team led ASCC through site's additional staking/story poles, views were observed from 170 Mapache, neighbor comments received. 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 (**Hughes absent. Also present: Tom Vlasic Town Planner; Karen Kristiansson Deputy Town Planner; Carol Borck Assistant Planner; Ann Wengert Town Council Liaison; Alex Von Feldt 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. Old Business:
 - a. Continued Architectural Review for New Residence with Detached Office, Pool and Pool Cabana, and Site Development Permit X9H-657, 5 Naranja Way, Maffia **ASCC continued discussion of proposed project, heard public comment, and offered suggestions/comments. Project approved subject to conditions to be met to the satisfaction of the full ASCC prior to building permit issuance.**
5. New Business:
 - a. Architectural Review for Residential Additions with New Detached Garage and Modifications to Driveway Access, 1305 Westridge Drive, Hirsch-Long **Kristiansson presented staff report and project team provided additional information for the Commission. ASCC provided comment and approved the project subject to conditions to be met to the satisfaction of a designated ASCC member prior to building permit issuance.**
 - b. Architectural Review of Proposed Temporary Construction Tent, 50 Pine Ridge Way, Gilbert **Proposal approved as submitted with tenting color preference to be "clear" and second option to be "white."**

6. Commission and Staff Reports:
Kristiansson informed ASCC of current staff review of clerestory/skylight concerns of potential light spill at 231 Canyon building project. Staff is directed to draft updated language in the Design Guidelines on this matter.
7. Approval of Minutes: September 9, 2013 **Approved as submitted.**
8. Adjournment: **10:00 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: September 20, 2013

CheyAnne Brown
 Planning Technician



TOWN OF PORTOLA VALLEY

7:30 PM – Regular Meeting of the Town Council
Wednesday, September 25, 2013
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

48

ACTION AGENDA

7:30 PM – CALL TO ORDER AND ROLL CALL

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

Councilmember Driscoll absent

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.

Jeff Castina, GreenWaste representative, announced a Neighborhood Clean-Up scheduled for Saturday, October 5th, from 8 – 11 a.m.

Cory Wolbach, from the office of Senator Jerry Hill, reported on couple of bills from Senator Hill, signed by the governor, SB132 protect mountain lions that do not pose a threat. A reminder to reach out to Senator Hill if you have ideas, suggestions, and/or concerns.

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** – Special Town Council Meeting of September 11, 2013

Approved with Council members Derwin and Wengert abstaining

- (2) **Approval of Warrant List** – September 25, 2013

- (3) **Recommendation by the Parks & Recreation Committee** – Proposed change to Committee Charter

Items 2 and 3 Approved 4-0

REGULAR AGENDA

- (4) **Report from Town Attorney** – Consideration of Direction to the Town Attorney Regarding Participating in the Preparation of an Amicus Brief Supporting No Toxic Air Incorporated's Lawsuit Against Lehigh Quarry Related to the Board of Supervisors' Determination related to Vested Rights

**Council Approved up to \$1,300.00 in support of the Amicus Brief
Approved 3-1 – Vice Mayor Wengert No**

- (5) **Recommendation by Town Manager** – Approve Town Council Fall/Winter Meeting Schedule

Approved 4-0

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

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

There are no written materials for this item.

Councilmember Derwin – Resource Management Climate Protection Meeting heard a presentation regarding the City of Santa Cruz and its Climate Adaptation Plan. Energy Watch discussed Prop 39 that aids in funding School Districts for doing energy efficiency projects. The Poet laureate meeting held interviews for the five finalists. Councilmember Derwin attended a meeting in San Mateo that included Senior FAA members on the West Coast, Congresswomen Ana Eshoo and Jackie Speier, and local constituents to discuss findings with flight arrivals, a concern of Portola Valley and flight departures, a concern of the City of Brisbane. After much discussion, the FAA accepted the local findings. Councilmember Derwin considered it a productive meeting, with everyone walking away with an assignment. The HEART meeting received its first report from the group charged to do a feasibility study for a 200 million dollar campaign to raise money for affordable housing in San Mateo County.

Councilmember Aalfs – C/CAG discussed setting aside dedicated money to fund retiree medical obligations for C/CAG employees. Conservation Committee discussed the Redwood Guidelines, Backyard Habitat, upkeep for the Native Plant Garden at Town Center and hold a field trip to examine the willows planted in the creek at Town Center.

Vice Mayor Wengert attended a tour of the TRACON facility. The ASCC approved, subject to conditions, the Hirsch/Long project on Westridge.

Mayor Richards - the San Mateo County Emergency Services Council meeting discussed the completion of the radio tower for San Mateo County.

WRITTEN COMMUNICATIONS

- (7) **Town Council Weekly Digest** – September 13, 2013
#5 - Vice Mayor Wengert approved of the change to policy
- (8) **Town Council Weekly Digest** – September 20, 2013

ADJOURNED TO CLOSED SESSION: 8:30 pm

CLOSED SESSION

- (9) **CONFERENCE WITH LABOR NEGOTIATORS**
Government Code Section 54957.6
Agency Designated Representatives: Mayor Richards and Vice Mayor Wengert
Unrepresented Employees: Town Staff
- (10) **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Government Code Section 54956.9(b)
Significant Exposure to Litigation: one case

REPORT OUT OF CLOSED SESSION: None to Report

ADJOURNMENT: 10:15 pm

ASSISTANCE FOR PEOPLE WITH DISABILITIES

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

AVAILABILITY OF INFORMATION

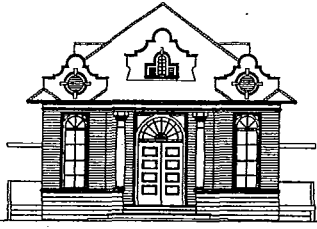
Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley Library located adjacent to Town Hall. In accordance with SB343, Town Council agenda materials, released less than 72 hours prior to the meeting, are available to the public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

SUBMITTAL OF AGENDA ITEMS

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

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).



TOWN OF PORTOLA VALLEY
Bicycle, Pedestrian and Traffic Safety
Committee
Wednesday, October 2, 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 of the September meeting
5. Sheriff's Report (July & August)
 - 1) Accident at Skyline Blvd
 - 2) 3 foot rule – observance and enforcement guidelines
6. Public Works Report
 - 1) Alpine/280 Intersection
 - 2) Pedestrian Beacons
 - 3) Bike lane/Shoulder improvement study
7. Ongoing Items:
 - 1) Corte Madera & School Traffic
 - (a) Traffic Study Status
 - 2) Windy Hill parking controls
 - (a) Help with signage placement
 - 3) Hardware Store parking lot
 - (a) Calming/traffic management for pedestrian safety (discuss with landowner)
8. Safe Routes to School
 - 1) Update on participation, upcoming events
9. Update on Outreach & Teaching Programs
 - 1) Bike Rodeos
 - 2) Safe Routes to Anywhere
10. Time and Date for November meeting
11. Adjournment

4



**TOWN OF PORTOLA VALLEY
REGULAR PLANNING COMMISSION MEETING
765 Portola Road, Portola Valley, CA 94028
Wednesday, October 2, 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:* Proposed Amendments to Conditional Use Permits (CUP) X7D-151 and X7D-169, 555 Portola Road, Spring Ridge LLC (Neely/Myers)

Commission, Staff, Committee Reports and Recommendations

Approval of Minutes: July 17, 2013

Adjournment:

ASSISTANCE FOR PERSONS WITH DISABILITIES

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PUBLIC HEARINGS

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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: September 27, 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

OCTOBER 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, October 9, 2013

Wednesday, October 23, 2013

Wednesday, October 30, 2013 - **SPECIAL / 7:00 PM / Schoolhouse**

PLANNING COMMISSION – 7:30 PM (Meets 1st & 3rd Wednesdays)

Council Liaison – Maryann Derwin (for months July, October, October)

Wednesday, October 2, 2013

Wednesday, October 16, 2013

ARCHITECTURAL & SITE CONTROL COMMISSION - 7:30 PM (Meets 2nd & 4th Mondays)

Council Liaison – Ann Wengert (for months July, October, October)

Monday, October 14, 2013

Monday, October 28, 2013

BICYCLE, PEDESTRIAN & TRAFFIC SAFETY COMMITTEE – 8:15 AM (Meets 1st Wednesday of every month)

Council Liaison – Ann Wengert

Wednesday, October 2, 2013

CABLE TV COMMITTEE – 8:15 AM (Meets 2nd Thursday) alternate odd numbered months

Council Liaison – Ted Driscoll

Thursday, October 10, 2013 – **SPECIAL / 8:15 AM / Schoolhouse**

COMMUNITY EVENTS COMMITTEE

Council Liaison – Maryann Derwin

As announced

CONSERVATION COMMITTEE – 7:45 PM (Meets 4th Tuesday)

Council Liaison – John Richards

Tuesday, October 22, 2013

CULTURAL ARTS COMMITTEE – (Meets 2nd Thursday of every month)

Council Liaison – John Richards

Thursday, October 10, 2013

EMERGENCY PREPAREDNESS COMMITTEE – 8:00 AM (Meets 2nd Thursday) in the EOC /
Conference Room at Town Hall
Council Liaison – John Richards
Thursday, October 10, 2013 – **CANCELLED**
Thursday, October 17, 2013 – **SPECIAL / 8:00 AM / EOC at Town Hall**

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
As announced

NATURE AND SCIENCE COMMITTEE – 4:00 PM (Meets 2nd Thursday) alternate even numbered
months
Council Liaison – Jeff Aalfs
Thursday, October 10, 2013

OPEN SPACE ACQUISITION ADVISORY COMMITTEE
Council Liaison – Jeff Aalfs

PARKS & RECREATION COMMITTEE – 7:30 PM (Meets 1st Monday)
Council Liaison – Ann Wengert
Monday, October 7, 2013

PUBLIC WORKS COMMITTEE
Council Liaison – Ted Driscoll
As announced

SUSTAINABILITY COMMITTEE – 3:30 PM (Meets 3rd Monday)
Council Liaison – Maryann Derwin
Monday, October 21, 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, October 8, 2013 – 8:15 AM

**PC ATTENDANCE SUMMARY
JULY - SEPT 2013**

DATE	COMMISSIONERS				
	Gilbert	McIntosh	McKitterick	Targ	Von Feldt
7/3/2013					
Recuse					
7/17/2013	x	x	x	x	x
Recuse					
8/7/2013					
Recuse					
8/21/2013					
Recuse					
8/27/2013	x	x	a	x	x
Recuse					
9/4/2013					
Recuse					
9/18/2013					
Recuse					

TOTALS

Meetings During					
Qtr	2	2	2	2	2
Absent	0	0	1	0	0
Items Recused	0	0	0	0	0

Meetings to					
Date	11	11	11	11	11
Absences to					
Date	0	0	3	1	0
Recusals to Date	0	0	0	0	0

ASCC ATTENDANCE SUMMARY
JULY - SEPT 2013

DATE	COMMISSIONERS				
	Breen	Clark	Hughes	Koch	Ross
7/8/2013					
Recuse					
7/22/2013	x	x	x	x	x
Recuse			1		
8/12/2013	x	x	x	a	x
Recuse		1			
8/27/2013	x	x	x	a	x
Recuse					
9/9/2013	x	x	x	x	x
Recuse					
9/23/2013	x	x	a	x	x
Recuse					

TOTALS

Meetings During					
Qtr	5	5	5	5	5
Absent	0	0	1	2	0
Items Recused	0	1	1	0	0
Meetings to					
Date	17	17	17	17	17
Absences to					
Date	0	0	2	4	2
Recusals to Date	2	5	2	1	1



greenwaste
a brighter shade of green



PORTOLA VALLEY NEIGHBORHOOD CLEAN-UP DAY

SATURDAY, OCTOBER 5, 2013 8:00 – 11:00 A.M.

NEW LOCATION: PORTOLA VALLEY TOWN CENTER — 765 PORTOLA ROAD

For more info call **GreenWaste** at 650.568.9900 or **Town of Portola Valley** at 650.851.1700

BRING THIS FLYER OR A COPY OF YOUR GARBAGE BILL AS PROOF OF RESIDENCY TO USE THE SERVICE

The Town of Portola Valley and GreenWaste have partnered with Goodwill to incorporate a "Give 'n Go" station as part of the Neighborhood Clean-Up Day. A Sheriff's Office Deputy will also be at the event to collect prescription drugs (see back for details). Please review the list below and load your vehicle accordingly!

1st STOP – GOODWILL GIVE 'N GO – REUSE	2nd STOP – GREENWASTE – RECYCLE	NOT ACCEPTED – DON'T BRING!
<p>Clothing & Accessories</p> <ul style="list-style-type: none"> * quality women's, men's, kid's, infant's clothing * shoes, purses, book bags & man bags * belts, accessories, jewelry & watches <p>For the Home</p> <ul style="list-style-type: none"> * furniture, pictures, painting & sculptures * bedding, bath linens, rugs, throw pillows, window treatments * lighting (table lamps, floor, wall, shades) <p>Kitchen & Casual Dining</p> <ul style="list-style-type: none"> * tabletop & china, flatware, cutlery & glassware * small appliances <p>Computers & Networking equipment</p> <ul style="list-style-type: none"> * desktops and laptops (PC/Mac) & accessories * iPads, tablets, netbooks, & e-readers * monitors, printers & scanners <p>Consumer Electronics</p> <ul style="list-style-type: none"> * televisions, home audio & theater * video & audio, video & PC games * MP3 players & accessories, cameras & video equipment, cell phones, PDAs <p>Books, Movies & Music</p> <ul style="list-style-type: none"> * books & textbooks * records (LPs), CDs, DVDs, movies & instruments 	<ul style="list-style-type: none"> * mattresses, box springs, patio chairs * large rugs and carpet * large appliances: washers, dryers, ranges, water heaters * exercise equipment * infant car seats and cribs * rock, dirt, asphalt and concrete (up to 30 gallons per household) * construction or demolition debris (up to 30 gallons per household) * scrap metal (up to 40 lbs and no more than 2' long) * wood waste (unpainted and untreated) * tree trimmings (less than 6" diameter and 6' long) * metal wheels * e-waste: not-working TVs, computers, monitors, etc. 	<p>NOT ACCEPTED – DON'T BRING!</p> <ul style="list-style-type: none"> * hazardous waste: batteries, oil, paints, liquids, chemicals/pesticides, sharps (hypodermic needles) * fuel cans or engine parts containing fluid of any kind (oil, grease, gasoline, etc.) * lawn mowers, hedgers or leaf blowers containing gas or other hazardous materials * large amounts of rock, dirt, asphalt and/or concrete * large pieces of plate glass * appliances that contain CFCs: refrigerators, freezers and/or air conditioners * tires * anything that is wet or contains liquids * items that you can recycle with your regular service <p>GOT HOUSEHOLD HAZARDOUS WASTE (HHW)? To schedule a drop-off appointment, call the County of San Mateo HHW program at 650.363.4718 or visit http://events.smhealth.org/events/.</p>

THIS FLYER IS NOT PROOF OF RESIDENCY

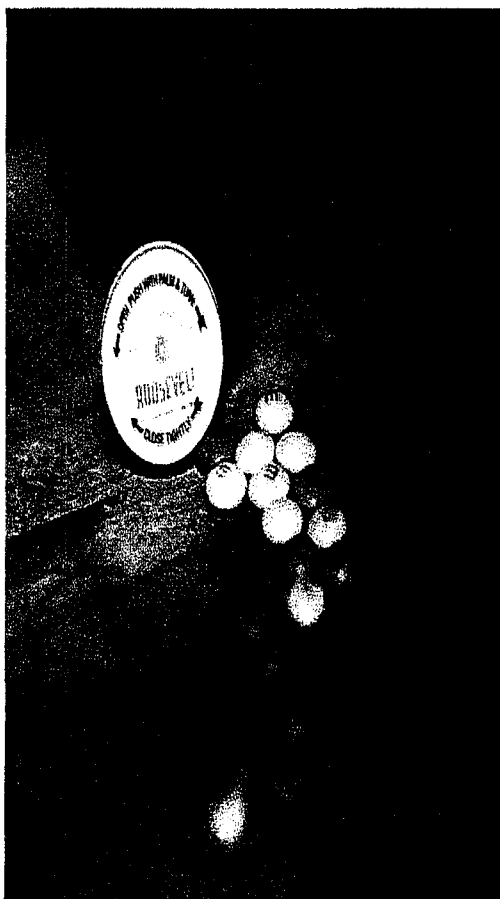
PRESCRIPTION DRUG DISPOSAL PROGRAM

In Conjunction with the Neighborhood Clean-Up Day

SATURDAY, OCTOBER 5, 2013

8:00 – 11:00 AM

NEW LOCATION: PORTOLA VALLEY TOWN CENTER



The Town of Portola Valley is sponsoring a **PRESCRIPTION DRUG DISPOSAL PROGRAM** in conjunction with the Neighborhood Clean-Up Day.

Disposing of expired medications by either throwing them in the trash or flushing them down the drain can cause very detrimental impacts on the environment. Fortunately, we now have an environmentally friendly means to dispose of unwanted prescription drugs.

Bring your old prescription medications to the Town Center on Neighborhood Clean-Up Day, Saturday, October 5 from 8:00 to 11:00 a.m.

- *Remove pills from the bottles and place them in a plastic ziploc bag*
- *Please, **NO over-the-counter products***

A San Mateo County Sheriff's Office Deputy will be on hand to accept and properly dispose of the medication.

For more info: 650.851.1700, ext. 222 or bdegarmeaux@portolavalley.net

Nick Pegueros

From: Gary Waldeck <gcwaldeck@gmail.com>
Sent: Wednesday, September 25, 2013 4:34 PM
To: Nick Pegueros
Subject: Discussion Points regarding MidPen's Amicus Brief discussion

Nick, I hope that you are enjoying your (kind of) new role in Portola Valley. We miss you here in Los Altos Hills.

I am writing to you today to provide you a quick overview of a potentially large problem and to request that Portola Valley join with Los Altos Hills and Los Altos in supporting the Mid-Peninsula Open Space District's Amicus Brief effort. Unfortunately I have another engagement this evening or I would have personally presented this idea directly to the Council this evening. Instead, I would appreciate it if you would forward this message to your councilmembers for tonight's meeting where this topic is expected to be discussed.

In brief, in February 2011, the SCC Board of Supervisors held a hearing concerning the Lehigh Hansen Quarry's "Vested Rights". In the end, the supervisors voted to grant vested rights for all of Lehigh's lands (roughly 13 or 14 different parcels totaling about 4500 acres). The outcome of that decision meant that, for all intents and purposes, the quarry business was effectively exempt from any further requirement to obtain SCC permits to conduct their business operations.

Unfortunately, their operations affect the health and well-being of our citizens every day. And that is why there are number of public municipalities and private organizations that are struggling to overturn this unfortunate decision.

Shortly after their decision, a non-profit group originally known as "No Toxic Air" (Now renamed BACE – Bay Area for a Clean Environment) filed suit against the Board of Supervisors attempting to overturn that decision. The court sided in favor of the Supervisors. In turn, BACE appealed the decision – it is still being considered by the Court. When that happened, it caught the attention of the Mid-Peninsula Open Space District who decided to pursue an Amicus Brief (a friend of the court type document) that would support the BACE appeal. In turn, they have reached out to those groups with a continuing interest in the issue to join in the support of the brief.

As a councilmember in the Los Altos Hills regarding this topic, I support this effort because this is the (only, last, best) effort that remains that might have the chance of reversing that fateful decision. I believe it is necessary to continue our stewardship of both the health and the trust of our citizens; we have a duty to ensure that their continued operations will be allowed with the highest personal health safety requirements possible imposed on their operation. I note that as a close neighbor to Los Altos Hills, that their dangerous plume of exhaust fumes also flow over Portola Valley. It is certain that your citizens are affected as well.

In my view, the quarry has previously demonstrated that it should be carefully monitored by our regulatory agencies. But the SCC BOS, our Lead Agency that is supposed to do this has, by its vote in 2011, effectively defined a hands off policy relative to their operations. The 2011 BOS decision was made in opposition to their own staff's recommendations; why they chose to do that, we will never know... But they did. It is true that the Air and Water regulatory organizations have imposed stricter performance standards on them, but the oversight effort is managed by the SCC BOS and with the new policy, there are very real questions that the effort will be done to the standards that we and our citizens expect.

There are now two cities, Los Altos and Los Altos Hills and at least two independent organizations who have agreed to join and support Mid-Pen's effort. All feel that a loud voice of the people who represent a large slice of our affected population should or will have an effect. Accordingly, I invite you to join with us and those other groups to help overturn what I believe was an unfortunate and erroneous decision. As stewards of our citizen's health and well-being, I believe that it is our duty to ensure that adequate standards of performance are imposed and maintained on this potentially dangerous operation.

Thank you for your consideration.

Sincerely,

Gary Waldeck

Mayor, Los Altos Hills

GCWaldeck@Gmail.com

(650) 739-8823 (Office/Cell)

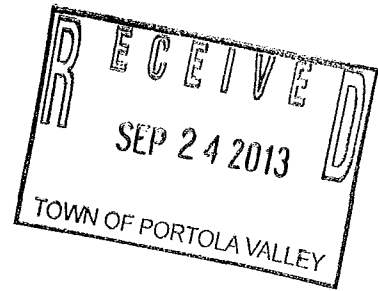
Nick Pegueros

From: Nick Pegueros
Sent: Thursday, September 26, 2013 9:38 AM
To: John Richards (JRichards@portolavalley.net); Ann Wengert (AWengert@portolavalley.net); Jeff Aalfs (JAalfs@portolavalley.net); Maryann Derwin; Ted Driscoll (tdriscoll@portolavalley.net)
Cc: Leigh F. Prince <lfp@jsmf.com> (lfp@jsmf.com); Sharon Hanlon
Subject: Lehigh Quarry pictures

The gentleman from Los Altos Hills who spoke last night, Jitze Couperus, forwarded me the following link to his pictures of the Lehigh Quarry.

<http://www.couperus.org/Albums/Quarry/>

Portola Valley Town Hall
Town Council
765 Portola Road
Portola Valley, Ca 94028



Attn. Sharon

Caroline Vertongen
100 Palmer Lane
Portola Valley, Ca 94028

September 23, 2013

Dear Town Council,

I am asking the Town Council to join other cities in California and consider signing the enclosed proclamation, declaring October 20-26, 2013, Freedom from workplace bullies week”.

I have been a resident of Portola Valley since 1994 and my family has helped the PV community for several years. I served on the Teen’s Committee and helped acquire shared bike paths to offer children safe bike rides to school using the PV trails, and I am currently helping PV residents with their efforts to control airplane noise and to make sure that SFO Airport complies with airplane noise and safe flying altitudes. My husband served on the PV Parks and Rec Committee and was a coach for AYSO and CY soccer teams for several years.

I am a responsible California citizen who is concerned about our nations’ future, starting with the issues I have experienced in public higher education and the healthcare system in the State of California.

I became a victim of academic and workplace “mobbing” (group bullying) and retaliation for disclosing the unethical and illegal conduct that takes place in Bay Area healthcare and education settings in collaboration with healthcare care educators at San Jose State University (SJSU) one of the California State Universities (CSU) promoting

Medicare Fraud, Elder Abuse and Neglect, and misuse of other federal funds, such as funds provided under the Individuals with Disabilities Education Act (IDEA).

Unfortunately, after more than 2 years of investigation and advocacy, I have discovered I am not alone. Mobbing and bullying has become an epidemic in California that seems to have empowered a network among state employees in collaboration with healthcare and education administrative personnel promoting uncivil and illegal conduct.

I have addressed my complaints and requests for investigation to all administrative personnel within SJSU and the CSU system and several departments both at the State and the Federal level and yet not one investigation has taken place. I am now in the process to work with the San Mateo County DA's office and hopefully they will be able to enforce the law.

I am not sure if the Town of PV has had issues with bullying or mobbing, but I know the town had its own experience with illegal conduct by State employees, e.g the recent case of the former superintendent of PV School district.

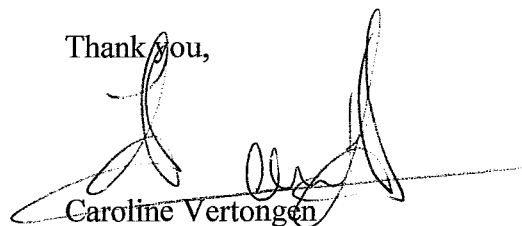
Bullying at the workplace is on the rise in California and victims are being silenced. Now I have joined an advocacy group trying to promote public awareness for what is happening behind closed doors and hopefully as a group we will be able to stop this uncivil and illegal conduct.

I have enclosed a summary of my personal experience, the departments I have contacted trying to resolve the situation, and a description of mobbing or group bullying as well as the references for its academic research and literature.

I have enclosed a list of cities that are in the process or that have signed the proclamation, the proclamation poster, and a blank proclamation form.

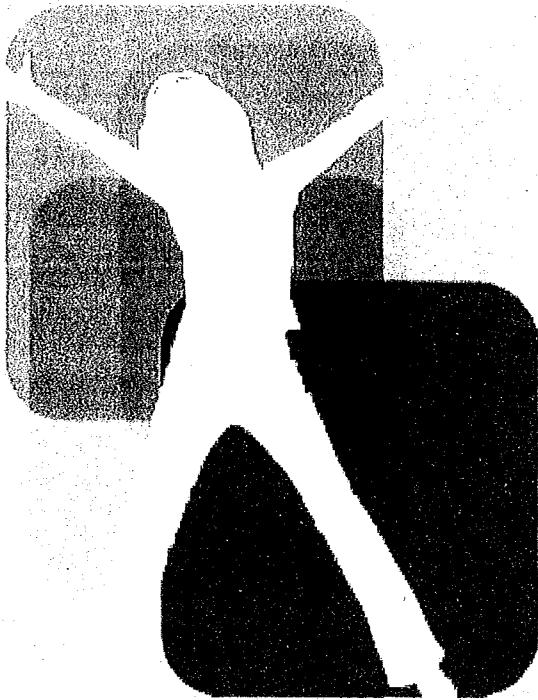
It takes a whole community to make this world a better place to live and I hope you will help me in my efforts.

Thank you,



Caroline Vertongen

A WEEK FOR SUPPORT, INSPIRATION, PEACE, AND HEALTH



FREEDOM FROM WORKPLACE BULLIES WEEK OCT 20 - 26, 2013

WORKPLACEBULLYING.ORG

Bullying is a systematic campaign of interpersonal destruction that jeopardizes employee health, careers, and strains families.

Bullying is non-physical, non-lethal workplace violence. It is abusive, causing psychological injuries and stress-related diseases.

The destructive power of workplace bullying comes from secrecy.

The Workplace Bullying Institute announces the 6th annual **FREEDOM FROM WORKPLACE BULLIES WEEK**.

The week is a chance to break through the silence and secrecy. It is a week to be daring and bold.

Everyone deserves a safe, healthy, and dignified workplace.

Find advice, tips, and activities at freedomfrombullies.org for:

**WORKPLACE
BULLYING
INSTITUTE**

- Employers
- Coworkers
- Family
- Friends
- Unions
- Mental Health Professionals
- School Administrators
- Legislators
- Community Leaders
- Medical Professionals

PROCLAMATION OF THE CITY OF

DECLARING OCTOBER 20 – 26, 2013 "FREEDOM FROM WORKPLACE BULLIES WEEK"

WHEREAS, the City of _____ has an interest in promoting the social and economic well-being of its employees and citizens; and

WHEREAS, that well-being depends upon the existence of healthy and productive employees working in safe and abuse-free environments; and

WHEREAS, research has documented the stress-related health consequences for individuals caused by exposure to abusive work environments; and

WHEREAS, abusive work environments are costly to employers with consequences including reduced productivity, absenteeism, turnover, employee dissatisfaction, and injuries; and

WHEREAS, protection from abusive work environments should apply to every worker, and not limited to legally protected class status based only on race, color, gender, national origin, age, or disability;

NOW, THEREFORE, the Mayor and Council of the City of _____ hereby proclaim October 20-26, 2013

"Freedom From Workplace Bullies Week".

and commends the California Healthy Workplace Advocates and the Workplace Bullying Institute, which raise awareness of the impacts of, and solutions for, workplace bullying in California and the U.S.; and

encourage citizens to mark this week with special activities and programs to break through the shame and silence enshrouding adult bullying at work. Included is a colorful poster to put up at work to encourage employee awareness and participation.

Mayor

Attest:

City Clerk (City Seal)

From: info@bullyfreeworkplace.org
Subject: **Bullybuster Alert: Second Proclamation came in today and...**
Date: September 18, 2013 11:16:19 PM PDT
To: undisclosed-recipients;

Hello Friends,

We're glad to report that the second Proclamation arrived today from Palm Desert. We also got a few more YES's. Fresno would like someone to accept the Proclamation in person in order to issue it...that makes 4 open right now: Fresno, Bakersfield, Dublin, and Visalia. Do we have members in these areas that could attend City Council meetings?

We have quite a few members who plan to accept Proclamations. THANK YOU ALL! Here is our progress report for today:
YES'S

1. City of Palm Springs
2. City of South Lake Tahoe
3. City of Upland
4. City of Berkeley – Rhea Settles to accept Proclamation
5. Santa Clara City
6. City of Morro-bay
7. City of Sunnyvale
8. City of Long Beach
9. City of Moorpark – (Sharon Lui)
10. City of Dublin)
11. City of Rancho Cucamonga
12. City of Santa Cruz (by mail)
13. City of San Diego (Sarah Crowl to accept)
14. City of Malibu (Felice Hardestein to accept)
15. City of Yuba City (Laurie Jones to accept)

16. City of Marina (Tara Slager)
17. City of Menlo Park, already IN (1st one, 9-17-13)
18. City of Sebastopol (10/15 meeting)
19. City of Rio Vista
20. City of Capitola
21. City of Wheatland
22. City of Manteca (will email Proclamation after 10/15)
23. City of Palm Dessert, in 9-18-13
24. City of Oakley
25. City of Goleta
26. City of Colusa (Karen Clark to accept)

City of Fresno – wants someone to accept in person

City of Bakersfield –wants local to come to meeting for proclamation and hold event.

City of Visalia - wants local to come to meeting for proclamation and hold event.

Background

In 2005, at 43 years of age, I went back to college to pursue a career change and passion for Occupational Therapy (OT) with the hope to work with children who have been diagnosed with Autism and/or a Developmental Learning disability. I attended San Jose State University (SJSU), one of the California State Universities (CSU's), graduated with honors and a Masters degree in Occupational Therapy, but have been unfairly denied a chance to take the National Board exam therefore cannot work as an OT.

SJSU OT Program Pattern I, BS/MS

In order to become licensed, OT students are required to pass two 12- week level II internships; one at a psychosocial setting and one at a physical disability setting to become eligible to take the National Board Exam. I passed the psychosocial one and received a job offer, but did not pass the one in physical disability; not because I am not qualified, but because I was retaliated against by my own OT department in collaboration with fieldwork site I and III for disclosing unethical, uncivil and illegal conduct promoting Medicare fraud and Elderly Abuse and Neglect.

I believe I did fulfill all my responsibilities as a student and intern, but was unable to successfully complete the second fieldwork requirement because the SJSU OT department (OT Chair and fieldwork coordinator) placed me at fieldwork sites that violated OT values, OT Code of Ethics, SJSU/American Occupational Therapy Association (AOTA) fieldwork and supervision guidelines, AOTA/Commission of Education (COE) guidelines for OT fieldwork experience level II, promoting Medicare fraud and other conduct of Elder Abuse and Neglect. When I expressed my concerns, the SJSU OT department left me unsupported and collaborated with the unethical and illegal conduct of the fieldwork site, continued to propagate untruths and used words to discredit me, subjecting me to further harassment and intimidation to the point I became completely powerless.

I was bullied by my Clinical Instructor (CI) at the first fieldwork site - Traumatic Brain Injury Rehabilitation Department at Santa Clara Valley Medical Center- but did not know it at the time since I had never experienced this kind of conduct and definitely did

not expect it in healthcare. I did report the over controlling and over demanding behavior of my CI to the SJSU fieldwork director during a SJSU campus meeting in the 4th week of the internship. The week prior I had worked with three other OT's because my CI was on vacation and I had not experienced any problems. The SJSU fieldwork director sympathized with me but did nothing else other than telling me to try to do my best. The more I tried to adhere to the demands of my CI, the more demanding and meaner she became. At the end of the 6th week she handed me my midterm and to my surprise I did not pass. My CI had evaluated performance skills I had not even performed or was given the chance to perform and when I asked her for an explanation she handed me a list of professional behaviors that were problematic. The list was vague and unsubstantiated and aside from "communication skills" and "timely documentation" these behaviors had never been brought up before. I was promised a round table meeting the following week to discuss goals so I would be successfully finish the fieldwork, but that meeting was cancelled and I was abruptly terminated on Thursday morning August 12, 2010 based on an "alleged" safety violation. A brake of my patient's wheelchair became unlocked as she was readjusting her midline position after a safe couch-wheelchair transfer. That is not a safety violation, but the SJSU OT department Chair refused to investigate the situation and accepted the decision of my CI, her former student. I did not know my rights and was so emotional distressed, confused and worried about my own health, that I simply accepted to retake the course at a later time.

I completed and passed my second fieldwork requirement in the psychosocial setting successfully and was offered a job that would start in April 2011 (after I retook the first fieldwork requirement).

To retake the first course, SJSU placed me at a Skilled Nursing Facility that again violated OT values and AOTA Code of Ethics, SJSU/AOTA fieldwork guidelines, but also violated supervision guidelines, committed Medicare fraud and demonstrated conduct of Elder Abuse and Neglect. I was forced to work autonomously with no help and/or training from the third week on. In the 3 week and beginning of 4th week I was reprimanded for wearing gloves in the hallway once and in the rehab gym once. Many of my patients had pneumonia and sepsis and in those two situations I felt I needed extra infection control protection, only to found out later that there was an internal policy

asking professionals and staff not to wear gloves in those areas “just in case there was control from outside”. Later that week I was unexpectedly presented with an educational contract that suddenly accused me of violating infection control and supervision guidelines. The contract contained untruths and words to discredit me and I had to accept these wrong accusations by signing the contract with no due process. When I expressed my concerns, the SJSU OT department left me unsupported and collaborated with the unethical and illegal conduct of the fieldwork site, continued to propagate untruths and used words to discredit me, subjecting me to further harassment and intimidation to the point I became completely powerless.

Despite the hostile situation I passed my Midterm, but in the 10th week of my internship an argument with the rehab director regarding documentation that had been approved and signed off by my supervisor led to another educational contract clearly insinuating that I would fail the internship. Again the contract came unexpectedly, the accusations were unsubstantiated, the goals were vague and some were unachievable, again using untruths and words to discredit me, and a closing statement acknowledging that “if I did not meet the goals and guidelines by April 1, I would fail”. Again I was admonished to sign it with no due process. This time the SJSU fieldwork director was not present and had not signed the contract. I sought help with the SJSU OT department by sending the fieldwork director and the OT department Chair an email expressing my concerns, but was left ignored. At the end of the 12th week I received a non-passing grade. The SJSU OT department immediately disqualified me from the OT program and SJSU gave me no other choice but to file an academic grievance under Policy S07-6.

In my opinion the OT department in collaboration with the fieldwork site I and III violated the OT Practice Act, by violating California Business Code 2570.2, 2570.28, 2570.3, 2570.4 and California Code of Regulations title 16, codes 4100, 4170, 4175, and 4181, and civil code 43,44, 45, 52.1, 1571, and government code 8547.2, 8547.

Mobbing or group bullying

From May 2010 until February 2012, I did write three personal statements with 21 accompanying appendices to proof my allegations. Each written according to a specific stage of the grievance process and according to what I understood of my situation at the

time. The first two were submitted to the SJSU Ombudsman for the SJSU academic grievance process. The third one was just written in February 2012, as I became more aware of the conspiracy that took place among SJSU faculty and staff as I was trying to resolve my abrupt disqualification and unfair grievance through the appeal process. Thanks to the discovery of many relevant web resources such as www.healthyworkplacebill.org, www.mobbing-usa.com, and www.Harassment101.com, I became aware of the types of incivility and how they manifest. However it was thanks to the academic research as listed in my references, that I was able to understand the complexity of my situation and verbalize that experience as I finally realized that I became the victim of **academic and workplace mobbing, or group bullying**.

“ Mobbing is an emotional assault used systematically over time to intentionally push the victim into a helpless and defenseless position. It is aggression against “anyone” rather than specific discrimination against someone of protected status. It is malevolent behavior that involves the interplay of organizational, group, and individual dynamics and behaviors designed to secure the removal of an individual from an organization through unjustified accusations, humiliation, general harassment, and emotional abuse. At first the victim becomes the target of disrespectful and harmful behavior, then through insinuation, gossip, and public discrediting, a hostile environment is created by one person who recruits others to voluntarily or involuntarily participate in continuous malevolent actions to force a person out “ (Davenport, Schwartz, & Elliot, 2005). The victims of mobbing are usually individuals who have demonstrated exceptional accomplishment, commitment to work, integrity, innovation and intelligence and competence “ (Duffy & Sperry, 2007 p. 398). Just like bullies, mobbers do not adhere to rules or any regulations and like power. The academic research and literature regarding ‘Mobbing’ surfaced more than 10 years ago, yet the term remains unknown to the mainstream public. Mobbing predominately exists in education, healthcare and non-profit organizations and is on the rise (Davenport, Schwartz, & Elliot, 2005; Duffy & Sperry, 2007). Twale and DeLuca (2008) identify the rise of a bully culture in higher education and report the relationship of politics, power, bureaucracy, gender and social learning causing this rise in academic incivility.

Thanks to the referenced academic literature I discovered Dr. Leymann's five phase mobbing process used by my OT department in collaboration with fieldwork site 1 and 3 to eventually disqualify me from the OT program: Phase 1: conflict phase, Phase 2: aggressive act and psychological assaults against the victim, Phase 3: administration/management involvement; Phase 4: branding victim as difficult; and Phase 5: the expulsion phase (Davenport, Schwartz, & Elliot, 2005, p. 29). Mobbing is used 1) to force someone to adapt to the group norm, 2) to revel in animosity, 3) to gain pleasure, out of boredom, 4) to reinforce prejudice (Davenport, Schwarz, & Elliot, 2005, p58-59). This discovery was like finding the missing puzzle piece and enabled me understand my experience, which I have verbalized in my third personal statement.

Mobbing can only exist if it supported by the organization, which in my case is the CSU system. I became aware of the unfair grievance and appeal process and the mechanism used at SJSU and within the CSU system to protect the OT faculty and promoting this kind of uncivil and illegal conduct.

SJSU/CSU Grievance –Appeal Process:

SJSU has policies in place such as S90-5, S99-8 and S99-11 to warrant Student rights, Professional Conduct and Academic freedom, but lacks transparency for the administration of these policies and students need to rely on the information given by the SJSU Ombudsman. That information was inconsistent; contrary to the guidelines of the SJSU Catalogue, SJSU OT student Manual Pattern I, BS/MS program; and even the guidelines under the academic grievance policy S07-6. The Interim Ombudsman started the grievance with Executive Order (EO) 792: grade dispute. The permanent SJSU ombudsman presented Policy S07-6: Part A: grade appeal and Part B: grievance against faculty. The grievance was being manipulated and my due process rights were being violated, and there was nothing I could do. Ultimately the Student Fairness Committee (SFC) based its decision on Policy S09-7, which only addresses a grade appeal.

I appealed the decision of the SFC with the CSU Chancellor's office and submitted my complaint and evidence that the SJSU OT department faculty in collaboration with fieldwork I and III violated the law, subjected me to general harassment, intimidation and retaliation, I explained the Medicare fraud and gave

examples of the Elder Abuse and Neglect I witnessed. The office of the Chancellor's office replied that my allegations fell outside his purview and referred me back to the SJSU Ombudsman, who simply ignored me. After a month waiting I followed the recommendation of the CA. Justice Department and sent my complaints and request for investigation to the CSU Board of Trustees, the Chancellor again, the SJSU President, the SJSU Academic Senate, the SJSU Provost but I was simply ignored.

With no legal representation at the time and no transparency of administrative processes to warrant student rights and academic freedom I continued to get the runaround and was left ignored. I became aware that SJSU and the CSU system have established a bureaucratic mechanism for deferring responsibility and refusing to implement policies that address accountability (Twale & DeLuca, 2008).

In May 2012, with the help of Senator Yee, I received word that my appeal case was at the SJSU Provost's office. On May 21, 2012 the Provost replies that "she is working with others across campus to confirm that all aspects of my appeal process has been completed" and confirms that "the university is committed and mandated to follow a deliberative and fair process". She ends her email by saying "she hopes to get word on the status of your inquiry by the end of the week, so that the Vice Provost can contact me after next week. The very next day, on May 22, 2012, I receive an email from the SJSU Ombudsman informing me that she is writing on behalf of the SJSU Provost announcing that the "**grade appeal process**"(again only part A of S07-6) has been reviewed and the review upholds the decision of the SFC therefore my case is closed. She also requests that I refrain from contacting any administrative staff at SJSU for further discussion or consideration, and concludes the email by confirming that I qualify to get my Masters Degree in Occupational Therapy.

In June 2012, I came across a PDF file of October 2011 from the SJSU Accommodation Review Board (ARB) Committee, listing my OT Chair as ARB Chair, and CASA Dean, SJSU Ombudsman, and Vice Provost for Academic Administration and Personnel, as ARB members. Another list revealed the members of the Western Association of Schools and Colleges (WASC) Steering Committee with SJSU Provost,

Chair of SJSU Academic Senate, Associate Dean of Graduate Studies, and another OT faculty member (who defended the OT department Chair during the July 19 meeting with the CASA Associate Dean) as members. These are the same people I contacted and requested help after the disqualification and during the academic grievance/appeal process.

California has several policies in place, such as AB9, AB 86, AB, 1156, SB 719, SB 777 to protect students, and AB 1582 to protect workers against harassment, bullying, and even mobbing, however I came to understand that many laws only apply to K-12, or/and the protected discrimination status under age, religion, nationality, gender, military status, disability and that some of them have statues of limitation.

The CSU system ignored the appeal process and the complaint process it has in place under Executive Order (EO) 927, 928, 1045, 1058 and 1063 to report harassment, intimidation, retaliation, improper governmental activities, and other illegal conduct by CSU faculty and staff.

In my opinion SJSU and the CSU system have violated education code §66030, §89542.5, §89535, Cal. Government code §8547.12, and the requirements of the Higher Education Act Ttitle IV, 34 Code of Federal Regulations.

State and Federal Officials:

Unfortunately the further I explore to understand the complexity of my situation, the more information I obtain how these networks have extended and empowered themselves outside the CSU system.

I learned that Governor Brown had eliminated the regulatory Board overseeing the Higher Postsecondary Education in November 2011; therefore, I did submit my complaints and request for investigation to several officials both at the State and Federal Level. Several have confirmed an investigation but so far not one has taken placed. Here are a few examples departments and officials I contacted since March 2012:

- **California State Department of Justice under claim PIU 464922 (3/12)**– told me to address in my complaints to the CSU Board Of Trustees and the Department of Fair Employment and Housing.
- **California State University Board of Trustees. (3/12 and 5/12)** Upon the recommendation of the Justice Department I sent in my complaints and request for investigation on two different occasions, but was left ignored both times.
- **Department of Fair Employment and Housing (3/12)** -I was told that as an Intern I did not qualify and should use the internal process at SJSU.

- **San Francisco Office of Civil Rights (3/12)**– harassment is unlawful discrimination under education code 66030 according to California Civil Rights handbook published in August 2001, however the SF Office of Civil Rights only investigates discrimination under the protected status of race, creed, color, sex, religion, or national origin.

- **California Department of Consumer Affairs Executive Office of the Board of Occupational Therapy – claim UL2011-349 (3/12 - present)** In March 2012, I was promised an investigation, but only heard from them in February 2013 after submitting an inquiry and updated timeline and updated list of exhibits . In February 2013, the department sent a reply requesting all exhibits, however since it said that it only had authority to investigate the Occupational Therapists I only submitted exhibits 1-R. On June 17, 2013 I received a letter signed by a different DCA Board of Occupational Therapy “enforcement coordinator” that my case is closed due to insufficient evidence”. This letter came one week after I sent them a copy of my letter of June 5, 2013 sent to the California Department of Public Health informing that I am not satisfied with their findings and appeal the decision. I informed them I am asking the help of Esquire Helen Karr, SF District Attorney’s office- special investigation Elder Abuse – to help coordinate a meeting with all 3 State Departments who have my case and who promised an investigation, but keep me waiting instead. This meeting should provide the billing documents showing that I worked autonomously and that my OT skilled therapy services were billed under the Rehab Director’s name, which is a violation of Medicare Supervision guidelines and OT practice Act; and the medical records will prove other allegations such as the illegal documentation practice. I replied that first of all my allegations were not only against the SJSU OT faculty, but them in collaboration with the OTR’s at fieldwork site I and III. I insisted that closing my case would be a violation of the California Constitution, violation of the administrative Law and a violation of the Whistleblower Act. I reminded them that their department is paid by Tax payers money and they have the responsibility to investigate the uncivil and illegal conduct of occupational Therapists to warrant the rights of healthcare students, healthcare professionals and the patients and to ensure the safety and quality in healthcare.

Upon my return on August 26, I received a letter dated Aug. 9, from the Cal. State Department again signed by the original processor stating that she has received my letter on June and that they are researching my concerns. I called the Board on September 10, 2013 to find out the status of the investigation – and found out they are not planning anything. I also found out that the person who is in charge of my case does not know what OTs do but “is familiar” with the OT practice act. She also told me “that Board does not have the authority to review the billing records and the medical records of the fieldwork site – and claims that the only way to prove my allegations is by providing the Board with a list of patient names, (initials is not good enough). I replied that this is against the Privacy Act, so that would be illegal. Her comments do not adhere to the administrative process outlined under the California Code of Regulations –Title 16 – and responsibilities of the Department of Consumer Affairs.

- The American Association for Occupational Therapy – Accreditation Council for Occupational Therapy..

Filed my complaint and received confirmation in March 2012. In November 2012, I get a letter again confirming my complaint and notice that SJSU has been given a chance to respond. On Dec. 10, 2012 the Director of Accreditation and Academic Affairs stated that “ACOTE found the Master’s program in compliance with the Standards cited in the original letter of complaint” – Again no hearing or testimony of my witnesses, review of my evidence, especially the billing documents and medical records. It should be noted that SJSU closed the BS/MS program in Fall 2012 and replaced the OT department Chair. ACOTE never investigate the situation, waited until SJSU cleaned up their department, and then issued a statement based on what SJSU replied with verifying if that was the truth. In January 2013 I found the PDF file In January 2013, I discovered this memo <http://www.calstate.edu/acadAff/codedmemos/AA-2008-24.pdf> Indicating that the CSU system did not comply with education code 89220 and WASC standards

-The American Association for Occupational Therapy (AOTA)- Ethics Committee.

I first contacted the AOTA Ethics Committee in September 2011. I requested their help. Due to the grievance process, I feared I was not going to be able to finish my fieldwork requirements by May 2012 and I could not transfer to one of the 2 other academic programs (Samuel Merritt or Dominican because they had a waiting period for 2013 and needed a letter from the OT department Chair that I was in good standing. By then I knew that the OT department Chair was propagating untruths and using words to discredit me. The AOTA Ethics Committee replied that I had to go through the internal process first.

I filed my complaints and requested an investigation in March 2012 and received confirmation with a note that only AOTA members will be investigated; and since my first CI and my supervisor of fieldwork III were not members, they would not be part of the investigation. In September 2012, I simply received a letter signed by the Staff Liason to the Ethics Commission stating that; “following thorough investigation, review and discussion by the Commission, it was determined that no ethical violations had occurred and that the cases therefore are closed”.

I did not have a hearing, never had a chance to submit all evidence, there was no interview with my witnesses, and no review of the billing and medical records at Skilled Nursing Facility.

- **Governor Brown** (4/12 and 8/12). Governor Brown is a member of the CSU Board of Trustees. Won proposition 30 and promises safe and equal opportunity in public higher education. The CSU campus was used to promote Proposition 30. Governor Brown closed the overseeing California Postsecondary Education Commission in November 2011. I did submit my complaint, requested an investigation and information as to whom to contact since the overseeing department has been closed, on two different occasions but was ignored both times.

It should also be noted that the CSU system receives Federal Pell Grants and funding under the SAFRA ACT and the Healthcare and Education Reconciliation Act of 2010.

-**Senator Leland Yee**- very responsive at first and his San Mateo Office helped me locate my case at the SJSU Provost office, however ignored me after May, 22, 2012. Later on I found out that Senator Yee had introduced SB1336 and reprimanded Chancellor Reed for failing to report to the mandated agencies. See <http://www.sfgate.com/education/article/Sen-Leland-Yee-presses-CSU-on-whistle-blowers-3457285.php> -

I am not the first who has been retaliated against for disclosing the unethical and illegal conduct among CSU employees. Several SF Chronicle Articles disclosed that since 2009, under the administration of Chancellor Reed, the CSU system had paid over 9 million dollars for 9 retaliation cases for disclosing unethical and illegal conduct.

(<http://www.sfgate.com/education/article/CSU-head-Reed-retiring-groups-split-on-his-effect-3585447.php>,
<http://www.sfgate.com/education/article/CSU-whistle-blower-loses-job-accused-teaches-on-3450614.php>,
<http://www.sfgate.com/education/article/Fired-CSU-whistle-blower-gets-100K-settlement-3665235.php>,
<http://www.sfgate.com/education/article/Sen-Leland-Yee-presses-CSU-on-whistle-blowers-3457285.php>).

- **Western Association Accrediting Commission for Senior Colleges and Universities**

(6/12). Pursuant CSU EO 1063, students can file complaints and report violations of state laws and mentions the WASC for filing any complaints with academic program quality and accrediting standards. On July 27, 2012 I received the decision of a WASC Associate, Dr. Brenda Hill, informing me she closed the complaint because she found no violation of WASC standards. Her review only checked if policies were in place, she never reviewed my complaints and request to investigate the actual administrative process. I did provide my whole story and its complexity including the violations of the law, proof of the collaboration among SJSU faculty and staff, the inconsistencies with the SJSU Catalogue and the OT student Manual Pattern I BS/MS and the violations of my due process, the lack of response by the CSU

Board of Trustees and ignorance of the executive orders. Strangely enough in Fall 2012 the SJSU OT department closed the BS/MS program. A PDF file retrieved in January 2013 revealed that the SJSU OT department violated the WASC standards and violated education code 89220-89223.

<http://www.calstate.edu/acadAff/codedmemos/AA-2008-24.pdf>

-California Auditor Elaine Howle – claim 12012-1020 (6/12) filed my complaints and request for investigation pursuant Cal. Government Code 8543-8547.

- US Secretary of Health and Human Services, Kathleen Sebelius – (9/12). Ms Sebelius signed the Health Care and Education Reconciliation Act in 2010. Subtitle D provide funding to fight fraud, waste and abuse. Besides the mobbing, I reported the complexity of my case: ignorance by the CSU system, network manipulating the grievance, ignorance by the Cal. State Department Board of Occupational Department, Medicare Fraud, Elder Abuse and Neglect, questioning the improper use of federal funds. The CSU system receives funding under the Healthcare and Education Reconciliation Act. My case was deferred to the **OCR office** under **claim 13-000140** and again closed because they only investigate discrimination based on race, color, nationality, disability, age, sex, or religion.

- US Secretary of Education, Arne Duncan and Inspector General, Kathleen Tighe (9/12). There is no Cal. state department overseeing the CSU system and the CSU Board of Trustees and other officials had ignored me. The CSU system receives Federal Pell Grants and funding under the Student Aide and Fiscal Responsibility Act (SAFRA) of 2009. I never heard back from the General Inspector's office and the US department of Education sent my case to the **OCR office under claim 09-13-2014** and closed because they only investigate discrimination based on race, color, nationality, disability, age, sex, or religion.

- California State – Health and Human Service Agency – complaint CA 00333172 (11/12). On May 24, 2013 I called the Dept. because I was promised an investigation and had not heard from them since November 2012. At first they could not find my case, then I was told my case was closed. When I insisted to review the letter of November 15, which promises my participation, I received a letter on May 27, 2013 informing me that I have the right to request an informal conference if I am dissatisfied with the Department's findings. I did respond that I am not satisfied and request an informal conference on June 5, 2013. On August 28, 2013 I contacted the Ca. State department again, but had to leave a message for supervisor G. Leung. He never returned my phone call, but on 09/05/13 he told me the department will contact me to inform me when the hearing will take place.

- **SF Federal Bureau of Investigation** (12/12). The lack of response prompted me to contact the FBI. It should be noted that besides the Medicare fraud two of my patients died at the Skilled Nursing Facility under circumstances that indicate Elder Neglect (possibly financial abuse). This has been reported to all state and federal officials and yet no sign of an investigation. Unfortunately I was sent from one department to another and was finally told to post my story online. I posted my story on their website on **December 9** under healthcare fraud.

- **California State – Department of Industrial Relations – Division of Labor**

Standards Enforcement- retaliation Unit – claim 30556-SACRCI: Vertongen v SJSU - 07 Department (3/15/13). On April 15, 2013 I received notification from Angeline Rátekin, Sr. Deputy Labor Commissioner, that most retaliation cases have to be filed within 6 months of the adverse action, but that complaints about violations of licensing andhave different timelines” The letter further indicates that ‘ if I have a good reason for not filing on time, I should respond within 20 days of receipt of this letter”. I sent my reply on 4/26/2013 and tracking shows that the department received my package. Again was left ignored. On June 5, 2013 I inquired about my case and also informed them that I have requested the help of Esquire Helen Karr, to make my billing documents and entry documentation available for them because it is part of my evidence . On June 25, 2013 I received an identical copy of the letter that was sent on April 15. The same letter stating there are exception if I file an explanation for not filing on time. I had replied to the first one on 4/25, therefore sent a copy of the tracking records showing they received it on 4/26. It should be noted that the letter of June 25, came after I had sent them a letter asking for an update and notifying them that I have appealed the decision of Dept. of Public Health and have requested the help of Esquire Karr to provide access to the Medical and billing records at St. Francis Heights. On July 5 a message was left on the home recorder that my case was filed after the deadline and therefore time-barred.

- **Bureau of Investigation Santa Clara County – attn. Peter Oliver, Chief of**

Investigations (4/13). Mobbing is a silent crime and although the OT department Chair has been replaced, the BS/MS program has been closed, and the administrative law title 5- section 42714 Grievance Procedures for Academic Personnel has been repealed, SJSU has not made any changes to its administrative process to protect student rights and academic freedom therefore these SJSU faculty members can continue to fail students with no due process and continue to promote uncivil and illegal conduct that affects public health and public education. This investigation bureau also lists that it investigates Elder Abuse and Medicare Fraud.

Received response signed by Deputy District Attorney, John Chase, stating that “ the authority of the District Attorney’s Office to intervene in the affairs and operation of other public agencies, such as SJSU is mostly limited to situations in which a crime is involved. There are some circumstances in which

our office has authority to file civil actions and conduct relations investigations, but those circumstances are few and clearly set forth in specific statutes. In your lengthy complaint, I did not see anything that led me to believe that investigation by our office would like turn up evidence of criminal activity. I also am unaware of any statute that permits our office to conduct a non-criminal investigation....On May 2, 2013 I replied that “ academic and workplace mobbing or group bullying is not my first complaint because it is not recognized by the judicial system, but will continue to advocate for it because it is a viscous crime that hurts people psychologically, physically, emotionally, financially and professionally. My first complaint is that I have been retaliated by the OT department for disclosing their uncivil and illegal conduct in collaboration with fieldwork sites in public healthcare and public education promoting healthcare fraud, Elderly Abuse and Neglect and my secondary complaint is the conspiracy that takes place among SJSU and CSU faculty and staff to cover up this type of conduct leaving students, responsible healthcare professionals , and the elderly no due process to defend themselves.” and added a 3 page explanation. On May 16, the Deputy District Attorney replied that he continues to “ hold the opinion that my complaint does not involve a crime. That it appears to be a civil, not a criminal matter”

- San Francisco District Attorney Office – Esquire Helen Karr- Special

Investigations; Elderly Abuse. (4/13). An article in the SF Chronicle informed me about Esquire Helen Karr and her special investigation regarding Elderly Abuse. Although I have not received any formal correspondence indicating that she has started any investigation, she did leave me a message on my answering machine on May 8, 2013 apologizing for not responding earlier, but that she has been on medical leave, that she has received my request for investigation and that she will try to contact me at a later time. On June 5, I did forward her a copy of my reply to the Cal. Health Department and asked if she would help me with organizing that informal meeting and providing access to the billing records and entries I made in the medical records to substantiate my allegations. I left a message on her voice mail on July 8, 2013, but have yet not received any response.

On 8/05/2013 I received a phone call from the SF District Attorney’s office explaining that Esquire Helen Karr has retired and that the special investigation program on Elder Neglect and Abuse has been closed. He advised me to file a report with the Daly City Police. I did file a complaint with the Daly City Police, and was referred to the San Mateo County DA’s office. Andrea Higgins, Special Investigator at the San Mateo County DA’s office in return sent me back to the Police department stating that she cannot start an investigation until the Police has completed its investigation. I have been assigned to Detective Bray, who is convinced that this is not his line of duty and that Medicare and the California Regulatory Boards are in charge. On September 23, I found out he did not open a file. So I am back at the San Mateo County DA’s office.

Legal Assistance

I personally have spent over \$25,000 in legal and administrative fees trying to help me understand and protect myself within the complexity of my situation. At first I could not find a lawyer who would assist me during the SJSU Academic Grievance. The lawyers I contacted told me either that it was beyond their expertise or that I had to go through the internal process first.

Then with the lack of transparency, the many inconsistencies, and violations of my student due process rights, I became intimidated by SJSU as an institution and increasingly suspicious of the unfair grievance/appeal process; however, could not rationalize it at the time because I was so emotionally distressed by this mobbing process.

Three weeks before the SFC hearing of December 7, I did find a lawyer who agreed to look at the grievance process, who would review my 15-minute presentation, and who would accompany me to the hearing. SJSU does not allow legal representation. This was my first experience with legal assistance and unfortunately a bad one. My lawyer not only breached our client-attorney agreement, but also failed to fulfill his legal responsibility as described in the scope of legal services. I am currently in the pre-trial phase of a Limited Civil Lawsuit case in Santa Clara Superior Court.

After the academic grievance and during the appeal process I continued to look for new legal representation. I contacted at least over 50 lawyers and all Bay Area Bar Associations without finding a lawyer who could represent me. In May 2012, I did find a lawyer who came recommended and specialized in Public Higher Education. He reviewed my case and helped me write the letter to the SJSU Provost. He also warned me that I am dealing with a deep pocket public institution that is not likely to deter from high litigation costs” and estimated the cost to easily reach \$150,000; he warned me about the long process and the emotional distress I would have to endure again and the chance of having a judge with a political agenda. He would not take my case on a contingency basis and I have yet not found any lawyer or firm who would.

Outcome

I have seen some result. The CSU Chancellor has retired. The SJSU OT department chair has been replaced but kept a teaching position and Chair position of the Accommodation Review Board Committee. The SJSU fieldwork director kept her job, but SJSU closed the BS/MS Pattern I program. The California Administrative Law title 5

Section § 42705 “Chancellor “and Section § 42714 “Grievance against faculty” have both been repealed since Fall 2012.

However no investigation has taken place to protect my rights and compensate me for the physical, psychological and financial losses I have endured, no changes have been made to warrant Student Rights, Professional Conduct and Academic Freedom at SJSU and the CSU system, and no changes have been made to hold professionals accountable for illegal conduct at Healthcare settings.

Occupational Therapy

Occupational Therapy (OT) is a fascinating healthcare profession that uses a combination of psychology, neuroscience, anatomy, biology, mental health and activity analysis to promote functional activity and overall well-being with a humanistic and client centered approach. We practice under the core values of altruism, equality, freedom, justice, dignity, truth, and prudence and seven codes of ethics: Beneficence, non-maleficence, autonomy/confidentiality, duty, procedural justice, veracity, and fidelity.

In March 2012 I sent my complaints and request for an investigation to the American Association for Occupational Therapy (AOTA) Ethics Committee and the Accreditation Council for Occupational Therapy (ACOTE) and received their confirmation that same month. Early October 2012, the AOTA Ethics Committee sent me a letter with the explanation: “ that they did not find any violations therefore the cases are closed”. The ACOTE sent me a letter in December 2012 finding the SJSU Master’s Program in line with the accreditation guidelines. Both departments deviated from their own procedural guidelines: there was no investigation; there was no hearing, no request for evidence, no interview with my witnesses, no review of the billing and medical records of the Skilled Nursing Facility.

I had a strong passion for OT, but the decisions of the AOTA Ethics Committee and the ACOTE have left me perplexed and have raised questions about the integrity of the healthcare profession.

The billing and medical records at the Skilled Nursing facility are the key evidence to prove my allegations, but so far I have stumbled on a mechanism used by State departments to defer responsibility and to procrastinate a proper investigation.

Conclusion

Thanks to the support of my husband, family, friends, and professional acquaintances I have survived this ordeal. I also believe that my training as an OT in psychology and mental health has helped me prevent a more devastating outcome.

The repeated psychological assault of harassment, intimidation and wrongful accusations by the group leaves the mobbing victim profound feelings of self-doubt, shame and humiliation often leading to increased self-imposed isolation, affecting the victim's personal life, often causing Post Traumatic Stress and even resulting in suicide (Davenport, Schwartz, & Elliott, 2005; Duffy & Sperry, 2007).

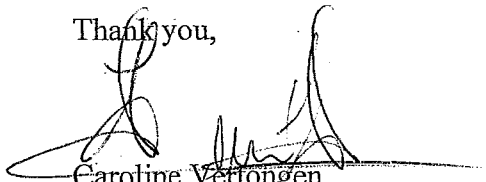
Based on my own experiences, the academic research and literature, the countless confessions discovered on the Internet, and the reports from acquaintances who work in healthcare, it seems that mobbing or group bullying has become a standard in Managed Healthcare and it needs to stop. Mobbing promotes incivility, empowers Medicare fraud and increases the vulnerability of Medicare patients and health professionals who protect the integrity of the health profession under the pressure of Managed Healthcare; therefore should be stopped.

It is simply "shocking" to find out how these networks have empowered themselves in public offices under the pretense of humanistic and promising mission statements and yet when I ask to investigate the broken promises they either ignore me or boldly defend the accused ones without proper investigation or proper explanation.

A recent article in the SF Chronicle <http://www.sfgate.com/crime/article/Probes-lax-into-suspected-violence-by-caregivers-4800530.php> and a Frontline/KQED broadcast (#3113H) "Life and Death in Assisted Living" have echoed my frustration and concerns, but also indicated the problems with proper administration at the higher levels; therefore, I will continue to promote public awareness.

I hope you will endorse our advocacy and make California a better place to live.

Thank you,



Caroline Vertongen
650-529-0411

References

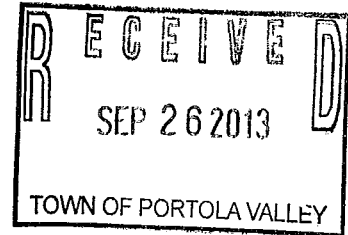
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LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

September 23, 2013



To: County of San Mateo
 Cities and Independent Special Districts

From: Martha Poyatos, Executive Officer

Subject: San Mateo LAFCo Final Adopted 2013-14 Budget

At the September 11, 2013 LAFCo meeting the Commission considered and approved the final revised 2013-14 Budget of \$412,774 (Net Operating Budget of \$295,909), resulting in one-third apportionment of \$98,636 to the County, 20 Cities and 22 Independent Special Districts. The Commission directed staff to transmit the budget to the County Controller for apportionment and to the County, cities and independent special districts.

Apportionment will be calculated the County Controller based on revenues reported for cities and special districts in the most recent versions of the State Controller's Reports for Cities and Special Districts and the Controller will send invoices to cities and special districts accordingly.

Please contact me if you have any comments or questions.

Sincerely,

Martha Poyatos
 Executive Office

C: County Controller

1 of 2



LAFCo Budget - September Revise 2013-14 prepared Sept. 5, 2013 Adopted September 11, 2013

		Actual	Amended Adopted	Final Actual	Adopted Sept. Rev.	Final Revised
		2010-11	2011-12	2011-12	2012-13	2013-14
4111	Salary & Benefits	195,042	195,321	197,883	194,265	196,912
4141	Admin. Leave Cash Out	3,237	3,003	4,927	4,900	4,900
4161	Commissioner Compensation	3,700	4,800	4,500	4,800	4,800
	County Annuity	7,119	7,625	7,230	7,625	7,853
	SALARIES & BENEFITS	209,098	210,749	214,540	211,590	214,465
5191	Outside Printing (other special pri	11	1,000	170	500	1,000
5193	General Office Supplies	500	500	500	500	500
5196	Photocopy - in-house copier	500	500	500	500	500
5197	Postage & Mailing Service	417	1,000	1,481	1,110	1,500
5212	Computer Equipment under \$5,000	-	-	1,386	-	-
5331	Memberships (CALAFCo/CSDA r	5,093	5,939	5,939	6,069	6,188
5341	Legal Advertising	150	1,500	566	1,500	1,500
5712	Mileage Allowance	0	250	0	250	250
5721	Meetings & Conferences	3,658	5,000	3,953	6,000	6,000
5733	Training	0	250	275	250	250
5810	Fiscal Office Specialist	988	988	988	988	988
5218	Corovan Records Storage (new C	177	200	140	200	200
5848	Graphics	2,320	6,500	950	4,500	4,500
5856	consulting					50,000
5962	Admin Asst. Shared with Parks.	14,997	25,000	11,030	25,000	25,000
5861	GIS Mapping	0	2,500	0	2,500	2,500
5872	Controller Admin**	1,760	1,936	1,760	2,440	2,440
6712	Telephone	670	670	620	670	670
6713	ISD (Automation Services)	2,694	4,650	4,462	4,650	4,650
6714	Rent	2,986	3,937	2,703	2,703	2,703
6722	Copy Center Charges	241	2,000	0	0	0
6725	Gen'l Liability & bond ins.	3,559	3,560	4,208	4,229	4,229
6732	County Counsel	18,060	39,280	4,752	30,000	30,000
6821	A 87 Charges	12,168	7,440	7,447	-2,636	3,389
	Subtotal Appropriations	280,047	325,349	268,370	303,513	363,422
8612	Reserve 3%	0	9,760		9,105	10,903
	<i>one time reserve (excess fund</i>	0			10,533	38,449
	Total Appropriations Budget	\$280,047	\$335,109	\$268,370	\$323,151	\$412,774
	Revenues					
	Fund Balance (Actual revenues o	94,886	79,097	79,097	66,176	91,865
	Application Fees	16,643	25,000	24,437	25,000	25,000
	*** Intergov. Revenue	247,615	231,012	231,012	231,975	295,909
	Total Revenues	\$359,144	\$335,109	\$334,546	\$323,151	\$412,774
	One-third apportionment	\$82,538	\$77,004	\$77,004	\$77,325	\$98,636

(***Apportionment to county, cities & special districts (cities/districts based on proportional revenues)

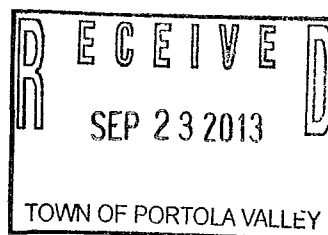
also the net operating budget, (appropriation less revenues & fund balance)

ASSOCIATION OF BAY AREA GOVERNMENTS

Representing City and County Governments of the San Francisco Bay Area




ABAG



Date: September 20, 2013

To: All Supervisors, Mayors, Councilmembers, Clerks of County Boards of Supervisors, City and Town Clerks, and Other Officers Having Charge of Elections in Member Jurisdictions

From: Fred Castro 
Clerk of the Board

Subject: **NOTICE OF ELECTION OF THE PRESIDENT AND VICE PRESIDENT OF THE ASSOCIATION OF BAY AREA GOVERNMENTS**

The Bylaws of the Association of Bay Area Governments (Association) provide for the election of the President and Vice President every two years. With the concurrence of the Executive Board, and in accordance with election procedures adopted by the Board, notice is hereby given that an election of the President and Vice President will take place in 2013.

The Bylaws provide that the President and Vice President shall be elected by secret ballot of supervisors, mayors and councilmembers of jurisdictions belonging to the Association. Per the Association's Legal Counsel, the secret ballot provisions of the Association's Bylaws for electing a President and a Vice President do not violate the Brown Act because the electors neither constitute a "body" nor fall within the Brown Act's definition of a "legislative body."

Election Calendar

- The offices to be filled are those of the President and Vice President of the Association. The term of office for these positions begins January 1, 2014 and expires December 31, 2015.
- Procedures for the election of President and Vice President are attached
- The period for filing nomination petitions with the Executive Director begins upon approval of the election calendar and ends at noon on Friday, October 11, 2013. Nomination petitions must be obtained from the Executive Director of the Association.
- Ballots will be mailed to county and city clerks and others having charge of elections by Friday, October 18, 2013.
- Completed ballots must be filed with the Executive Director no earlier than Monday, October 21, 2013 and no later than 12 noon on Monday, November 4, 2013.

Mailing Address: P.O. Box 2050 Oakland, California 94604-2050 (510) 464-7900 Fax: (510) 464-7985 info@abag.ca.gov

Location: Joseph P. Bort MetroCenter 101 Eighth Street Oakland, California 94607-4756



Notice of Election

September 20, 2013

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- Opening and counting of ballots will be conducted on Wednesday, November 6, 2013 at ABAG's offices.
- Pursuant to the election procedures, if no election is to be conducted because there is only one candidate for each office, a certification of election notice is to be mailed to county and city clerks and others having charge of elections by Tuesday, October 15, 2013.

Please direct any questions to the Clerk of the Board at (510) 464 7913.

Attachment:

Procedures for Election of the President and Vice President

Cc: Ezra Rapport, Executive Director
Brad Paul, Deputy Executive Director
Kenneth Moy, Legal Counsel

ASSOCIATION OF BAY AREA GOVERNMENTS

PROCEDURES FOR ELECTION OF THE PRESIDENT AND VICE PRESIDENT

The Executive Board of the Association has adopted procedures for election of the President and Vice President of the Association. These rules are intended to govern the filing of Nomination Petitions, mailing and filing of Voter Ballots, and the canvassing of Voter Ballots. The following procedures have been adopted to govern elections of the Association and shall be liberally construed.

DEFINITIONS

"Voting Member" – any one of the following officers: Supervisor, Mayor, or City or Town Councilmember. Any action of a Voting Member taken under these Procedures (e.g., signing or circulating a petition or voting) shall be valid if the Voting Member held such office at the time of his or her acting, notwithstanding any subsequent change of status.

"Member Jurisdiction" – any one of the counties, cities or towns which are members of the Association of Bay Area Governments.

"Clerk" – the Clerk of County Board of Supervisors, City or Town Clerk, or other officer having charge of elections in a Member Jurisdiction.

"Voter Ballot" – ballot which will contain the names of the nominees for the offices of President and Vice President.

"Identification Envelope" – envelope which will contain the Voter Ballot as marked by the Voting Member, with the Declaration and Certification printed on its face.

"Return Envelope" – envelope which will contain signed and unsigned Identification Envelopes.

"Executive Director" – the Executive Director of the Association of Bay Area Governments.

"Legal Counsel" – the Legal Counsel of the Association of Bay Area Governments.

Procedures for Election
Revised 9/17/92
2

NOMINATION

Section 1 – Basic Reference – The regulations, procedures and forms set forth in the California Election Laws shall be utilized as a basic reference unless otherwise in conflict with the Bylaws or Procedures and approved by the Legal Counsel of the Association.

Section 2 – Notice of Election – On or before the first day for filing Nomination Petitions, the Executive Director shall mail to each Voting Member and Clerk, 1) a Notice of Election and 2) a copy of the approved Procedures. The Notice shall contain a statement of:

- a. The offices to be filled and the term;
- b. The first and last day for filing of Nomination Petitions;
- c. The first and last day for the Executive Director to mail to the Clerks the Voter Ballots;
- d. The last day and time for the Executive Director to receive from the Clerk the Return Envelope containing the individuals Identification Envelopes with the enclosed Voter Ballots; and
- e. The date, time and place for counting Voter Ballots.

Section 3 – Nomination Petition – Nomination Petitions for the offices of President and Vice President shall be substantially in the form set forth in the Elections Code and shall include the verified statement of acceptance. Nomination Petition forms shall be furnished only by the Executive Director.

Section 4 – Signature of Voting Members – Not less than fifteen nor more than twenty Voting Members shall sign the Petition. No Voting Member may sign more than one Petition for the same office, and in the event he or she does so, his or her signature shall count only on the first Petition filed which contains his or her signature.

Section 5 – Nomination for Office – Nominations shall close on the last day for filing of Nomination Petitions. If, at the close of nominations, only one candidate has been nominated for the office of President or for the office of Vice President, then such sole nominee is declared hereby to be elected to such office.

Procedures for Election

Revised 9/17/92

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Section 6 – Circulation of Petition – Any Voting Member may circulate a Nomination Petition. The circulator must sign a Certificate of Circulator on the Nomination Petition. The signature to each Petition shall be on the same form, and each signer shall add the date of his or her signing, his or her official title, and his or her member county, city or town. Successive signers may not use ditto marks.

Section 7 – Mailing of Ballots – The Executive Director, within the dates prescribed in the Notice of Election, shall mail to each Clerk one Voter Ballot and Identification Envelope for each Voting Member of his or her county, city or town and one Return Envelope to return the documents to the Executive Director.

Section 8 – Voting of Ballots – Upon receipt of the items referred to in Section 7, the Clerk shall arrange to hand the Voter Ballot to each Voting Member.

Each Voting Member shall mark his or her Ballot in the presence of the Clerk but in a manner that the Clerk does not see how it is being marked. Each Voting Member shall place his or her marked Ballot in the Identification Envelope, seal the Identification Envelope, sign the Declaration printed on the face of the Identification Envelope and hand it sealed to the Clerk before whom the Ballot is marked. The Clerk shall complete the Certification on the face of the Identification Envelope.

The Clerk shall deposit the signed Identification Envelopes in a safe place in his or her office, to be kept by him or her until it is necessary to file the signed and unsigned Identification Envelopes with the Executive Director in accordance with the final date and time for such filing prescribed in the Notice of Election.

Section 9 – Filing of Ballots – The Clerk shall place each signed Identification Envelope which contains a Voter Ballot from a Voting Member in the Return Envelope. The Clerk shall mail to the Executive Director the Return Envelope with enclosures, by the final date and time for such filing prescribed in the Notice of Election.

No Voter Ballot shall be accepted for count by the Counting Board unless received within the time specified in the notice of Election and unless the Declaration by the Voting Member and Certification of the Clerk have been completed.

Procedures for Election

Revised 9/17/92

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COUNTING AND CANVASSING OF THE VOTER BALLOTS

Section 10 – Custody of Return Envelopes – The Executive Director shall have custody of all Return Envelopes after they are received from the Clerks and until the date and time for counting of Voter Ballots.

Section 11 – Counting of Voter Ballots – The Executive Director shall commence to count the voter ballots on the date, at the time and in the place specified in the Notice of Election. The Executive Director may appoint a Counting Board to assist him in counting the Voter Ballots. No person who is a Voting Member shall be eligible to be appointed to the Counting Board. The Counting Board shall consist of not less than two and not more than four persons. The Executive Director shall determine the form of tally sheets and shall determine necessary and required procedures to assure an accurate counting of the Voter Ballots.

Section 12 – Canvassing Board – A Canvassing Board shall be appointed by the President, subject to Executive Board confirmation, consisting of three persons who shall be voting members other than candidates for President and Vice President. A majority of this Board shall be present at all times during the counting of Voter Ballots and shall pass upon challenges of Voter Ballots, and all questions relating to the signing and certification of Identification Envelopes and the marking of Voter Ballots. The Canvassing Board further shall receive from the Executive Director the Voter Ballot tally results after completion of count by the Executive Director, and shall thereupon post the results and certify the count to the Executive Board.

Section 13 – Public Attendance – The public shall be permitted to be in attendance during the counting and canvassing of the Voter Ballots, subject only to reasonable restrictions issued by the Executive Director to prevent interference with such counting and canvassing.

Section 14 – Declaration of Election – Legal Counsel shall declare elected the persons having received the highest number of votes given for the offices of President and Vice President, submit a written declaration to the President and the Executive Director, and report the results to the Executive Board at its next regular meeting. In the event of a tie, selection will be by drawing of lots.



METROPOLITAN
TRANSPORTATION
COMMISSION

WORKSHOP NOTICE

September 6, 2013

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER, BAY AREA AIR QUALITY MANAGEMENT DISTRICT
EXECUTIVE DIRECTOR, METROPOLITAN TRANSPORTATION COMMISSION

SUBJECT: **PUBLIC WORKSHOP – DRAFT REGULATION 14, RULE 1: BAY AREA
COMMUTER BENEFITS PROGRAM**

The staff of the Bay Area Air Quality Management District (Air District) and the Metropolitan Transportation Commission (MTC) will conduct public workshops to present, discuss, and receive comments on draft Regulation 14, Rule 1: The Bay Area Commuter Benefits Program. The details of the upcoming workshops are provided below:

ALAMEDA COUNTY
Monday, October 7
2:00 PM - 4:00 PM
Joseph P. Bort MetroCenter
Auditorium
101 Eighth Street
Oakland
**Meeting will be audiocast*

CONTRA COSTA COUNTY
Tuesday, October 8
1:00 PM - 3:00 PM
San Ramon Community
Center, Alcosta Room
12501 Alcosta Boulevard
San Ramon

NAPA COUNTY
Wednesday, October 9
10:00 AM - 12:00 PM
Napa Public Library
Community Room
580 Coombs Street
Napa

SOLANO COUNTY
Wednesday, October 9
2:00 PM - 4:00 PM
Fairfield Community Center
Lakeside Suite A
1000 Kentucky Street
Fairfield

SONOMA COUNTY
Thursday, October 10
10:00 AM - 12:00 PM
Finley Community Center
Cypress Room
2060 W. College Avenue
Santa Rosa

MARIN COUNTY
Thursday, October 10
2:00 PM - 4:00 PM
San Rafael Corporate Center
Tamalpais Room
750 Lindero Street
San Rafael

SANTA CLARA COUNTY
Tuesday, October 22
10:00 AM - 12:00 PM
San Jose State University
MLK Public Library
Room 255/257
1 Washington Square
San Jose

SAN MATEO COUNTY
Tuesday, October 22
2:00 PM - 4:00 PM
Downtown Redwood City
Public Library, 2nd Floor
1044 Middlefield Road
Redwood City

SAN FRANCISCO COUNTY *
Friday, October 25
10:00 AM - 12:00 PM
BAAQMD (Air District),
Boardroom
939 Ellis Street
San Francisco
**Meeting will be webcast*

BACKGROUND

Motor vehicles are the largest source of greenhouse gases and other air pollutants in the San Francisco Bay Area. Reducing the growth in vehicle miles traveled is necessary to achieve the State's bold climate protection targets set by AB 32 and SB 375, and to reduce other air pollutants that adversely impact public health. The Bay Area Commuter Benefits Program would assist the Bay Area in achieving these targets and goals.

Senate Bill 1339, signed into law in fall 2012, authorizes the Air District and MTC to adopt and implement a regional ordinance, known as the Bay Area Commuter Benefits Program (Program). The Program would require employers with 50 or more full-time employees in the Bay Area to select one of the following four commuter benefits options to offer to their employees:

- The option for employees to pay for their transit or vanpool expenses with pre-tax dollars, as allowed by current federal law;
- A transit or vanpool subsidy to reduce, or cover, employees' monthly transit or vanpool costs;
- A low-cost or free shuttle, vanpool, or bus service operated by or for the employer; or
- An alternative method that would be equally effective as the other options in reducing single-occupant vehicle trips (and/or vehicle emissions).

Building on the success of similar ordinances adopted in the cities of San Francisco, Berkeley and Richmond, the Bay Area Commuter Benefits Program would facilitate a regional approach to encourage the use of sustainable commute modes, such as public transit, ridesharing, bicycling and walking. In developing the regional Commuter Benefits Program, the Air District and MTC will seek to support and complement existing employer programs and local ordinances to the greatest extent feasible.

INFORMATION AND COMMENTS

In addition to the draft Regulation 14, Rule 1, Air District staff has prepared a Workshop Report to provide background and additional information on the draft rule. The workshops are the next step in the Air District's and MTC's public engagement process. Staff is interested in comments and questions about the draft rule. Staff is also available to meet with interested parties regarding the proposal. Following the workshops and the close of the public comment period, staff will assess the need for changes to the draft rule, and may consider further workshops, or may proceed to a public hearing before the District's Board of Directors and MTC's Commissioners in early 2014. For copies of the draft Regulation 14, Rule 1 and the Workshop Report, please visit www.baaqmd.gov/commuterbenefits. Interested parties are invited to submit comments on the draft rule or the Workshop Report. To do so, please email commuterbenefits@baaqmd.gov, call 415-749-8671, or send written comments to: David Burch, BAAQMD, 939 Ellis Street, San Francisco, CA 94109. The deadline to submit comments on this proposal is November 7, 2013.

Multi-Lingual Assistance:

Para asistencia en español, llame al 415-749-4609.

如需华语服务，请致电 415-749-4609.

Para sa tulong sa Tagalog, tumawag sa 415-749-4609.

Neáu muoán bieát theâm chi tieát baêøng tieáng Vieät haõy goïi soá 415-749-4609.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council
FROM: Nick Pegueros, Town Manager
DATE: September 27, 2013
RE: Weekly Update

The purpose of this report is to provide a summary update on items/projects of interest for the week ended September 27, 2013.

- 1. Meeting with Employees to Discuss Proposed Benefit Changes** – The Mayor and Vice Mayor met with staff on Thursday to outline proposed changes to the Town's fringe benefits beginning January 1, 2014. The proposal will be before the Town Council for consideration and approval at the October 9th Town Council meeting.
- 2. SOD & Neighborhood Clean-Up Events:** Town staff has been preparing for the upcoming SOD Presentation on Thursday, October 3rd at 7:00 p.m. in the Community Hall, which will be a live webcast. In addition, there will be a SOD Training at 1:00 p.m. on Saturday, October 5th in the Community Hall. Saturday morning, the Town and GreenWaste Recovery will host the final Neighborhood Clean-Up Day of 2103. As with the previous two clean-up events this year, this event will include a Goodwill Donation Station and Prescription Drug Disposal with the County Sheriff's Office.
- 3. Ford Field Update** – The project is scheduled to wrap up in the next two weeks. An additional request has come from Little League to install grass down the right field line. The request was reviewed by Gary Nielsen on the OSA Committee and his assessment is attached. Howard is looking into the cost of this change order and if there's sufficient budget to accommodate the request.

Nick Pegueros

From: Howard Young
Sent: Friday, September 27, 2013 11:12 AM
To: Nick Pegueros
Subject: FW: Ford Field
Attachments: copy for Gary.psd

Nick - fyi

Sincerely,

Howard Young
 Public Works Director
 Town of Portola Valley
 650-851-1700 x 214
hyoung@portolavalley.net

-----Original Message-----

From: Gary Nielsen [<mailto:gnielsen@pacbell.net>]
Sent: Friday, September 20, 2013 12:22 PM
To: Jeff Aalfs; Karin Wick
Cc: Howard Young
Subject: Ford Field

Karin and Jeff,

Howard asked me to take a look at the Ford Field restoration project a day or two ago. He and a representative from Little League asked me for my opinion on adding some grass down the right field line just past the dugout for warm-up, playing catch, and to accommodate spectators. It is not on the current plans and Howard was concerned about encroachment on the boundary with the Open Space portion of Ford Field. I noted that:

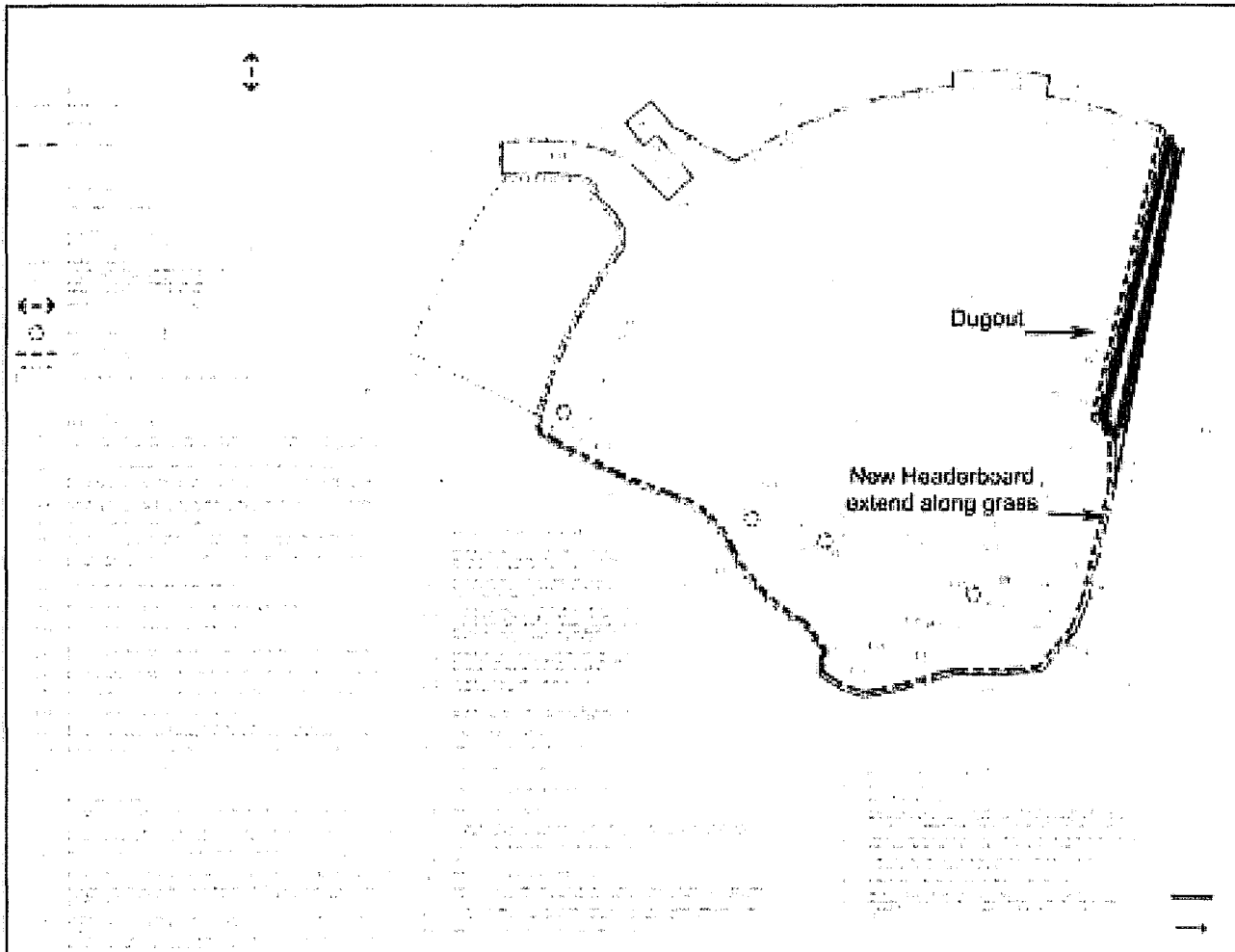
1. There is no formal boundary between the field and the open space as it is a single parcel.
2. This same area has been used in the past for these same purposes, but the surface was bare dirt or the non-native grasses that inhabit the area.
3. The proposed grass area is essentially within the area of previous use by little leaguers.

I've attached a drawing of new facility marked up to show the area proposed for the grass addition.

I'm sending this to Karin as chair of the OS Committee to think about whether this should be taken up by the committee, and to Jeff to add any political or process thoughts to this.

In my opinion, the proposed grassy area is a desirable feature and an improvement to the overall use of the facility, does not encroach into the open space any more than the original use of the facility, and approval of this addition is such a minor change order that it does not rise to the occasion of review by town bodies.

Gary



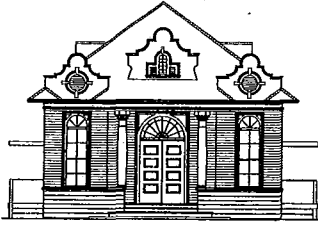
TOWN COUNCIL WEEKLY DIGEST

Thursday – October 3, 2013

1. Agenda – Parks & Recreation Committee – Monday, October 7, 2013
2. Agenda - Trails & Paths Committee – Tuesday, October 8, 2013
3. Agenda (Cancellation Notice) - Emergency Preparedness Committee – Thursday, October 10, 2013
4. Agenda – Special Cable & Undergrounding Committee – Thursday, October 10, 2013
5. Agenda – Cultural Arts Committee – Thursday, October 10, 2013
6. Agenda – Nature & Science Committee – Thursday, October 10, 2013
7. Agenda – Teen Committee – Sunday, October 6, 2013
8. Month End Financial Report – September 2013
9. Notice – Household Hazardous Waste Event – Saturday, October 12, 2013
10. Sheriff's Report – Wednesday, September 25, 2013 through Tuesday, October 1, 2013
11. Memo from Brandi de Garneau, Sustainability & Special Projects Manager re: Results of Town Center Engineering Energy Audit

Attached Separates (Council Only)

1. Kaiser Permanente San Mateo Area – Community Briefings – Summer 2013
2. Invitation – 11th Biennial State of the San Francisco Estuary Conference – October 29 – 30, 2013
3. In Town Living Magazine – Fall / Winter 2013-14



Town of Portola Valley
Parks & Recreation Committee Meeting
Monday, October 7, 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: August 26, 2013
4. Reports from Staff and Council
5. Skate Ramp: Plan proposal to the Town Council
6. Ford Field Plan Update
7. Plaque for Ford Field
8. Town Center Baseball Improvements
9. Softball Netting Update
10. Revision of Charter to "9 members"

Enclosures – Current Committee Charter
Advisory Committee Handbook

Next meeting: November 4, 2013



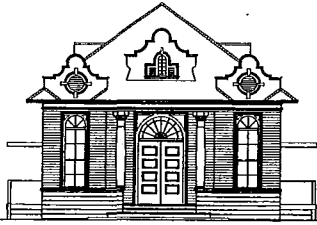
TOWN OF PORTOLA VALLEY
Trails and Paths Committee
Tuesday, September 10, 2013 - 8:15 AM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

AGENDA

1. Call to Order
2. Oral Communications
3. Approval of Minutes from August 13, 2013
4. Financial Review and Trail Work (August & September)
5. Old Business
 - a) Follow up on Driveway Scoring Process Discussions
 - b) Discussion of Trail from Springdown to Portola Road
 - c) Update on Bicycle Usage
6. New Business
 - a) Update on Conservation Committee Efforts Relevant to Town Trails and Paths
 - b) Dwight Crowder Path Plantings and Signage
 - c) Application for Committee: Steve Lovazzano
7. Other Business
8. Adjournment

Enclosures:

Minutes from Regular Meeting of August 13, 2013 (September meeting was cancelled due to lack of a quorum)
Financial Review
Trail work and map – August and September, 2013
Application – Steve Lovazzano



**Emergency Preparedness Committee
Notice of Cancellation
Thursday, October 10, 2013 8:00 AM
EOC / Town Hall Conference Room**

EMERGENCY PREPAREDNESS COMMITTEE

NOTICE OF CANCELLATION

Thursday, October 10, 2013

The Emergency Preparedness Committee meeting scheduled for Thursday, October 10, 2013 has been cancelled.



TOWN OF PORTOLA VALLEY
Special Cable & Undergrounding
Committee Meeting
Thursday, October 10, 2013 – 8:15 AM
Historic School House
765 Portola Road. Portola Vallev. CA

AGENDA

1. Call meeting to order
2. Minutes: Approval of September minutes
3. Communications from Members of the Public
4. Old Business
 - Undergrounding and PG&E Rule 20A
 - Committee charter – expansion to include digital access concerns
 - Samcat
5. New Business
6. Adjournment:

Next meeting on January 9, 2014 at 8:15 am



TOWN OF PORTOLA VALLEY
Cultural Arts Committee
Thursday, October 10, 2013 - 1:00 PM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

AGENDA

1. Call to Order
2. Oral Communications
3. Approval of August minutes
4. Old Business:
 - Summer Concert Series
 - Art walk at summer concerts
 - Holiday Faire
 - Art Preservation projects
 - Art in Action projects
 - Publicity for events
 - PV Photos project
 - Open Space project
5. New Business:
 - Approval of Elizabeth Papadopoulos to join the CAC
6. Adjournment



Town of Portola Valley
Nature and Science Committee Meeting
Thursday, October 10, 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 the August 8, 2013 regular meeting
4. Reports:
 - Update on the Hawthorns support plans
 - Star Party 2013 plans – Andrew – August 10
5. Planning:
 - Hawthorns discussion and planning
 - Next big science day: Birds – October 27
6. Budget Report: Approve expenses
7. Action Items:
 - Allocate program funds as needed
 - Recommendation regarding Hawthorns
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: December 12, 2013



TOWN OF PORTOLA VALLEY

Teen Committee Meeting

Sunday, October 6, 2013 - 4:30 PM

Buckeye Room behind Community Hall

765 Portola Road, Portola Valley, CA 94028

AGENDA

1. Call to Order
2. Oral Communications
3. Approval of minutes from August meeting
4. Movie Night – review of how it went
5. Town Dances and indoor library Movie Nights. Community Hall is on hold for Friday, January 10 – completely booked for the fall
6. Town Council presentation of awards of accomplishment for Bill and Jean Lane Civic Involvement Project scheduled for November 13
7. Civic Project – more to do. Op Ed Project. Visit to a court? We agreed to an editorial project at the last meeting. How is that going? Still want to visit a court? Other ideas?
8. Library Holiday Movie Night. Friday, December 6 okay? Want to do this?
9. Dances. Sharon has the Community Hall reserved for January 10 and May 9. We'll need to decide on the January dance before November – and to book a DJ – so checks can be written by the town before the December shutdown
10. Holiday drive or host a party for Shelter network kids/teens. Can we fit this in?
11. Outreach for CM members: Katherine to speak to leadership at CM, Sharon to put in Tuesday Post in September – need 6 & 7 graders and a parent to help
12. New members: vote if applications in. Vote to approve Sophie (if her application was submitted)
13. 2Adjournment



MONTH END FINANCIAL REPORT FOR THE MONTH OF: September 2013

C A S H	Bank of America	\$ 48,149.28
	Local Agency Investment Fund (0.267%)	\$ 11,410,252.20
	Total Cash	\$ 11,458,401.48
<hr/>		
F U N D S	05 General Fund	\$3,596,712.29
	08 Grants	(82,889.04)
	10 Safety Tax	22,889.90
	15 Open Space	3,626,567.05
	20 Gas Tax	11,001.81
	22 Measure M	(293.47)
	25 Library Fund	470,117.01
	30 Public Safety/COPS	(47,429.27)
	40 Park in Lieu	6,244.50
	45 Inclusion In Lieu	2,873,992.46
	50 Storm Damage	(25,122.53)
	60 Measure A	40,942.93
	65 Road Fees	40,984.06
	75 Crescent M.D.	88,475.44
	80 PVR M.D.	13,957.73
	85 Wayside I M.D.	5,740.65
	86 Wayside II M.D.	(21,185.97)
	90 Woodside Highlands M.D.	139,442.93
	95 Arrowhead Mdws M.D.	(1,799.67)
	96 Customer Deposits	700,052.67
	Total Fund Balance	\$ 11,458,401.48
<hr/>		
A C T I V I T Y R E C A P	Beginning Cash Balance:	\$10,608,256.86
	Revenues for Month:	1,421,845.47
	Total Revenues for Month:	1,421,845.47
	Warrant List 9/11/13	(337,738.15)
	Warrant List 9/25/13	(133,458.72)
	Payroll	(99,133.83)
	Total Expenses for Month:	(570,330.70)
	Total JE's and Void Checks:	(1,370.15)
	Ending Cash Balance	\$ 11,458,401.48

FISCAL HEALTH SUMMARY:

Unreserved/Spendable Percentage of General Fund:	91.01%
<i>Adopted Town Policy is 60%</i>	
Days of Running Liquidity of Spendable General Fund:	332
<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.



Portola Valley residents, Got Household Hazardous Waste? Come to our local collection event.

Saturday, October 12, 2013
By appointment only.

Visit <http://www.smchealth.org/hhw>
or call 650-363-4718 and select option 3.

Time and location provided during the appointment process.

Accepted Materials:

Paints, varnishes and stains, paint thinner, household cleaners, aerosol spray cans, polishes, pesticides and garden chemicals, pool and spa chemicals, photographic chemicals, art and hobby supplies, automotive products, batteries (home & car), hobby supplies, fuels, propane tanks from barbecues and camping, mercury containing items (fluorescent light bulbs, thermostats, old thermometers, etc.).

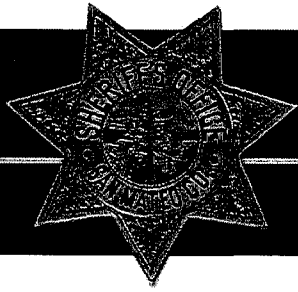
Not Accepted Materials:

Ammunition, asbestos, biological materials, business-generated materials, electronics, explosives, radioactive materials, compressed gas cylinders (except propane less than 20 lbs), sharps, medicines.

Limit: 10 Gallons liquid, or 50 lbs. solid



smchealth.org/hhw



SHERIFF'S OFFICE

A TRADITION OF SERVICE SINCE 1856

San Mateo County Sheriff's Office (Headquarters Patrol) Press

Information on selected incidents and arrests are taken from initial Sheriff's Office case reports. Not all incidents are listed due to investigative restrictions and victim privacy rights.

Wednesday 09/25/13 to Tuesday 10/01/13

Greg Munks
Sheriff

CASE NUMBER	DATE & TIME Reported	LOCATION	DESCRIPTION	FACTUAL CIRCUMSTANCES
13-8263	09/25/13 9:35PM	Alpine Rd / Westridge Dr. Portola Valley	Traffic Accident	Driver #1 was driving eastbound on the 100 block of Westridge Drive. Driver #1 stopped for the stop sign at the intersection of Westridge Drive and Alpine Road. Driver #2 was driving southbound on Alpine Road. Driver #1 attempted to make a left turn in front of Driver #2 when it was not safe to do so. As a result Driver #2 struck Driver #1. Neither D-1 nor D-2 sustained injuries. Both vehicles sustained moderate damage and they were towed from the scene by their respective owners.
13-8325	09/28/13 10:20AM	Woodside Rd. / Canada Rd. Woodside	Provided False Information to Law Enforcement Woodside	A deputy affected a traffic enforcement stop on a bicycle, northbound Canada Rd. The deputy contacted the female rider of the bicycle and advised her of the reason for the stop. The deputy asked the rider if she had any identification with her, and while making a searching motion with her hands on her hips, she replied that she did not have her identification with her. The deputy attempted to write a citation to her but the bicyclist gave the deputy a false name. A DMV check through dispatch found that the date of birth for the name given was different than the name

				provided. Eventually the bicyclist presented her California Drivers License and stated that she was sorry, but she was "broke and could not afford a ticket." She was issued a citation and released from the scene.
13-8350	09/28/13 3:55PM	3600 Blk. Alameda De Las Pulgas West Menlo Park	Furnish Minor w/ Tobacco West Menlo Park	The San Mateo County Sheriff's Office conducted a Tobacco Sting for operation "S.T.A.K.E." (Stop Tobacco Access to Kids Enforcement) which is a tobacco decoy enforcement detail in the unincorporated San Mateo County area. The sting was initiated as a tool to stop the illegal sale of tobacco products to underage youths. A citation was issued to an employee at a Chevron Gas Station for selling tobacco to a minor.
13-8423	09/30/13 8:02AM	Alpine Rd. / Los Trancos Portola Valley	DUI Alcohol / Drugs	Driver #1 was traveling at a speed unsafe for conditions at the curve in the roadway on Los Trancos Road. Driver #1 drove approximately two feet over the white painted edge line of the roadway. The front right fender of Vehicle #1 collided with a tree and caused it to overturn. Vehicle #1 came to rest on its roof in the northbound lane. During the investigation, Driver #1 was determined to have been driving while under the influence of an alcoholic beverage. Courtney Schrobsdorff from Portola Valley was arrested and transported to the San Mateo County Jail. The vehicle was towed from the scene.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Brandi de Garneau, Sustainability & Special Projects Manager

DATE: October 4, 2013

RE: Results of Town Center Engineering Energy Audit

In May 2013, the Town took advantage of an opportunity from San Mateo County Energy Watch to have an engineering energy audit of the Town Center buildings. Last week, Town staff met with PG&E, San Mateo County Energy Watch and Ecology Action to review the results of the assessment. The attached document outlines the results of the assessment and energy recommendations.

The Town Center buildings are currently performing better than the typical LEED Platinum building. The auditor, Ecology Action, did not recommend that we pursue any of the energy recommendations at this time because the payback period is so great. Town staff will continue to monitor energy use and look for opportunities for efficiencies.

September 25, 2013

Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028

On May 31, 2013, Ecology Action completed engineering energy audits of the Portola Valley Town Center, as part of the San Mateo County Energy Watch program. There were three buildings that were audited: Portola Valley Community Hall, Town Center, and Library. The Town Center buildings were certified LEED Platinum by the U.S.G.B.C. in 2009. In addition to being highly energy efficient, the buildings also share a 76 kW PV solar array.

The results of the audit showed minimal opportunity for energy efficiency measures, with the total project having a simple payback of greater than 25 years, and a negative net present value over a 10-year calculation period. This result was expected, as the buildings are LEED certified and have very low energy intensities, even lower than typical LEED Platinum rated buildings.

Town staff noted that the Town Hall building did not receive adequate fresh air, possibly due to the change in space use types for the upstairs areas versus what was designed. Adding a small ventilation unit would alleviate comfort issues, but energy consumption and costs would increase slightly according to usage patterns. Additionally, because these are high performance buildings, it is recommended to consult with a building engineering design firm before completing such a renovation. Seemingly minor changes or additions to HVAC systems can have far reaching effects across the entire building, especially in a tight, controlled environment that is typical of high performance buildings.

One other specific concern that town staff identified was that although the buildings achieved the highest possible LEED rating, the energy consumption of the buildings never matched the computer simulation models that were used to document the LEED achievements. Specifically, the building uses four times the annual natural gas that was originally modeled, and conversely, the building uses roughly 60% less electricity than was originally modeled. One of the goals of the energy audit was to determine whether or not these discrepancies were indicative of HVAC equipment or control performance issues.

No abnormal equipment functionality was discovered that would explain or justify such drastic changes from the modeled energy consumption. However, energy models used in LEED Certification are not necessarily representative of a buildings actual consumption, but are best thought of as tools to document the efficiency changes made to a building versus building to code minimums. The building model in this case served that purpose, which resulted in the highest level of certification. The overall energy intensity of the building is slightly higher than predicted, but still much lower than average, and even lower than typical LEED Platinum rated buildings, as previously stated.

One final point is regarding the gas sub-metering. Sub-meters for natural gas were installed for each building, but the meters need re-calibration, which is seen as cost prohibitive. As unfortunate as this situation is, the buildings are already showing very high energy performance metrics, so it might not be necessary to invest in such an expensive equipment upgrade, especially if regular/ongoing recalibration would be required. If the Town wants to invest in energy efficiency or monitoring, one other option could be to add programming to the building EMS so that alerts are sent out if the building (or center) performs below certain predetermined minimum performance criteria.

Phil Boutelle



Energy Engineer

Comprehensive Energy Recommendations for Portola Valley
9/25/2013

SAN MATEO COUNTY

Energy
Watch

Net simple payback: 25.4 years

Net present value: (\$4,049)

Recommended Measures

Measure Description	Peak Period Demand (kW)	Annual Electric (kWh) Savings	Annual Gas (therms) Savings	Annual Cost Savings	Pre-Incentive Measure Cost	Potential PG&E Incentive	Post-Incentive Measure Cost	Annual CO ₂ Equivalent Reduction (lbs) ²
Town Hall								
Implement a Schedule for Boilers	0.00	-	26	\$ 23	\$ 515	\$ 26	\$ 488	300
Town Hall subtotal	0.00	-	26	\$ 23	\$ 515	\$ 26	\$ 488	300
Community Hall								
Implement a Schedule for Boilers	0.00	-	41	\$ 36	\$ 515	\$ 41	\$ 474	400
Implement a Schedule for Domestic Boilers	0.00	-	26	\$ 23	\$ 515	\$ 26	\$ 488	300
Implement a Schedule for Hot Water Pumps	0.00	549	0	\$ 64	\$ 515	\$ 44	\$ 471	900
Install Timer Controls for Kitchen Exhaust Fan	0.00	671	0	\$ 78	\$ 1,608	\$ 54	\$ 1,554	1,100
Community Hall subtotal	0.00	1,220	67	\$ 201	\$ 3,152	\$ 165	\$ 2,987	2,700
Library								
Implement a Schedule for Boilers	0.00	-	38	\$ 34	\$ 515	\$ 38	\$ 477	400
Library subtotal	0.00	-	38	\$ 34	\$ 515	\$ 38	\$ 477	400
Commissioning								
Final Commissioning using 3rd Party Cx Agent	0.00	-	0	\$ -	\$ 2,200	\$ -	\$ 2,200	0
Commissioning subtotal	0.00	-	-	\$ -	\$ 2,200	\$ -	\$ 2,200	0
Project Management								
15% Project Management Fee	0.00	-	0	\$ -	\$ 407	\$ -	\$ 407	0
Project Management subtotal	0.00	-	-	\$ -	\$ 407	\$ -	\$ 407	0
TOTAL	0.00	1,220	131	\$ 259	\$ 6,788	\$ 229	\$ 6,560	3,400

The "simple payback" is the number of years it will take for the annual cost savings to pay for the cost of implementing the measure. Payback calculations do not account for inflation or additional savings that may result from improved equipment life and reduced operation and maintenance costs. Measure Cost estimates for non-deemed measures were found using RS Means Mechanical Cost Data 2011, and includes a 13% RS Means geographic markup, a 15% General Contractor markup, and 10% for sales tax. These costing numbers do not imply or guarantee actual project costs; the customer will work with their own contractors to determine these costs.