

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 870, DECEMBER 11, 2013

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

Present: Councilmembers Jeff Aalfs (arrived 7:36 p.m.), Ted Driscoll and Maryann Moise Derwin; Vice Mayor Ann Wengert; Mayor John Richards

Absent: None

Others: Nick Pegueros, Town Manager  
Leigh Prince, Town Attorney  
Sharon Hanlon, Town Clerk

(1) Moment of silence in remembrance of resident and Portola Valley Ranch developer Joe Whelan

ORAL COMMUNICATIONS [7:32 p.m.]

None

(2) Recommendation by Town Clerk: Certification of November 5, 2013 Consolidated Special and General Municipal Election

(a) Adoption of a Resolution of the Town Council of the Town of Portola Valley declaring canvass of returns and results of General Municipal Election held on November 5, 2013 (Resolution No. 2610-2013)

(b) Reading of Title, waive further reading, and adopt an Ordinance of the Town of Portola Valley amending Section 3.32.075 [Reduction in General Tax] of Chapter 3.32 [Telephone, Gas, Water and Electricity Users Tax] of Title 3 [Revenue and Finance] of the Portola Valley Municipal Code Ordinance No. 2013-399)

Ms. Hanlon reported that in the November 5, 2013, election, three candidates were elected to the Town Council: Maryann Moise Derwin, Craig Hughes and John Richards. In addition, a majority of voters approved Measure Q, the Utility User Tax, to continue the reduction of the existing 5.5% to 4.5% for a period of four years.

The Council was asked to adopt the resolution prepared, which declares final results of the General Municipal Election, and the ordinance implementing approval of Measure Q.

Councilmember Driscoll moved to adopt the Resolution declaring canvass of returns and results of General Municipal Election held on November 5, 2013, and approve the Ordinance amending Section 3.32.075 [Reduction in General Tax] of Chapter 3.32 [Telephone, Gas, Water and Electricity Users Tax] of Title 3 [Revenue and Finance] of the Portola Valley Municipal Code. Seconded by Councilmember Derwin, the motion carried 4-0.

Council Recognition: Ted Driscoll, Former Mayor and Councilmember [7:33 p.m.]

Mayor Richards invited California Senator Jerry Hill to speak. Noting Councilmember Driscoll's 20 years in public service, attending all the meetings, reading all the materials, maintaining a commitment to the Town, Sen. Hill said he's admired Councilmember Driscoll both professionally in his career and civilly, what he's done on the Council, praising him as an extraordinary leader who's represented the Town magnificently. "It wouldn't be the Town it is today without your efforts," he said. On behalf of the state of California and Assemblymember Rich Gordon, Sen. Hill presented Councilmember Driscoll with a resolution that he and Assemblymember Gordon signed as a token of appreciation for all the time Councilmember Driscoll has given.

Gary Nielsen, Pinon Drive, said that he'd been on the Town Council for about two years when Mr. Driscoll joined the Planning Commission in 1993. To put that in perspective, Mr. Nielsen quipped, "That was the last century." He said that Councilmember Driscoll's contributions to the Town have been "nothing short of one in a million." About seven or eight years ago, Mr. Nielsen said he was asked to serve on a Town committee along with 29 other residents – all with different opinions about what and where the Town Center should be, and Councilmember Driscoll stepped forward to moderate that "gang of 30." He also served as the "go-to guy" on the Council during the construction phase of Town Center.

Anna Eisement, representing Assemblymember Rich Gordon, said he was sorry that he was unable to be present tonight but wanted to thank Councilmember Driscoll for his 20 years of dedication to the Town.

Chip McIntosh, a member of the Planning Commission, said he had the privilege of working with Councilmember Driscoll on a number of Town matters, including the Town Center project. He said Councilmember Driscoll, "a rock star," just rolled up his sleeves and took on the responsibility for getting the Town Center project organized and completed. Many people were involved, but he was the leader, and the individual the most responsible for the project's success. Mr. McIntosh said Portola Valley's greatest resource is people, and Councilmember Driscoll has been extraordinarily generous, volunteering his great talents for all these years, a real treasure to the community.

Tom Vlastic, Town Planner, wanted to thank Councilmember Driscoll and let him know the Town's planning program wouldn't be what it is without his influence, support and extraordinary efforts, all without fanfare or recognition, helping navigate through some complicated planning issues.

Sandy Sloan who had the honor of working with Councilmember Driscoll during the entire span of her 20 years as Town Attorney, said he had time for every citizen and staff member alike. Knowing that others would say serious, laudatory in their remarks, she wrote (and read) a "silly poem" as her tribute.

Danna Breen, Alpine Road, said Councilmember Driscoll has been an inspiration and one of the reasons she's active as a Town volunteer (currently ASCC Chair). She thanked him for his work on the creek and the Town Center.

George Comstock reminded Councilmember Driscoll where the late Bill Lane sat when he came to Town Council meetings, pointing out one that's a custom fit for Councilmember Driscoll.

Howard Young, Public Works Director, added his thanks to Councilmember Driscoll, said he's been a great person to work with, and noted that he was involved in many things around Town beyond the Town Center – parks, trails, roads, storm drains. He said he appreciated Councilmember Driscoll's vision and support.

Susan Gold, Vice Chair of the Trails and Paths Committee, thanked Councilmember Driscoll for being such a great liaison between the Council and the Committee. Members appreciated his point of view and his work with them.

Councilmember Derwin said she's served on the Town Council with Councilmember Driscoll for eight years. She told a couple of stories, including a period of time she recalls with great fondness when she was Vice Mayor and he was Mayor. In weekly meetings with the Town Manager to set the agenda and talk through issues, which were sometimes dull, she said he would veer off topic to "describe in episodic fashion the extraordinary measures he was taking in his ongoing battles – literally – with an entrenched family of raccoons that had taken up residence in a crawl space in his house." Again sprinkling her remarks with memories, Councilmember Driscoll also spoke of Councilmember Driscoll finding "his true voice and his stride" in the celebrated Town Center project, serving as chief advocate from pre-startup to groundbreaking to ribbon-cutting. She attributed his "unwavering enthusiasm and belief in the goodness and generosity of the Townspeople to support the project that carried us through that difficult time and created the Town Center we have all come to cherish" and credited him for bringing "creative thought, lightness of being, a sense of inclusiveness and, above all, laughter" to the Town Council.

Councilmember Driscoll said it was a skunk in the crawl space, and it “blew off” before it died.

Councilmember Aalfs said Councilmember Driscoll didn’t recruit him to the ASCC but did encourage him to run for a Town Council seat, and one of the most valuable things he’ll take away from this experience is the two years he had the honor of serving with Councilmember Driscoll – as a role model, as a leader, as a member of the community in every sense.

Vice Mayor Wengert congratulated Councilmember Driscoll on the most extraordinary achievement of serving 20 years and expressed a heartfelt thank-you for his direct and positive impact on the quality of life in Portola Valley, stating that the community would continue reaping the benefits of his efforts for decades to come. Like Councilmember Driscoll, she said she came from eastern Pennsylvania and developed a strong connection with Portola Valley in an “unwavering leap into a special environment.” Particularly in working with Councilmember Driscoll on controversial issues, she said she always appreciated the creative approach, intelligence, experience and open mind he brought to the table, always looking for a winning solution to even the most intractable problems.

Mayor Richards said it was back in 1988 when he and Councilmember Driscoll, who shared some architectural background, had a long conversation about ASCC, after which Councilmember Driscoll became an ASCC member for several years before moving on to the Planning Commission. He said following Councilmember Driscoll’s lead as mayor was a positive and constructive learning experience.

Councilmember Driscoll said that over the years, he’s worked with six members of the ASCC, five Planning Commissioners and 13 Town Council members – and was friends with all. He said he’s worked with fantastic Town staff members, too, starting out with Sue McGowan as Town Manager, Jim Morton as Town Attorney, George Mader as Town Planner, and continuing through to Mr. Vlasic, Karen Kristiansson (Deputy Town Planner) and others, in “one of the best towns in the world.” He said the past 20 years have not been work, they’ve been fun, and it’s “awkward being thanked for having a good time.” He recalled helping find a new home for the collection in an art gallery in the Historic Schoolhouse, which is now a jewel of the Town, working with property owners to help preserve the western hills, and the development of the Town Center.

Despite resistance to the Town Center proposal, he said the Town Council decided to build as much of it as the Town would allow by virtue of the amount of money they could raise. He said he doesn’t think a town of fewer than 5,000 people anywhere else could raise \$17 million. With a background in construction (in a family of contractors), studies in architecture, plus a PhD in geology, he said it turned out he was in the best position to lead the project. He said it was fun, but when they managed to produce a LEED Platinum building, it was amazing. But it was more than buildings, he added; it reinvigorated the community. The night he came to celebrate Ms. Kristiansson’s new position, he said, every field was being used, the band was playing, kids were playing in the creek.

Councilmember Driscoll left with a challenge: freeing the 100 yards of creek still imprisoned on this property. He welcomed Mr. Hughes to the Council. He also thanked his family; his daughter was a toddler when he and his wife Sue moved to Portola Valley, and his son, who was five years old, is now married and expecting the Driscolls’ first grandchild in seven months.

Mayor Richards read an official proclamation in honor of Councilmember Driscoll, and said he looked forward to his continued volunteer work for the Town.

Reorganization of the Town Council [8:05 p.m.]

- (a) Installation of Councilmembers

Ms. Hanlon swore in Councilmember’s Derwin, Hughes, and Richards.

(b) Election of Mayor

Councilmember Derwin nominated Ann Wengert for Mayor. Seconded by Councilmember Aalfs, the motion carried 5-0.

(c) Election of Vice Mayor

New Mayor Wengert nominated Councilmember Aalfs for Vice Mayor. Seconded by Councilmember Derwin, the motion carried 5-0.

Mayor Wengert, thanking outgoing Mayor Richards for a terrific job for his service as Mayor, said she expects a fair number of challenges in 2014, but she's optimistic and looking forward to working with the community, staff and her colleagues. Next year's agenda includes affordable housing, aircraft noise, emergency preparation, the Portola Road Corridor, Climate Action Plan, updates for the General Plan and Zoning Code, and she noted, green building ordinances as well as skate ramps, bike safety improvements and the new baseball field. She's also looking forward to the 50th anniversary celebration of the Town's incorporation as a very special community event.

CONSENT AGENDA [8:09 p.m.]

- (3) Approval of Minutes: Special Town Council Meeting of October 30, 2013 (with Emergency Preparedness Committee) [*removed from Consent Agenda*]
- (4) Approval of Minutes: Special Town Council Meeting of November 13, 2013 (Joint Meeting with Planning Commission)
- (5) Ratification of Warrant List: November 27, 2013 in the amount of \$390,838.43
- (6) Ratification of Warrant List: December 11, 2013 in the amount of \$139,011.33
- (7) Recommendation by Deputy Building Official: Adoption of the 2013 California Building Code
  - (a) Second reading of Title, waive further reading, and adopt an Ordinance of the Town Council of the Town of Portola Valley amending Section 15.04.010 [Definitions], Section 15.04.020 [Amendments to the Building Code], and Section 15.04.030 [Additions to the Building Code] of Chapter 15.04 [Building Code] of Title 15 [Buildings and Construction] of the Portola Valley Municipal Code to adopt and updated Building Code (Ordinance No. 400)
- (8) Appointment by Mayor: Request for Appointment of Member to the Cultural Arts Committee

By motion of Councilmember Richards, seconded by Vice Mayor Aalfs, the Council approved Items 4 through 8 on the Consent Agenda with the following roll call vote:

Aye: Councilmembers Derwin, Hughes (abstained on Item 4) and Richards, Vice Mayor Aalfs, Mayor Wengert

No: None

- (3) Approval of Minutes: Special Town Council Meeting of October 30, 2013 (with Emergency Preparedness Committee)

Vice Mayor Aalfs moved to approve the minutes of the Special Town Council Meeting of October 30, 2013 as amended. Seconded by Councilmember Richards, the motion carried 3-0-2 (Hughes and Wengert abstained).

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS [8:11 p.m.]

(9) Reports from Commission and Committee Liaisons [7:53 p.m.]

Councilmember Derwin:

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

At its November 20, 2013 meeting, RMCP, a C/CAG subcommittee, heard a presentation by Steve Schmidt, who has a new company, Home Energy Analytics, discussing a new tool that remotely identifies energy use patterns to support reduction strategies, track progress and cut customers' utility bills. Councilmember Derwin said using it in East Palo Alto could save residents as much as \$10 to \$20 a month.

The RMCP agenda also included an update on the Large Residential Resource Conservation Collaborative (LR2C2) (also known as high-energy homes). Realtors will be gathering in January 2014 to discuss driving demand for energy-efficient homes and the controversial point-of-sale issue of disclosing energy-usage information when a home sells.

Also at the meeting was Power Down owner Chris Hunt, whose company performs comprehensive residential electricity audits and trains auditors on his method of identifying plug loads that affect baseline energy use. He conducted an in-person/webinar program, "Secrets for Controlling Energy Use in Larger Homes" in Portola Valley on August 15, 2013, discussing low-cost measures to reduce electricity use in single-family homes.

(b) Council of Cities

The Council of Cities meeting in Atherton included a presentation on animal control and licensing, generating discussion about issues including oversight, performance measures, the annual audit, whether members of the board should be elected, and whether the existing animal shelter needs to be replaced by a new one.

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

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

- Heard a PG&E report on gas system upgrades
- Appointed Ana Vasuedo (Brisbane) to the Geneva-Harney Bus Rapid Transit Community Advisory Committee (GHCAC)
- Named San Mateo County Supervisor Don Horsley and (Hillsborough Vice Mayor Laurence May to serve on the Bicycle and Pedestrian Advisory Committee (BPAC)

Because Board Chair Brandt Grotte (former San Mateo City Councilmember) did not run for re-election, Vice Chair Mary Ann Nihart (Pacifica Mayor) will serve as Chair until the next election in March 2014.

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

Discussion at the December 4, 2013 HEART meeting focused on the feasibility study for a \$200 million campaign, which Councilmember Derwin said now is somehow now linked to the Housing Leadership Council (HLD), making it uncertain whether the focus will remain on affordable housing or shift to overall housing. A report on the results of the study, which

is being conducted by Olive Grove Consulting, is scheduled for the January 22, 2014 HEART Board meeting.

Councilmember Richards:

(e) Speaker Series

Alane O’Rielly Weber, whose business – Botanical Arts – produces and applies actively aerated compost tea, addressed attendees at the Thursday Harvest Speaker Series session on December 5, 2013. Entitled “The Practical Wisdom of Working with Living Soil,” her presentation focused on sustainable landscape management, the environmental services offered by soil biology and how to maximize their benefits.

Vice Mayor Aalfs:

(f) Architectural and Site Control Commission (ASCC)

At its December 9, 2013 meeting, the ASCC:

- Heard a progress report on the Priory’s field and track projects; Vice Mayor Aalfs missed the meeting, but Councilmember Hughes reported that the track will be light tan in color
- Reviewed preliminary schematics on a new building, Benedictine Square, which will be a set of classrooms and open space just below the Student Center on the Priory hillside
- Conducted an architectural review of AT&T modifications on its facility on Alpine Road next to the Alpine Hills Tennis and Swimming Club; there will be no fence around it
- Conducted an architectural review of a project to facilitate access to the main garage at 330 Golden Hills Drive by replacing an existing secondary access driveway gate and adjacent fencing with a new gate and fencing

(g) Geologic Safety Committee

The main topic on the agenda at the Geologic Safety Committee’s meeting on December 11, 2013, was Chuck Wrucke’s paper, based on his retracing the fault of 1906 San Andreas earthquake to a location along the top of Alpine Road and Willowbrook Drive, which brings it about 300 feet closer to probably five residences than previously thought. The question arose of whether the geologic safety map should be revised.

Mayor Wengert

(h) Planning Commission

The December 4, 2013 meeting was the Planning Commission’s first study session on the Housing Element. She said Deputy Town Planner Karen Kristiansson framed the issues well and the Commission started tackling recommendations that came from the Ad Hoc Affordable Housing Committee. There also was a discussion about what the Town needs to do (RHNA compliance) vis-à-vis what it wants to do (its vision of future housing goals).

Mayor Wengert reported general support among Commissioners for considering larger second units on larger properties, and a fair amount of support for the idea of allowing some larger properties to have both attached and detached second units, but mixed

feelings about second units on smaller lots. They also discussed considering pre-approved green designs on pre-fab second units.

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

Meeting on December 4, 2013, BP&TS Committee members heard a progress report on the ongoing Corte Madera and school traffic study, awaiting results from Parisi Consulting. Upon Committee review, the Committee would make its recommendations to the Town Council, probably in late January 2014. The Committee also discussed parking at Windy Hill, where the temporary signage has been quite effective in keeping parked vehicles sufficiently off the shoulder to avoid blocking the bike traffic on weekends. Working toward an incremental solution, the next step probably will be the Public Works Director moving some logs.

(j) San Mateo Sea Level Rise

Held on December 9, 2013, a half-day conference on "Meeting the Challenges of Sea Level Rise in San Mateo County" was fascinating, Mayor Wengert said. Oceanographer and keynote speaker John Englander, who wrote *High Tide on Main Street: Rising Sea Level and the Coming Coastal Crisis*, is activating communities to prepare for a three-foot sea level rise within the next 50 to 75 years. The conference was presented by U.S. Representative Jackie Speier, California Assemblymember Rich Gordon and San Mateo County Supervisor Dave Pine.

(k) Trails and Paths Committee

Sustainability & Special Projects Manager Brandi deGarmeaux and Administrative Services Manager Stacie Nerdahl made their first "Hosting Committee Events and Outreach Opportunities" presentation to members of the Trails and Paths Committee at their meeting on December 10, 2013. New committee processes are described also in the updated *Commission & Advisory Committee Policies & Procedures Handbook*, which the Council adopted on October 23, 2013. It is posted on the Town website, via a link on the "Town Committees" page.

The Trails and Paths Committee also discussed the driveway scoring process for equestrian and horse safety, which has been the topic of a few PV Forum posts.

WRITTEN COMMUNICATIONS [8:32 p.m.]

(10) Town Council November 15, 2013 Weekly Digest – None

(12) Town Council November 22, 2013 Weekly Digest – None

(13) Town Council December 6, 2013 Weekly Digest – None

ADJOURNMENT [8:35 p.m.]

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Mayor

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Town Clerk