

PORTOLA VALLEY TOWN COUNCIL SPECIAL MEETING NO. 865, SEPTEMBER 11, 2013

Mayor Richards called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Ms. Hanlon called the roll for the Council's third annual meeting in the Redwood Grove. When he was Mayor, Councilmember Ted Driscoll launched the tradition in July 2011, in the hope that it would become a "routine each summer because the space is so spectacular, one of the nicest in the Town Center complex and a natural amphitheatre."

Present: Councilmembers Jeff Aalfs and Ted Driscoll; Mayor John Richards

Absent: Councilmember Maryann Derwin; Vice Mayor Ann Wengert

Others: Nick Pegueros, Town Manager
Sharon Hanlon, Town Clerk
Karen Kristiansson, Deputy Town Planner
Leigh Prince, Town Attorney

ORAL COMMUNICATIONS

None

CONSENT AGENDA [6:31 p.m.]

- (1) Approval of Minutes: Town Council Regular Meeting of August 28, 2013
- (2) Ratification of Warrant List: September 11, 2013 in the amount of \$337,738.15.

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

Aye: Councilmembers Aalfs and Driscoll, Mayor Richards

No: None

REGULAR AGENDA

- (3) Recommendation by Conservation Committee and Deputy Town Planner: Request to adopt Redwood Guidelines

With Conservation Committee Chair Judith Murphy and Vice Chair Marianne Plunder out of town, Ms. Kristiansson presented this item. She explained that the Committee developed the guidelines over the past year to protect redwood trees that are planted in appropriate locations, to discourage planting them in places that aren't appropriate, and to allow for removal of the latter. After the Conservation Committee incorporated their suggestions, both the ASCC and Planning Commission recommended that the Town Council adopt the guidelines and incorporate them into the Town's Design Guidelines.

The guidelines discuss planting, care and removal of redwood trees, and contain a list of screening plants that can be used instead where redwood trees are not appropriate to the environment, Ms. Kristiansson said.

In response to questions from the audience, Mayor Richards said that landscaping plans must be submitted for Town approval only on major projects, and it's not likely that the Town has recommended redwood screening at property borders over the past 10 years. Mayor Richards also explained that the Town doesn't have the "police power" to order the removal of redwood screening, but staff would be willing to talk to property owners in cases where neighbors object.

Wendy Hafkenschiel, Westridge Drive, noted that lines of redwoods and oaks between property lines along Westridge Drive are completely changing the appearance. Mayor Richards explained that when such plantings aren't in the context of major projects, it's difficult for the Town to keep on top of them. Property owners don't have to go through a long, complex process to remove such trees, Mayor Richards said. Ms. Hafkenschiel said redwood trees are entirely inappropriate there, and olive trees would have been a much better choice.

Ms. Kristiansson emphasized that the process of obtaining a tree removal permit is straightforward. Once the Conservation Committee ascertains that the redwoods are inappropriately planted, the permit can be issued. There's not a lot of review, she said.

As for the issue of property owners being unaware of the implications of the plantings landscapers install, Mayor Richards said one of the reasons for including information about where redwoods are and are not appropriate in the Town's Design Guidelines is to ensure that landscapers will know about them.

Wendy Hafkenschiel asked whether there might be triggers that require review of landscaping plans that aren't part of major projects. Tom Hafkenschiel said he was required to obtain a permit to replace a retaining wall that was falling down said the proposed guidelines seem weak. He said they're suggestions that have no teeth. The retaining wall work he did was basically just a repair, he stated, but a property owner doesn't need a permit to plant a line of redwoods that obstruct the views of several hundred people for the rest of their lives.

Mayor Richards pointed out that permits historically have focused on health and safety issues. The guidelines are consistent with the way the Town has dealt with people in Town up until now, he said, indicating that it's the right thing to do at this point. Addressing the issue of "police powers" is a different matter, but something that can be discussed.

Mr. Hafkenschiel suggested putting the issue on the ballot, because it's the major issue in Portola Valley. Town Attorney Prince said that an election probably wasn't necessary, just an ordinance or an amendment, which would also have a public process associated with it. Councilmember Driscoll suggested the Town might conduct a poll to determine the level of concern. As he sees it, this is an area where the desire to preserve the natural environment and address the privacy issue seems to conflict.

Councilmember Aalfs, noting that he was on the ASCC for three years before joining the Council, said many of the projects the ASCC reviewed involved installing screening, including redwoods, so he knows it's a fairly common occurrence.

Councilmember Aalfs moved to adopt the Redwood Guidelines as recommended by the Conservation Committee. Seconded by Councilmember Driscoll, the motion carried 3-0.

- (4) Recommendation by Town Manager: Response to the San Mateo County Grand Jury – "San Mateo County Special Districts: Who is Really in Charge of the Taxpayer's Money? The Mosquito District Embezzlement: Is it the Tip of the Iceberg?"

Mr. Pegueros explained that the four-page letter drafted to respond to the Grand Jury report on special districts in San Mateo County goes into more detail than usually included in the Town's responses to Grand Jury reports. He said he felt it was necessary in this case because it's such a big issue.

Councilmember Driscoll said that it struck him in reading the Grand Jury report that there appears to be an attitude, with perhaps an excess of libertarians appointed to the Grand Jury this year. Even the title of the document "seemed a little bit over the top," he said.

Mr. Pegueros said the Grand Jury report provides numerous findings based on the information provided, it's impossible to opine on it.

Councilmember Driscoll moved to approve the response to the San Mateo County Grand Jury Report as recommended. Seconded by Councilmember Aalfs, the motion carried 3-0.

(5) Appointment by Mayor: Request for appointment of members to the Teen Committee

Upon motion by Councilmember Aalfs, seconded by Councilmember Driscoll, the Council voted 3-0 in concurrence with the Mayor's appointment of Reuben Sarwal and Mark Gerhart to the Teen Committee.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(6) Reports from Commission and Committee Liaisons [6:54 p.m.]

Councilmember Driscoll:

(a) Geologic Safety Committee

The Town Geologist has suggested amending the Town's geologic map to reflect new information as reported in the article "Reassessment of the 1906 San Andreas Fault rupture in Portola Valley." Any revisions would have to go through the Geologic Safety Committee and the Planning Commission before coming back to the Town Council, Councilmember Driscoll explained.

Mayor Richards, reporting on behalf of Councilmember Derwin:

(b) Library JPA

The Library JPA Board, meeting on September 9, 2013, approved:

- The Library JPA Investment Grant
- Library Grant Activities Report for the Period of January-June 2013
- The FY 2013-14 Adopted Budget
- The FY 2013-14 Library Fund Balance Policy

Mayor Richards also reported that:

- Carole Groome suggested a budget workshop
- The Portola Valley Library will sponsor the Tricycle Music Festival, a countywide program, on September 15, 2013

WRITTEN COMMUNICATIONS [7:00 p.m.]

(7) Town Council August 29, 2013 Weekly Digest

- (a) #10 – Email from Director of Mediation and Facilitation Services for Peninsula Conflict Resolution Center (PCRC), Anne Bers re: Summary of Mediation Services for FY 2012-13 – August 27, 2013

Councilmember Driscoll noted that according to the PCRC report, the Town had zero referrals to PCRC this past year.

(8) Town Council September 6, 2013 Weekly Digest

- (a) #10 – Letter from Martha Poyatos, Local Agency Formation Commission (LAFCo) Executive Officer, to Members of the Formation Commission re: Special Report: Los Trances County Water District Organizational Alternatives

Mr. Pegueros indicated that in a meeting regarding LAFCo, he learned that due to errors identified in the distributed report, LAFCo will revise and recirculate it. The topic of possible interest in ownership of district lands if the district dissolves also was discussed.

ADJOURNMENT [7:07 p.m.]

Mayor

Town Clerk