



TOWN OF PORTOLA VALLEY

7:00 PM – Regular Meeting of the Town Council
Wednesday, November 12, 2014
The Sequoias / Hanson Hall
501 Portola Road, Portola Valley, CA 94028

SPECIAL MEETING AGENDA

7:00 PM – CALL TO ORDER AND ROLL CALL

Councilmember Derwin, Councilmember Hughes, Councilmember Richards, Vice Mayor Aalfs and Mayor Wengert

ORAL COMMUNICATIONS

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

CONSENT AGENDA

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

- (1) **Approval of Minutes** – Regular Town Council Meeting of October 22, 2014 (3)
- (2) **Approval of Warrant List** – November 12, 2014 (14)
- (3) **Recommendation by Mayor** – Amendment to Agreement between the Town of Portola Valley and Jorgenson, Siegel, McClure & Flegel, LLP for Provision of Legal Services (29)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of Agreement for Legal Services Between the Town of Portola Valley and Jorgenson, Siegel, McClure & Flegel, LLP. (Resolution No. __)
- (4) **Recommendation by Town Manager** – Approve First Amended as Restated Joint Exercise of Powers Agreement (43) for San Mateo County Operational Area Emergency Services Organization
- (5) **Recommendation by Planning Director** – Designation of Land Acquisition Negotiator (65)
- (6) **Appointment by Mayor** – Request for appointment of a member to the Conservation Committee (67)
- (7) **Recommendation from Town Manager** – Extended Winter Closure for Town Hall (70)
- (8) **Recommendation from Town Manager** – Request Approval of Budget Amendment for 40-hour workweek (71)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Amending the Administration Budget for Fiscal Year 2014-15 to Modify the Standard Workweek (Resolution No. ____)

REGULAR AGENDA

PUBLIC HEARING

- (9) **PUBLIC HEARING** Proposed Portola Road Corridor Plan - **THIS ITEM HAS BEEN REMOVED FROM THE AGENDA** (74)
- (10) **Recommendation from Public Works Director** – Authorize Staff to Submit a Conceptual Trail Project Proposal (75) for Relocation of the Existing Trail along Alpine Road

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

- (11) **Reports from Commission and Committee Liaisons** (81)
There are no written materials for this item.

WRITTEN COMMUNICATIONS

- (12) **Town Council Digest** – October 24, 2014 (82)

(13) **Town Council Digest** – October 31, 2014 (111)

(14) **Town Council Digest** – November 7, 2014 (131)

ADJOURN TO CLOSED SESSION

(15) **CONFERENCE WITH LABOR NEGOTIATOR** (153)

Government Code Section 54957.6

Agency Designated Representative: Jeff Aalfs, Vice Mayor

Unrepresented Employees: Town Manager

REPORT OUT OF CLOSED SESSION

ADJOURNMENT

ASSISTANCE FOR PEOPLE WITH DISABILITIES

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

AVAILABILITY OF INFORMATION

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

SUBMITTAL OF AGENDA ITEMS

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

PUBLIC HEARINGS

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

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 888, OCTOBER 22, 2014

Mayor Wengert called the Town Council’s regular meeting to order at 7:30 p.m. and led the Pledge of Allegiance. Ms. Hanlon called the roll.

Present: Councilmembers Craig Hughes and John Richards; Vice Mayor Jeff Aalfs; Mayor Ann Wengert

Absent: Councilmember Maryann Moise Derwin

Others: Nick Pegueros, Town Manager
Howard Young, Public Works Director
Leigh Prince, Town Attorney
Sharon Hanlon, Town Clerk

ORAL COMMUNICATIONS

Wayne Lee, Mayor of Millbrae, said he’s running for a seat on the SamTrans Board of Directors, and is seeking support. Prior to being elected Mayor, he said he served seven years on the Millbrae Planning Commission and spent 19 years with the Bay Area Air Quality Management District. He said he’s a real believer in transit, and as reliable as our system is, it still has shortcomings as well as financial and service issues. He said he has ideas about an economic way to address the issues, embracing technology and making the system more user-friendly. He contends that public transit should be not just a choice, but the first choice, in getting to work or school, and SamTrans has that potential.

CONSENT AGENDA [7:34 p.m.]

- (1) Approval of Minutes: Regular Town Council Meeting of October 8, 2014 [*Removed from Consent Agenda*]
- (2) Ratification of Warrant List: October 22, 2014 in the amount of \$ 290,650.23
- (3) Recommendation by Town Attorney: Introduce an Ordinance Amending Chapter 15.16, Fire Protection District
 - a) Second reading of title, waive further reading, and adopt an ordinance of the Town Council of the Town of Portola Valley amending Chapter 15.16 [Fire Protection District] of Title 15 [Buildings and Construction] of the Portola Valley Municipal Code (Ordinance No. 2014-405)
- (4) Appointment by Mayor: Request for appointment of a member to the Parks and Recreation Committee
- (5) Appointment by Mayor: Request for appointment of a member to the Emergency Preparedness Committee

Councilmember Richards moved to approve Items 2 through 5 on the Consent Agenda. Seconded by Councilmember Hughes, the motion carried 4-0 with the following roll call vote:

Aye: Councilmembers Hughes and Richards, Vice Mayor Aalfs, Mayor Wengert.

No: None.

(1) Approval of Minutes: Regular Town Council Meeting of October 8, 2014

Councilmember Richards moved to approve the minutes of the September 10, 2014 meeting, as amended. Seconded by Vice Mayor Aalfs, the motion carried 4-0.

REGULAR AGENDA

(6) Discussion and Council Direction: Report from the San Mateo County Sheriff's Office concerning Automated License Plate Readers [7:36 p.m.]

Mr. Pegueros noted that Council packets include reports from the San Mateo County Sheriff's Office and the Northern California Regional Intelligence Center (NCRIC) on Automated License Plate Readers (ALPRs). After considering that information and hearing public comments, he asked the Council to provide staff direction as to any actions to take going forward. He introduced Sheriff's Department Captain Mike Sena, who serves as NCRIC Director.

Capt. Sena indicated that NCRIC promotes collaboration and improved communication among 23 law enforcement agencies throughout the Bay Area to develop good policy that also enhances civil rights and civil liberties programs within the law enforcement community. Capt. Sena said he'd provide an overview of the ALPR technology and explain what it does and how it's used. He also introduced NCRIC IT Manager Brian Rodrigues, who could answer technical questions.

With records management systems that facilitate information-sharing, law enforcement is better able to understand and address vulnerabilities in various communities he said. ALPR provides some of that previously unavailable assistance, which contributes to gathering and cross-referencing information more quickly and processing crime scenes more efficiently. Considering the rate of vehicle thefts, officers often drive by stolen vehicles because they can't possibly memorize so many license plate numbers, but they can determine within seconds whether a suspicious vehicle may have been stolen by entering its license plate number. The system also can help determine equally fast whether a license plate on a vehicle involved in a crime has been stolen, whether it's involved in an Amber Alert or missing-persons report, or is part of an investigation, Capt. Sena said. Because the information gets into the system so quickly, he said officers are often more able to catch people who have stolen cars while they're still in the vehicle, as opposed to after they've stripped and trashed or burned them.

The system also improves law enforcement's ability to work with partial-plate information, a process that can otherwise take days. Capt. Sena noted that that he got interested in this technology in 1997, when he was investigating a child kidnapping, and it took nearly a week to get data from the DMV based on the partial plate information he'd submitted. If that happened today, he said he might have a list of plates to examine within minutes, and hopefully save lives.

Capt. Sena emphasized that systems themselves are not tied to Department of Motor Vehicle (DMV) records. ALPR technology indicates neither vehicle ownership nor registration, so none of that information is available unless further research is warranted, he said. He added that even when rented vehicles are used in the commission of a crime, the ALPR data gives law enforcement a starting point.

In terms of privacy concerns, Capt. Sena said a Privacy Impact Assessment (PIA) preceded any use of ALPRs. The data law enforcement sees is anonymous, he said. Owners of license plates are in a different database. However, if they know where a crime has occurred, they have a place to start with looking for license plate numbers to help locate witnesses or identify suspects. Another privacy protection is the fact that only law enforcement officers have access to the data. The one exception, he said, which has yet to occur; license-plate information may be shared with victims or potential victims with instructions to call 9-1-1 if they see the vehicle.

Data storage policies vary across the country, Capt. Sena said. New Jersey, for example, may keep records for as long as five years, while in Vermont, it's 18 months. According to Capt. Sena, many partner agencies in California, primarily sheriff's offices and police departments, purge records after only four

months, and the California Highway Patrol keeps them only 90 days. NCRIC policy permits record retention per the partner agency guidelines or up to one year – whichever is shorter – unless a reasonable suspicion has been established that the vehicle identified by the ALPR read is connected to criminal activities.

Among other privacy-protection features Capt. Sena enumerated:

- Data cannot be sold to any private entity
- Data may not be used to monitor activities related to the exercise of First Amendment rights
- Only specifically vetted individuals have access to ALPR data
- Case numbers are required to access ALPR data (i.e., the request relates to an open investigation) and the case must meet one of six other criteria (locating wanted vehicles, locating subjects under investigation or with outstanding arrest warrants, locating subjects of Amber Alerts or Silver Alerts, and protecting critical infrastructure)

Turning to the technology, Capt. Sena said ALPRs are optical cameras, infrared for night-time use. They don't illuminate subject vehicles; they just take pictures. When the picture enters the database, it notifies the law enforcement officer who's approaching that vehicle whether the license plate is associated with a wanted subject. The picture also becomes available to investigators who may have a license plate number but only a vague vehicle description. However, Capt. Sena stressed that officers must visually verify the accuracy of the record. As Capt. Sena pointed out, it's not just the technology but the people who make it effective – people trained on the proper use of the system and privacy policies.

Capt. Sena said that Piedmont has installed 37 ALPRs since last November. It's one of the largest installations he's seen, he said, but shows a small microcosm of what the system can do. In eight months, Piedmont reported an overall drop in crime of 35%, while the number of armed robberies decreased by 88% (from eight to one) and burglaries were down by 53% (from 70 to 35). Piedmont Police Chief Rikki Goede told him the only thing she'd do differently in terms of the ALPR is emphasize use of VLPRs (Vehicle License Plate Recognition System) in officers' vehicles more than the ALPRs in fixed locations, Capt. Sena said. He also said that Piedmont reported a 40% closure rate on crimes reported during that eight-month period.

Mayor Wengert asked how many other Bay Area communities have adopted the technology. Mr. Rodrigues said at least 40 cities are using ALPRs. Capt. Sena said that Piedmont's the only one doing it at all city entrances and exits, but other places have invested more in mobile deployments of the technology. He also noted that while the people of Piedmont wanted something done about increasing crime, some of them objected to ALPRs on the basis of privacy issues, the Police Chief reported two weeks ago that the opponents now believe privacy concerns have been addressed and crime has been reduced without having to put more police on the streets.

Councilmember Hughes asked for elaboration on the issues of protecting the public during special events and increasing situational awareness, and protecting critical infrastructure. Capt. Sena said if some type of suspicious or criminal behavior occurs during an event, the ALPR system enables identification of any vehicles that may be associated with an investigation for terrorism planning and support. Likewise, terrorism may be a factor in crimes committed at critical infrastructure sites – such as fiber optic cables that were cut or crimes involving power grid or water treatment facilities – and the ALPR can identify vehicles in the vicinity at the time.

In response to another question Councilmember Hughes posed, Capt. Sena said about one in 1,000 vehicles produces a hit on which officers can follow up.

In terms of “watching the watchers,” Councilmember Hughes – getting assurances that the system is being used properly and as it is intended – asked what is done to ensure information that is audited is entered accurately. Capt. Sena said the information, including case number, goes to the command staff, who randomly sample what is submitted. Mr. Rodrigues said those random samples are pulled at least once a month across jurisdictions; in addition, the information entered is reported back to the partner agency involved for review and follow-up.

Councilmember Richards asked the primary reason for recording and retaining information. Capt. Sena said it’s for the investigation purposes and making connections with incidents that may not otherwise seem related. He said it can help redirect or reinforce an investigation.

Mayor Wengert asked how effective ALPRs would be in solving burglaries in Portola Valley, particularly in light of the fact that it probably would involve mostly license plate numbers that have already been entered into the system from major thoroughfares elsewhere in San Mateo County, and would have to be sifted to exclude residents, employees and others who come to Town on a regular basis. Capt. Sena said that the data would be winnowed down by referring to certain time windows on specific dates.

He also noted that even though the license plate information would give officers a quicker start, it doesn’t take the place of investigation; the officer must tie a suspect to the vehicle and to the location of the crime before the suspect can be prosecuted.

Councilmember Hughes asked whether each agency carries its own data. Capt. Sena said that NCRIC collects data from all the locations, in part because the analytical tools only work when all the data is in one depository, and in part to ensure the 12-month purge – again, data tied to a specific criminal activity being the exception.

In response to Councilmember Hughes, Capt. Sena said in a small number of instances, NCRIC shares information with the Federal Bureau of Investigation (FBI), Department of Homeland Security (DHS) or National Security Agency (NSA) for criminal investigations. FBI, DHS and NSA requests typically involve specific license plate numbers, he added.

Councilmember Hughes also asked whether Portola Valley could specify a shorter retention period than the 12 months. Capt. Sena said they could honor specifications less than 12 months, but the more time they shave off, the less the ability to tie a plate to other criminal activities.

Vice Mayor Aalfs indicated that Nadia Kayyali, representing the Electronic Frontier Foundation (EFF), is available to answer questions.

Ms. Kayyali said she wanted to make a couple of points. She emphasized that the data being collected is incredibly revealing. Although it’s easy to say, “It’s only license plates,” that’s basically the same argument the government makes under Section 215 of the Patriot Act about collecting phone numbers we dial. She said this data can be used to find out a lot about people’s lives. A year’s retention period is a long time, she added, and the longer the data is kept, the more revealing it is about where people go in their vehicles. She also said location data is invasive enough that the Supreme Court decided in *U.S. v. Jones* that it’s covered by the Fourth Amendment.

According to Ms. Kayyali, it’s also important to consider the arrangement under which this data would be collected. Once transmitted to NCRIC, she said, you’d lose control of it. She said concerns about data being shared with federal agencies are very real. As she explained, NCRIC is a fusion center, connected with DHS in collaboration with local law enforcement, and with federal employees onsite. She said she believes the Joint Terrorism Task Force is also housed at the fusion center.

As for the technology itself, she said she was happy to hear NCRIC acknowledge the technology is imperfect and can read license plates incorrectly. She also pointed out that if the data is used to create hotlists, even though a license plate itself is not cause for a traffic stop, appearing on a hotlist might give law enforcement an incentive to find another a reason to stop a vehicle if its plate appears on a hotlist.

Councilmember Hughes asked for clarification about the court case Ms. Kayyali cited. She said she referred to U.S. v Jones in terms of the privacy location. In January 2012, the Supreme Court ruled that attaching a global positioning system (GPS) device to a vehicle and using the device to monitor the vehicle's movements constitutes a search under the Fourth Amendment. The Court did not resolve the question of whether the search was reasonable in this case, and although a valid search warrant would have made the evidence admissible, the search warrant issued had expired.

She cited another case relating to ALPRs specifically. In May 2013, EFF and the American Civil Liberties Union of Southern California (ACLU-SC) filed suit against the Los Angeles Police Department and Los Angeles County Sheriff's Department over their failure to produce records related to the use of ALPRs in violation of the California Public Records Act. Ms. Kayyali said the law enforcement agencies wouldn't release the data on the grounds that it would reveal too much information about investigations – which, she said, pretty much indicates that every license plate in their database is potentially under investigation.

Mayor Wengert asked for comments related to previous discussions that included San Mateo County Sheriff's Department Lieutenant Tim Reid, Vice Mayor Aalfs, Councilmember Hughes, Ms. Prince and Mr. Pegueros.

Councilmember Hughes said their discussions made it obvious that the real-time aspect of ALPRs and hotlists wouldn't be particularly useful in Portola Valley because we have so few patrol cars out and available to respond. Instead, ALPR data would more likely be useful as an investigative tool. His concern is with the record-retention period in the context of privacy protection, he said.

As he reads the Los Angeles action involving by ACLU and EFF, Councilmember Hughes explained, the judge apparently didn't consider the ALPR records public, or administrative or investigative, but the reason he didn't grant the request to release the ALPR data was because it involved identifying locations of mobile cameras. Councilmember Hughes said if we're talking about fixed-location cameras, and they aren't investigative records, and public money is being used to collect non-privileged, publicly available information about vehicles on public roads, there's reason to believe the information would be discoverable under a Freedom of Information Act (FOIA) request. Thus, he said whatever safeguards NCRIC might have in place, a successful FOI lawsuit could undo all of them and make whatever data exists suddenly available publicly and subject to use for nefarious purposes.

From an investigative standpoint, Lt. Reid said ALPR data could help combat the crimes that occur in Portola Valley, particularly burglaries. Despite an apparently higher level of awareness due to postings on PV Forum, he said those crimes are down somewhat this year compared to 2013, but 2013 was much higher than 2012, when the spate of burglaries was like locusts coming through Town. If ALPR data had been available then, he said, researching those crimes would have been much more efficient and reduced investigation time. He said to have that ability would be huge for the Sheriff's Department.

Shawn Smith, Possum Lane, said that as founder and director of Vigilant Solutions, the largest supplier of license-plate-recognition technology to law enforcement agencies in the U.S. as well as other parts of the world, he is quite familiar with ALPR technology. In terms of the Supreme Court case cited, he said, it involved an officer taking information from a GPS tracking device that had surreptitiously been placed on a car, which is very different from having fixed ALPR installations on Alpine Road and Sand Hill Road. The Supreme Court has not ruled anything about search warrants being needed to scan license plates, he added. Mr. Smith said the sensitivity in the other case mentioned is that when an officer is in a car with ALPR capability, every time that officer scans data it creates a record of where his or her car is. Overlaying that kind of data to create a heat map of where those cars have been makes it possible to discern and predict policing patterns.

According to Mr. Smith, the technology does a lot of good, and sometimes can be used even to identify vehicles that are speeding. The readings aren't legally enforceable or grounds for writing tickets, but they can help officers keep an eye out for those that are being driven too fast.

Commenting on the CHP's 90-day limit on records retention, he said it's not what the CHP wanted, but it was stipulated in the funding package for its ALPR equipment.

Resident Slawek Wojtowicz asked whether the Sheriff's Department had tried using this technology in Portola Valley without the Council's permission. Lt. Reid said he was mistaken in failing to inform Mr. Pegueros when he set up the ALPR devices. Mr. Pegueros said it wasn't illegal or any violation of Town policy; Lt. Reid simply didn't ask in advance. Mayor Wengert affirmed that the incident triggered this discussion, but it's the first time the Council has discussed it.

Tom Robertson, Cervantes Road, said a witness recorded a license plate number associated with a forced break-in at a neighbor's house, and a week later, law enforcement saw the plate on a car and subsequently arrested a suspect. He said that's a pretty good story regarding the value of ALPRs.

As a photographer who's interested in cameras, Virginia Bacon, Golden Oak Drive, asked what the ALPR devices look like, how they're mounted and secured, and what protects them against vandalism or hacking. Capt. Sena described the optical infrared cameras, the lenses and boxes that hold them. He said the cameras aren't high-resolution devices, but they capture the letters and numbers on a plate, digitalize the image, encrypt the data, add an expiration date and transmit the data via internet.

In response to a further question from Ms. Bacon, Mayor Wengert said one of the ACLU's recommendations is that no data captured is analyzed unless a clearly identified incident justifies its use in an investigation. She noted, too, that the Town would not have access to the data. Capt. Sena confirmed that the law enforcement agency in the jurisdiction involved is the entity that owns the data, and can direct its removal from NCRIC's records.

In response to a question from Noura Bouzeid, Lt. Reid said one reason they don't advertise where fixed-location readers are placed is to minimize the chances for vandalism.

Vice Mayor Aalfs asked whether the Sheriff's Department plans to set cameras up throughout the County. Lt. Reid said the short answer is yes. Capt. Sena said they're talking to Woodside as well as Portola Valley, and San Carlos is leaning more toward mobile ALPRs than cameras in fixed locations. Menlo Park, Redwood City, San Mateo and Daly City have deployed mobile ALPRs.

Councilmember Richards said the fact that ALPRs use "pretty cool technology" may be part of the problem the Council is grappling with, but he cited four issues:

- He's not convinced about the efficacy of the system, especially the way it would probably be set up in Portola Valley
- Like Councilmember Hughes, he's concerned about public records access
- The Town has no influence over the San Mateo County Sheriff's Department's policies and would have no control over the use of data obtained in the Town; despite great respect for the department with the current administration, he noted that the circumstances could change in the future
- With the explosion of data and surveillance from varied sources, ALPRs may be another chink in the armor of civil liberties

He said if Portola Valley ultimately decides to go forward with this technology, he'd be interested in close control of data and a very short retention period.

Councilmember Hughes said he agreed with much of what Councilmember Richards said, but doing the best we can in terms of public safety and crime prevention is also important. In the tradeoff, he's thinking about how to put together a system that would be beneficial but minimizes the compromises in terms of civil liberties. He said he appreciates the substantial time, thought and effort that NCRIC put into building

a set of policies, but technology moves so fast it's hard to keep up. He considers the question whether the data is public record still undecided, he said; we don't know where that issue will go. Whether NCRIC or the Sheriff's Department decide to change any policies or a court ruling forces changes, the Town would have no control over the data and very little input into the decision. For those reasons, he'd favor the shortest possible retention period – the amount of time it takes to check it against the hotlists unless there's a match, or a couple of weeks for the Sheriff's Department to sift out data relevant to active crime investigation files.

Mayor Wengert said she'd assumed the Town would have more control. Councilmember Hughes said the amount of control shrinks as the complexity of the system grows. Even if we could tell NCRIC or the Sheriff's Department to delete records, we couldn't be sure a record hadn't already migrated somewhere and is being retained outside the system – for instance, if a record went to the Internal Revenue Service. Nor do we know what happens to data that's pulled up in response to a database query.

In terms of other agencies receiving data, Capt. Sena said the system logs queries, which shows NCRIC who requested the information, what the requestor looked at and when and where the data went. Councilmember Hughes said that might work for discovery after the fact if a particular problem arose with specific data that got out, but you'd have to look for it in the first place to know. Mr. Rodrigues said that the retention period for data collected in Portola Valley would be spelled out in the Town's agreement with the Sheriff's Department.

Vice Mayor Aalfs said the Piedmont example shows a clear benefit in ALPR use, also noting the network effect, as when the case Mr. Robertson spoke about was solved because San Francisco has ALPRs. In that vein, he said other communities would appreciate the reciprocity. At the same time, he said, there's a clear risk involved in using ALPRs, and we'd have to be prepared to deal with the possibility of information going somewhere we don't want to go. In this case, according to Vice Mayor Aalfs, the question is, "Which is the right thing to worry about?" At the moment, he said he leans toward protecting privacy, but it's not a question he's really ready to answer.

Councilmember Richards said in terms of reciprocity, if our data goes to NCRIC, anyone authorized to do so can query it. It's not kept in isolation.

Councilmember Hughes said although it's very unlikely, our movements can be watched with ALPR technology. The potential is there. Mayor Wengert said it's more likely to happen with our phones.

Mayor Wengert said she shares the concerns that have been expressed, but she weighs that against the likelihood of a higher crime rate in the years ahead. She also said she takes into account Vice Mayor Aalfs' observations of the value of being part of a network with other communities. With communities changing and economic disparity growing, she said, Portola Valley is a tempting target for burglaries and robberies. She said she found ACLU's recommendations on how to manage the systems well-articulated, and that would be the direction she'd take – but first, she's very sensitive to being certain we understand what the Town's residents want, because in the end, it's a balancing act among all the issues for all of us. For that reason, she said she'd favor having staff do some additional work to evaluate the community's thoughts. What we see anecdotally on the PV Forum comes in on both sides of the issue, she said.

Councilmember Hughes said the letters in the Councilmembers' packets bear out her last point. Of the emails submitted prior to the Council meeting, three fell into the pro-ALPR camp (Jon Goulden, Corte Madera Road; Donald Perryman, Wayside Road; Sue and Gene Chaput, Alamos Road), one was pro-ALPR with stipulations (David Duff, Alpine Road) and one was opposed (Karen Vahtra, Hillbrook Drive).

Ms. Bacon said she'd hate to see a system take the place of the neighborliness that's one of Portola Valley's most important features, and the fact that residents try to help one another.

Mayor Wengert said it would seem appropriate to take the issue to the next step, particularly in regard to community input. Mr. Pegueros said one of the most challenging aspects is the complexity of the issue,

so it might make sense to hold a couple of community meetings to discuss it, and then poll those who attend. If the Council agrees, he said it would be helpful to have two Councilmembers to serve as liaison.

Councilmember Hughes said he wouldn't be ready to consider deployment of ALPRs as a next step, but he would favor open discussion with the community. Councilmember Richards said he'd also want a better read on how effective ALPRs would be in Portola Valley's situation. Councilmember Hughes suggested that NCRIC may be provide concrete examples or simulations that might help us evaluate what the system can do in a situation that's likely to occur in Portola Valley.

Councilmember Richards suggested considering a trial period. He'd also favor gauging public sentiment.

Because they've been involved in discussions previously, Mayor Wengert asked whether Vice Mayor Aalfs and Councilmember Hughes would work with Mr. Pegueros. They agreed. She thanked Capt. Sena, Mr. Rodrigues, Lt. Reid and Ms. Kayyali for coming to the meeting.

In summary, the Town Council directed staff to seek additional community input in an effort to better assess public interest in ALPRs. Staff will organize two community meetings to give residents the opportunity to hear from Sheriff's Office representatives as well as representatives from the EFF and ACLU, if available, Councilmember Hughes, Vice Mayor Aalfs and Town staff. Input from these meetings will be brought back to the Town Council.

(7) Recommendation by Public Works Director: Policy and Register of Priority for Tree Removal
[9:24 p.m.]

Mr. Young reported that after discussing a proposed policy for hazardous tree and shrub removals on Town-owned lands and rights-of-way (ROW) at its October 8, 2014 meeting, the Town Council directed staff to update the proposed policy with feedback incorporated and return to the Council with two lists:

- Trees that pose imminent threats to public safety, including those likely to take out power lines
- A short list of potentially hazardous trees to be removed, indicating priority order and location of each

Mr. Young said after further discussions with staff and members of the Trails and Paths and Conservation Committees, he and Fire Marshal Denise Enea drove through Town to view the trees. Just yesterday (October 21, 2014), they spent several more hours on another drive-through with PG&E's Government Relations Representative Bill Chiang and well as PG&E's arborist and a contractor, to identify the trees for each list. They also looked at some trees on private property.

In response to Councilmember Hughes, who noted the absence of any pine trees on the priority list, Mr. Young said the list would be updated from time to time, but the most dangerous pine trees are on the first list. The eucalyptus trees on the short list, in priority order, include one on Grove Drive, eight on Alpine Road and four on Portola Road.

Mr. Young said PG&E made a surprise offer during their visit yesterday: the Town would bear the cost of removing the debris, but PG&E would pay to take down trees that threaten its power lines. That includes nine of the 13 trees on the short list – six of those on Alpine Road (at the Alpine Hills Swim and Tennis Club), two on Portola Road (at Spring Down) and one on Grove Drive – if it can be done before the end of PG&E's fiscal year, which is December 31, 2014. In addition to the availability of funds, the deadline is also driven by a limitation on the number of crews PG&E has to do the work within that timeframe.

Mr. Young noted that there's also potential for huge savings for private-property owners who want hazardous trees removed from their land, because in addition to nine potentially dangerous trees on the ROW, they identified 22 others on private property. Mr. Young also indicated that because PG&E is interested in a collaborative effort that includes the Town, the Fire Marshal and residents, and because time is of the essence, they want to accelerate the process of removing dangerous trees from private property as well as Town-owned lands, and asked the Town to reach out to the appropriate homeowners.

Councilmember Hughes said he'd like to bring the Trails and Paths and Conservation Committees into the loop again, not only due to adding trees on private property to the mix but because PG&E's offer would mean a dramatic shift in the timing previously discussed. At their meeting on October 8, 2014, Councilmembers agreed that trees posing potential threats to public safety over the longer term would be substantially trimmed or removed at the rate of two or three annually, only when sufficient funds were available in the budget. Mayor Wengert agreed; this is not something the Council anticipated; they thought they'd be working slowly on the priority list over a period of several years.

Mr. Pegueros said it's important to distinguish between the two issues here – the first being the policy and the second is the reality that PG&E appears to be ready to take most of these trees out now. In addition, he reminded the Council that Alpine Hills expressed interest in helping pay for removal of two of the trees on the list. Mr. Pegueros said he spoke with Trails and Paths Committee Chair Susan Gold about the new development with PG&E, and she said decisions made by the Fire Marshal, the Town and PG&E are based on imminent hazards, which has a significant bearing on whether the trees should be removed.

Councilmember Hughes said the policy as revised is precisely what he'd hoped to see, and very responsive to the October 8, 2014 discussion.

Councilmember Hughes moved to approve the proposed policy and register of priority for tree removal. Seconded by Vice Mayor Aalfs, the motion carried 4-0.

Ms. Bacon asked how the Town's policy would consider properties such as the California Water Service Company site on Peak Lane. She said she believes CalWater has a Conditional Use Permit (CUP) for its facility but it's on a Town ROW. In an emergency, she said Peak Lane is an alternate access route for getting around Town that might be unavailable if the eucalyptus trees there caught fire. Mr. Young explained that the trees of most concern to the Woodside Fire Protection District (WFPD) are on the main roads, but they can branch out and look into whether the trees on that property pose a threat.

Councilmember Hughes said if we take PG&E up on its offer, we could back out a tree or two if some compelling reason comes to light in discussions with the Committees. Mr. Pegueros said to avoid putting staff in the midst of conflicting Committee recommendations, any objections to the list of 31 trees would have to be aired at the Council's meeting on November 12, 2014. Councilmember Hughes said the policy the Council just approved gives Mr. Young the authority to decide.

Emphasizing that the Council just today learned about the PG&E offer, Mayor Wengert said the information will be posted to inform the community once the Town has a commitment in writing from PG&E. (In an October 23, 2014, memorandum, Mr. Pegueros indicated that this would be an unprecedented opportunity to address these public safety hazards at an estimated savings upwards of \$60,000, funds which would otherwise be paid by individual property owners and taxpayers. He also noted that PG&E has confirmed that the work will move forward but staff does not yet know when the crews will be deployed. Thus, some or all of this work may not happen.)

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS [9:06 p.m.]

(8) Reports from Commission and Committee Liaisons

Councilmember Richards

(a) Cultural Arts Committee

Meeting on October 9, 2014, the Committee discussed upcoming Holiday Fair at the Priory and Woodside's Art Committee.

Councilmember Hughes

(b) Nature and Science Committee

For lack of a quorum, the Committee did not meet on October 9, 2014. Treena Diehl, who moved out of Town, said she's spending so much time in East Palo Alto she cannot come to Committee meetings, so she will resign from the Committee but wants to continue to help with future events, particularly if she can bring youth from East Palo Alto along.

He said the Committee is now down to five members: Chair Yvonne Tryce, Andrew Brown, Bonnie Crater, Paul Heiple and Andrew Pierce.

Vice Mayor Aalfs – None to report

Mayor Wengert

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

The major discussions at the October 9 C/CAG meeting concerned the Half Moon Bay Airport, which has been working on a Mitigated Negative Declaration, and an update of PG&E projects in San Mateo County – including the pipeline project in Portola Valley.

(d) Ad-Hoc Water Conservation Task Force

Drought Action Day on October 18, 2014, was well-executed and well-attended. Mayor Wengert said the Committee did a terrific job, with considerable effort on the part of Sustainability and Resource Efficiency Coordinator, *Brandi de Garreaux*.

WRITTEN COMMUNICATIONS [9:58 p.m.]

(9) Town Council October 10, 2014 Weekly Digest – None

- (a) #6 – Letter received from Federal Aviation Administration (FAA) in response to Town Attorney's letter dated September 16, re: Finding No Significant Impact in the Final Environmental Assessment

Mayor Wengert said she liked Ms. Prince's letter to the FAA.

(10) Town Council October 17, 2014 Weekly Digest

- (a) #4 – Letter from Vice Mayor Aalfs to Craig Brandman re: Rescind Appointment of Membership to the Parks and Recreation Committee

Mr. Pegueros said Mr. Brandman's response would be included in the October 24, 2014, Council Digest.

- (b) #9-1 – Memo from Town Manager Nick Pegueros re: Weekly Update – Friday, October 17, 2014

This item advised that Mr. Young was able to get the entire Town Hall connected to the generator. It is up and functional.

ADJOURN TO CLOSED SESSION [10:01 p.m.]

(11) Public Employee Performance Evaluation

Government Code Section 54957
Title: Town Attorney

(12) Public Employee Performance Evaluation

Government Code Section 54957
Title: Town Manager

REPORT OUT OF CLOSED SESSION

None to report.

ADJOURNMENT [10:43 p.m.]

Mayor

Town Clerk

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

AM PARTY RENTALS	Balance due, 50th Anniv Celeb	15799	11/12/2014	
			11/12/2014	
1830 INDUSTRIAL WAY	0466		11/12/2014	0.00
REDWOOD CITY	BOA	49124	11/12/2014	0.00
CA 94063	518250			269.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4146	Comm'ty Events / 50th Anniv	269.00	0.00

AM PARTY RENTALS	Drought Action Day Rentals	15855	11/12/2014	
		00006252	11/12/2014	
1830 INDUSTRIAL WAY	0466		11/12/2014	0.00
REDWOOD CITY	BOA	49124	11/12/2014	0.00
CA 94063	518634			865.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4168	Ad-Hoc Water Conservation Grp	865.00	865.00

Check No.	49124	Total:	1,134.00
Total for	AM PARTY RENTALS		1,134.00

AMERICAN EAGLE ROOFING	Refund Deposit, 45 Santa Maria	15826	11/12/2014	
			11/12/2014	
28 E. 25TH AVENUE	2011		11/12/2014	0.00
SAN MATEO	BOA	49125	11/12/2014	0.00
CA 94403				1,000.00

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

Check No.	49125	Total:	1,000.00
Total for	AMERICAN EAGLE ROOFING		1,000.00

ANIMAL DAMAGE MGMT INC	October Pest Control	15827	11/12/2014	
			11/12/2014	
16170 VINEYARD BLVD. #150	804		11/12/2014	0.00
MORGAN HILL	BOA	49126	11/12/2014	0.00
CA 95037	78186			295.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	172.50	0.00
05-66-4342	Landscape Supplies & Services	122.50	0.00

Check No.	49126	Total:	295.00
Total for	ANIMAL DAMAGE MGMT INC		295.00

AT&T (2)	November M/W	15828	11/12/2014	
			11/12/2014	
P.O. BOX 5025	877		11/12/2014	0.00
CAROL STREAM	BOA	49127	11/12/2014	0.00
IL 60197-5025				64.46

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4152	Emerq Preparedness Committee	64.46	0.00

Check No.	49127	Total:	64.46
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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
<u>Total for</u>			AT&T (2)	64.46

BANK OF AMERICA	October Statement	15800	11/12/2014	
Bank Card Center			11/12/2014	
P.O. BOX 53155	0022		11/12/2014	0.00
PHOENIX	BOA	49128	11/12/2014	0.00
AZ 85072-3155				3,293.64

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4146	Comm'ty Events / 50th Anniv	1,679.23	0.00
05-52-4168	Ad-Hoc Water Conservation Grp	1,154.98	0.00
05-64-4308	Office Supplies	66.70	0.00
05-64-4311	Internet Service & Web Hosting	9.99	0.00
05-64-4312	Office Equipment	86.48	0.00
05-64-4336	Miscellaneous	296.26	0.00

Check No.	49128	Total:	3,293.64
<u>Total for</u>	BANK OF AMERICA		3,293.64

ROSS BARDWELL	Refund Deposit, 35 Valencia	15801	11/12/2014	
			11/12/2014	
35 VALENCIA	1156		11/12/2014	0.00
PORTOLA VALLEY	BOA	49129	11/12/2014	0.00
CA 94028				155.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	155.00	0.00

Check No.	49129	Total:	155.00
<u>Total for</u>	ROSS BARDWELL		155.00

BAYSIDE EQUIPMENT COMPANY	Existing Generator Assessment	15852	11/12/2014	
			11/12/2014	
3562 HAVEN AVENUE	421		11/12/2014	0.00
REDWOOD CITY	BOA	49130	11/12/2014	0.00
CA 94063-4603	64171			220.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	220.00	0.00

BAYSIDE EQUIPMENT COMPANY	Annual Generator Maintenance	15859	11/12/2014	
		00006256	11/12/2014	
3562 HAVEN AVENUE	421		11/12/2014	0.00
REDWOOD CITY	BOA	49130	11/12/2014	0.00
CA 94063-4603	64218			574.46

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4152	Emerq Preparedness Committee	574.46	574.46

Check No.	49130	Total:	794.46
<u>Total for</u>	BAYSIDE EQUIPMENT COMPANY		794.46

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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

BIANCHINI'S CATERING	50th Anniversary, Beverages	15802	11/12/2014	
		00006250	11/12/2014	
810 LAUREL STREET	1138		11/12/2014	0.00
SAN CARLOS	BOA	49131	11/12/2014	0.00
CA 94070	8751			530.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4146	Comm'ty Events / 50th Anniv	530.00	530.00

Check No.	49131	Total:	530.00
Total for	BIANCHINI'S CATERING		530.00

CA DEPT OF INDUSTR'L RELATIONS	Dumbwaiter Insp/Permit	15846	11/12/2014	
ACCOUNTING			11/12/2014	
DOSH - ELEVATOR PERMITS	0473		11/12/2014	0.00
PASADENA	BOA	49132	11/12/2014	0.00
CA 91189-0005	E122177SJ			225.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4346	Mechanical Sys Maint & Repair	225.00	0.00

Check No.	49132	Total:	225.00
Total for	CA DEPT OF INDUSTR'L RELATIOI		225.00

CALIFORNIA BLDG STANDARDS COMM	BSC Qtrly Report, July-Sept	15829	11/12/2014	
			11/12/2014	
2525 NATOMAS PARK DRIVE	458		11/12/2014	0.00
SACRAMENTO	BOA	49133	11/12/2014	0.00
CA 95833				481.50

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4224	BSA/SMIP/DSA Fees	481.50	0.00

Check No.	49133	Total:	481.50
Total for	CALIFORNIA BLDG STANDARDS C		481.50

CALIFORNIA CHAMBER OF COMMERCE	2015 Employee Poster	15830	11/12/2014	
	Customer #510550		11/12/2014	
P.O. BOX 526020	847		11/12/2014	0.00
SACRAMENTO	BOA	49134	11/12/2014	0.00
CA 95852-6020				33.39

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	33.39	0.00

Check No.	49134	Total:	33.39
Total for	CALIFORNIA CHAMBER OF COMM		33.39

CALIFORNIA WATER SERVICE CO	9/12 - 10/10 Statements	15803	11/12/2014	
			11/12/2014	
3525 ALAMEDA DE LAS PULGAS	0011		11/12/2014	0.00
MENLO PARK	BOA	49135	11/12/2014	0.00
CA 94025844				5,791.20

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	5,791.20	0.00

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

Check No.	49135	Total:	5,791.20
Total for	CALIFORNIA WATER SERVICE CC		5,791.20

CALPERS	October Retirement	15804	11/12/2014	
FISCAL SERVICES DIVISION			11/12/2014	
ATTN: RETIREMENT PROG ACCTG	0107		11/12/2014	0.00
SACRAMENTO	BOA	49136	11/12/2014	0.00
CA 94229-2703				17,878.24

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2522	PERS Payroll	630.20	0.00
05-50-4080	Retirement - PERS	17,248.04	0.00

Check No.	49136	Total:	17,878.24
Total for	CALPERS		17,878.24

COMCAST	WiFi, 10/21 - 11/20	15805	11/12/2014	
			11/12/2014	
P.O. BOX 34744	0045		11/12/2014	0.00
SEATTLE	BOA	49137	11/12/2014	0.00
WA 98124-1744				79.02

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	79.02	0.00

Check No.	49137	Total:	79.02
Total for	COMCAST		79.02

COTTON SHIRES & ASSOC. INC.	Update Geo/MovePotential Maps	15806	11/12/2014	
		00006223	11/12/2014	
330 VILLAGE LANE	0047		11/12/2014	0.00
LOS GATOS	BOA	49138	11/12/2014	0.00
CA 95030-7218	106506			5,944.50

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4189	Town Geologist	5,944.50	5,944.50

Check No.	49138	Total:	5,944.50
Total for	COTTON SHIRES & ASSOC. INC.		5,944.50

CSMFO	2015 Dues, Nerdahl	15831	11/12/2014	
			11/12/2014	
1215 K STREET	918		11/12/2014	0.00
SACRAMENTO	BOA	49139	11/12/2014	0.00
CA 95814				110.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4322	Dues	110.00	0.00

Check No.	49139	Total:	110.00
Total for	CSMFO		110.00

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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

CULLIGAN	November Statement	15825	11/12/2014	
			11/12/2014	
1785 RUSSELL AVE	0250		11/12/2014	0.00
SANTA CLARA	BOA	49140	11/12/2014	0.00
CA 95054-2032	0022137			41.20

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	41.20	0.00

Check No.	49140	Total:	41.20
Total for	CULLIGAN		41.20

BRANDI DEGARMEUX	Reimb, Transport BECC Conf	15807	11/12/2014	
			11/12/2014	
17 LAUSSAT STREET	614		11/12/2014	0.00
SAN FRANCISCO	BOA	49141	11/12/2014	0.00
CA 94102				456.20

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4326	Education & Training	456.20	0.00

Check No.	49141	Total:	456.20
Total for	BRANDI DEGARMEUX		456.20

DEL RIO ROOFING	Deposit Refund, 405 Cervantes	15832	11/12/2014	
			11/12/2014	
HOLD AT COUNTER	630		11/12/2014	0.00
	BOA	49142	11/12/2014	0.00
				1,000.00

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

Check No.	49142	Total:	1,000.00
Total for	DEL RIO ROOFING		1,000.00

DEPARTMENT OF CONSERVATION	SMISHMF Qtrly Report, July-Sep	15833	11/12/2014	
Division of Administrative			11/12/2014	
801 K STREET MS22-15	0054		11/12/2014	0.00
SACRAMENTO	BOA	49143	11/12/2014	0.00
CA 95814-3531				2,133.01

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4224	BSA/SMIP/DSA Fees	2,133.01	0.00

Check No.	49143	Total:	2,133.01
Total for	DEPARTMENT OF CONSERVATIO		2,133.01

DONECHO CONSTRUCTION	Deposit Refund, 1 Grove Ct.	15834	11/12/2014	
			11/12/2014	
991 AURA WAY	0470		11/12/2014	0.00
LOS ALTOS	BOA	49144	11/12/2014	0.00
CA 94024				1,920.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	1,920.00	0.00

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Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	49144	Total:	1,920.00
Total for	DONECHO CONSTRUCTION		1,920.00

E M ROOFING	Deposit Refund, 51 Possum	15835	11/12/2014	
843 7TH AVENUE	0471		11/12/2014	0.00
REDWOOD CITY	BOA	49145	11/12/2014	0.00
CA 94063				1,000.00

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

Check No.	49145	Total:	1,000.00
Total for	E M ROOFING		1,000.00

FRANCOTYP-POSTALIA, INC.	Meter Rental, 10/9 - 1/8/15	15808	11/12/2014	
P.O. BOX 4510	0172		11/12/2014	0.00
CAROL STREAM	BOA	49146	11/12/2014	0.00
IL 60197-4510	R1102178299			88.29

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

Check No.	49146	Total:	88.29
Total for	FRANCOTYP-POSTALIA, INC.		88.29

TANYA HAYES	Deposit Refund, RWG 10/26/14	15853	11/12/2014	
135 WYNDHAM DRIVE	0476		11/12/2014	0.00
PORTOLA VALLEY	BOA	49147	11/12/2014	0.00
CA 94028				100.00

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

Check No.	49147	Total:	100.00
Total for	TANYA HAYES		100.00

HILLYARD, INC	Janitorial Supplies	15809	11/12/2014	
P.O. BOX 874338	531	00006243	11/12/2014	0.00
KANSAS CITY	BOA	49148	11/12/2014	0.00
MO 64187-4338	601343263			1,345.68

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4340	Building Maint Equip & Supp	448.56	448.56
05-66-4341	Community Hall	448.56	448.56
25-66-4340	Building Maint Equip & Supp	448.56	448.56

Check No.	49148	Total:	1,345.68
Total for	HILLYARD, INC		1,345.68

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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

HORIZON	Turf Seed Mix	15836	11/12/2014	
			11/12/2014	
P.O. BOX 52758	0289		11/12/2014	0.00
PHOENIX	BOA	49149	11/12/2014	0.00
AZ 85072-2758	1N196238			247.43

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	247.43	0.00

Check No.	49149	Total:	247.43
Total for	HORIZON		247.43

MARSHA HOVEY LLC	Emergency Prep Consult, Oct	15837	11/12/2014	
			11/12/2014	
1035 APPIAN WAY	0381		11/12/2014	0.00
MORGAN HILL	BOA	49150	11/12/2014	0.00
CA 95037	PV-09			2,418.75

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	2,418.75	0.00

Check No.	49150	Total:	2,418.75
Total for	MARSHA HOVEY LLC		2,418.75

ICMA	October Deferred Comp	15810	11/12/2014	
VANTAGE POINT TFER AGTS-304617			11/12/2014	
C/O M&T BANK	0084		11/12/2014	0.00
BALTIMORE	BOA	49151	11/12/2014	0.00
MD 21264-4553				2,000.00

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2557	Defer Comp	2,000.00	0.00

Check No.	49151	Total:	2,000.00
Total for	ICMA		2,000.00

J.W. ENTERPRISES	Port Lavs, 7/9-8/6 & 9/4-10/1	15811	11/12/2014	
	Reissue, Void Orig #49041		11/12/2014	
1689 MORSE AVE	829		11/12/2014	0.00
VENTURA	BOA	49152	11/12/2014	0.00
CA 93003	176887 & 178215			601.46

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4244	Portable Lavatories	601.46	0.00

J.W. ENTERPRISES	Portable Lavs, 10/30- 11/26	15851	11/12/2014	
			11/12/2014	
1689 MORSE AVE	829		11/12/2014	0.00
VENTURA	BOA	49152	11/12/2014	0.00
CA 93003	179537			238.44

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4244	Portable Lavatories	238.44	0.00

Check No.	49152	Total:	839.90
Total for	J.W. ENTERPRISES		839.90

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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

JAY'S SMALL MOVES	Planning Doc Relocated	15856	11/12/2014	
		00006253	11/12/2014	
2525 MANDELA PARKWAY #C	0467		11/12/2014	0.00
OAKLAND	BOA	49153	11/12/2014	0.00
CA 94607				600.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	600.00	600.00

Check No.	49153	Total:	600.00
Total for	JAY'S SMALL MOVES		600.00

JENSEN LANDSCAPE SERVICES INC	On-Call Trail Maintenance	15838	11/12/2014	
			11/12/2014	
1983 CONCOURSE DRIVE	849		11/12/2014	0.00
SAN JOSE	BOA	49154	11/12/2014	0.00
CA 95131	137297			2,010.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4270	Trail Surface Rehabilitation	2,010.00	0.00

Check No.	49154	Total:	2,010.00
Total for	JENSEN LANDSCAPE SERVICES I		2,010.00

JORGENSON SIEGEL MCCLURE & FLEGEL	September Statement	15812	11/12/2014	
			11/12/2014	
1100 ALMA STREET	0089		11/12/2014	0.00
MENLO PARK	BOA	49155	11/12/2014	0.00
CA 94025				14,697.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4182	Town Attorney	13,060.00	0.00
96-54-4186	Attorney - Charges to Appls	1,637.00	0.00

Check No.	49155	Total:	14,697.00
Total for	JORGENSON SIEGEL MCCLURE &		14,697.00

KUTZMANN & ASSOCIATES	October Plan Check	15839	11/12/2014	
			11/12/2014	
39355 CALIFORNIA STREET	0090		11/12/2014	0.00
FREMONT	BOA	49156	11/12/2014	0.00
CA 94538				8,406.56

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4200	Plan Check Services	8,406.56	0.00

Check No.	49156	Total:	8,406.56
Total for	KUTZMANN & ASSOCIATES		8,406.56

LB STEAK	Wagyu Room Reservation 11/3/14	15813	11/12/2014	
	Vlasic Retirement	00006244	11/12/2014	
	0457		11/12/2014	0.00
MENLO PARK	BOA	49123	11/12/2014	0.00
CA 94025				1,300.00

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

05-64-4336	Miscellaneous		1,300.00	1,300.00
		Check No.	49123	Total: 1,300.00 H
		Total for	LB STEAK	1,300.00

JOHN MATLOCK	Deposit Refund, 155 Portola	15815	11/12/2014	
			11/12/2014	
155 PORTOLA ROAD	0468		11/12/2014	0.00
PORTOLA VALLEY	BOA	49157	11/12/2014	0.00
CA 94028				1,481.24

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4207	Deposit Refunds, Other Charges	1,481.24	0.00
		Check No.	49157
		Total for	JOHN MATLOCK
			Total: 1,481.24
			1,481.24

NOLTE ASSOCIATES, INC	Applicant Charges, 8/31 - 9/27	15850	11/12/2014	
			11/12/2014	
P.O. BOX 93243	0104		11/12/2014	0.00
LAS VEGAS	BOA	49158	11/12/2014	0.00
NV 89193-3243	14100311			968.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	968.00	0.00
		Check No.	49158
		Total for	NOLTE ASSOCIATES, INC
			Total: 968.00
			968.00

PEELLE TECHNOLOGIES, INC	Digitization of Plans	15816	11/12/2014	
		00006248	11/12/2014	
197 EAST HAMILTON AVE	961		11/12/2014	0.00
CAMPBELL	BOA	49159	11/12/2014	0.00
CA 95008	TOPV1907			1,800.90

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4208	GIS Mapping	1,800.90	1,800.90

PEELLE TECHNOLOGIES, INC	Digitization of Plans	15817	11/12/2014	
		00006249	11/12/2014	
197 EAST HAMILTON AVE	961		11/12/2014	0.00
CAMPBELL	BOA	49159	11/12/2014	0.00
CA 95008	TOPV1905			601.56

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4208	GIS Mapping	601.56	601.56
		Check No.	49159
		Total for	PEELLE TECHNOLOGIES, INC
			Total: 2,402.46
			2,402.46

PG&E	October Statements	15818	11/12/2014	
			11/12/2014	
BOX 997300	0109		11/12/2014	0.00
SACRAMENTO	BOA	49160	11/12/2014	0.00
CA 95899-7300				281.88

GL Number	Description	Invoice Amount	Amount Relieved
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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		281.88	0.00
		Check No.	49160	Total:
		Total for	PG&E	281.88

PLATINUM FACILITY SERVICES	October Janitorial	15840	11/12/2014	
1530 OAKLAND RD., #150	402		11/12/2014	0.00
SAN JOSE	BOA	49161	11/12/2014	0.00
CA 95112	18155			2,987.51

GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4341	Community Hall	722.01	0.00	
05-66-4344	Janitorial Services	1,487.65	0.00	
25-66-4344	Janitorial Services	777.85	0.00	
		Check No.	49161	Total:
		Total for	PLATINUM FACILITY SERVICES	2,987.51

PORTOLA VALLEY HARDWARE	October Statement	15841	11/12/2014	
112 PORTOLA VALLEY ROAD	0114		11/12/2014	0.00
PORTOLA VALLEY	BOA	49162	11/12/2014	0.00
CA 94028				290.44

GL Number	Description	Invoice Amount	Amount Relieved	
05-52-4152	Emerq Preparedness Committee	113.26	0.00	
05-60-4267	Tools & Equipment	106.41	0.00	
05-66-4340	Building Maint Equip & Supp	70.77	0.00	
		Check No.	49162	Total:
		Total for	PORTOLA VALLEY HARDWARE	290.44

PORTOLA VINEYARDS	50th Anniversary, Beverages	15819	11/12/2014	
850 LOS TRANCOS ROAD	1067	00006251	11/12/2014	0.00
PORTOLA VALLEY	BOA	49163	11/12/2014	0.00
CA 94028	2784			553.75

GL Number	Description	Invoice Amount	Amount Relieved	
05-52-4146	Comm'ty Events / 50th Anniv	553.75	553.75	
		Check No.	49163	Total:
		Total for	PORTOLA VINEYARDS	553.75

RFI ENTERPRISES	Refund, Overpmt Bus Lic Fees	15842	11/12/2014	
360 TURTLE CREEK CT.	0472		11/12/2014	0.00
SAN JOSE	BOA	49164	11/12/2014	0.00
CA 95125				99.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-56-4228	Miscellaneous Refunds	99.00	0.00	
		Check No.	49164	Total:
				99.00

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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 RFI ENTERPRISES 99.00

JOHN F. RICHARDS	Deposit Refund- Event 10/25/14	15854	11/12/2014	
			11/12/2014	
178 CORTE MADERA	0475		11/12/2014	0.00
PORTOLA VALLEY	BOA	49165	11/12/2014	0.00
CA 94028				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2561	Community Hall Deposits	1,000.00	0.00

Check No. 49165 Total: 1,000.00
 Total for JOHN F. RICHARDS 1,000.00

CINDY RODAS	Tuition Reimbursement, Rodas	15860	11/12/2014	
			11/12/2014	
24866 JOYCE STREET	1184		11/12/2014	0.00
	BOA	49166	11/12/2014	0.00
				1,380.00

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4104	Tuition Reimbursement	1,380.00	0.00

Check No. 49166 Total: 1,380.00
 Total for CINDY RODAS 1,380.00

SAN MATEO CO INF SERVICES	September M/W	15820	11/12/2014	
			11/12/2014	
455 COUNTY CENTER, 3RD FLOOR	0307		11/12/2014	0.00
REDWOOD CITY	BOA	49167	11/12/2014	0.00
CA 94063	1YPV11409			76.00

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

Check No. 49167 Total: 76.00
 Total for SAN MATEO CO INF SERVICES 76.00

SPANGLE & ASSOCIATES	October Planning Services	15843	11/12/2014	
			11/12/2014	
770 MENLO AVENUE	0121		11/12/2014	0.00
MENLO PARK	BOA	49168	11/12/2014	0.00
CA 94025-4736	19888			13,200.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4196	Planner	13,200.00	0.00

Check No. 49168 Total: 13,200.00
 Total for SPANGLE & ASSOCIATES 13,200.00

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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

STANDARD INSURANCE CO.	LTD/Life Ins, Sept - Nov	15821	11/12/2014	
			11/12/2014	
PO BOX 5676	0469		11/12/2014	0.00
PORTLAND	BOA	49169	11/12/2014	0.00
OR 97228				948.78

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4091	Long Term Disability Insurance	948.78	0.00

Check No.	49169	Total:	948.78
Total for	STANDARD INSURANCE CO.		948.78

STAPLES	September Office Supplies	15844	11/12/2014	
			11/12/2014	
STAPLES CREDIT PLAN	430		11/12/2014	0.00
DES MOINES	BOA	49170	11/12/2014	0.00
IA 50368-9020				963.34

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	963.34	0.00

Check No.	49170	Total:	963.34
Total for	STAPLES		963.34

STATE COMP INSURANCE FUND	November Premium	15845	11/12/2014	
			11/12/2014	
PO BOX 748170	0122		11/12/2014	0.00
LOS ANGELES	BOA	49171	11/12/2014	0.00
CA 90074-8170				1,447.08

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4094	Worker's Compensation	1,447.08	0.00

Check No.	49171	Total:	1,447.08
Total for	STATE COMP INSURANCE FUND		1,447.08

BARBARA TEMPLETON	Transcription, July - Oct 8	15822	11/12/2014	
			11/12/2014	
304 MELVEN COURT	369		11/12/2014	0.00
SAN LEANDRO	BOA	49172	11/12/2014	0.00
CA 94577-2011	794, 791			3,675.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4188	Transcription Services	3,675.00	0.00

Check No.	49172	Total:	3,675.00
Total for	BARBARA TEMPLETON		3,675.00

THERMAL MECHANICAL, INC	Sept Bi-Monthly Maintenance	15847	11/12/2014	
			11/12/2014	
425 ALDO AVENUE	955		11/12/2014	0.00
SANTA CLARA	BOA	49173	11/12/2014	0.00
CA 95054	PM-61046			1,495.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4341	Community Hall	498.34	0.00

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

05-66-4346	Mechanical Sys Maint & Repair	498.33	0.00	
25-66-4346	Mechanical Sys Maint & Repair	498.33	0.00	
THERMAL MECHANICAL, INC	Toilet Repair, TC/CH	15857	11/12/2014	
		00006254	11/12/2014	
425 ALDO AVENUE	955		11/12/2014	0.00
SANTA CLARA	BOA	49173	11/12/2014	0.00
CA 95054	PL-60864			834.49

GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4341	Community Hall	278.16	278.16	
05-66-4346	Mechanical Sys Maint & Repair	556.33	556.33	

THERMAL MECHANICAL, INC	Repaired Elec Unit, Maint Bldg	15858	11/12/2014	
		00006255	11/12/2014	
425 ALDO AVENUE	955		11/12/2014	0.00
SANTA CLARA	BOA	49173	11/12/2014	0.00
CA 95054	AC-60999			834.23

GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4346	Mechanical Sys Maint & Repair	834.23	834.23	

Check No.	49173	Total:	3,163.72
Total for	THERMAL MECHANICAL, INC		3,163.72

THOMAS FOGARTY	50th Anniversary, Beverages	15823	11/12/2014	
		00006246	11/12/2014	
WINERY & VINEYARDS	756		11/12/2014	0.00
PORTOLA VALLEY	BOA	49174	11/12/2014	0.00
CA 94028	23339			1,281.84

GL Number	Description	Invoice Amount	Amount Relieved	
05-52-4146	Comm'ty Events / 50th Anniv	1,281.84	1,281.84	

Check No.	49174	Total:	1,281.84
Total for	THOMAS FOGARTY		1,281.84

VARNER	50th Anniversary, Beverages	15824	11/12/2014	
		00006247	11/12/2014	
648 MENLO AVENUE, SUITE 5	0465		11/12/2014	0.00
MENLO PARK	BOA	49175	11/12/2014	0.00
CA 94025	47499			1,921.67

GL Number	Description	Invoice Amount	Amount Relieved	
05-52-4146	Comm'ty Events / 50th Anniv	1,921.67	1,921.67	

Check No.	49175	Total:	1,921.67
Total for	VARNER		1,921.67

VERIZON WIRELESS	October Cellular	15849	11/12/2014	
			11/12/2014	
P.O. BOX 660108	0131		11/12/2014	0.00
DALLAS	BOA	49176	11/12/2014	0.00
TX 75266-0108	9734397237			315.05

GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4318	Telephones	315.05	0.00	

Check No.	49176	Total:	315.05
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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	VERIZON WIRELESS	315.05
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DOW WOODWARD	Refund CX Fence Permit	15848	11/12/2014	
470 WAYSIDE ROAD	0474		11/12/2014	0.00
PORTOLA VALLEY	BOA	49177	11/12/2014	0.00
CA 94028				230.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4228	Miscellaneous Refunds	230.00	0.00

Check No.	49177	Total:	230.00
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Total for	DOW WOODWARD	230.00
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Total Invoices: 61

Grand Total:	117,080.19
Less Credit Memos:	0.00
Net Total:	117,080.19
Less Hand Check Total:	1,300.00
Outstanding Invoice Total:	115,780.19

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
November 12, 2014

Claims totaling \$117,080.19 having been duly examined by me and found to be correct are hereby approved and verified by me as due bills against the Town of Portola Valley.

Date _____

Nick Pegueros, Treasurer

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

Signed and sealed this (Date) _____

Sharon Hanlon, Town Clerk

Mayor



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Nick Pegueros, Town Manager

DATE: November 12, 2014

RE: **Agreement Between the Town of Portola Valley and Jorgenson, Siegel, McClure & Flegel, LLP for Provision of Legal Services**

RECOMMENDATION

Authorize the Mayor to execute an agreement between the Town of Portola Valley and Jorgenson, Siegel, McClure & Flegel, LLP for provision of legal services.

DISCUSSION

The Town Attorney has requested an increase in the hourly rates her firm, Jorgenson, Siegel, McClure & Flegel, LLP, is paid for the legal services provided to the Town. The new three-year agreement has been revised by the Town Attorney and is attached as Exhibit "A".

The agreement expires on October 31, 2017 and includes an increase in rates, based on type of service beginning November 1, 2014. The rate for routine Town business will increase from \$220 to \$225 per hour, or 2%. The rate for project specific work for development will increase from \$250 to \$275 per hour, or 10.0%.

The new rates are well within the range of other firms providing quality legal services in the region.

FISCAL IMPACT

The Town Attorney's costs are project driven and therefore the impact of this rate increase on the Town's General Fund is estimated to be less than \$6,000 per fiscal year.

AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT is made and entered into this 1st day of November, 2014 by and between the Town of Portola Valley, a municipal corporation, ("Town") and Jorgenson, Siegel, McClure & Flegel, LLP ("Attorney").

RECITALS

A. The Town desires to retain the professional legal services of Attorney as an independent contractor to provide legal services to the Town, as described in more detail in Exhibit A. Attorney will work with the Town to provide routine and special legal services.

B. Attorney represents that it is fully qualified to perform such services by virtue of its experience and the training, education and expertise of its principals and employees.

NOW, THEREFORE, in consideration of performance by the parties of the promises, covenants and conditions contained herein, the parties hereby agree as follows:

1. SCOPE AND LEVEL OF SERVICES. The nature, scope and level of the specific services to be performed by Attorney are as set forth in detail in Exhibit A attached hereto.

2. STANDARD OF PERFORMANCE. As a material inducement to the Town to enter into this Agreement, Attorney hereby represents and warrants that it has the qualifications and experience necessary to undertake the services to be provided pursuant to this Agreement. Attorney shall perform all work to the highest professional standards and in a manner reasonably satisfactory to the Town. Attorney hereby covenants that it shall follow the highest professional standards in performing all services required hereunder and will perform the services to a standard of reasonable professional care.

3. COMPLIANCE WITH LAW. All services rendered hereunder by Attorney shall be provided in accordance with all ordinances, resolutions, statutes, rules and regulations of the Town, and any federal, state or local governmental agency having jurisdiction in effect at the time the service is rendered.

4. TERM. This Agreement is effective as of November 1, 2014 and shall remain in effect for three years or until terminated in accordance with Section 15, below.

5. COMPENSATION. The Town agrees to compensate Attorney for its services according to the fee schedule set forth in Exhibit B. The Town also agrees to compensate Attorney for its out-of-pocket expenses to the extent authorized in Exhibit B.

6. METHOD OF PAYMENT. Attorney shall invoice the Town for work performed on a monthly basis. Payments to Attorney by Town shall be made within 30 days after receipt by Town of Attorney's itemized invoices.

7. REPRESENTATIVE. Leigh F. Prince is hereby designated as the representative of Attorney authorized to act on its behalf with respect to the services specified herein. It is expressly understood that the experience, knowledge, capability and reputation of Leigh F. Prince were a substantial inducement for Town to enter into this Agreement. Therefore, Leigh F. Prince shall be responsible during the term of this Agreement for directing all activities of Attorney and devoting sufficient time to personally supervise the services hereunder. The representative may not be changed by Attorney without the express written approval of the Town.

8. INDEPENDENT CONTRACTOR. Attorney is, and shall at all times remain as to the Town, a wholly independent contractor and not an agent or employee of Town. Attorney shall receive no premium or enhanced pay for work normally understood as overtime, nor shall Attorney receive holiday pay, sick leave, administrative leave, or pay for any other time not actually worked. The intention of the parties is that Attorney shall not be eligible for benefits and shall receive no compensation from the Town except as expressly set forth in this Agreement. Attorney shall have no power to incur any debt, obligation, or liability on behalf of the Town or otherwise act on behalf of the Town as an agent. Neither the Town, nor any of its agents shall have control over the conduct of Attorney or any of Attorney's employees, except as set forth in this Agreement. Attorney shall at no time, or in any manner, represent that it or any of its agents or employees are in any manner employees of the Town. Attorney agrees to pay all required taxes on amounts paid to Attorney under this Agreement, and to indemnify and hold the Town harmless from any and all taxes, assessments, penalties, and interest asserted against the Town by reason of the independent contractor relationship created by this Agreement. Attorney shall fully comply with the worker's compensation law regarding Attorney and Attorney's employees. Attorney further agrees to indemnify and hold the Town harmless from any failure of Attorney to comply with applicable worker's compensation laws. The Town shall not have the right to offset against the amount of any fees due to Attorney under this Agreement any amount due to Town from Attorney as a result of Attorney's failure to promptly pay the Town any reimbursement or indemnification arising under this Section.

9. CONFIDENTIALITY. Attorney, in the course of its duties, may have access to financial, accounting, statistical and personal data of private individuals and employees of the Town. Attorney covenants that all data, documents, discussion, or other information developed and received by Attorney or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Attorney without written authorization by the Town. The Town shall grant such authorization if disclosure is required by law. Upon request, all Town data shall be returned to the Town upon the termination of this Agreement. Attorney's covenant under this Section shall survive the termination of this Agreement.

10. OWNERSHIP OF MATERIAL. All reports, documents, or other written materials developed or discovered by Attorney or any other person engaged directly or indirectly by Attorney in the performance of this Agreement shall be and remain the property of the Town without restriction or limitation upon its use or dissemination by the Town.

11. CONFLICT OF INTEREST. Attorney shall comply with the California Rules of Professional Conduct, including, but not limited to, the rules concerning conflicts of interest.

12. ASSIGNABILITY; SUBCONTRACTING. The parties agree that the expertise and experience of Attorney are material considerations for this Agreement. Attorney shall not assign, transfer, or subcontract any interest in this Agreement, nor the performance of any of Attorney's obligations hereunder, without the prior written consent of the Town Council, and any attempt by Attorney to do so shall be void and of no effect and a breach of this Agreement.

13. INDEMNIFICATION.

13.1. To the fullest extent permitted by law, Attorney shall indemnify, defend (with independent counsel approved by the Town) and hold harmless the Town, and its elective or appointive boards, officers, employees agents and volunteers against any claims, losses, or liability that may arise out of or result from damages to property or personal injury received by reason of, or in the course of work performed under this Agreement due to the acts or omissions of Attorney or Attorney's officers, employees, agents or subcontractors. The provisions of this Section survive completion of the services or the termination of this Agreement. The acceptance of such services shall not operate as a waiver of such right of indemnification.

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

13.3 The Town does not and shall not waive any rights that they may possess against Attorney because of the acceptance by the Town or the deposit with the Town of any insurance policy or certificate required pursuant to this Agreement.

This hold harmless and indemnification provision shall apply regardless of whether or not any insurance policies are determined to be applicable to the claim, demand, damage, liability, loss, cost or expense.

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

15. TERMINATION.

15.1 This Agreement may be terminated by either the Town or Attorney following five days written notice of intention to terminate. In the event the Agreement is terminated, Attorney shall be paid for any services properly performed to the last working day the Agreement is in effect. Attorney shall substantiate the final cost of services by an itemized, written statement submitted to the Town. The Town's right of termination shall be in addition to all other remedies available under law to the Town.

15.2 In the event of termination, Attorney shall deliver to the Town copies of all reports, documents, computer disks, and other work prepared by Attorney under this Agreement, if any. If Attorney's written work is contained on a hard computer disk, Attorney shall, in addition to providing a written copy of the information on the hard disk, immediately transfer all written work from the hard computer disk to a soft computer disk and deliver said soft computer disk to Town. Town shall not pay Attorney for services performed by Attorney through the last working day the Agreement is in effect unless and until Attorney has delivered the above described items to the Town.

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

17. NON-WAIVER OF TERMS, RIGHTS AND REMEDIES. Waiver by either party of any breach or violation of any one or more terms or conditions of this Agreement shall not be deemed to be a waiver of any other term or condition contained herein or a waiver of any subsequent breach or violation of the same or any other term or condition. Acceptance by the Town of the performance of any work or services by Attorney shall not be deemed to be a waiver of any term or condition of this Agreement. In no event shall the Town's making of any payment to Attorney constitute or be construed as a waiver by the Town of any breach of this Agreement, or any default which may then exist on the part of Attorney, and the making of any such payment by

the Town shall in no way impair or prejudice any right or remedy available to the Town with regard to such breach or default.

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

To Town:

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

To Attorney:

Leigh F. Prince, Esq.
Jorgenson, Siegel, McClure &
Flegel, LLP
1100 Alma Street, Suite 210
Menlo Park, CA 94025
Fax: (650) 324-0227

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

19. NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY. In the performance of this Agreement, Attorney shall not discriminate against any employee, subcontractor or applicant for employment because of race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental handicap, or medical condition. Attorney will take affirmative action to ensure that employees are treated without regard to race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental handicap, or medical condition.

20. ATTORNEYS' FEES; VENUE. In the event that any party to this Agreement commences any legal action or proceeding to enforce or interpret the provisions of this Agreement, the prevailing party in such action or proceeding shall be entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which the successful party may be entitled. The venue for any litigation shall be San Mateo County.

21. COOPERATION. In the event any claim or action is brought against the Town relating to Attorney's performance or services under this Agreement, Attorney shall render any reasonable assistance and cooperation which Town might require.

22. EXHIBITS, PRECEDENCE. All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement.

23. PRIOR AGREEMENTS AND AMENDMENTS; ENTIRE AGREEMENT. This Agreement, and any other documents incorporated herein by specific reference, represent the entire and integrated agreement between the Town and Attorney. This

Agreement supersedes all prior oral and written negotiations, representations or agreements. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may only be modified by a written amendment duly executed by the parties to this Agreement. Any amendment relating to compensation for Attorney shall be for only a not-to-exceed sum.

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

TOWN:

ATTORNEY:

By: _____
Mayor

By: _____

Name (printed): Leigh F. Prince

Title: Partner

EIN 94-1531369

ATTEST:

Town Clerk

EXHIBIT A
SCOPE AND LEVEL OF SERVICES

1. The following routine legal services shall be provided to Town by Attorney:
 - a. Attendance at all regular and special Town Council meetings and study sessions;
 - b. Attendance at Planning Commission meetings when requested by the Chairman of the Planning Commission or the Mayor;
 - c. Attendance at meetings with Town staff and members of the public as needed;
 - d. Routine legal advice, consultation and opinions (both oral and written) to the Town Council, Planning Commission, and staff on general municipal matters, including but not limited to areas such as updating ordinances, land use, CEQA, general municipal law, civil and criminal enforcement of codes, liability, risk management and personnel issues, and informing staff and Town officials of new laws affecting municipalities;
 - e. Preparation/review of all proposed staff reports, ordinances, resolutions, contracts, and related documents pertaining to the Town's business;
 - f. Assistance/advice/correspondence regarding code enforcement and enforcement of state and local laws and codes up to the point of litigation (criminal and civil);
 - g. Assistance/preparation of documents in connection with land acquisition or easements up to the point that the Town Council authorizes the commencement of eminent domain proceedings; and
 - h. Assistance to the Town Council in selection of outside legal counsel as needed for specialized legal services.

2. The following special services shall be provided to the Town:
 - a. Litigation services, including mediation, arbitration, and supervision and/or coordination with any outside counsel hired by the Town for specialized legal services, such as bond/assessment proceedings and personnel litigation;
 - b. Legal services regarding personnel complaints, disability and workers' compensation claims, including supervision and/or coordination with any outside counsel hired by the Town;
 - c. Services related to franchise agreements, such as agreements for solid waste and cable TV; and

- d. Any other legal services agreed by Town and Attorney in advance of the services being rendered to be non-routine.

3. The following project services shall be provided to the Town:

All legal services related to development applications including, without limitation, advice to staff, Planning Commission, and Town Council, review and/or preparation of documents, negotiations with applicants and/or their agents, and attendance at Town meetings where such an application is the only non-consent item discussed.

EXHIBIT B
COMPENSATION

1. Hourly fee for routine Town Business:

Leigh F. Prince and other attorneys	\$225.00
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2. Hourly fee for special services and litigation:

Leigh F. Prince and other attorneys	\$250.00
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3. Hourly fee for project specific work for development:

Leigh F. Prince and other attorneys	\$275.00
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4. Hourly fee for Paralegals/Legal Assistants: \$100.00
5. Hourly fee will not be charged for travel time and no travel expenses will be billed
6. No additional expenses will be billed other than:
 - a. Long distance telephone calls (outside 650 area code)
 - b. Federal Express or messenger services
 - c. Computerized legal research
 - d. Expenses in connection with litigation or for any outside consultants

These expenses will be billed at actual cost

EXHIBIT C

INSURANCE REQUIREMENTS

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

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

1.1 Insurance Services Office (ISO) Form No. CG 0001 covering Commercial General Liability on an "occurrence" basis, including products-completed operations, personal injury and advertising injury.

1.2 Insurance Services Office Form (ISO) No. CA 0001 covering Automobile Liability, Code 1 (any auto), or if Attorney has no owned autos Code 8 (hired autos) and Code 9 (non-owned autos).

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

1.4 Errors and Omissions Liability Insurance appropriate to the Attorney's profession. Architects' and Attorney's' coverage is to be endorsed to include contractual liability.

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

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

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

2.3 Workers' Compensation and Employer's Liability. Workers' compensation insurance with Statutory Limits as required by the Labor Code of the State of California, and Employer's Liability Insurance with One Million Dollars (\$1,000,000) per accident for bodily injury or disease.

2.4 Errors and Omissions Liability. One Million Dollars (\$1,000,000) per occurrence or claim, Two Million Dollars (\$2,000,000) aggregate.

3. DEDUCTIBLES AND SELF-INSURED RETENTIONS. Any deductibles or self-insured retentions must be declared to, and approved by, the Town. At the option of the Town, either: the Attorney shall purchase insurance to reduce or eliminate such deductibles or self-insured retentions as respects the Town, its officials, employees, agents and contractors; or the Attorney shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses in an amount specified by the Town. The Town may require the Attorney to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

4. OTHER INSURANCE PROVISIONS.

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

4.1.1 The Town, its officials, employees, agents, contractors and volunteers are covered as additional insureds with respect to liability arising out of work or operations performed by, or on behalf of, the Attorney including materials, parts or equipment furnished in connection with such work or operations, and products and completed operations of the Attorney on premises owned, leased or used by the Attorney. The coverage shall be at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 and CG 23 37 if later versions used.

4.1.2 The Attorney's insurance coverage is the primary insurance as respects the Town, its officials, employees, agents, contractors, and volunteers. Any insurance or self-insurance maintained by the Town, its officials, employees, agents, contractors, and volunteers shall be excess of the Attorney's insurance and shall not contribute with it.

4.1.3 The Insurance Company agrees to waive all rights of subrogation against the Town, its elected or appointed officers, officials, agents, and employees for losses paid under the terms of any policy which arise from work performed by the Town's insurer.

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

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

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

4.2 Worker's Compensation Insurance. The Worker's Compensation Policy required pursuant to Section 1.3 shall contain or be endorsed to contain the provisions set forth in subsections 4.1.3 and 4.1.4 above.

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

4.3 Claims Made Policies. If any of the required policies provide claims-made coverage, the Town requires that coverage with a Retroactive Date prior to the contract effective date, or extended reporting period, be maintained by Attorney for a period of 5 years after completion of the contract.

5. VERIFICATION OF COVERAGE. Attorney shall furnish the Town with original certificates and amendatory endorsements affecting coverage required by this clause. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the Town before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive Attorney's obligation to provide them. The Town reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications, at any time.

Proof of insurance shall be mailed to the following address:

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

6. SUBCONTRACTORS. Attorney shall include all subcontractors as insureds under its policies or shall require and verify that all subcontractors maintain insurance meeting all the requirements of this contract.

RESOLUTION NO. _____

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT FOR LEGAL SERVICES BETWEEN THE TOWN OF PORTOLA VALLEY AND JORGENSON, SIEGEL, McCLURE & FLEGEL, LLP

WHEREAS, the Town Council of the Town of Portola Valley ("Town") has read and considered that certain Agreement For Legal Services dated November 1, 2014 between the Town and Jorgenson, Siegel, McClure & Flegel, LLP ("Agreement");

NOW, THEREFORE, the Town does **RESOLVE** as follows:

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

PASSED AND ADOPTED this ____ day of _____, 2014.

By: _____
Mayor

ATTEST:

Town Clerk



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Nick Pegueros, Town Manager

DATE: November 12, 2014

RE: **First Amended as Restated Joint Exercise of Powers Agreement for the San Mateo County Operational Area Emergency Services Organization**

RECOMMENDATION

The recommendation is that the Town Council authorize the Mayor to execute the First Amended as Restated Joint Exercise of Powers Agreement for the San Mateo County Operational Area Emergency Services Organization.

DISCUSSION

In January of this year, the Town Council approved the First Amendment to the Joint Exercise of Powers Agreement for the San Mateo County Operational Area Emergency Services Organization. Subsequent to the Town Council's approval, the agreement could not be fully executed due to concerns raised specific to certain language contained in the document. For the past several months, the document has been comprehensively re-reviewed by the City Managers Association, Emergency Services Council, the City Attorney's Group, the Police & Fire Chiefs Association, and the Emergency Managers Association. The attached report from the Sheriff's Office highlights the items for consideration.

FISCAL IMPACT

This action has no fiscal impact.

ATTACHMENTS

1. Memo from Office of the Sheriff dated October 9, 2014
2. First Amended as Restated Joint Exercise of Powers Agreement



SHERIFF'S OFFICE

A TRADITION OF SERVICE SINCE 1856

October 9, 2014

To: SMC City Managers Association
SMC Emergency Services Council
SMC City Attorneys Group
SMC Police & Fire Chiefs Association
SMC Emergency Managers Association

From: Jeffrey C. Kearman, Director, SMC Area Office of Emergency Services
Subject: Emergency Services Joint Powers Agreement-Revision 3rd & Final Update

STAFF REPORT

Executive Summary:

The original approval date for the new Joint Powers Agreement (JPA) was scheduled for approval at the April 17, 2014 Emergency Service Council (ESC) meeting. The JPA had previously been approved and reviewed by all member cities. At the request of the San Mateo County Counsel, the JPA was removed from the consent calendar after it was determined that language in the JPA needed further clarification and amending specific to the California government code's Joint Exercise of Powers Act.

The process for a new revised and restated JPA had to go through the same protocols of vetting through the ESC, City Managers, City Attorneys and Police/Fire Chiefs. The Sheriff's Office Homeland Security Division and Area Office of Emergency Services (HSD/OES) proposed to complete these procedural steps and bring back the fully vetted and approved revised and restated JPA to the Emergency Services Council for review at the next scheduled quarterly meeting scheduled for January 2015.

Background:

The JPA agreement from 1997 was outdated and in need of revision. The entire landscape of the Homeland Security and Emergency Services field has drastically changed since 2001 and the agreement that governs how San Mateo County provides Emergency Services needs to reflect current laws, rules, directives, orders and trends. This agreement has been updated to reflect the current relationships between the County of San Mateo and the participating cities and other partners to provide a clear understanding of the mission of the Emergency Services Council and the Emergency Coordinators within the County, cities and other participating partner agencies/jurisdictions.

Discussion:

In preparation for the April 17, 2014 ESC quarterly meeting, HSD/OES asked County Counsel David Silberman for a final review. San Mateo County Counsel serves as the legal representative for the Emergency Services Council. The proposed JPA agreement was vetted through the San Mateo County Emergency Managers Group, San Mateo County Police Chiefs, San Mateo County Fire Chiefs, San Mateo County City Managers Group and the various city attorneys representing the respective participating City members of the ESC/JPA. It was the opinion of the HSD/OES that the JPA was ready adoption for the April 17th ESC meeting.

Prior to the April 17th meeting, SMCO County Counsel David Silberman contacted HSD/OES Captain Wyss and informed him that the revised JPA was not ready to proceed for formal adoption with the County Board of Supervisors. Mr. Silberman indicated that upon his final review, he identified some language and formatting issues with the current version of the JPA agreement and requested some changes. It was at this time that Captain Wyss stopped the process and requested the JPA committee reconvene and add any new language.

Based on the requested changes to the JPA document, the HSD/OES proposed a formal process to review and approve any further JPA agreements. HSD/OES recognizes the importance of properly reviewing and vetting the JPA document before it is sent to the cities for approval. The review will ensure that the JPA document will comply and be filed with the California Secretary of State, as required under the Government Code. The JPA also will adopt a Conflict of Interest Code in order for the agreement to meet JPA requirements by the state. To assure that all requirements and legal standards are appropriately reviewed and met in a systematic and orderly phase, HSD/OES has developed the below process:

Phase I: COMPLETE

The current JPA agreement will be reviewed by the HSD/OES staff who will color code all changes, recommendations and suggestions that have been made to the agreement. A legend will be provided to allow the reviewer to know where and who made the recommendations for changes in the agreement.

Phase II: COMPLETE

HSD/OES Staff will meet with the JPA sub-committee of San Mateo County Emergency Managers Association group to review the proposed changes and language. They will review and make any appropriate recommendations to the agreement. Any edits by this group will also be color coded for easy recognition.

Phase III: COMPLETE

The JPA agreement will be reviewed by the San Mateo County Counsel who serves as the legal representative for the Emergency Services Council to assure the correct language and changes have met the necessary legal requirements.

Phase IV: COMPLETE

The HSD/OES Captain or Director will present the revised JPA agreement to the ESC at the scheduled September 18, 2014 meeting. The presentation will be divided into four sections:

- Section I Original April 3, 1997, version
- Section II The proposed April 17th JPA revision aka First Amendment version
- Section III The Revised final JPA First Amendment
- Section IV The ESC will be asked for a vote of approval to forward the revised JPA First Amendment to the City Managers Group for review and city council approvals.

Phase V: COMPLETE

The JPA document will be sent to the various cities within five days of the September ESC meeting. The Cities should have the agreement reviewed by the City Manager, Police/Fire Chiefs and City Council and returned to the Office of Emergency Services by December 3, 2014.

Reviewed by	Submitted on	Returned & accepted on
Emergency Managers Association	7/19/14	8/29/14
Police & Fire Chiefs Associations	9/03/14	9/17/14
Emergency Services Council	9/11/14	9/18/14
City Managers Association	9/19/14	9/30/14
SMC City Attorneys	9/17/14	10/03/14

A discussion led by County Counsel David Silberman with city attorney representatives from Belmont, East Palo Alto, Burlingame, Brisbane, Hillsborough, Menlo Park, Pacifica, Daly City, Millbrae, Portola Valley, South San Francisco, Foster City, Woodside, San Mateo and Half Moon Bay reviewed and edited the final JPA document. The final version of the document included agreed upon changes offered by the Emergency Managers Association, The Area Office of Emergency Services, City Attorneys group, Police and Fire Chiefs Association, Emergency Services Council and the SMC City Managers Association.

Phase VI

1. The restated and revised JPA document will be emailed to the ESC at time of final vetting and completion. **COMPLETE**
2. The revised and restated JPA will be presented to the ESC at the first ESC quarterly meeting scheduled in January 2015. A recommendation for approval will be requested.

Phase VII

HSD/OES staff will prepare a memo and resolution to the San Mateo County Board of Supervisors requesting formal adoption of the revised Emergency Services Council's Joint Powers Agreement for the San Mateo County Operational Area.

Fiscal Impact

There is no fiscal impact; no changes have been made to the funding formula for cities.

Recommendations:

The Emergency Services Council would like all of the Member Agencies to approve the revised and restated JPA document as soon as feasible.

Action Requested

HSD/OES seeks approval by the ESC and City Managers Association to accept the final revision and proceed with city council for approval and resolution.

**First Revised and Restated
Joint Exercise of Powers Agreement
San Mateo County Operational Area Emergency Services Organization**

THIS JOINT POWERS AGREEMENT (“Agreement”) is made as of the Effective Date by and between the public entities set forth below, creating the San Mateo County Operational Area Emergency Services Organization Authority (“Organization”).

Each public entity executing this Agreement shall be referred to individually as a “Member Agency,” with all referred to collectively as “Member Agencies.”

RECITALS

Whereas the Member Agencies’ goal is to establish a unified emergency services organization; and

Whereas the Member Agencies agree that the purpose of this Organization will be to operate pursuant to Presidential Directive 5, the National Response Framework, National Incident Management System (NIMS), Presidential Directive 8, the National Preparedness Goal and California’s Standardized Emergency Management System (SEMS) and local adopted Emergency Operations Plans and Annexes.

Whereas the Member Agencies agree that the participants within this Organization may include all local governments within the geographic area of the County, special districts, unincorporated areas, and participating non-governmental entities; and

Whereas the Member Agencies agree that the collective goal is to provide coordinated plans for the protection of persons and property based on the phases of emergency management; and

Whereas the Member Agencies have the authority to enter into this Agreement under the Joint Exercise of Powers Act, California Government Code Section 6500 *et seq.* (“Act”).

NOW, THEREFORE, in consideration of the recitals and mutual obligations of the Member Agencies as herein contained, the Member Agencies agree as follows:

Article I - GENERAL PROVISIONS

1.01 Purpose

This Agreement creates an entity to exercise the powers shared in common by the Member Agencies to engage in local and regional cooperative planning and coordination and delivery of services. As part of this Organization’s purpose, Member Agencies seek to meet or exceed the current Emergency Response Planning and Management Capabilities within the Operational Area. Further, Member Agencies seek to support existing regional Public Information and Notification Systems, and to continue to support the regional hazardous materials emergency response program. Such purposes are to be accomplished and the Members Agencies’ common powers exercised as set forth in this Agreement.

1.02 Creation of Authority

Pursuant to the Joint Exercise of Powers Act, the Member Agencies hereby create a public entity to be known as the “San Mateo County Operational Area Emergency Services Organization Authority” (“Organization.”) The Organization shall be a public entity separate and apart from the Member Agencies. The geographic jurisdiction of the Organization is all territory within the geographic

boundaries of the Member Agencies; however, the Organization may undertake any action outside those geographic boundaries as is necessary and incidental to accomplishing its purpose.

1.03 Membership in the Organization

Membership in the Organization is limited to public entities, as defined by the Joint Exercise of Powers Act, located or operating within San Mateo County that have approved and executed this Agreement, and contributed resources of any kind toward establishing and supporting the Organization (including, but not limited to financial, personnel, equipment, or other resources) as approved by the Emergency Services Council.

1.04 Participating Members/Partners in the Organization

Participation in the Organization is intended to ensure cooperative emergency planning and response; all participating Member Agencies and partners are expected to attend all regular and special meetings of the Emergency Services Council, encourage active participation by their jurisdictions in the development of plans and training programs, drills, exercises and training opportunities, and otherwise assist in supporting the implementation of this Agreement.

1.05 Powers of the Organization

The Organization may purchase, lease, own and/or dispose of property and equipment and enter into contract(s), as required to satisfy the purposes of this Agreement. The Organization may employ agents and/or employees, operate works and improvements, sue and be sued in its own name, and invest surplus funds.

Article II- COMMON TERMINOLOGY

2.01 Terminology Defined

Not all vocabulary of technical terms listed in the Agreement is used in the Agreement. In part, the terms are included as a resource to further clarify terminology utilized in documentation, field operations and/or applicable subject matter.

2.02 All-Hazards: “Grouping classification encompassing all conditions, environmental or manmade, that have the potential to cause injury, or death; damage to or loss of equipment, infrastructure services, or property; or alternately causing functional degradation to societal, economic or environmental aspects. Annotation: All-hazards preparedness ensures that if a disaster occurs, people are ready to get through it safely, and respond to it effectively. FEMA began development of an Integrated Emergency Management System with an all-hazards approach that included ‘direction, control and warning systems which are common to the full range of emergencies from small isolated events to the ultimate emergency – war.” (DHS, *Lexicon*, October 23, 2007, p. 1)

2.03 Catastrophe: An event during which a society incurs, or is threatened to incur, such losses to persons and/or property that the entire society is affected and extraordinary resources and skills are required, some of which must come from other nations.

2.04 Community Emergency Response Team (CERT): “Community Emergency Response Team” (CERT) training is one way for citizens to prepare for an emergency. CERT training is designed to prepare people to help themselves, their families and their neighbors in the event of a catastrophic disaster. Because emergency services personnel may not be able to help everyone immediately, residents can make a difference by using the training obtained in the CERT course to save lives and protect property. (DHS, *National Response Framework* (Comment Draft). DHS, September 10, 2007, p. 18)

2.05 Command: The act or directing and or controlling by virtue of explicit legal, agency or delegated authority. The term “Command” may also refer to the Incident Commander.

2.06 Emergency: Any incident, whether natural or manmade, that requires responsive action to protect life or property. Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, an emergency means any occasion or instance for which, in the determination of the President, federal assistance is needed to supplement state and local efforts and capabilities to save lives and to protect property and public health and safety or to lessen or avert the threat of a catastrophe in any part of the United States.

2.07 Emergency Management: A subset of incident management, the coordination and integration of all activities necessary to build, sustain and improve the capability to prepare for, protect against, respond to, recover from or mitigate against threatened or actual natural disasters, acts of terrorism or other manmade disasters.

2.08 Emergency Operations Center (EOC): The physical location at which the coordination of information and resources to support incident management activities normally takes place. An EOC may be a temporary facility or may be located in a more central or permanently established facility, perhaps at a higher level of organization within a jurisdiction.

2.09 Incident: An occurrence or event, natural or manmade, which requires a response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, civil unrest, wild land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, tsunamis, war-related disasters, public health and medical emergencies and other occurrences requiring an emergency response.

2.10 Incident Command System (ICS): A standardized on-scene emergency management construct specifically designed to provide for the adoption of an integrated organizational structure that reflects the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries. It is used for all kinds of emergencies and is applicable to small as well as large and complex incidents.

2.11 Local Emergency: The duly proclaimed existence of conditions of disaster or extreme peril to the safety of persons and/or property within territorial limits of a county, city and county, or city caused by such conditions as fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, earthquake, tsunami or other conditions which are likely to be beyond the control of the services, personnel, equipment and facilities of that local political subdivision to combat.

2.12 Local Government: A county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under state law;) regional or interstate government entity or agency or instrumentality of a local government; an Indian tribe or authorized tribal entity, or in Alaska a Native Village or Alaska Regional Native Corporation; a rural community, unincorporated town or village or other public entity. See Section 2 (10), Homeland Security Act of 2002, P.L. 107–296, 116 Stat. 2135 (2002).

2.13 Mitigation: Activities providing a critical foundation in the effort to reduce the loss of life and/or property from natural and/or human-caused disasters by avoiding or lessening the impact of a disaster and providing value to the public by creating safer communities. Mitigation seeks to fix the cycle of disaster damage, reconstruction, and repeated damage. These activities or actions, in most cases, will have a long-term sustained effect.

2.14 National Incident Management System (NIMS): System that provides a proactive approach guiding government agencies at all levels, the private sector and nongovernmental organizations to work seamlessly to prepare for, prevent, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location or complexity, in order to reduce the loss of life or property and harm to the environment.

2.15 National Response Framework: This document establishes a comprehensive, national, all-hazards approach to domestic incident response. It serves as a guide to enable responders at all levels of government and beyond to provide a unified national response to a disaster. It defines the key principles, roles, and structures that organize the way U.S. jurisdictions plan and respond.

2.16 Operational Area: An intermediate level of the state emergency services organization, consisting of the County and all political subdivisions within the county area. In a state of emergency, the operational area shall serve as a link in the system of communications and coordination between the political subdivisions comprising the operational area and the Regional or State Emergency Operations Center.

2.17 Preparedness: Actions that involve a combination of planning, resources, training, exercising and organizing to build, sustain and improve operational capabilities. Preparedness is the process of identifying the personnel, training and equipment needed for a wide range of potential incidents and developing jurisdiction-specific plans for delivering capabilities when needed for an incident.

2.18 Recovery: The development, coordination and execution of service- and site-restoration plans; the reconstitution of government operations and services; individual, private-sector, nongovernmental and public-assistance programs to provide housing and to promote restoration; long-term care and treatment of affected persons; additional measures for social, political, environmental and economic restoration; evaluation of the incident to identify lessons learned; and post-incident reporting and development of initiatives to mitigate the effects of future incidents.

2.19 Resources: Personnel and major items of equipment, supplies and facilities available or potentially available for assignment to incident operations and for which status is maintained. Under the National Incident Management System, resources are described by kind and type and may be used in operational support or supervisory capacities at an incident or at an emergency operations center.

2.20 Response: Immediate actions to save and sustain lives, protect property and the environment, and meet basic human needs. Response also includes the execution of plans and actions to support short-term recovery.

2.21 Standardized Emergency Management System: The Standardized Emergency Management System (SEMS) is the cornerstone of California's emergency response system and the fundamental structure for the response phase of emergency management. SEMS is required by the California Emergency Services Act (ESA) for managing multiagency and multijurisdictional responses to emergencies in California. The system unifies all elements of California's emergency management

community into a single integrated system and standardizes key elements. SEMS incorporates the use of the Incident Command System (ICS), California Disaster and Civil Defense Master Mutual Aid Agreement (MMAA,) the Operational Area (OA) concept and multiagency or inter-agency coordination. State agencies and local governments are required to use SEMS in order to be eligible for any reimbursement of response-related costs under the state's disaster assistance programs.

Article III – GOVERNANCE

3.01 Composition of the Council

The Organization shall be administered by the Emergency Services Council (“Council”) consisting of the following members:

- a) A member of the San Mateo County Board of Supervisors, who shall be designated by the Supervisors.
- b) Each governing body of a Member Agency shall annually select and appoint a representative to serve on the Council and may select and appoint an alternate representative. Each representative and alternative representative must be a member of the governing body of the Member Agency.
- c) The Chair of the Emergency Services Council shall be the representative from the Board of Supervisors.
- d) A Vice-Chair shall be selected by the Council.

3.02 General Purpose of the Organization

The general purpose of the Organization is to:

- a) Provide structure for administrative and fiscal policies and procedures;
- b) Identify and pursue funding sources;
- c) Set policy;
- d) Maximize the utilization of available resources; and
- e) Oversee all committee activities.

3.03 Specific Responsibilities of the Council

The specific responsibilities of the Council shall be as follows:

- a) To review and recommend adoption by the Board of Supervisors and City Councils of each City, Emergency Plans, programs and agreements, in addition to the basic agreements as deemed necessary to carry out the purpose of the Organization.
- b) To approve an annual budget in an amount necessary to carry out the purposes of the Organization. Upon review and approval of the annual budget by the Council, each Member Agency shall recommend the budget to the governing body of the Member Agency for the purpose of securing from each the appropriations in accordance with each Member Agency's identified allocation (via Budget Sheets.)
- e) Each Member Agency's Executive Officer shall identify and designate at the beginning of each fiscal year, a local coordinator for regular participation in the San Mateo County Emergency Managers Association. Should the identified Coordinator change at any time during the year, the Member Agency shall advise the Director of Emergency Services within 30 days-
- d) If a Member Agency participates in a contract relationship for the provision of emergency services, it is still required to name a local emergency coordinator to the Emergency Managers Association who will assure the continuity of communication between the Member Agency, the County Office of Emergency Services (OES) and the Organization.

3.04 Meetings of the Organization.

- a) **Regular Meetings:** The Council shall approve a schedule for its regular meetings provided, however, that the Council shall hold at least one regular meeting quarterly. The Council shall fix the date, hour and location of regular meetings by resolution and the Secretary shall transmit a copy of the resolution to each Member Agency at the first meeting of the fiscal year.
- b) **Special Meetings:** Special meetings of the Council may be called in accordance with the Brown Act by the Chair, a majority of the Council or the Director.
- c) **Call, Notice and Conduct of Meetings:** All meetings of the Council, including without limitation, regular, adjourned regular and special meetings, shall be noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act, California Government Code section 54950 *et seq.* As soon as practicable, but no later than the time of posting, the Secretary shall provide notice and the agenda to each Member Agency. Any Member Agency may request that an item be considered for placement on the Agenda by submitting the request to the Director of Emergency Services.
- d) Meetings of the Council shall be conducted by the Chair or by the Vice-Chair in the absence of the Chairperson. In the absence of both Chair and Vice-Chair, the meeting shall be chaired by member of the Council selected by a majority vote of the Council.

3.05 Minutes

The Secretary of the Organization shall cause to be kept a digital recording of each meeting, which shall be posted on the SMC OES Website. The Secretary will create brief summary written minutes for approval by the Council.

3.06 Voting

All power of the Organization shall reside with the Council. Each Member Agency shall have one vote. A Member Agency's alternate representative may participate and vote in the proceedings of the Council only in the absence of that Member Agency's regular representative. No absentee ballot or proxy voting is permitted.

3.07 Quorum; Required Votes; Approvals

A quorum of the Council is a majority of the representatives of the Member Agencies of the Organization. If the number of Member Agencies is an even number, a majority is fifty percent of the Member Agencies, plus one. The Council may not take any substantive action without a majority of the Member Agencies voting to take that action. Action on non-substantive procedural matters may be taken by a majority of a quorum.

Article IV – PARTICIPATING PARTNERS, EMPLOYEES AND ADVISORY COMMITTEES

4.01 Participating Partners

In order to ensure cooperative emergency planning and response, the following may be invited to attend, as non-voting members, all regular and special meetings of the Council, participate in the development of plans and training programs, and otherwise assist in supporting the implementation of this Agreement:

- a) A representative of the American Red Cross to be invited by the Chair with the approval of the Council.
- b) One representative each from the San Mateo County Fire Chiefs Association and the San Mateo County Police Chiefs and Sheriff Association as may be invited by the Chair with approval of the Council.
- c) One representative for Water Districts as may be invited by the Chair with approval of the Council.

- d) One representative for Sanitary Districts as may be invited by the Chair with approval of the Council.
- e) One representative for the San Mateo County Harbor District as may be invited by the Chair with approval of the Council.
- f) One representative for the Port Authority as may be invited by the Chair with approval of the Council.
- g) One representative for San Mateo County Transit District as may be invited by the Chair with approval of the Council.
- h) One representative for Pacific, Gas and Electric Company as may be invited by the Chair with approval of the Council.
- i) One representative for the Office of Education as may be invited by the Chair with approval of the Council.
- j) One representative for the Hospital Consortium as may be invited by the Chair with approval of the Council.
- k) One representative for the EMS Agency as may be invited by the Chair with approval of the Council.
- l) One representative for the San Mateo Emergency Managers Association as may be invited by the Chair with approval of the Council.

Should other interested parties be identified for participation, the Organization shall consider a written request for participation and may be invited by the Chair with approval of the Council.

4.02 Treasurer

The Treasurer of the County of San Mateo shall be the Treasurer of the Organization. The Treasurer shall be the depository, shall have custody of the accounts, funds and money of the Organization from whatever source, and shall have the duties and obligations set forth in the Joint Exercise of Powers Act.

4.03 Auditor and Financial Accountability

The Organization will ensure financial accountability as required by Section 6505 of the Government Code. The Organization will ensure that audits are conducted as required by that Section. Unless the Council votes to appoint a separate auditor, audits will be conducted by auditor selected to conduct the audit of the Sheriff's Office. In the event that the Council selects a separate auditor, the full cost of the audit will be the responsibility of the Organization.

The Auditor shall perform the functions of auditor for the Organization and shall make or cause an independent annual audit of the accounts and records of the Organization by a certified public accountant, in compliance with the requirements of the Joint Exercise of Powers Act and generally accepted auditing standards.

4.04 Legal Counsel

The San Mateo County Counsel's Office shall be the legal counsel for the Organization. To the extent permitted by the Joint Exercise of Powers Act, the Organization may change, by resolution, the legal counsel to the Organization. The full cost of outside legal counsel will be the responsibility of the Organization.

4.05 Secretary to the Organization

The San Mateo County Office of Emergency Services shall provide a Secretary and administrative support to the Organization.

4.06 Contractors

The Organization shall have the power by resolution to appoint and employ such other consultants and independent contractors as may be necessary to carry out the purposes of the Organization. The Organization will be responsible for any/all incurred costs.

4.07 Committees

The Organization may form and dissolve Committees as determined by the Council.

4.08 Director of Emergency Services

The Sheriff or his/her designee is the Director of the San Mateo County Area Office of Emergency Services (“Director”). The SMC Area Office of Emergency Services is responsible for the on-going operation of the San Mateo County Operational Area and is also responsible for achieving the purposes of the Organization as follows:

- a) Emergency Response - coordination and planning during any regional emergency in accordance with adopted emergency plans.
- b) Plans and Operations - preparation, development, coordination, and integration of compatible and complimentary unified area-wide emergency plans for approval by the State of California and adoption by the Council.
- c) Communications - coordination, development and maintenance of an area-wide emergency communications service, including public alert and warning systems, and other situational awareness tools.
- d) Public Education and Information - coordination and support of an area-wide public education and information program.
- e) Training and Exercise - coordination and assistance in the training and exercising of all County employees identified as Disaster Service Workers, as defined by Sect. 3100 of the California Government Code and volunteers. The Member Agencies will be responsible for the training and exercise of their identified employees; however, OES will provide needed support as requested.
- f) Grant Program Administration - coordination and assistance with designated emergency coordinators within the Operational Area in the securing and distribution of grant funds for regional emergency management initiatives and program support.
- g) General Administration - coordination and assistance in the procurement and inventory of emergency equipment, management of, maintenance and distribution of area-wide inventories of vital supplies and equipment.
- h) The Organization does not intend to acquire title to any property. But in the event that it does, pursuant to Section 6505.1 of the Government Code, the Organization designates the Director to handle that property. In the event that the Organization does acquire title to property, the Director will obtain a bond in the amount determined by the contracting parties.

4.09 Staffing Reimbursement

The County Office of Emergency Services is a bureau of the Sheriff’s Office, staffed by sworn officers and other civil service employees of the County of San Mateo appointed by the Sheriff. The Office of Emergency Services supports the purposes of the Organization. A portion of the cost of Office of Emergency Services staff is reimbursed by the Organization in an amount determined by the funding allocation in this Agreement.

Article V – BUDGET AND COST-SHARING

In consideration of the mutual promises herein contained, it is hereby agreed that the cost of maintaining the Organization will be shared as described below.

- a) From the total amount of the annual budget there shall be deducted estimated revenue from federal “matching funds,” state grants, and other service revenues.
- b) The balance of the annual budget remaining after anticipated revenues have been deducted shall be paid as follows:
 - 1. The county shall pay 50% of the remaining balance.
 - 2. The cities shall pay the remaining 50% of the balance, apportioned in accordance with the following formula:
 - i. One half of said 50% to be apportioned by people units or population.
 - a) Total population of all member cities divided into one-half of the total of the cities’ share of the budget equals a factor in cents.
 - b) Population of each member city times the factor in cents equals the share for each city.
 - ii. The remaining one-half of said 50% to be apportioned on the basis of assessed valuation as follows:
 - a) Total assessed value of real and personal property in all member cities divided into one-half of the total of the city’s share of the budget equals a factor in mils.
 - b) Assessed value of real and personal property of each member city times the factor in mils equals the share for each city.
- c) For the purpose of this Agreement the total assessed valuation of real and personal property in all Member Agencies shall be the most recent such total maintained by the offices of the County Assessor.
- d) The figures used for population in each city shall be determined by a method and from a source that is mutually acceptable to the majority of members.
- e) It is understood and agreed that the financial obligations incurred by the Member Agencies under the provisions of this Agreement will be incurred annually, subject to the limitation that the county and cities are financially able to make funds available.
- f) If the Member Agencies representing 25% or more of the county’s population do not approve the budget in any fiscal year, the proposed budget will be referred back to the Director and the Finance Committee for revision and recommendation. If no resolution can be reached by the committee, the Member Agencies may proceed to adopt budgets that provide those services they deem necessary for adequate emergency services protection as a whole, but any Member Agency shall be financially responsible for that portion of the budget unilaterally adopted. Any Member Agency that does not meet its financial commitment under the adopted budget will lose its voting status and/or other such privileges of membership as determined by the Council.
- g) It is further agreed that any excess in federal or state funds, in any year, shall be reviewed by the Finance Committee, who will then make a recommendation to the Council, as to the disposition of the excess funds.
- h) With respect any Member Agency that is not a City or the County , the amount to be contributed is determined by a negotiation between those Member Agencies and the Director Emergency Services and must be approved by the Council. A letter memorializing the agreed contribution will be an attachment to this Agreement.

Article VI - INSURANCE

- a) The County shall add the Organization and Emergency Services Council to its existing excess liability insurance coverage and shall maintain such coverage in full force and effect during the life of the Agreement. Member Agencies understand that the County is partially self-insured. Unless the Organization decides otherwise, County shall provide for the defense of any claims or litigation within the self-insured retention. Legal representation by the County will ordinarily be provided by the County Counsel.

- b) Any out-of-pocket expense or loss, by way of judgment or settlement, arising out of the operation of this Agreement, within the limits of the County's self-insured retention shall be shared by the parties in accordance with the formula as described in Article V (b).

Article VII - EFFECTIVENESS

This Agreement shall be effective upon its execution by all Member Agencies. It is effective as to new Members Agencies upon adoption and approval by the Council and by the new Member Agency's governing body. This Agreement shall continue in effect until terminated as provided herein.

Article VIII – TERM AND TERMINATION

8.01 Withdrawal by Members

- a) Any Member Agency may withdraw from this Agreement by written notice given by such Member Agency to all other Member Agencies, which notice shall be given at least 120 days prior to the commencement of the fiscal year in which it is to take effect. For the purpose of such notice, a fiscal year is defined as July 1 of a calendar year through June 30 of the succeeding calendar year.
- b) Any former or prospective Member Agency may enter or re-enter the organization by petition to the Council by its governing body, and majority approval of the petition by the Council. Upon approval, the new Member Agency must agree in writing to all terms of this Agreement.
- c) Should a Member Agency withdraw less than 120 days prior to the commencement of the fiscal year, the withdrawal will be effective but that Member Agency will be responsible for its calculated contribution for that year pursuant to Article V.
- d) Should a Member Agency give required notice and withdraw from the Agreement, the prior contribution of that Member Agency will be divided equally by formula among the remaining Member Agencies.

8.02 Termination of Organization and Disposition of Surplus Money and Property

This Agreement shall terminate effective upon a vote of the Council, the County and by at least eleven (11) cities representing the majority of the population of the County. In the event that the Organization ceases to exist, surplus funds will be returned consistent with Section 6512 of the Government Code in proportion to the contributions made. The Organization does not intend to acquire title to any property. But in the event that it does, title to all property acquired by the Organization, shall be owned by the County of San Mateo to be used for "County Wide" purposes.

8.03 Amendments

Any proposed Amendments to this Agreement may be recommended by the Council but must be ratified by each Member Agency's governing body.

8.04 Review of this Agreement

The Council will conduct a review of this Agreement in 2020 and every five years thereafter to determine whether any changes to the Agreement are necessary or advisable. In the event that the Council concludes that changes should be made, each Member Agency representative will take those recommended changes to the governing body of the Member Agency for ratification.

8.05 Bylaws

The Council may, from time to time, adopt and/or amend Bylaws for the conduct of its affairs; provided the purpose is consistent with this Agreement and/or are necessary and appropriate.

Article IX - MISCELLANEOUS PROVISIONS

9.01 Notices

It shall be the responsibility of the Sheriff or his/her designee to ensure all notices are provided to Member Agencies and posted in compliance with the legal requirements of the Agreement.

9.02 Severability

If any one or more of the terms, provisions, promises, covenants, or conditions of this Agreement were, to any extent, adjudged invalid, unenforceable, void, or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, promises, covenants, and conditions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

9.03 Supersession

It is mutually understood and agreed by the Member Agencies that this Agreement supersedes the 1997 San Mateo County Operational Area Joint Powers Agreement, any previous agreements on this subject matter and any amendments thereto.

9.04 Assignment

No Member Agency shall assign any rights or obligations under this Agreement without the prior written consent of the Council.

9.05 Governing Law

This Agreement is made and to be performed in the State of California, and as such, California substantive and procedural law shall apply. Venue for any litigation under this Agreement shall be in the County of San Mateo.

9.06 Headings

The section headings herein are for convenience only and are not to be construed as modifying or governing the language of this Agreement.

9.07 Counterparts

This Agreement may be executed in counterparts, each of which will be deemed an original and all of which shall constitute this Agreement.

9.08 No Third Party Beneficiaries

This Agreement and the obligations hereunder are not intended to benefit any party other than the Authority and its Members Agencies, except as expressly provided otherwise herein. No entity that is not a signatory to this Agreement shall have any rights or causes of action against any party to this Agreement as a result of that party's performance or non-performance under this Agreement, except as expressly provided otherwise herein.

9.09 Filing of Notice of Agreement

Within 30 days after the Effective Date, the Secretary shall cause to be filed with the Secretary of State the notice of Agreement required by the Act. Within 30 days after any amendment to this Agreement, the Secretary shall file the amendment with the Secretary of State.

9.10 Conflict of Interest Code

The Organization shall adopt a conflict of interest code as required by law. Member Agencies understand that representatives and alternate representatives are listed on the Organization's Conflict of Interest Code and will be responsible for filing a Form 700 with the Organization.

9.11 Indemnification

The Organization shall defend, indemnify and hold harmless each Member Agency (and each Member Agency's officers, agents, and employees) from any and all liability, including but not limited to claims, losses, suits, injuries, damages, costs and expenses (including attorney's fees,) arising from or as a result of any acts, errors or omissions of the Organization or its officers, agents or employees.

Each Member Agency shall defend, indemnify and hold harmless the other Member Agencies (and their officers, agents, and employees) from any and all liability, including but not limited to claims, losses, suits, injuries, damages, costs and expenses (including attorney's fees,) arising from or as a result of any acts, errors or omissions of that party or its officers, agents or employees.

9.12 Dispute Resolution/Legal Proceedings

Disputes regarding the interpretation or application of any provision of this Agreement shall, to the extent reasonably feasible, be resolved through good faith negotiations between the Member Agencies and/or the Organization.

9.13 Authorization to Enter Into Agreement

Each party warrants that the person signing this Agreement on its behalf is authorized to bind that party to this Agreement.

9.14 Confirmation of Jurisdictional Authority

By signing this Agreement, the Member Agencies retain all authority granted to them by the State and/or their respective Charters. The powers and/or authority granted pursuant to this Agreement shall in no way serve to limit or restrict an individual Member Agency's jurisdictional authority.

9.15 Participation Understanding

The Member Agencies understand that to facilitate proper emergency response, each public entity has an important role to play. By adopting this Agreement, the Member Agencies recognize the importance of that role. Descriptions of the activities that are expected of each Member Agency are contained in Attachment A to this Agreement. Attachment A may be modified by a majority of the Council at a meeting of the Organization.

(SIGNATURES ARE ON FOLLOWING PAGE)

IN WITNESS WHEREOF, each Member Agency has caused this Agreement to be executed and attested by its proper officers thereunto duly authorized, as follows:

Signatories	Resolution/Action Number	Date of Adoption
Atherton		
Belmont		
Brisbane		
Burlingame		
Colma		
Daly City		
East Palo Alto		
Foster City		
Half Moon Bay		
Hillsborough		
Menlo Park		
Millbrae		
Pacifica		
Portola Valley		
Redwood City		
San Bruno		
San Carlos		
San Mateo		
South San Francisco		
Woodside		
County of San Mateo		

ATTACHMENT A

SUPPLEMENTAL AGREEMENT

The following list of responsibilities was developed by a sub-committee of the Emergency Managers Association of San Mateo County. The determined need is to assure the Member Agencies meet the basic functional needs of the communities within San Mateo County during a disaster. To determine the readiness of Member Agencies to respond to an emergency, each Member Agency agrees to participate in an annual survey or other mechanism, developed by the EMA Policy & Continuity Working Group, to gather preparedness data from Member Agencies. An evaluation shall be presented to the Emergency Services Council as set forth in section 1.01 of this Supplemental Agreement.

Article I – MEMBER AGENCY RESPONSIBILITIES AND TRAINING

1.01 Emergency Preparedness and Planning Standards

The Member Agencies shall each accept primary responsibility for the readiness within their respective jurisdictions and development of disaster preparedness plans which shall be compatible with and complimentary to the area-wide emergency planning and organization, formulated pursuant to this Agreement. As such, each Member Agency agrees that it will adhere to current state and federal NIMS/SEMS requirements.

The Director will provide an annual report of each Member Agency's attainment towards the current State and federal NIMS/SEMS requirements, as well as assist the Member Agencies in working towards full compliance.

1.02 Information Reporting

Member Agencies of the Organization shall report on the agreed adopted standards, cited in Section 1.01 of this Supplemental Attachment, annually to the Director of the Office of Emergency Services, who will compile the information and report to the Council at its January meeting.

a. The following is an example of the type of information to be collected annually; other formats may be developed or used as needed. Adopt an Emergency Operations Plan and Annexes, review and update no less than every three years												
	City/Town	Percentage Complete										
1		0	10	20	30	40	50	60	70	80	90	100

b. Have a Local Hazard Mitigation Plan, internally reviewed annually and provide updates as required, and approved by FEMA. (Currently no less than every five years.												
	City/Town	Percentage Complete										
		0	10	20	30	40	50	60	70	80	90	100

c. Participate in the Operational Area Multi-year Training and Exercise Plan												
	City/Town	Percentage Complete										
		0	10	20	30	40	50	60	70	80	90	100

d. Adopt use of the Homeland Security Exercise and Evaluation Program (HSEEP)												
City/Town	Percentage Complete											
	0	10	20	30	40	50	60	70	80	90	100	

e. Participate in meetings and activities including the Emergency Managers Association (EMA)												
City/Town	Percentage Complete											
	0	10	20	30	40	50	60	70	80	90	100	

f. Participate in Training and Exercises												
City/Town	Percentage Complete											
	0	10	20	30	40	50	60	70	80	90	100	

g. Prepare and maintain necessary plans and agreements to facilitate emergency sheltering												
City/Town	Percentage Complete											
	0	10	20	30	40	50	60	70	80	90	100	

1.03 Training and Exercises

A Training and Exercise Plan is a means to establishing a standard of readiness and initiates a basic knowledge and capability skill set. Full participation by Member Agency Emergency Managers and other Operational Area stakeholders is important to developing a multi-year training program. Training and exercise planning and development will be the responsibility of the EMA T&E Group to accommodate the needs of the stakeholders. Full commitment and participation by the Member Agencies and participating partners will also be recommended in at least one annual exercise, in some capacity, to ensure the preparedness level of our Operation Area. Further, Member Agencies agree to support the NIMS compliance of each of their jurisdictions.

1.04 Recommended Training for the Governing Bodies of Member Agencies

In an effort to ensure NIMS Compliance and a standardized understanding among Member Agencies, the following training curriculum, **is recommended for representatives of each Member Agencies' governing bodies:**

- a) 100: Introduction to ICS or equivalent
- b) FEMA IS 700.a: NIMS An Introduction
- c) ICS-402: Incident Command System (ICS) Overview for Executives/Senior Officials(G402)

1.05 Local Coordinator Responsibilities

All Member Agencies have adopted this Agreement with a commitment to engage in local and regional cooperative planning, coordination and delivery of services. Each Member Agency will provide local support via staff with primary and/or secondary responsibilities including, but not limited to the following:

- a) Management/Coordination of the Local Emergency Operations Center (EOC) – (functional and support services.)

- b) Provide liaison support to the County Emergency Operations Center (EOC) Director or his/her designee in emergency or disaster situations.
- c) Oversee the preparation and prepare and modify elements of the local Emergency Operations Plan and Disaster Recovery Plan to ensure compatibility with the Operational Area Emergency Operations Plan and Annexes.
- d) Develop relationships with representatives of local departments, public and private support and relief agencies, business, educational, homeowners' and other groups regarding emergency services; prepare specialized plans designed to meet the needs of various sections of the community.
- e) Prepare and disseminate training materials to ensure effective response in a disaster situation;
- f) Develop, train and maintain community engagement, through programs such as Community Emergency Response Team (CERT)
- g) Develop relationships with representatives of other emergency management and response agencies and organizations; review legislation, regulations and other documentation to ensure that the City is in compliance with such regulations and avail itself of all financial and other resources.
- h) Respond to the Emergency Operations Center when it is activated; ensure that appropriate documents are available at the center and provide liaison and coordinative support as required.

1.06 Operational Area District Coordinator Responsibilities

In addition to the roles and responsibilities identified in Section 4.09, The Director of Emergency Services will provide staff in direct support of the Local Coordinators. These Operational Area District Coordinators are not intended to replace local staff, as they do not have the required authority within local jurisdictions to operate as the primary coordinators. They will, however, provide the following services, which include but are not limited to:

- a) Develop, review and update emergency operations plans.
- b) Develop, review and update detailed standard operating procedures, checklists and resource documents.
- c) Compile data and prepare program papers and progress reports for the jurisdictions served.
- d) Compile and review jurisdictional data in support of the annual Standards Review.
- e) Support a Planning and Exercise Design Team as well as complete a 3-5 year Training and Exercise Program that is HSEEP compliant.
- f) Act as information, education and/or resource officer for the jurisdictions served.
- g) Speak to civic groups, clubs, and organizations to promote emergency services programs, encouraging public understanding and support. Notify local jurisdiction when appropriate.
- h) Work cooperatively with other office staff on area-wide projects and in training programs.
- i) Develop relationships with representatives of other emergency management and response agencies and organizations, review legislation, regulations and other documentation to ensure that the County is in compliance with such regulations and avail itself of all financial and other resources.

Atherton	City Manager/Mayor	Date
Belmont	City Manager/Mayor	Date
Brisbane	City Manager/Mayor	Date
Burlingame	City Manager/Mayor	Date
Colma	City Manager/Mayor	Date
Daly City	City Manager/Mayor	Date
East Palo Alto	City Manager/Mayor	Date
Foster City	City Manager/Mayor	Date
Half Moon Bay	City Manager/Mayor	Date
Hillsborough	City Manager/Mayor	Date
Menlo Park	City Manager/Mayor	Date
Millbrae	City Manager/Mayor	Date
Pacifica	City Manager/Mayor	Date

Portola Valley	_____ City Manager/Mayor	_____ Date
Redwood City	_____ City Manager/Mayor	_____ Date
San Bruno	_____ City Manager/Mayor	_____ Date
San Carlos	_____ City Manager/Mayor	_____ Date
San Mateo	_____ City Manager/Mayor	_____ Date
South San Francisco	_____ City Manager/Mayor	_____ Date
Woodside	_____ City Manager/Mayor	_____ Date
County of San Mateo	_____ County Manager/President of the Board of Supervisors	_____ Date



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Debbie Pedro, Planning Director

DATE: November 12, 2014

RE: Designation of Land Acquisition Negotiator

BACKGROUND

On June 18, 2014, the Council adopted an amended Capital Asset Policy that requires annual discussions of potential acquisition of real property for a compelling public purpose and identification of two individuals, in addition to the Town Attorney, to conduct due diligence regarding potential site(s) suitable for acquisition.

On July 9, 2014, the Town Council appointed Councilmember Craig Hughes to work with the Town Attorney and requested that a Planning Commissioner serve as the third negotiator.

DISCUSSION

At their meeting on November 5, 2014, Commissioner Nicolas Targ volunteered to serve as one of the three negotiators. However, he noted that he may have to recuse himself from discussions regarding any parcels that fall within 500' of his property. In the event that Commissioner Targ has to recuse himself due to a conflict of interest, Vice Chair Nate McKitterick has volunteered to serve as the alternate negotiator.

ATTACHMENT

1. Planning Commission staff report dated November 5, 2014

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



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Planning Commission

FROM: Debbie Pedro, Planning Director

DATE: November 5, 2014

RE: Designation of Land Acquisition Negotiator

RECOMMENDATION

Per Council's direction, designate a Planning Commissioner to serve as one of three negotiators on land acquisition matters, in accordance with the Town's Capital Asset Policy.

BACKGROUND

On June 18, 2014, the Council adopted an amended Capital Asset Policy that requires annual discussions of potential acquisition of real property for a compelling public purpose and identification of two individuals, in addition to the Town Attorney, to conduct due diligence regarding potential site(s) suitable for acquisition.

DISCUSSION

The general mandate for the three land acquisition negotiators would be to evaluate and make recommendations on potential land acquisition for open space, public facilities, and affordable housing purposes. On July 9, 2014, the Town Council appointed Councilmember Craig Hughes to work with the Town Attorney and requested that a Planning Commissioner serve as the third negotiator.

For FY14-15, the negotiators will work with the Open Space Acquisition Advisory Committee to identify potential suitable sites for open space preservation, if any. Currently, there is no set schedule of upcoming meetings and the group will convene as needed.

Additional background regarding the Town's Capital Asset Policy can be found in the Town Council staff reports and meeting minutes dated June 18 and July 9, 2014 (Attachment 2)

ATTACHMENTS

1. Staff report and meeting minutes for the June 18, 2014 Council meeting
2. Staff report and meeting minutes for the July 9, 2014 Council meeting

Sharon Hanlon

To: Portola Valley Town Council
From: Judith Murphy, Chair, Conservation Committee

Conservation Committee unanimously voted at our meeting on 11/3/14 to request that you appoint Nona Chiariello to the Conservation Committee. A Portola Valley resident who works as a staff scientist at Jasper ridge, her academic training was in plant ecology. She will bring, along with her enthusiasm and volunteer spirit, a new wealth of knowledge to our committee.

Thank you,

Judith Murphy
8 Portola Green Circle
Portola Valley, CA 94028
650-851-2766

Sharon Hanlon

Submission information

Submitter DB ID : 3245
 Submitter's language : Default language
 Time to take the survey : 9 min. , 55 sec.
 Submission recorded on : 9/23/2014 10:30:06 AM

Survey answers

Full Name:*
 Nona Chiariello

Name of Committee I'm Interested in Serving On:

(Please note that only the committees currently seeking volunteers are listed.) Bicycle Pedestrian & Traffic Safety

Cable & Utilities Undergrounding

Conservation

Cultural Arts

Emergency Preparedness

Nature & Science

Parks & Recreation

Email Address:*

nonajrbp@stanford.edu

Address (include city/zip):*

Number of years in Portola Valley:*

2+ as a resident, 4+ as a property owner

Home Telephone Number:*

Cellular Telephone Number:

Other Telephone Number:

Not answered

Preferred Telephone Contact Number

Home

Cell

Other

I prefer to receive Town communications via:

E-Mail (recommended)

U.S. Mail

Please state why you have an interest in this committee, and state any background or experience you may have that may be useful in your service to this committee:*

I would like to help protect and encourage the natural habitats and heritage landscapes of Portola Valley. My academic background is in plant ecology, and I have been staff scientist at the Jasper Ridge Biological Preserve for 28 years. I am hardened weeder of invasive plants, including now a couple of years of removing Hedera, Hypericum, Genista, bamboo and other invasive plants from our Portola Valley residence, with a goal of replacing them with suitable native species. I think an emphasis on landscaping with native species, applied with some flexibility, will help sustain the Town's ecological health as well as an awareness of local history. I am currently also a member of the Open Space Acquisition Committee; if that committee were to meet more frequently, it might be necessary for me to limit my activities to one committee.

Do you have any personal or financial interest that could be perceived by others as a conflict of interest relative to your service on the committee? If so, please describe:*

no



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Nick Pegueros, Town Manager

DATE: November 12, 2014

RE: **Extended Winter Closure for Town Hall**

RECOMMENDATION

The recommendation is that the Town Council approve an extended winter closure for Town Hall that would require employees to use accrued paid time off (PTO). The additional dates for the recommended closure are Wednesday, December 24th and Friday, January 2nd.

DISCUSSION

Town Hall closes each year for Christmas Day, New Year's Day, and the business days in between. A number of staff members have requested both December 24th and January 2nd as days off using accrued PTO but, due to minimum staffing levels to open Town Hall, several requests cannot be permitted. The last two weeks of the year are traditionally very quiet in Town Hall. PVSD is on winter break and many private companies and town contractors are also closed.

Of primary concern, of course, is the readiness of Town staff to report to work in the event of a severe winter storm or other emergency. As with every year, a number of Town staff members have indicated that they will remain in the area during the year-end closure and will be able to report to work if necessary.

FISCAL IMPACT

The two additional days of Town Hall closure will have a small impact on the Town's PTO liability (compensated absences) by requiring the use of 15 hours of PTO.

At the end of each fiscal year, compensated absences are calculated by multiplying the total accrued PTO by the hourly rate as of June 30th. This amount is then reported as a long-term liability on the Town's financial statements. As employee salaries increase (and assuming accrued PTO remains relatively unchanged year-over-year), the value of compensated absences will correspondingly increase. Therefore, the less PTO held by employees as of June 30th of each year, the lower the reportable liability of compensated absences.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Nick Pegueros, Town Manager

DATE: November 12, 2014

RE: **Budget Amendment to Provide for Conversion to a 40-hour Workweek for All Town Staff**

RECOMMENDATION

It is recommended that the Town Council approve a budget amendment of \$36,000 to the Administration budget, which contains the appropriations for employee salaries and benefits. This budget amendment will allow for a conversion from a 37.5-hour to a 40-hour workweek effective January 1, 2015.

BACKGROUND

The Town has operated with a 37.5-hour standard workweek for all positions except one maintenance worker for many years. The current office hours are 8:30 to 5:00 with a daily office closure of 1:00 to 2:00 for an unpaid lunch break and 2:00 to 3:00 to conduct internal meetings and field visits without adversely impacting service to the public.

DISCUSSION

Upon consultation with Town employees, the administrative decision has been made to change Town Hall hours of operation effective January 1, 2015 as follows: 8:00AM to 12:00 noon and 1:00PM to 5:00PM, Monday through Friday. The goal of the new schedule is to increase service to the public while also implementing generally accepted office hours for towns similar to Portola Valley.

As part of this transition, the expanded hours will have the effect of increasing the hours worked by Town employee by 6.67%, or 2.5 hours per week (currently staff work 37.5 hours per week). The Town Manager sought direction from the Town Council in closed session on October 8, 2014 as to whether the Town Council would prefer to 1) keep annual salaries steady and effectively reduce the wages paid to employees on an hourly basis, or 2) pay employees for the additional hours worked at their current hourly wage. The Town Council gave direction to the Town Manager to return with a budget amendment that would compensate employees for the additional hours worked at their current hourly wage.

Accordingly, this recommendation increases the adopted 2014-15 budget to compensate Town employees for the added work hours beginning January 1, 2015. This amendment also makes provision to increase the annual compensation package for “salaried” employees, not including the Town Manager, up to the maximum authorized salary for each position.

FISCAL IMPACT

The abovementioned change will be implemented halfway through the current fiscal year and will have a cost impact of \$36,000. Future budgets will be based on a 40-hour workweek.

ATTACHMENTS

1. Resolution of the Town Council of the Town of Portola Valley Authorizing a Budget Amendment of \$36,000 to the Administration budget.

RESOLUTION NO. ____-2014

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF PORTOLA VALLEY AMENDING THE
ADMINISTRATION BUDGET FOR FISCAL YEAR 2014-15
TO MODIFY THE STANDARD WORK WEEK**

WHEREAS, the Town Council of the Town of Portola Valley (“Town”) adopted the Administration budget for Fiscal Year 2014-15, which includes appropriations for all employee salaries and benefits, on June 25, 2014; and

WHEREAS, the Town Council has reviewed and considered the Town Manager’s decision to modify Town Hall operating hours and agrees that the expanded hours are for the convenience of the public; and

WHEREAS, to provide for the expanded Town Hall operating hours, the standard employee work week must increase from 37.5 hours to 40.0 hours thereby increase salary and benefit costs by 6.67%;

NOW, THEREFORE, the Town Council of the Town of Portola Valley does **RESOLVE** to amend the Administration budget for fiscal year 2014-15 to include \$36,000 for increased employee salary and benefits effective January 1, 2015.

REGULARLY PASSED AND ADOPTED this 12th day of November, 2014.

Ann Wengert, Mayor

ATTEST

Sharon Hanlon, Town Clerk



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Town Council

FROM: Debbie Pedro, Planning Director
Karen Kristiansson, Deputy Town Planner

DATE: November 12, 2014

RE: Proposed Portola Road Corridor Plan

At their meeting on November 5, 2014, the Planning Commission heard comments from the public including requests for additional time to review the draft plan. Based on those comments, the Planning Commission determined that additional consideration of the Corridor Plan would be needed before it could appropriately be forwarded to the Town Council for final consideration and action. Given the limited meeting schedule in November and December, staff anticipates that the Corridor Plan will likely come to the Council early in 2015.

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



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Howard Young, Public Works Director

DATE: November 12, 2014

RE: **Authorize Staff to Submit a Conceptual Trail Project Proposal for Relocation of the Existing Trail Along Alpine Road Between Saddleback Road and Hillbrook Drive, Adjacent to the Midpeninsula Regional Open Space District's Hawthorns Property**

RECOMMENDATION

Authorize the attached conceptual proposal to be submitted to Midpeninsula Regional Open Space District (MROSD) for a Town funded and managed trail relocation project adjacent to MROSD's Hawthorns property on Alpine Road. If MROSD supports the conceptual plans and agrees to allow the project to move forward, Town staff will begin the consensus building process with the appropriate Committees and Commissions on a plan and scope.

BACKGROUND

Since 2010, the Trails and Paths Committee has indicated to staff and its Council liaisons that there have been use conflicts on the Alpine Road dirt trail along the Hawthorne Property from Saddleback to Hillbrook Drive. Minutes from their 1/27/10 special field meeting reflect the inquiry of a possible opportunity for an enlarged trail when the Hawthorne property is opened to the public.

The reported conflicts involved equestrian, pedestrian, and bicycle traffic using the narrow trail and not having enough space to maneuver around each other. Portions of the trail are severely constrained due to a steep slope on one side and a fence on the other. The conflicts have not been quantified by staff but on a random visit to the trail, staff has observed an instance of the conflict noted by Committee members. The Bicycle, Traffic, Pedestrian Safety Committee (BPTSC) has also expressed an interest in resolving reported conflicts on this section of trail so school children do not have to cross Alpine Road to continue eastbound. This was again confirmed during the BPTSC's 11/5/14 meeting when staff presented the proposed project in discussions.

When the Hawthorns property was in the process of being transferred to MROSD in 2011, members of the Trails Committee believed it would be an opportune time to discuss trail

improvements, including resolving the use conflict issues above. It has been indicated to the Trails Committee that a potential solution to the problem would be to widen the trail or relocate it inward onto MROSD property. If more space were available, a multi-use trail could be an option.

To pursue solutions to the Trails Committee concerns and to begin initial discussions on the topic with MROSD, the Town met with MRSOD at the Hawthorns property on September 9, 2014 to assess the trail, observe the conflicts first hand, and better understand the constraints envisioned by MROSD. The group walked the length of the concerned area and discussed:

1. Possibilities of relocating the trail from Town right-of-way onto MROSD's Hawthorns property.
2. The need to secure the Hawthorns property with a fence.
3. Proximity of the fence to the property line and town right-of-way.

At the conclusion of the meeting, MROSD, indicated that they would go back to their office and discuss what is fully involved, what the possibilities are, and their priorities.

DISCUSSION

Town staff has followed up with MROSD on the possibility of a joint project to construct the proposed Trail. MROSD staff indicated that their resources are stretched very thin at the present time with the recent passage of Measure AA and indicated that this project may not reach the top of their priority list. However, to move forward, MROSD expressed a willingness to consider a proposal for a project that is funded and managed by the Town. Due to timing and the MROSD's budgeting and planning process which begins in December, MROSD staff recommended that the Town submit a proposal as soon as possible for their consideration.

As part of developing a proposal for improvements to the Alpine Road trail, Town staff took the initiative of developing a project scope that would provide the greatest design flexibility should MROSD allow the project to move forward. It is important to note that the proposed design is highly conceptual and has been prepared by staff without input from MROSD or the applicable Town Committees due to the time constraints. Of course, if given approval to move forward, staff would work collaboratively with MROSD and applicable Town Committees to design a project that serves the community well for years to come.

The proposed project is illustrated in Exhibits A and B and offer a first draft potential conceptual plan and rough range of costs. The assumptions used for the conceptual plan are based on recent improvements to an adjacent section of trail on Alpine Road from Saddleback to Indian Crossing and previous feedback concerning trails being too close to the roadway. However, there are variable options that need to be explored if MROSD provides the green light to move forward with a specific design developed through the Town's normal scoping and consensus building process for such projects. Staff is confident, however, that without going through the full public process at this very early conceptual stage, Exhibits A and B provide a starting point with ample opportunity for the community, including MROSD, to work together to design a project that addresses user conflicts, fits with the rural nature of the town, and serves everyone well for many years.

FISCAL IMPACT

No fiscal impact at this time. If MROSD provides a positive response, then the final scope and costs will be determined after the consensus process. However, conceptual cost ranges could possibly be per Exhibit A.

ATTACHMENTS

Exhibit A – Conceptual scope of work and proposal
Exhibit B – Conceptual map illustration

APPROVED - Nick Pegueros, Town Manager

N.P.

cc: Trails and Paths Committee Chair
Bicycle, Pedestrian, Traffic Safety Committee Chair
Midpeninsula Regional Open Space District General Manager

Exhibit A

Conceptual Trail Project Proposal for Improvements to the Existing Trail Along Alpine Road Between Road Saddleback Road and Hillbrook Drive, Adjacent to the Midpeninsula Regional Open Space District's Hawthorns Property

A. Goal.

The goal of this project is to relocate a section of the existing Alpine Road trail to provide a facility that is more conducive to multiple uses. The Town's Trails and Paths Committee and the Bicycle, Pedestrian, Traffic Safety Committee have independently discussed for over upwards of 4 years the varied use conflicts between equestrians, pedestrians, and bicyclists on the Town's Alpine Road trail adjacent to the Midpeninsula Regional Open Space District's (MROSD) Hawthorns property between Saddleback Road and Hillbrook Drive. This section of trail has limited opportunities to provide more space for multiple uses due to the grade difference between the trail and the roadway on one side and the MROSD fence on the other side. Recently, the Town has worked collaborative with the schools in town to encourage more students to ride their bikes to school in order to provide multiple benefits such as reduced automobile congestion during peak school traffic hours, reduction in greenhouse gas emissions, and increased physical activity for youth. The collaborative effort shows signs of changing the use patterns on many trails in Town with many more students riding their bikes to school today compared to several years ago. One trail of particular note that is used by students is the Alpine Road trail which is a significant connector between Corte Madera Middle School (CMS) and facilities frequented by CMS students afterschool.

B. Existing Conditions.

A 4'-6' rural trail along Alpine Road between Saddleback Road and Hillbrook Drive. Length is approximately 2,800'.

C. Conceptual Proposed project.

To move the existing trail further away from Alpine Road roadway onto MROSD land by installing a new meandering 6'-8' wide multiuse trail with a natural surface. Trail length would be approximately 3,000' from Saddleback to Hillbrook Dr. This would require approvals and a 10' trail easement granted from MROSD/POST (Peninsula Open Space Trust). In addition, potential relocation of their existing fence.

D. Anticipated Scope of Work.

- a. Land Surveying, Landscape Architect, Arborist, and inspection as needed
- b. MROSD/POST review of plans, permits, and approval of legal agreements
- c. Remove or relocate existing fence
- d. Clear, grub, perform tree work, and grade in new meandering 3,000'x8' trail
- e. Remove old trail and restore right of way
- f. Install new fence per MROSD requirements (cost will widely vary based on type).
- g. Re-vegetate and seed disturbed areas with native seed and plants
- h. Record easement documents
- i. Construction schedule: 6-8 weeks.

E. Costs.

Rough magnitude of the estimated hard and soft costs of the conceptual proposed plan: \$130,000-\$175,000. Cost do not include to be determined environmental work, MROSD/POST requirements, MROSD staff time, and Town staff time as needed.

F. Zoning & General Plan Considerations

- a. Portola Valley Fence Ordinance - Existing 6' tall fence should be at least 75' back from property line; alternatively a 4' tall horse fence can be placed on property line.
- b. Project shall comply with requirements of the Portola Valley Alpine Scenic Corridor Plan.
- c. The proposed project shall comply with the provisions of the California Environmental Quality Act.

F. Parties involved in the planning and consensus process if MROSD permits the Town to perform a project.

The Town, MROSD, POST, Trails Committee, Conservation Committee, ASCC. It is important to note that the proposed design is highly conceptual and has been prepared by staff without input from MROSD or the applicable Town Committees due to the time constraints. There are many variable outcomes that need to be explored when more time permits and when the Town proceeds with its normal scoping and consensus building process for such projects after MROSD provides initial response.

**EXHIBIT B
PROPOSED CONCEPTUAL RELOCATION OF
ALPINE TRAIL FROM SADDLEBACK RD - HILLBROOK DR
APPROX 3,000'
(N.T.S)**

Hillbrook Dr / Firethorne

Saddleback Rd

1. Existing Trail

2. Property Line

3. New Multi Use 6'- 8' meandering trail within new 10' easement

4. New fence line with 75' setback



#11

There are no written materials for this agenda item.

TOWN COUNCIL WEEKLY DIGEST

Friday – October 24, 2014

1. Agenda (Action) – Town Council – Wednesday, October 22, 2014
2. Agenda – ASCC – Monday, October 27, 2014
3. Agenda – Ad-Hoc Water Conservation Task Force – Tuesday, October 28, 2014
4. Agenda – Conservation Committee – Tuesday, October 28, 2014
5. Agenda – Geologic Safety Committee – Friday, October 31, 2014
6. Memo from Nick Pegueros, Town Manager re: Removal of thirty-one hazardous trees in Town
7. Email from Craig Brandman re: Rescinding of appointment of membership to the Parks and Recreation Committee
8. Cal OES Winter Weather Outlook 2014 - 2015
9. Report from San Mateo County Sheriff's Office – Incident Log for 10/07/14 – 10/14/14
10. Woodside Fire Protection District Board of Directors agenda for October 27, 2014
11. Memo from Town Manager, Nick Pegueros re: Weekly Update – Friday, October 24, 2014

Attached Separates (Council Only)

1. None



TOWN OF PORTOLA VALLEY

Page 83

#1

7:30 PM – Regular Meeting of the Town Council
Wednesday, October 22, 2014
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

ACTION AGENDA

7:30 PM – CALL TO ORDER AND ROLL CALL

Councilmember Derwin, Councilmember Hughes, Councilmember Richards, Vice Mayor Aalfs and Mayor Wengert

Councilmember Derwin 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.

Mayor Wayne Lee with the City of Millbrae is running for the SamTrans Board of Directors and requested Council's support

CONSENT AGENDA

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

(1) **Approval of Minutes** – Regular Town Council Meeting of September 08, 2014

Approved as Amended 4-0

(2) **Approval of Warrant List** – October 22, 2014

(3) **Recommendation by Town Attorney** – Adoption of an Ordinance Amending Chapter 15.16, Fire Protection District
(a) Second Reading of Title, Waive Further Reading, and Adopt an Ordinance of the Town Council of the Town of Portola Valley Amending Chapter 15.16 [Fire Protection District] of Title 15 [Buildings and Construction] of the Portola Valley Municipal Code (Ordinance No. 2014-405)

(4) **Appointment by Mayor** – Request for appointment of a member to the Parks & Recreation Committee

(5) **Appointment by Mayor** – Request for appointment of a member to the Emergency Preparedness Committee

Items 2 – 5 Approved 4-0

REGULAR AGENDA

(6) **Discussion and Council Direction** - Report from the San Mateo County Sheriff's Office Concerning Automated License Plate Readers

The Town Council directed staff to seek additional community input in an effort to better assess the public interest in ALPRs. Staff will organize two community meetings where members of the community will have the opportunity to hear from representatives from the Sheriff's Office, a subcommittee of the Town Council (Councilmember Hughes and Vice Mayor Aalfs), town staff and representatives from the Electronic Frontier and ACLU, if available, on ALPRs. Input from the two community meetings will be brought back to the Town Council to seek further direction.

(7) **Recommendation by Public Works Director** – Policy and Register of Priority for Tree Removal

The Town Council approved the proposed policy as submitted 4-0. Staff will work with PG&E to schedule removal of proposed trees as well as additional trees that were found to be unsafe by December 31, 2014.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(8) **Reports from Commission and Committee Liaisons**

There are no written materials for this item.

Councilmember Richards -

Cultural Arts Committee –Discussed upcoming Holiday Fair at the Priory and the Town of Woodside’s Art Committee.

Councilmember Hughes -

Nature & Science Committee – There was a lack of a quorum at the October 9th meeting. Committee member Treena Diehl resigned from the committee but would like to continue to help with future events.

Vice Mayor Aalfs –

None

Mayor Wengert -

The October 9 C/CAG meeting heard discussion on the Half Moon Bay Airport and the three year review of the negative declaration for the area. PG&E gave an update of their county projects.

Drought Action Day was well attended and a huge success.

WRITTEN COMMUNICATIONS

(9) **Town Council Digest – October 10, 2014**

None

(10) **Town Council Digest – October 19, 2014**

#4 – Town Manager Pegueros said response will be included in the 10/24 Council Digest

ADJOURN TO CLOSED SESSION: 10:01 pm

(11) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Government Code Section 54957

Title – Town Attorney

(12) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Government Code Section 54957

Title - Town Manager

REPORT OUT OF CLOSED SESSION – None to Report

ADJOURNMENT: 10:43 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
 ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)
 Monday, October 27, 2014
 7:30 PM – Regular ASCC Meeting
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028**

7:30 PM – REGULAR AGENDA*

1. Call to Order:
2. Roll Call: Breen, Clark, Harrell, Koch, Ross
3. Oral Communications:

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

4. Old Business:
 - a. Architectural Review for Electrification of Existing Entry Gate, 33 Grove Drive, Lands of Jernick, File#: 36-2014 (*Continued to undetermined date*)
 - b. Architectural Review for New Residence, Detached Garage, Shed, and Pool, 110 Shawnee Pass, Lands of Wookey, File#: 37-2014
5. New Business:
 - a. Architectural Review for Garage Remodel, 6 Stonegate Road, Lands of Heron, File#: 38-2014
 - b. Architectural Review for New Barn, Arena Expansion, and Site Development Permit X9H-682, 15 Los Charros Lane, Lands of Sabel, File#: 41-2014
6. Commission and Staff Reports:
7. Approval of Minutes: October 13, 2014
8. Adjournment:

*For more information on the projects to be considered by the ASCC at the Special Field and Regular meetings, as well as the scope of reviews and actions tentatively anticipated, please contact Carol Borck in the Planning Department at Portola Valley Town Hall, 650-851-1700 ex. 211. Further, the start times for other than the first Special Field meeting are tentative and dependent on the actual time needed for the preceding Special Field meeting.

PROPERTY OWNER ATTENDANCE. The ASCC strongly encourages a property owner whose application is being heard by the ASCC to attend the ASCC meeting. Often issues arise that only property owners can responsibly address. In such cases, if the property owner is not present it may be necessary to delay action until the property owner can meet with the ASCC.

WRITTEN MATERIALS. Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours.

ASSISTANCE FOR PERSONS WITH DISABILITIES

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: October 23, 2014

CheyAnne Brown
Planning Technician



TOWN OF PORTOLA VALLEY
Ad-Hoc Water Conservation Task Force
Tuesday, October 28, 2014 3:00-5:00 PM
Town Hall, Conference Room
765 Portola Road, Portola Valley, CA 94028

AGENDA

1. Call To Order
2. Oral Communications
3. Approval of October 7 minutes
4. (20 min) Drought Action Day retrospective
 - a) What went well
 - b) Lessons learned
 - c) Recommendations for next year (if done)
 - d) Thank you's
 - e) Remove signs/flyers
5. Discuss and choose next area(s) of focus – select leads
 Considering mission; Reduce outdoor water use.
 Some seeds for thought:
 - a) Website
 - b) Review Town regulations, recommend conservation improvements
 - 1) Mandate greywater in new construction
 - 2) Permeable paving vs hardscape
 - 3) Limit lawn size
 - 4) Other?
 - c) Lobby CalWater for more data – By Tier, quarterly, ?
 - d) Lobby CalWater to adopt greywater L2L program;
 - 1) Or propose PV program until CalWater/BAWSCA support
 - e) Join with other towns to lobby county and state for important changes in ground water, greywater, retention, other?
 - f) Education program for PV landscape personnel
6. Prepare report to Town Council – ask Brandi for a date
7. Discuss meeting frequency; 2x per month or 1x per month
 - a) Set next meeting date
8. Announcements, communications
9. Adjournment



TOWN OF PORTOLA VALLEY
Conservation Committee
Tuesday, October 28, 2014 - 7:30 PM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

NOTE – New Start time of 7:30 PM

AGENDA

1. Call to Order
2. Oral Communications
3. Approval of Minutes – September 23, 2014
4. Site Permits –
 - New** – 15 Los Charros - NO ASCC site visit planned
 250 Alamos
 40 Antonio
 - Revised** – None
 - Tree Permits** – None
5. Old Business
 - A. Wildlife Backyard Habitat program - Marge
 1. Applications
 2. Award Display
 3. Spring Lecture/Display for Library
 - B. October 18 Event – Drought Action Day - Our table / Lessons learned?
 - C. Committee cooperation ASCC / Trails / Open Space / H2O Ad-Hoc
 - D. Tip of the Month - Murphy
 - E. Mountain Lions Education / Evening talk - Plunder
 - F. Recommend Council change fencing regulations to respect wildlife corridors?
Eastman/Plunder
 - G. BROOM PULL – Sunday, March 1st (Scouts)
 - H. Acorns planted in Oak Grove
 - I. Weeding checklist / Creek maintenance / Traffic – Heiple
 - J. Daytime meeting with Howard?
 - K. Town Website – Redwood Guidelines improvement
6. New Business
 - A. New Member Interview – Nona Chiariello
 - B. 2015 members
 - C. Eucalyptus - #3 sick? stump sprouting
7. Action Plan
8. Announcements
9. Adjournment



TOWN OF PORTOLA VALLEY
GEOLOGIC SAFETY COMMITTEE
Friday, October 31, 2014 ~ 2:00 pm
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

AGENDA

1. Call to Order
2. Oral Communication
3. Approve minutes from February 24, 2010 & December 11, 2013 meetings
4. Discuss the nature of the San Andreas Fault at its intersection with Alpine Road
5. Other topics?
6. Adjournment

Town Geologist will be in attendance for this meeting



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council
Commission and Committee Chairs

FROM: Nick Pegueros, Town Manager

DATE: October 23, 2014

RE: Removal of Thirty-One Hazardous Trees in Town

This memo is a follow-up to the report from staff at the Town Council meeting on October 22, 2014 regarding PG&E's commitment to remove 31 hazardous trees in Portola Valley.

Background – At the October 8th Town Council meeting, staff recommended a policy that would clarify the conditions under which a tree would be deemed hazardous and eligible for removal by Town staff. Following discussion of the item, staff took the Council's input and returned on October 22nd with a revised policy and a list of priority areas for tree removal. (The staff reports for both of those items can be found within the Council agenda packets for those meetings at www.portolavalley.net.)

The list of "potentially hazardous trees" that was in the October 22nd staff report was developed by Public Works Director Howard Young and Fire Marshal Denise Enea prior to the report's distribution date on Friday, October 17th. There were a total of 13 eucalyptus trees identified on Grove Drive, Alpine Road at Alpine Hills Swim & Tennis Club, and Portola Road at Spring Down. This assessment was done without the input of PG&E, but it was clear from the Town Council discussion on October 8th that tall trees which overhang power lines are potentially hazardous and should be prioritized for

removal. The intent was that as surplus funds provided, staff would annually remove the worst of the trees on the list, with one or two being removed per year.

Update – Subsequent to the release of the October 22nd staff report, Howard, Denise, and PG&E representatives (including their arborist) drove around town to identify potentially hazardous trees to PG&E's infrastructure. After that assessment, PG&E identified a total of 31 trees as threats to their infrastructure, including 9 of the 13 trees previously and independently identified by Howard and Denise. The additional 22 trees are adjacent to the right-of-way and on private property.

In order to use their own funds which are earmarked for hazard abatement (and that expire at the end of PG&E's fiscal year on December 31st), PG&E is now in the process of scheduling the tree removals. Town staff will keep the public and adjacent property owners apprised of the scheduled removals when that information becomes known.

Benefit – It has been determined by professionals from PG&E, the Fire District, and the Town that all 31 trees threaten nearby power lines, and therefore threaten public safety. Any one of the subject trees has the potential of falling on power lines and, with a live electrical wire, could start a fire just like the one in Woodside this summer on Godetia and Cañada Road. Further these trees are large enough that if they fall across Portola or Alpine Roads, traffic in and out of town and emergency response would be severely impaired.

An additional benefit that is worth noting is that this is an unprecedented opportunity to address these public safety hazards at an estimated savings upwards of \$60,000, funds which would otherwise be paid by individual property owners and taxpayers. However, please note that the leverage of taxpayer funds is not the driving factor behind the Town's support for the removal of the 31 trees and should not be confused with the true purpose of this collaboration, namely to abate hazards to critical infrastructure (power lines) which

are capable of starting a wildfire. When considering NOAA's recent report that the 2014-15 winter rains may not provide drought relief to our region (www.noaanews.noaa.gov/stories2014/20141016_winteroutlook.htm), we must prepare the town for what could be one of the most threatening fire seasons on record. In that regard, every little bit the Town does today to remove variables from fire risk is a positive step toward improving the safety our community.

The removal of these 31 trees in collaboration with PG&E will, no doubt, significantly alter the visual landscape and trail experience at two distinct sections of Alpine and Portola Roads, specifically, the areas near Alpine Hills Swim & Tennis and Springdown Equestrian Center. However, while these views and the surrounding trails will change dramatically in the next several weeks, the offsetting effect is a significant benefit to public safety.

Next Steps – PG&E has confirmed that the work will move forward but staff does not yet know when the crews will be deployed to do the work. Depending on weather and crew availability, it is possible that some or all of this work cannot be scheduled before December 31st and therefore will not happen. Staff will wait to learn PG&E's schedule to provide advance notice to the neighbors of the subject trees and also advise the community of any potential traffic impacts.

Please contact me directly if you have any questions.

CC:

Woodside Fire Protection District, Chief Ghiorso

Nick Pegueros

From: Craig Brandman <cbrandman@yahoo.com>
Sent: Tuesday, October 21, 2014 10:26 AM
To: Jeff Aalfs
Cc: simone.lavalle@gmail.com; Ann Wengert; Nick Pegueros
Subject: Re: Parks and Recreation Committee

I read your letter late last week and was thoughtful over the weekend before responding. I must say I was not surprised but am disappointed that you all were so reactive to the truth and transparency of my comments regarding the complete mishandling of the soccer field. These comments were clearly made as a member of the committee not representing that I was speaking for the committee as a whole.

Since I was not planning on continuing to serve on the Parks and Recreation Committee after the end of 2014 it is of no consequence for me to leave now.

I have learned that sunlight is the best antiseptic so rest assured that as long as I continue to live in the community I will be observant and share my thoughts with my neighbors.

Craig

On Tuesday, October 14, 2014 4:05 PM, Jeff Aalfs <JAalfs@portolavalley.net> wrote:

Dear Craig,

Please see the attached letter regarding your participation in the Parks and Recreation committee.

Thank you,

Jeff Aalfs
Vice Mayor
Town of Portola Valley



Cal OES Winter Weather Outlook

2014 – 2015



Created – October 23, 2014

Executive Overview

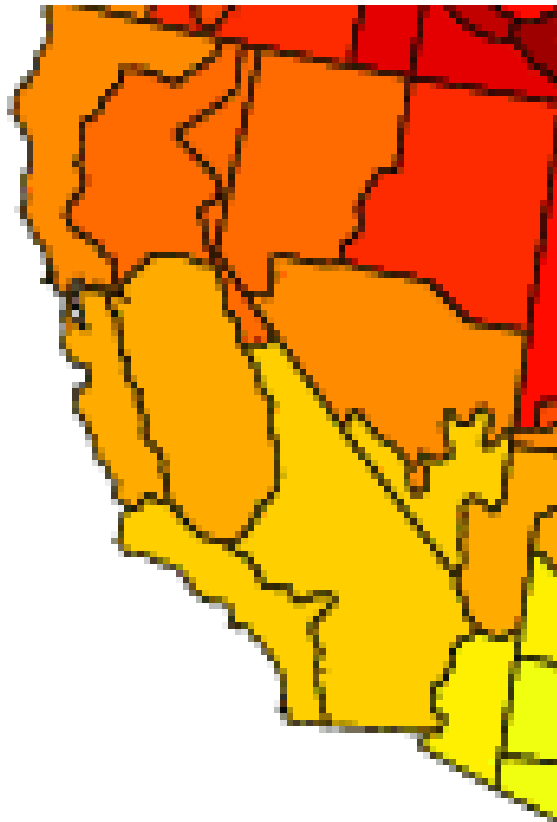


- El Niño is expected to develop this season
- Model consensus is that this El Niño will only reach weak intensity
- Current Outlook:
 - No clear, reliable, long-term signals exist in precipitation across northern and central CA
 - Above normal precipitation is slightly favored across southern CA
 - Above normal temperatures are favored for the entire state
 - Odds are better across the northern two thirds of CA
- Long-term extreme drought is expected to continue or even intensify for much of CA
 - Some drought relief expected in extreme southern CA
 - Some drought relief expected along the northern CA coast, north of San Francisco
 - Due strictly to climatology as we move into our typical wet season

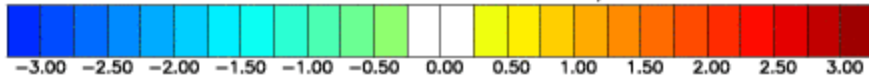


Weak El Niño Years

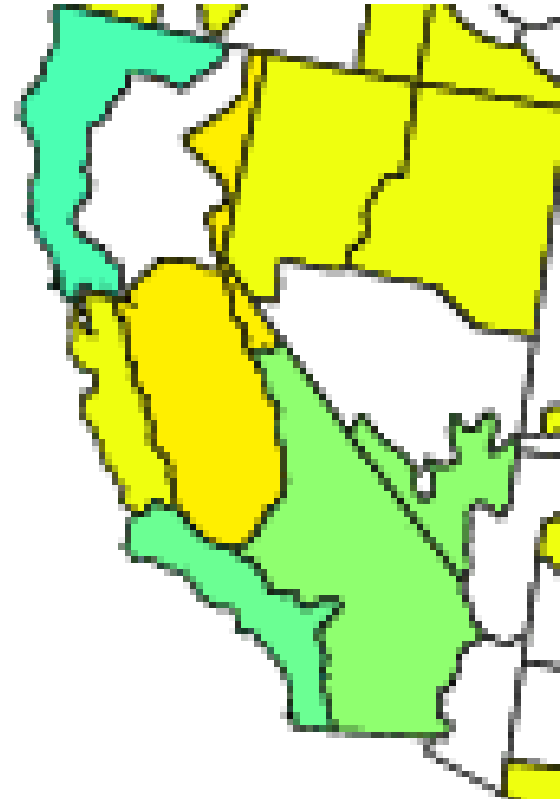
**Temperatures:
A warm bias in California**



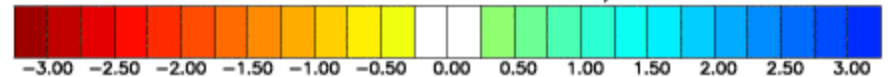
NOAA/ESRL PSD and CIRES-CU



**Precipitation:
A Slight Wet Bias in Southern
California and along North Coast**



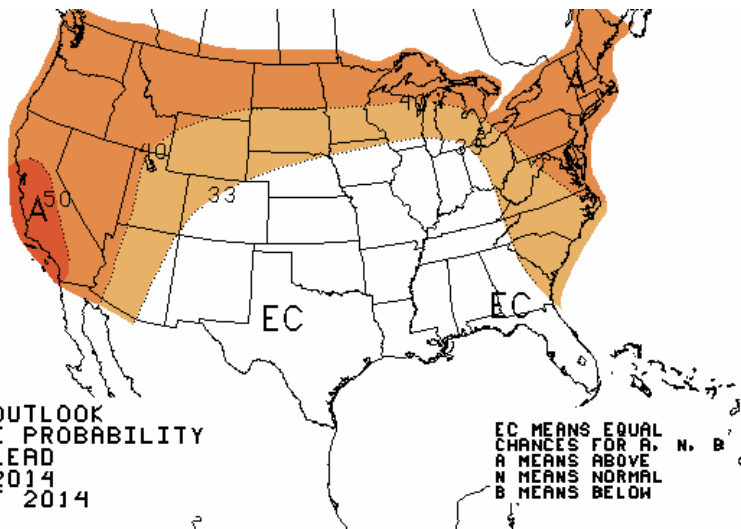
NOAA/ESRL PSD and CIRES-CU



November Outlook

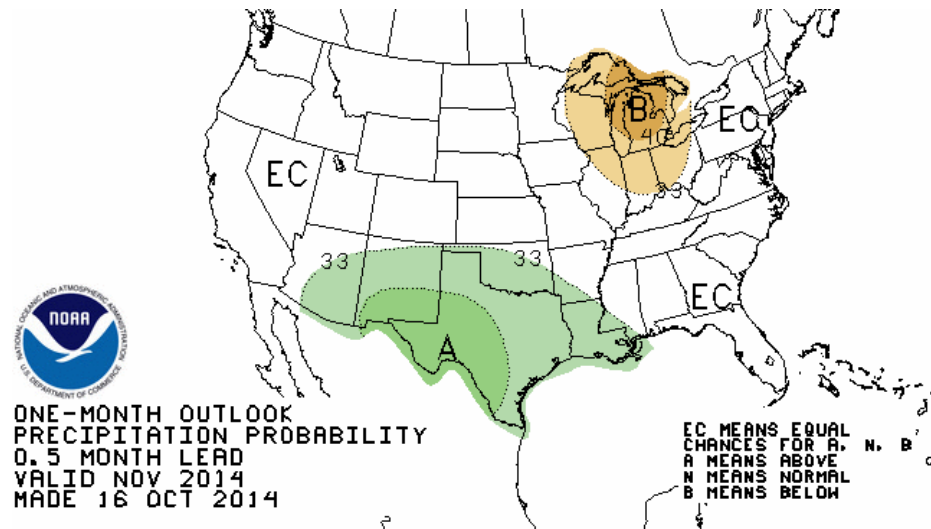


Temperature



ONE-MONTH OUTLOOK
TEMPERATURE PROBABILITY
0.5 MONTH LEAD
VALID NOV 2014
MADE 16 OCT 2014

Precipitation



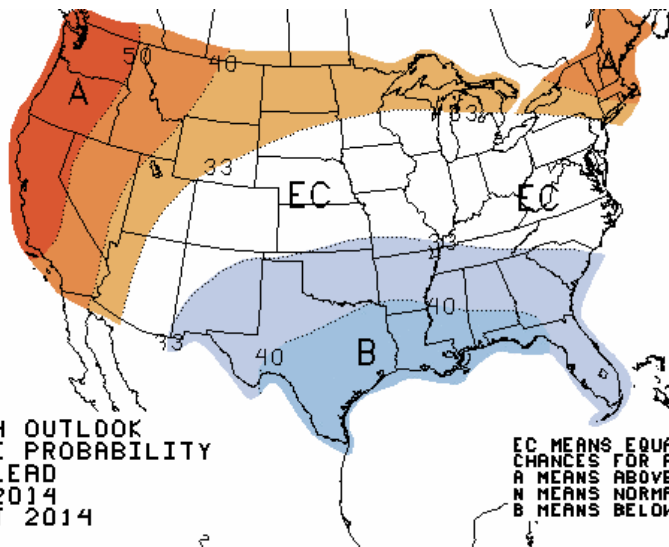
ONE-MONTH OUTLOOK
PRECIPITATION PROBABILITY
0.5 MONTH LEAD
VALID NOV 2014
MADE 16 OCT 2014

- Above normal temperatures are favored throughout CA and especially coastal sections from San Francisco south to San Diego

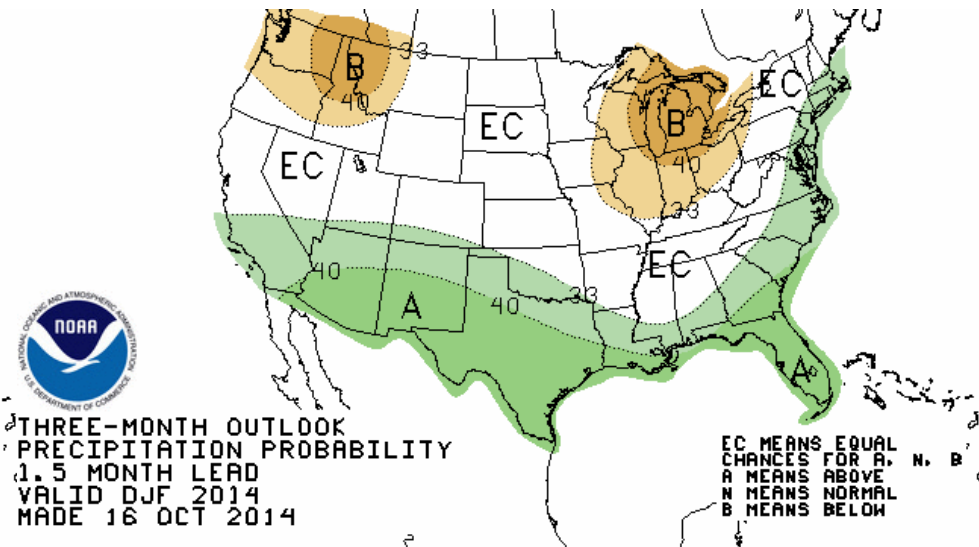
- Equal chances for above normal, below normal, and normal precipitation state-wide

Dec–Feb Outlook

Temperature



Precipitation



- Above normal temperatures are favored throughout CA and especially the northern 2/3rds of the state

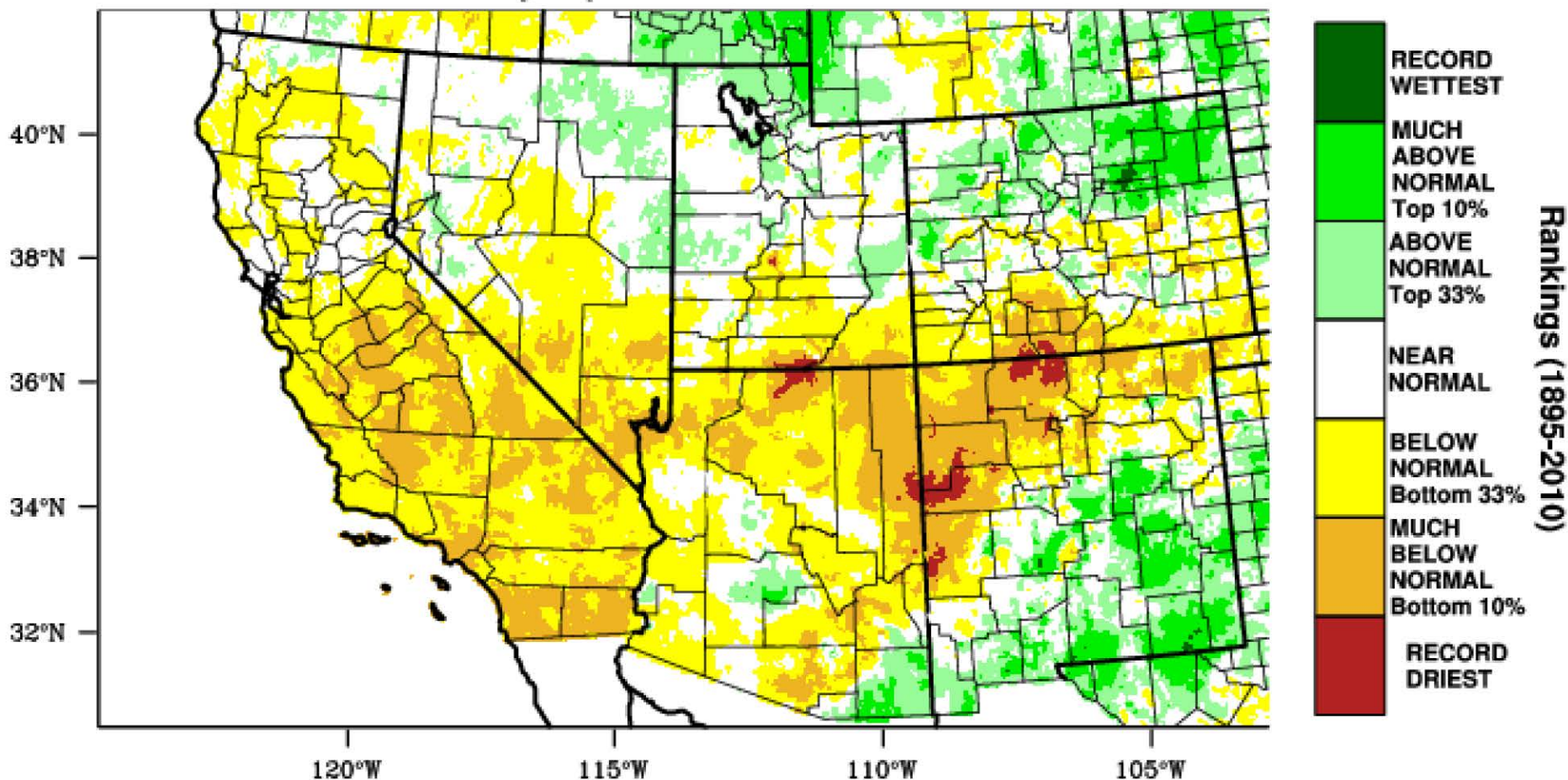
- Equal chances for above, below, and normal precipitation across northern and central CA
- Above normal precipitation is slightly favored across srn CA

2014 Precipitation Status

Below to Much Below Normal



Southwest - Precipitation
January-September 2014 Percentile

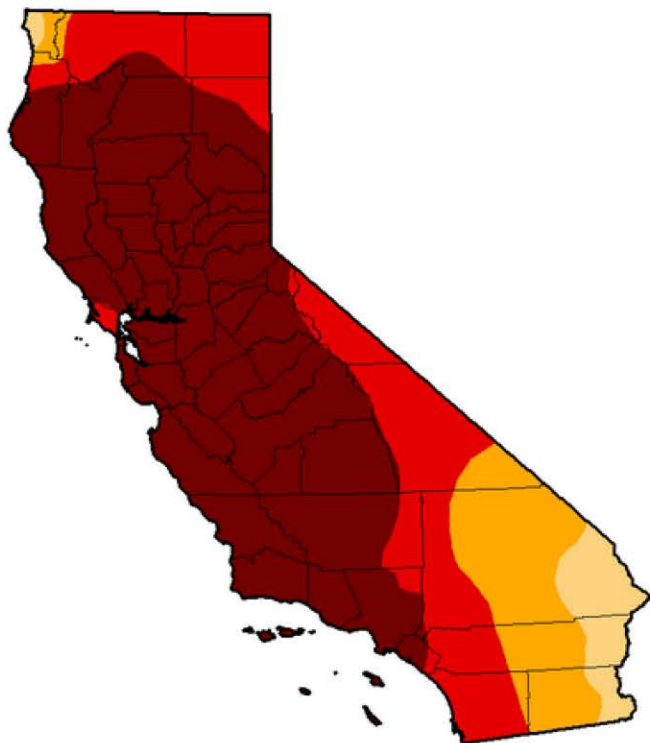


2014 Drought Expansion



U.S. Drought Monitor

California



October 14, 2014

(Released Thursday October 16, 2014)

Valid 8 a.m. EDT

Statistics type: Traditional (D0-D4, D1-D4, etc.) Categorical (D0, D1, etc.)

Drought Condition (Percent Area):

Week	Date	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	2014-10-14	0.00	100.00	100.00	95.04	81.92	58.41
Last Week	2014-10-07	0.00	100.00	100.00	95.04	81.92	58.41
3 Months Ago	2014-07-15	0.00	100.00	100.00	100.00	81.85	36.49
Start of Calendar Year	2013-12-31	2.61	97.39	94.25	87.53	27.59	0.00
Start of Water Year	2014-09-30	0.00	100.00	100.00	95.04	81.92	58.41
One Year Ago	2013-10-15	2.65	97.35	95.95	84.12	11.36	0.00

Population Affected by Drought: **37,253,959**

[View More Statistics](#)

Intensity:

- D0 - Abnormally Dry
- D1 - Moderate Drought
- D2 - Severe Drought

- D3 - Extreme Drought
- D4 - Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying [text summary](#) for forecast statements.

Author(s):

Mark Svoboda, National Drought Mitigation Center

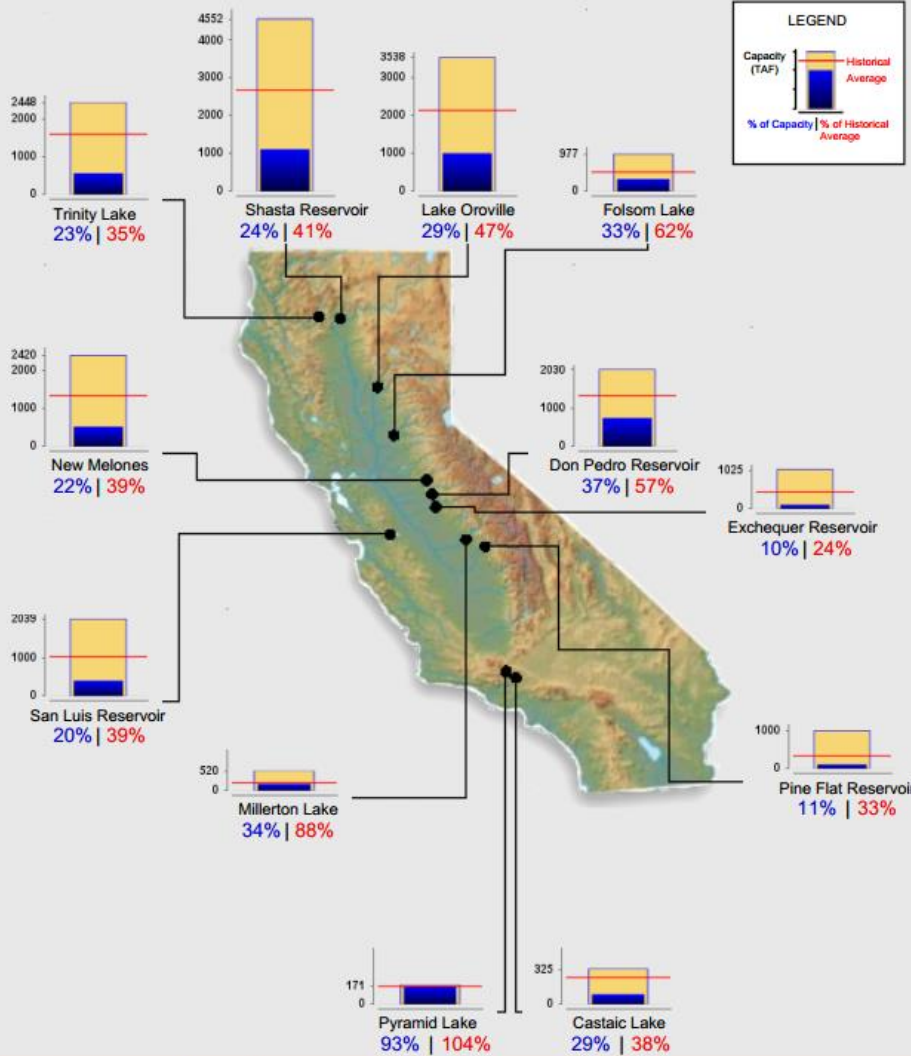
Download: [PNG](#) [PDF](#) [JPG](#)



Reservoir Conditions

Ending At Midnight - October 20, 2014

CURRENT RESERVOIR CONDITIONS



Graph Updated 10/21/2014 03:15 PM



State and Regional Water Supply

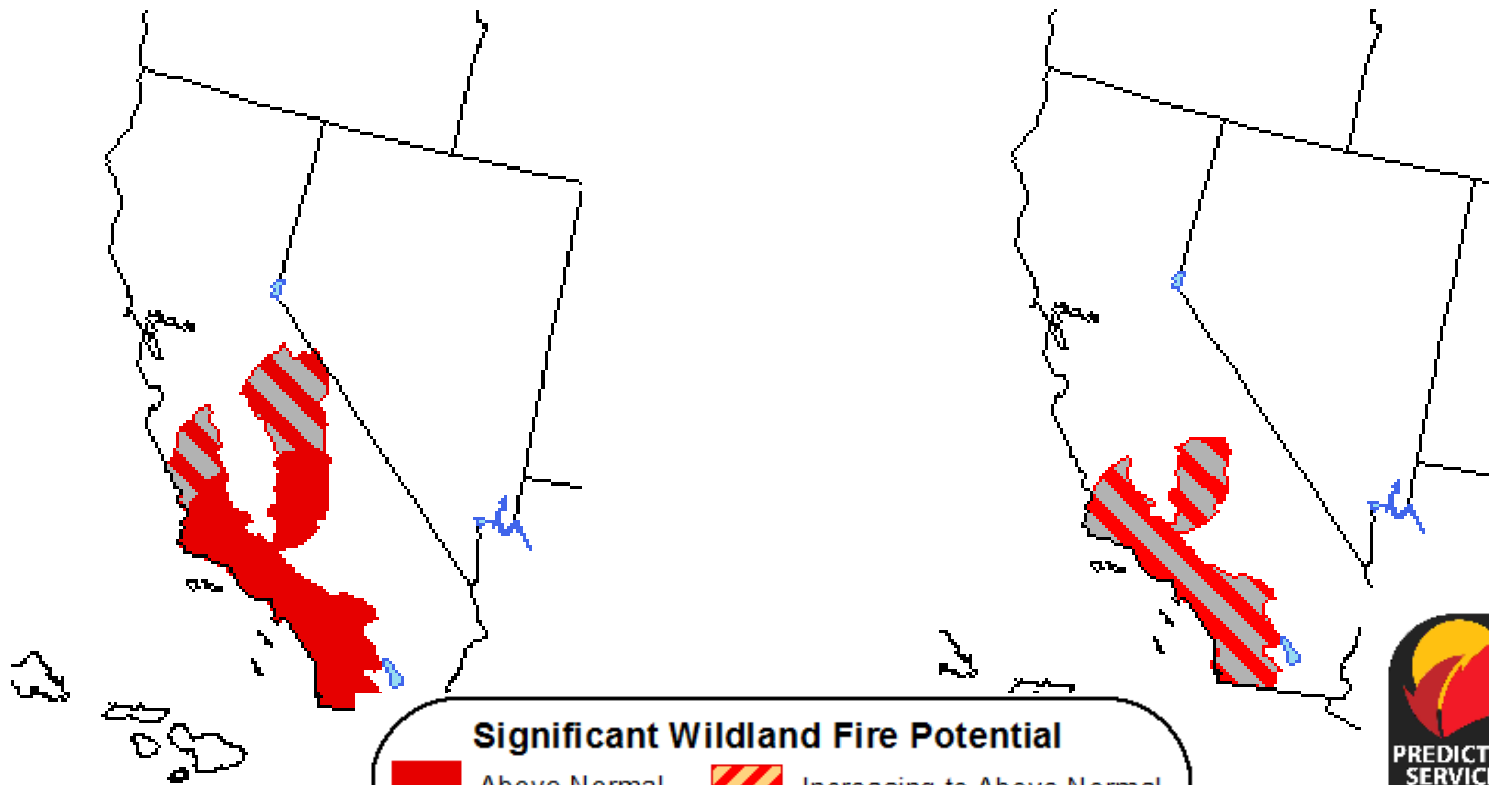
- Nearly all reservoirs are well below capacity
- Most below historical averages

Significant Wildland Fire Potential Outlook




November 2014

December 2014/January 2015



Significant Wildland Fire Potential

 Above Normal	 Increasing to Above Normal
 Below Normal	 Decreasing to Below Normal
 Normal	 Returning to Normal



Map produced by
Predictive Services,
National Interagency
Coordination Center
Boise, Idaho

Issued October 1, 2014
Next issuance November 1, 2014



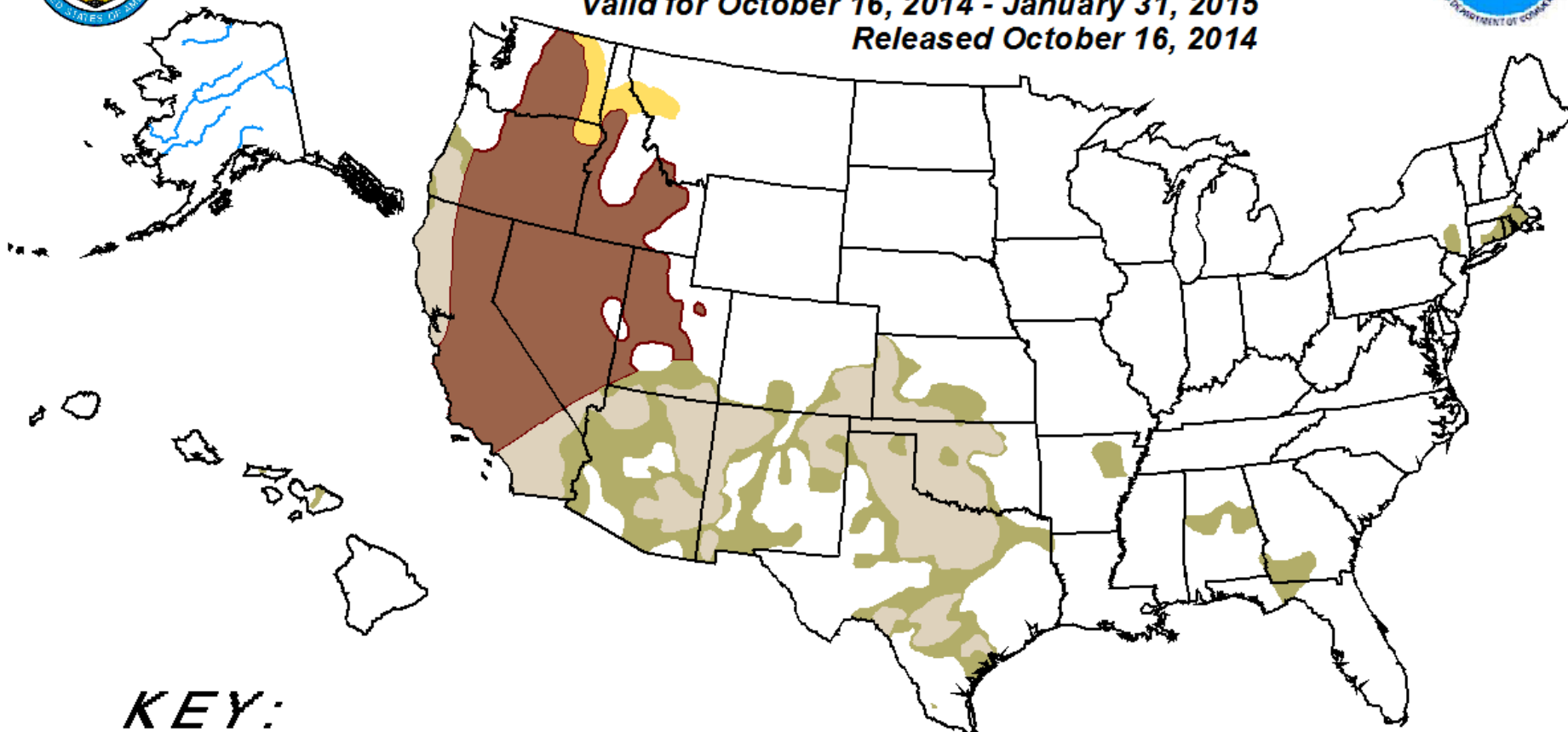
U.S. Seasonal Drought Outlook

Drought Tendency During the Valid Period





Valid for October 16, 2014 - January 31, 2015

Released October 16, 2014

Page 103



KEY:

-  Drought persists or intensifies
-  Drought remains but improves
-  Drought removal likely
-  Drought development likely

Author: Brad Pugh, Climate Prediction Center, NOAA

http://www.cpc.ncep.noaa.gov/products/expert_assessment/sdo_summary.html

Depicts large-scale trends based on subjectively derived probabilities guided by short- and long-range statistical and dynamical forecasts. Short-term events -- such as individual storms -- cannot be accurately forecast more than a few days in advance. Use caution for applications -- such as crops -- that can be affected by such events. "Ongoing" drought areas are approximated from the Drought Monitor (D1 to D4 intensity).

For weekly drought updates, see the latest U.S. Drought Monitor.

NOTE: The tan area areas imply at least a 1-category improvement in the Drought Monitor intensity levels by the end of the period although drought will remain.

The Green areas imply drought removal by the end of the period (D0 or none)

Winter 2014-2015 Outlook Summary



“El Niño Watch and Drought Remain”

- A weak El Niño is expected
 - Above normal temperatures are favored throughout CA and especially the northern 2/3rds of the state
 - Above normal precipitation is slightly favored across srn CA
 - Equal chances for above, below, and normal precipitation across northern and central CA
- The drought remains and may get worse
 - CA is suffering in an ongoing 3 year severe drought
 - Precipitation this winter will not end the drought
 - Some drought relief expected in extreme southern CA
- Prolonged wildland fire season

Winter 2014-2015 Outlook Summary

REMEMBER!



- CA/Sierra are prone to individual storms that can produce significant amounts of the precipitation
 - One storm can make a huge (disproportional) contribution to the water supply and whether or not flooding occurs
- 2014 has been the third consecutive year with much below normal precipitation - statewide
- Reservoirs have significant space available to accommodate any large early season storm runoff
 - Means first few storms, reservoirs are going to catch runoff and may not need to make large releases
 - Flooding concerns with first few storms may be limited to uncontrolled rivers, urban areas and burn scars



Contact Information

Operations and Decision Support Division

wr.roc@noaa.gov

Remember www.weather.gov
and <http://www.wrh.noaa.gov/>
are updated 24/7



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.

Tuesday 10/07/14 to Tuesday 10/14/14

Greg Munks
Sheriff

CASE NUMBER	DATE & TIME Reported	LOCATION	DESCRIPTION	FACTUAL CIRCUMSTANCES
14-8739	10/09/14 12:54 PM	3200 Blk Alpine Rd. Portola Valley	Driver w/out License	The suspect was stopped for Vehicle Code violations. Upon contacting the driver, he admitted that he had no license. While conducting a records check of the driver, the deputy was advised that the suspect had 3 prior citations for driving unlicensed, and for unsafe speed. The driver was issued another citation and his vehicle was towed.
14-8822	10/12/14 10:46 AM	100 Blk Upenuf Rd. Woodside	Grand Theft	The Reporting Party (attorney for victim) called the Sheriff's office to report theft of a piece of construction equipment (Bobcat). The Attorney stated that her client (victim) was unable to make the report due to health issues. The Attorney had no specific information at this time. The Attorney faxed the victim's name, contact information, suspect(s) information, and bobcat information to the investigating deputy. The estimated loss at this time is \$15,000.00. This case is still pending.

AGENDA
WOODSIDE FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS MEETING
October 27th, 2014
7:00 P.M.
STATION #7,
3111 WOODSIDE ROAD
WOODSIDE, CALIFORNIA 94062

ROLL CALL:

ORAL COMMUNICATIONS: Public

CONSENT AGENDA:

All items on the consent agenda are approved by one roll call motion unless a request is made that an item be transferred to the regular agenda for separate discussion. Any items on the regular agenda may be transferred to the consent agenda.

REGULAR AGENDA:

1. Minutes of the October 6th, 2014 Board of Directors Meeting.
2. Financial Reports September 2014.
3. Statement of Accounts September 2014.
4. Warrant List September 2014.
5. Fiscal Year Spreadsheet 14-15.
6. Consolidated Monthly Incidents September 2014.
7. South Zone Training and JPA Update.
8. Station 7 Feasibility study proposal for services.

STAFF REPORTS:

- Training
- EMS
- Prevention
- Operations
- Facilities and IT
- Pub Ed/CERPP

PLEASE POST

CHIEFS REPORT:

NEW BUSINESS:

WRITTEN COMMUNICATIONS:

CLOSED SESSION:

- Claims
 - State Comp Ins Fund Claims
- Personnel
- Negotiations
 - Compensation Award for 2015

ADJOURNMENT:

Public records that relate to any item on the open session agenda for a regular board meeting are available for public inspection. Those records distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of members of the Board. The Board has designated the office of the Woodside Fire Protection District, located at 3111 Woodside Road, Woodside, CA, for the purpose of making those public records available for inspection. The documents are also available on the District's Internet Web site. The website is www.woodsidefire.org.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council
FROM: Nick Pegueros, Town Manager
DATE: October 24, 2014
RE: Weekly Update

The purpose of this report is to provide a summary update on items/projects of interest for the week ended October 24, 2014.

1. **Drought Action Day a Huge Success** – The Water Conservation Task Force, Brandi, and her part-time intern Greg pulled off an amazingly successful event last Saturday. Kudos to them all.
2. **Less Than Positive Weather Outlook 2014-15 Wet Season** – Included in the digest is a report from CalOES regarding the winter weather outlook for 2014-15. At this time, the news is less than positive. Northern California has equal chances of above/normal/below average rainfall this year which means that the drought condition is likely to persist or worsen. This raises significant concerns about next year's fire season and possible mandatory water rationing across the BAWSCA service area, including PV. Clearly much more will be known about the impact of this year's wet season in December/January. However, if the drought worsens, the efforts by the Town and the fire district to abate fire hazards will need to step up significantly early in 2015. Fire Chief Ghiorso expressed his appreciation to the Town Councils of both Portola Valley and Woodside for their recent work in abating fire hazards and their continued diligence in this area.
3. **Reminder of Tabletop Exercise Next Week** – This exercise will be for members of the Town Council and Emergency Preparedness Committee to practice opening the Emergency Operations Center in a simulated disaster where staff is not present. The exercise starts at 7PM.

TOWN COUNCIL WEEKLY DIGEST

Friday – October 31, 2014

1. Agenda (Action) – ASCC – Monday, October 27, 2014
2. Agenda – Parks & Recreation Committee – Monday, November 3, 2014
3. Agenda – Bicycle, Pedestrian & Traffic Safety Committee – Wednesday, November 5, 2014
4. Agenda – Planning Commission – Wednesday, November 5, 2014
5. Memo from Brandi de Garmeaux re: Reusable Bag Ordinance
6. Letter from Phil Reilly re: Resignation from the Trails & Paths Committee
7. Report from San Mateo County Sheriff's Office – Incident Log for 10/14/14 – 10/26/14
8. ABAG – Service Matters publication for October /November /December 2014
9. City Selection Committee Appointments/Reappoints for December 2014
10. Memo from Town Manager, Nick Pegueros re: Weekly Update – Friday, October 31, 2014

Attached Separates (Council Only)

1. Invitation from San Mateo County Central Labor Council re: Annual Holiday Party – December 5, 2014



TOWN OF PORTOLA VALLEY
 ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)
 Monday, October 27, 2014
 7:30 PM – Regular ASCC Meeting
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

ACTION

7:30 PM – REGULAR AGENDA*

1. Call to Order: 7:30 p.m.
2. Roll Call: Breen, Clark, Harrell, Koch, Ross (**Harrell absent. Also present: Debbie Pedro Planning Director; Carol Borck Assistant Planner; Denise Gilbert Planning Commission Liaison; John Richards Town Council 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. Architectural Review for Electrification of Existing Entry Gate, 33 Grove Drive, Lands of Jernick, File#: 36-2014 (*Continued to undetermined date*) **Project continued to indefinite date at the request of the applicant.**
 - b. Architectural Review for New Residence, Detached Garage, Shed, and Pool, 110 Shawnee Pass, Lands of Wookey, File#: 37-2014 **Project approved (4-0) subject to conditions to be met to the satisfaction of a designated ASCC member and Planning staff prior to building permit issuance.**
5. New Business:
 - a. Architectural Review for Garage Remodel, 6 Stonegate Road, Lands of Heron, File#: 38-2014 **Project approved (4-0) subject to conditions to be met to the satisfaction of Planning staff prior to building permit issuance.**
 - b. Architectural Review for New Barn, Arena Expansion, and Site Development Permit X9H-682, 15 Los Charros Lane, Lands of Sabel, File#: 41-2014 **Project approved (4-0) subject to conditions to be met to the satisfaction of a designated ASCC member and Planning staff prior to building permit issuance.**
6. Commission and Staff Reports:

Pedro – announced that there would be a joint ASCC/Planning Commission meeting at 4pm on 11/10/14 for new residence at 40 Antonio Court.

Breen – reported that she had reviewed revised landscaping plans for 230 Shawnee Pass

Clark – reported that he had reviewed follow-up conditions for 229 Corte Madera

Koch – confirmed that retirement dinner for Tom Vlasic is on 11/3/14

7. Approval of Minutes: October 13, 2014 **Approved as submitted.**
8. Adjournment: **8:30 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: October 23, 2014

CheyAnne Brown
Planning Technician

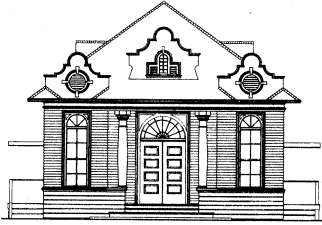


Town of Portola Valley
Special Parks & Recreation Committee Meeting
Monday, November 3, 2014 – 7:30 pm
Alder Room in the Community Hall at Town
Center
765 Portola Road, Portola Valley, CA

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: October 6th, 2014
4. Skate Ramp – Phase 2
5. Rebound Wall
6. Ford Field
7. Russell Miller Field
8. Communications
9. Committee Reappointments for 2015
10. Events for 2015
11. Adjournment

Next Meeting: December 1, 2014



TOWN OF PORTOLA VALLEY
Bicycle, Pedestrian and Traffic Safety
Committee Meeting
Wednesday, November 5, 2014 – 8:15 AM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

MEETING AGENDA

1. Call meeting to order
2. Roll Call
3. Oral Communications
4. Approve Minutes of the October meeting
5. Sheriff's Report – September 2014
 - 1) Accidents and Citations
 - 2) Updated requests for Law enforcement presence, as required
6. Public Works Report:
7. General Items:
 - 1) Update on Traffic Calming Policy document
 - 2) Review of BPTS Committee charter
 - 3) Review of BPTS Committee action proposal mechanism
8. Update on Outreach, Events & Teaching Programs
 - Bike and Walk to School Days
9. Other Business
 - Committee membership for 2015
 - Outreach to prospective new BPTS Membership
10. Time and date for December 2014 meeting
11. Adjournment



TOWN OF PORTOLA VALLEY
REGULAR PLANNING COMMISSION MEETING
765 Portola Road, Portola Valley, CA 94028
Wednesday, November 5, 2014 – 7:30 p.m.
Council Chambers (Historic Schoolhouse)

REGULAR AGENDA

Call to Order, Roll Call

Chairperson Gilbert, Vice-Chairperson Targ, Commissioners Hasko, McKitterick, and Von Feldt

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:** Portola Road Corridor Plan (Staff: K. Kristiansson)
2. **Discussion and Commission Action:** Designation of Land Acquisition Negotiator (Staff: D. Pedro)

Commission, Staff, Committee Reports and Recommendations

Approval of Minutes: August 6, 2014 and October 1, 2014

Adjournment:

ASSISTANCE FOR PERSONS WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Assistant Planner at 650-851-1700 ext. 211. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours.

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley branch of the San Mateo County Library located at Town Center.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge a proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public

Hearing(s) described later in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

This Notice is posted in compliance with the Government Code of the State of California.

Date: October 31, 2014

Carol Borck
Assistant Planner



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Brandi de Garneau, Sustainability & Special Projects Manager

DATE: October 31, 2014

RE: **Update on Reusable Bag Ordinance**

Attached is a report from San Mateo County Environmental Health Department on the Reusable Bag Ordinance, which was adopted in Portola Valley as part of a Countywide effort in January 2013.

It's been about a year and a half since San Mateo County and most of its Cities have had the Reusable Bag Ordinance in place. In that time, the County has seen an increase in the amount of reusable bags used at retail establishments and a dramatic reduction in the amount of plastic bags in our waterways.

The data in the attached report shows there's still have room for improvement. On January 1, 2015, the minimum charge for a reusable paper or plastic bag will increase from 10 cents to 25 cents. This will help further encourage individuals to bring their own reusable bag. Environmental Health, which enforces Portola Valley's Ordinance, will send out information to all affected retailers to inform them of the change.

San Mateo County Reusable Bag Ordinance Survey and Reporting Report

Overview

The San Mateo County Reusable Bag Ordinance was implemented on April 22, 2013 by most jurisdictions in the County, with a few cities opting to delay implementation until June or October 2013. San Mateo County Environmental Health staff conducted a pre-survey of thirteen retailers in various cities prior to the ordinance implementation. Retailers were again surveyed nine to thirteen months after implementation of the date their city adopted the ordinance.

Customer Data: Survey Results

Results of the surveys are shown below. Shoppers were observed near the entrances of retail stores, but were not contacted during the survey.

	Prior to Ordinance	Post Implementation
Shoppers Observed	822	1109
Percentage of Shoppers Receiving a Free Plastic/Paper Bag	76%	26% (purchased allowable bag)
Percentage of Shoppers Using Reusable Bags	13%	34%
Percentage of Shoppers Not Using Any Bag (hand carry)	23%	53%
Number of Plastic/Paper Bags Observed	1226	419 (allowable bags)
Note: Some shoppers used all three types of bags, so percentages do not total 100%		

Retailers Data: Reporting

In accordance with San Mateo County's Reusable Bag Ordinance, retailers must keep "complete and accurate records or documents of the purchase and sale of any recycled paper bag or reusable bag by the retail establishment." Six retailers with a total of 38 retail locations in San Mateo County were requested to provide data from their store locations. Most retailers sell paper bags as an allowable bag, while some stores carry 2.25 mil plastic bags designed for reuse. Of the retailers surveyed, most conducted outreach to customers with regards to the San Mateo County's Reusable Bag Ordinance.

	Prior to Ordinance	Post Implementation
Number of Bags (Plastic and Paper) Shipped to Stores	63,379,478*	
Number of Allowable Bags Sold		10,211,088
*Note: Only 24 of 38 retailer locations reported prior to ordinance data.		

Analysis

The data shows that habits related to bag use are slowly beginning to change. There is a 162% increase of people bringing their own bags to the store since the ordinance was implemented. Before the ordinance, many shoppers often received a plastic bag for carrying purchases, with an option for a paper bag as well. There is a 66% decrease in people buying a bag that they would have normally received for free before. There was also a 130% increase in people refusing a bag altogether and hand-carrying their items. Orders for bags by retailers to supply their customers dropped approximately 84%.

Discussion

At this time in California, 98 bag ban ordinances have been approved covering 127 cities and counties. Seventy five ordinances are currently in effect covering 104 cities and counties. Of these 75 ordinances, seven jurisdictions have or are scheduled to implement a 25 cent minimum bag fee: Counties of Santa Cruz and Monterey, and cities of Santa Cruz, Capitola, Watsonville, Gonzales, and Greenfield.

On September 30, 2014, Governor Jerry Brown signed SB 270, statewide legislation banning specified retailers from providing a single-use carryout bag to a customer. This legislation does not impact San Mateo County's Ordinance.

The San Mateo County Reusable Bag Ordinance requires that on or after January 1, 2015, all retail establishments make a recycled paper bag or reusable bag available to customers for a minimum of 25 cents, an increase of 15 cents over the 10 cent charge that is currently in place.

The current survey data shows that more people are bringing their own bag to the store and because fewer bags are being distributed, we can assume there are fewer bags discarded in the environment. While the current charge of 10 cents per bag for purchase appears to be causing a gradual behavior change, the San Mateo County ordinance requires an increase in the bag charge to 25 cents to further discourage the purchase of allowable bags and encourage the use of reusable bags.

Sharon Hanlon

From: Philip Reilly <pdreilly@gmail.com>
Date: October 28, 2014 7:53:22 PM PDT
To: Susan Gold <susanb.gold@gmail.com>
Subject: Resignation from Trails Committee

Dear Susan,

with this email I tender my resignation from the trails committee, effective immediately. I've enjoyed serving with you and wish you all the best in the future.

I have two current responsibilities for which you will need to find replacements: I am liaison to the conservation committee and I am on the sub-committee reviewing the question of bikes on trails.

Best, Phil



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.

Tuesday 10/14/14 to Sunday 10/26/14

Greg Munks
Sheriff

CASE NUMBER	DATE & TIME Reported	LOCATION	DESCRIPTION	FACTUAL CIRCUMSTANCES
14-8863	10/14/14 7:10AM	2900 Blk. Woodside Rd. Woodside	Drive w/ Suspended License w/ DUI	The deputy affected a traffic enforcement stop on a vehicle for failure to stop for a school bus that was picking up passengers. The school bus had its warning lights flashing along with its red lights flashing. Upon contact the driver identified himself with his Driver's License issued from Mexico. The driver told the deputy he did not have a California Driver's License due to a suspension. The driver was cited and had to arrange a licensed driver to pick up his vehicle.
14-8881	10/14/14 2:14PM	100 Blk. Fawn Lane Portola Valley	Burglary	Unknown suspect(s) entered the victim's residence via a rear bedroom window and rifled through the victim's residence. Upon entering the master bedroom, the suspect(s) set off the burglar alarm. Three small jewelry boxes and miscellaneous jewelry valued at approximately \$3500.00 was stolen from the residence. There are no witnesses to this crime or suspect information.
14-8903	10/15/14	3500 Blk Tripp Rd.	Annoying repeat calls	The reporting party stated that he received three phone

	7:34AM	Woodside		calls between the times of 0715-0719 hrs. From an unknown male subject. The phone calls were derogatory and sexually explicit.
14-8919	10/15/14 4:45PM	4200 Blk. Farm Hill Blvd Woodside	Drive w/ Suspended License	A deputy affected a traffic enforcement stop on a vehicle that went through a posted stop sign at Canada College. Upon contact the driver identified himself with his foreign Driver's License. The driver stated that he did not have a California Driver's License. The driver stated that it was suspended. The driver was issued a citation and the owner of the vehicle was released to the registered owner.
14-8922	10/15/14 5:40PM	State Route 84 at Whiskey Hill Rd. Woodside	Traffic Accident – Minor Injury	Driver #1 was driving vehicle #1 and was traveling W/B on the 2900 block of SR-84. Driver #1 was stopped in the left turn lane for to go S/B onto Whiskey Hill Rd. Driver #2 was driving vehicle #2 and was traveling E/B in the 2900 block of SR-84, just east of Whiskey Hill Rd. Driver #1 turned left prior to driver #2 clearing the intersection, causing vehicle #1's left front end to collide with vehicle #2's left side. Vehicle #1 stopped almost immediately. The impact caused vehicle #2 to careen out of control and fall to the ground, ejecting both driver #1 and passenger #1.
14-9003	10/18/14 11:24AM	Canada Rd. / Runnymede Rd. Woodside	Driver W/Suspended License	A deputy noticed a vehicle rapidly accelerate to 50 MPH in a 35 MPH posted speed limit. The deputy affected a traffic enforcement stop and contacted the driver. The driver stated that he did not have a driver's license because it was suspended. The driver was issued a citation and the vehicle was towed.
14-9007	10/18/14 12:40PM	1300 Blk. Canada Rd. Woodside	Obtain/Use Personal ID w/o Authorization	An unknown suspect(s) entered a Verizon authorized dealer store in Maple Shade, NJ and used the victim's personal information to change his Verizon cellular account and obtain a new Apple I-phone.
14-9008	10/18/14	1900 Blk. Camino De Los	Theft by Forgery	The unknown suspect(s) obtained the victim's debit card

	1:10PM	Robles West Menlo Park		information by unknown means and used the account to fraudulently obtain goods at a Macy's department store in Rancho Cucamonga, Ca. estimating \$359.00.
14-9063	10/20/14 12:02 – 2:45PM	100 Blk. Hayfields Rd. Portola Valley	Burglary	The victim stated that he left his residence for a bicycle ride at around noon and returned to his residence at 2:45 pm., after receiving a call from his wife alerting him that their residence was burglarized. When he returned home he and his wife started an inventory of the interior of the residence of what was missing. The estimated loss at this time is approximately \$5,000.00. There is no suspect information at this time.
14-9089	10/21/14 7:04PM	3000 Blk. Barney Ave. West Menlo Park	Obtain/Use Personal ID w/o Authorization	An unknown suspect(s) used the victim's name, social security, date of birth and home address, to obtain a loan via the internet. The victim received a telephone call for the collection department of the loan company, advising him of the overdue payment. The victim contacted the loan company to cancel and suspend the loan. The victim has also filed a fraud report with Equifax, Experian and Transunion. The loan company requested him to file a report with the Sheriff's Office.
14-9144	10/23/14 1:52PM	100 Blk. Crest Ave. Portola Valley	Burglary	An unknown suspect(s) forced entry into a residence on Crest Ave by forcing open a rear door. While inside the residence, the unknown suspect(s) took two lap top computers and miscellaneous jewelry. There is no estimated loss at this time.
14-9148	10/23/14 2:11PM	100 Blk. Dos Loma Vista Dr. Portola Valley	Burglary	The victim was burglarized between 7:30AM and 2:11PM on 10/23/2014. An unknown suspect(s) entered into the residence through an unlocked second front door. An Apple Macbook Pro and assorted jewelry were stolen from the residence. The estimated loss is \$2,000.00
14-9175	10/24/14 9:39AM	Old La Honda Road / Portola Rd.	Traffic Accident – No Injuries	Driver #1 was traveling eastbound on Old La Honda Road and while attempting to make a right hand turn, she rolled

		Woodside		into a stop sign pole. The pole was pushed back and the base of the pole was uprooted from the dirt. It was determined that Driver #1 was an unlicensed driver and was issued a citation at the scene.
14-9176	10/24/14 11:55AM	3600 Blk. Alameda De Las Pulgas West Menlo Park	General Information Case	The reporting party stated that earlier in the morning he had purchased gas and then accidentally left his wallet at the pumps. He returned approximately 30 minutes later and found that his wallet was missing. He checked with the owner who reviewed the security cameras and found that a gas deliver driver had picked up the wallet. While the deputy was talking to the R/P at the scene he stated that his assistant had located the company that the driver was working for and that they were making arrangements to get the wallet back to him.
14-9177	10/24/14 12:40PM	3000 Blk. Alpine Rd. Ladera	Petty Theft	A deputy was dispatched to a report of a stolen rear license plate. Upon arrival the deputy contacted the victim who stated that he had last seen his rear license plate on his vehicle on 10/23/14 at 5:30 p.m. When he went back to his vehicle on 10/24/14 at 12:40pm he then noticed his rear plate missing. The victim was not sure if the plate had been removed at his home in Redwood City or at his place of work in Ladera.
14-9203	10/25/14 11:37AM	Park N Ride Woodside	Driver w/ Suspended License	A deputy conducted a traffic enforcement stop on a vehicle due to the driver passing another vehicle over the double yellow solid lines. Upon contact, the driver stated that his license status is suspended. A records check through County Communication revealed that the driver's license status was in fact suspended and furthermore he had two prior convictions for the same violation. The driver was issued a citation and his vehicle was towed.
14-9238	10/26/14 6:37PM	300 Blk. Jane Dr. Woodside	Impersonate to Get Money	An unknown subject(s) took the victim's two credit cards from her wallet without her knowledge and used them at various Apple store locations in the Bay Area. The victim

				canceled both credit cards and will continue to monitor her credit report. The estimated unauthorized purchases totaled \$18,800.00.
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Sharon Hanlon

Subject: Revised December 2014 City Selection Committee Appointments/Reappoints**From:** Mina Lim [<mailto:mim@smcgov.org>]**Sent:** Friday, October 31, 2014 10:14 AM

Hello Honorable Mayors and Council Members:

Below is a **REVISED** listing of all seats that will be on the December 19th City Selection Committee agenda. These seats are available for reappointments and/or new appointments.

If you are interested in any one of these, please follow these instructions for submitting your Letter of Interest:

1. Your letter ***must be on your city's letterhead (an email will not be accepted)***
2. Your original signature ***must be on the letter***
3. You can fax (650-363-1916), email (mim@smcgov.org), or send by US mail to my attention at 400 County Center, Redwood City, 94063
4. ***ALL letters of interest MUST be received no later than THURSDAY, DECEMBER 4TH by 3:00 p.m.***

Note: If your Mayor is unavailable to attend the City Selection Committee meeting on December 19th, please fill out the attached proxy form and return it to me ASAP!

List of seats:

- 1) Selection of one (1) Council Member to serve on the Bay Area Air Quality Management District (BAAQMD) representing ***Cities*** fulfilling Daly City Council Member Carol Klatt's term through December 31, 2015
Currently held by: Council Member Carol Klatt, Daly City
- 2) Selection of one (1) Council Member to serve on the Peninsula Corridor Joint Powers Board (CalTrain) representing ***Cities (All cities are eligible)*** - there is no term length
Seat was held by: Council Member Jerry Deal, Burlingame
- 3) Selection of one (1) Council Member to serve on the San Mateo County Transit District (SamTrans) representing ***Central Cities (Eligible cities: Belmont, Burlingame, Foster City, Half Moon Bay, Hillsborough, Millbrae and San Mateo)*** for a term of two (2) years beginning January 1, 2015
Seat was held by: Council Member Jerry Deal, Burlingame
- 4) Selection of one (1) Council Member to serve on the San Mateo County Transit District (SamTrans) representing ***Northern Cities (Eligible cities: Brisbane, Colma, Daly City, Pacifica, San Bruno and South San Francisco)*** for a term of two (2) years beginning January 1, 2015
Currently held by: Council Member Karyl Matsumoto, South San Francisco
- 5) Selection of one (1) Council Member to serve on the San Mateo County Transportation Authority (SMCTA) representing ***Central Cities (Eligible cities: Belmont, Burlingame, Foster City, Half Moon Bay, Hillsborough, Millbrae and San Mateo)*** for a term of two (2) years beginning

January 1, 2015

Currently held by: Vice-Mayor Terry Nagel, Burlingame

- 6) Selection of one (1) Council Member to serve on the San Mateo County Transportation Authority (SMCTA) representing **Southern Cities (Eligible cities: Atherton, East Palo Alto, Menlo Park, Portola Valley, Redwood City, San Carlos and Woodside)** for a term of two (2) years beginning January 1, 2015

Currently held by: Council Member Rosanne Foust, Redwood City

- 7) Selection of one (1) Council Member to serve on the San Mateo County Transportation Authority (SMCTA) representing **Cities-At-Large (All cities are eligible)** for a term of two (2) years beginning January 1, 2015

Currently held by: Council Member Naomi Patridge, Half Moon Bay

- 8) Election of a Chairperson to the City Selection Committee for 2015

Currently held by: Council Member Mayor Mary Ann Nihart, Pacifica

- 9) Election of a Vice Chairperson to the City Selection Committee for 2015

Currently held by: Council Member Elizabeth Lewis, Atherton

Mina Lim

County Manager's Office/Board of Supervisors

650.363.4124



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council
FROM: Nick Pegueros, Town Manager
DATE: October 31, 2014
RE: Weekly Update

The purpose of this report is to provide a summary update on items/projects of interest for the week ended October 31, 2014.

1. **Meeting with MROSD re: Alpine Rd. Trail @ Hawthorns** – Town and MROSD staff met to discuss the possibility of a town funded and managed trail widening project on Alpine Road between Saddleback and Firethorn along the Hawthorns frontage. MROSD staff requested that the Town submit a project proposal detailing the need for the improvement, scope of the project, timeline, and commitment from the Town to fund and manage the project. Staff has been working on that proposal to include in the November 12th Town Council packet. The proposal is highly conceptual and, if given the green light by the MROSD Board, staff will begin the process of meeting with various stakeholders to design a project that meets the numerous identified needs that have been discussed for over four years.
2. **PG&E Tree Removals** – PG&E confirmed that they are scheduling crews to remove up to 31 trees in town, a number of which are on private property and require property owner approval, but the exact timing has yet to be determined. Staff has reached out to all committee and commission chairs as well as the property owners adjacent to the tree removals anticipated on the Springdown Open Space Preserve and the Alpine Hills Swim & Tennis Club frontage to alert them of the joint Town, Fire District, and PG&E effort to remove trees that threaten power lines. When the removal schedule is known, staff will share that with the community via PV Forum.

3. **Comcast Service Issues in Town** – Comcast's Government Affairs Representative has passed on a compilation of poor service reports collected by staff to the Comcast customer care group. There has been no word regarding whether the service issues will be addressed. Staff's experimental effort to collect information regarding service concerns and report those to Comcast in a timely manner may or may not prove successful. It is important to note that the Town does not have regulatory authority over Comcast and many residents have a choice in internet service providers.

4. **Reminder of Rescheduled Tabletop Exercise Next Week** – This exercise will be for members of the Town Council and Emergency Preparedness Committee to practice opening the Emergency Operations Center in a simulated disaster where staff is not present. The exercise is scheduled for Wednesday, November 5th and starts at 7PM in the EOC/Town Hall conference room.

5. **Update on Unfunded Pension Liabilities** – CalPERS provided their updated actuarial report for the pension provided by the Town to employees. As of the most recent market valuation, June 30, 2013, the market value of assets held by the Town at CalPERS is 81.3% of the accrued pension liability leaving an unfunded pension liability of \$955,472. Last year the Town Council earmarked \$1,015,022 of unrestricted General Fund fund balance for unfunded pension liabilities. The opportunity to fully fund the liability now exists and a decision could be made to do so early next calendar year.

6. **New Actuarial Report for OPEB (Retiree Medical) Liabilities** – Staff is in the final stages of preparing the actuarial report for Other Post-Employment Benefits (OPEB) liabilities, specifically retiree medical, as of June 30, 2014. Unaudited results indicate that the Town's unfunded OPEB liability is in the \$300,000 - \$400,000 range, depending on the assumed rate of return for investment of assets irrevocably set aside to pay for retiree medical benefits. A decision will need to be made by the Town regarding where and how to fund the liability. Options are available to establish an irrevocable trust fund that allows assets in the trust to be invested more aggressively than how unrestricted Town funds can be invested.

TOWN COUNCIL WEEKLY DIGEST

Friday – November 7, 2014

1. Agenda – ASCC – Monday, November 10, 2014
2. Agenda – Trails & Paths Committee – Tuesday, November 11, 2014
3. Agenda – Emergency Preparedness Committee – Thursday, November 13, 2014
4. Agenda – Cable and Utilities Undergrounding Committee – Thursday, November 13, 2014
5. Agenda – Cultural Arts Committee – Thursday, November 13, 2014
6. Monthly Meeting Schedule for November 2014
7. Month End Financial Report - October 2014
8. Report from San Mateo County Sheriff's Office – Incident Log for 10/14/14 – 10/26/14
9. Invitation to Council of Cities Dinner Meeting (PV is hosting!) – Friday, November 21, 2014
10. Letter from San Mateo County Mosquito and Vector Control District re: Term of Office for PV Representative to the Board of Trustees will expire December 31, 2014
11. Revised City Selection Committee Appointments/Reappoints for December 2014
12. Request Support for Appointment to Bay Area Air Quality Management District (BAAQMD) from David Canepa, Mayor of the City of Daly City
13. Invitation to the 2014 State of the City Address for the City of East Palo Alto
14. Western City Magazine for November 2014
15. Memo from Town Manager, Nick Pegueros re: Weekly Update – Friday, November 6, 2014

Attached Separates (Council Only)

1. None



**TOWN OF PORTOLA VALLEY
ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)
Monday, November 10, 2014
Special Field Meeting (time and place as listed herein)
7:30 PM – Regular ASCC Meeting
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028**

SPECIAL ASCC FIELD MEETING*

4:00 p.m. 40 Antonio Court Field meeting for preliminary review of plans for residential development and site development permit X9H-681 for this 4.48 acre property. (ASCC review to continue at Regular Meeting)

7:30 PM – REGULAR AGENDA*

1. Call to Order:
2. Roll Call: Breen, Clark, Harrell, Koch, Ross
3. Oral Communications:

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

4. New Business:
 - a. Preliminary Architectural Review for a New Residence, Detached Garage, Guest House, Pool, and Site Development Permit X9H-681, 40 Antonio Court, Lands of Melton, File #: 44-2014 (Staff: D. Pedro)
 - b. Architectural Review for Residential Addition and Remodel, 125 Fawn Lane, Lands of Huffman, File #: 45-2014 (Staff: C. Borck)
 - c. Architectural Review for Garage Storage Addition/Remodel, 191 Ramos Road, Lands of Mumford, File # 42-2014 (Staff: C. Borck)
5. Commission and Staff Reports:
6. Approval of Minutes: October 27, 2014
7. Adjournment:

*For more information on the projects to be considered by the ASCC at the Special Field and Regular meetings, as well as the scope of reviews and actions tentatively anticipated, please contact Carol Borck in the Planning Department at Portola Valley Town Hall, 650-851-1700 ex. 211. Further, the start times for other than the first Special Field meeting are tentative and dependent on the actual time needed for the preceding Special Field meeting.

PROPERTY OWNER ATTENDANCE. The ASCC strongly encourages a property owner whose application is being heard by the ASCC to attend the ASCC meeting. Often issues arise that only property owners can responsibly address. In such cases, if the property owner is not present it may be necessary to delay action until the property owner can meet with the ASCC.

WRITTEN MATERIALS. Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours.

ASSISTANCE FOR PERSONS WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Assistant Planner at 650-851-1700, extension 211. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

PUBLIC HEARINGS

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

This Notice is Posted in Compliance with the Government Code of the State of California.

Date: November 7, 2014

Carol Borck
Assistant Planner



TOWN OF PORTOLA VALLEY
Trails and Paths Committee
Tuesday, November 11, 2014 - 8:15 AM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

AGENDA

1. Call to Order
2. Oral Communications
3. Approval of Minutes from October 14, 2014
4. Financial Review and Trail Work – October 2014
5. Conservation Committee Update
6. Old Business
 - a) Driveway scoring process
 - b) Signage Options for Alpine Trail regarding Bicycles: Subcommittee Report
 - c) Committee Reappointments for 2015
 - d) Subcommittee Report: Celebration of the Horse, June 2014
7. New Business
 - a) Proposal to MROSD for Alpine Trail Improvement
8. Other Business
9. Adjournment

Enclosures:

Minutes from October 14, 2014 meeting
Financial Review
Trail work Map and Memo – October 2014



TOWN OF PORTOLA VALLEY
Regular Meeting of the
Emergency Preparedness Committee
Thursday, November 13, 2014 - 8:00 AM
EOC / Town Hall Conference Room
765 Portola Road, Portola Valley, CA 94028

AGENDA

1. 8:00 Call to order -
Members: John Boice, Dave Howes, Diana Koin, Anne Kopf-Sill, Dale Pfau, Chris Raanes, Ray Rothrock/Chair, Craig Taylor, Bud Trapp, Tamara Turner, and Stuart Young

Guests: Nick Pegueros/Town Manager, John Richards/Town Council, Dan Ghorso and Selena Brown WFPD, Tim Reed/Sheriff's Office, Gary Nielsen, Police Commissioner

Absent:
2. 8:01 Oral Communications
3. 8:10 Review and approval of minutes:
 - Motion: Accept the Minutes of October 2014
4. 8:12 CERPP/WFPD Report (Brown/Ghorso)
 - Debrief Radio Check of Oct. 16, 2014
5. 8:22 Town Report (Nick/Marsha)
 - Debrief the Big Shakeout
 - Debrief of tabletop drill on November 5, 2014
6. 8:32 Medical Plan Update (Med subcommittee)
 - Storage Facility Report
 - MOU status with Stanford
7. 8:42 Communications Sub Committee Report (Comm subcommittee)
8. 8:47 Roster and Leadership for 2015 (Ray)
9. 8:59 Other Business
10. 9:00 Adjourn. Next meeting is December 11, 2014

Upcoming Events: Appreciation Reception Dec. 5, 6 pm



TOWN OF PORTOLA VALLEY
Cable & Undergrounding Committee Meeting
Thursday, November 13, 2014 – 8:15 AM
Historic School House
765 Portola Road, Portola Valley, CA

AGENDA

1. Call meeting to order
2. Minutes: Approval of September minutes
3. Communications from Members of the Public
4. Old Business
 - PG&E status on Rule 20A undergrounding project
 - Preliminary cost estimate
 - Survey to determine voters' interest in undergrounding utilities
5. New Business
 - Approval of committee member application from Bob Pierce
 - Committee member appointments for 2015
6. Adjournment:

Next meeting on January 8, 2015 at 8:15 am



TOWN OF PORTOLA VALLEY
Cultural Arts Committee
Thursday, November 13, 2014 - 3:00 PM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA

AGENDA

1. Call to Order
2. Oral Communications
3. Approval of October 9 minutes
4. Old Business:
 - Review / Discuss CAC survey
 - CAC logo
 - Plaque status
5. New Business:
 - Vote on New day/time for CAC meetings
 - Review joining environmental film program with Brandi
 - Discuss coordinating with other groups / organizations
 - Holiday Fair
6. Adjournment

Note: This meeting starts at 3:00 pm

Town of Portola Valley

Town Hall: 765 Portola Road, Portola Valley, CA 94028 Tel: (650) 851-1700 Fax: (650) 851-4677

NOVEMBER 2014 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, November 5, 2014 – Special Joint Meeting Town Council/Emergency Prep Committee

Wednesday, November 12, 2014 – Special Meeting at the Sequoias

Wednesday, November 26, 2014 - CANCELLED

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

Council Liaison – Maryann (for months November, November, December)

Wednesday, November 5, 2014

Wednesday, November 19, 2014

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

Council Liaison – John Richards (for months November, November, December)

Monday, November 10, 2014

Monday, November 24, 2014

AD-HOC WATER CONSERVATION TASK FORCE

Tuesday, November 18, 2014 – 3:00 PM / Town Hall Conference Room

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

Council Liaison – Maryann Derwin

Wednesday, November 5, 2014

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

Council Liaison – Craig Hughes

Thursday, November 13, 2014

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

Council Liaison – John Richards

Monday, November 3, 2014 – SPECIAL MEETING

Tuesday, November 25, 2014

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

Council Liaison – John Richards

Thursday, November 13, 2014

EMERGENCY PREPAREDNESS COMMITTEE – 8:00 AM (Meets 2nd Thursday) in the EOC /

Conference Room at Town Hall

Council Liaison – John Richards

Thursday, November 13, 2014

FINANCE COMMITTEE

Council Liaison – Ann Wengert

GEOLOGIC SAFETY COMMITTEE – 7:30 PM

Council Liaison – Jeff Aalfs

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 – Craig Hughes

OPEN SPACE ACQUISITION ADVISORY COMMITTEE

Council Liaison – Craig Hughes

PARKS & RECREATION COMMITTEE – 7:30 PM (Meets 1st Monday)

Council Liaison – Ann Wengert

Monday, November 3, 2014

PUBLIC WORKS COMMITTEE

Council Liaison – Jeff Aalfs

As announced

SUSTAINABILITY COMMITTEE – 3:30 PM (Meets 3rd Monday)

Council Liaison – Maryann Derwin

TEEN COMMITTEE

Council Liaison – Ann Wengert

As announced

TRAILS & PATHS COMMITTEE – 8:15 AM (2nd Tuesday of each month, or as needed)

Council Liaison – Ann Wengert

Tuesday, November 11, 2014 – 8:15 AM



MONTH END FINANCIAL REPORT FOR THE MONTH OF: October 2014

C A S H	Bank of America	\$	46,143.25	
	Local Agency Investment Fund (0.246%)	\$	12,306,458.13	
	Total Cash		\$	12,352,601.38
F U N D S	05 General Fund	\$4,214,662.73		<i>General Fund Assignments:</i>
	08 Grants	(214,875.71)		<i>Emergency Capital</i> \$1,400,000.00
	10 Safety Tax	7,029.69		<i>Unfunded Pension</i> 1,015,000.00
	15 Open Space	4,035,192.25		<i>Open Space Acquisition</i> 377,499.04
	20 Gas Tax	29,020.22		<i>Equipment Replacement</i> 200,000.00
	22 Measure M	(870.10)		<i>Legal Contingency</i> 100,000.00
	25 Library Fund	414,758.60		<i>Historic Museum</i> 2,890.95
	30 Public Safety/COPS	(47,549.97)		<i>Children's Theatre</i> 2,659.62
	40 Park in Lieu	6,263.97		<i>UNASSIGNED BALANCE</i> \$1,116,613.12
	45 Inclusion In Lieu	2,882,958.71		<i>*General Fund Total</i> \$4,214,662.73
	50 Storm Damage	(117,607.25)		
	60 Measure A	118,394.54		
	65 Road Fees	41,115.77		
	75 Crescent M.D.	94,018.33		
	80 PVR M.D.	14,178.54		
	85 Wayside I M.D.	5,758.57		
	86 Wayside II M.D.	25,826.00		
	90 Woodside Highlands M.D.	145,988.25		
	95 Arrowhead Meadows M.D.	(1,799.67)		
	96 Customer Deposits	700,137.91		
	Total Fund Balance		\$	12,352,601.38
A C T I V I T Y R E C A P	Beginning Cash Balance:	\$	12,649,216.72	
	Revenues for Month:		301,947.32	
	Total Revenues for Month:		301,947.32	
	Warrant List 10/8/14	(199,995.01)		
	Warrant List 10/22/14	(290,650.23)		
	Payroll	(106,785.14)		
	Total Expenses for Month:		(597,430.38)	
	Total JE's and Void Checks:		(1,132.28)	
	Ending Cash Balance		\$	12,352,601.38

*NOTE: Per Adopted Budget 2014-15, General Fund total fund balance for 6/30/15 is projected at \$4.6 million.

FISCAL HEALTH SUMMARY:

Unreserved/Spendable Percentage of General Fund (Adopted Policy is 60%)	90.35%
<i>Calculated at current GF fund balance less non-spendable funds, divided by current year budgeted operating expenditures.</i>	
Days of Running Liquidity of Spendable General Fund	389
<i>GASB recommends no less than 90 days</i>	

NOTE: General Fund assigned fund balances were approved by the Town Council on January 24, 2014. The unassigned fund balance is on the cash basis and does not include the adopted budget surplus/deficit for the fiscal year or accrued liabilities such as accounts payable or compensated absences, which are typically only accrued on June 30th of each fiscal year. This report is complete as of the last business day of the month for which it was issued. If new information arises for this or prior periods, these monthly reports will not be updated but the adjustment will be reflected in



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.

Monday 10/27/14 to Wednesday 11/05/14

Greg Munks
Sheriff

CASE NUMBER	DATE & TIME Reported	LOCATION	DESCRIPTION	FACTUAL CIRCUMSTANCES
14-9254	10/27/14 N/A	2900 Blk. Woodside Rd. Woodside	General Information Case	A concerned citizen pointed out some abandoned marijuana located directly behind the Pioneer Bar. Due to that location being used as a pick-up / drop-off point for children to load onto school buses, the deputy collected the marijuana and submitted it to Sheriff's Property for destruction.
14-9279	10/28/14 12:54AM	3000 Blk. Portola Rd. Woodside	Driver W/ Suspended License	A reporting party requested a welfare check on a female driver. The deputy spotted the vehicle matching the description of the license plate that the reporting party provided. The deputy initiated a traffic enforcement stop on the vehicle for speeding. The deputy made contact with the driver and informed her why he stopped her. He then told her that he wanted to make sure she was ok to drive since there was a reporting party in the area where she was parked who was concerned about her sobriety. The driver stated that she was ok and that she was just tired. The driver did not display any objective symptoms of being under the influence of an alcoholic beverage. The deputy

				was advised by county communications that the driver had a suspended driver's license and a minor warrant out of Marin County. The driver was issued a citation and released at the scene. The driver had to make arrangements for a licensed driver to pick up her vehicle.
14-9287	10/28/14 10:33AM	100 Blk. La Questa Way Woodside	Grand Theft	The victim stated that he stores his saddles and other horseback riding equipment in a shed on property on La Questa Way. The shed was not locked but it was secured by a clip on the door. The victim last saw his equipment on 10/26/2014. He provided a list of items that were stolen. There were no signs of forced entry. The estimated loss is approximately \$3,780.00.
14-9319	10/29/14 5:30AM	500 Blk. Hurlingame Ave. Portola Valley	Burglary	Unknown suspect (s) made entry into the victim's vehicle via a window smash. The suspect(s) stole electronic instruments and personal items. The estimated loss is \$2,100.00. There are no suspect(s) or leads at this time.
14-9402	10/31/14 6:19PM	3000 Blk Woodside Rd. Woodside	Damage/Obstruct/ Power - Enter/Occupy Property or Structure	A deputy was dispatched to the report of a trespasser. Upon arrival, a suspect was located on the property, behind a secured gate who was identified as Matthew Mulready from San Carlos. Mulready was detained. Mulready had a suitcase in his possession revealed a large quantity of marijuana. Mulready was arrested and booked into the San Mateo County Jail.
14-9427	11/02/14 2:41PM	Alpine Rd. / Portola Rd. Portola Valley	DUI: Causing Injury	Evan Pickett from Menlo Park was arrested for driving under the influence of alcohol. Pickett drove his vehicle while he was causing him to veer off of the roadway and collide into a stop sign. The passenger of the vehicle suffered minor injuries as a result. The passenger was transported to Stanford Hospital for treatment. Pickett was booked into the San Mateo County Jail.
14-9437	11/02/14 5:59PM	3100 Blk. State Highway 84	Sheriff's Office Misdemeanor Warrant	Kristen Shafer from Woodside was arrested for having a misdemeanor warrant in the amount of \$5,000 out of the

		Woodside		San Mateo County Sheriff's Office. Shafer was transported and booked into the San Mateo County Jail.
14-9448	11/03/14 9:49AM	100 Blk. Woodside Rd. Woodside	Grand Theft via Fraud	The victim received a call from an unknown person stating to be a Lieutenant from the San Mateo County Sheriff's Office. The suspect told the victim he had a warrant for his arrest and he would be taken to jail unless he paid the \$3,000.00 bail. The victim purchased six Green Dot Money Pak cards from Rite Aid and transferred \$3000.00 to the suspect. The victim contacted the San Mateo County Court to follow up regarding a court date that the suspect provided him. At this time is when the victim realized he was the victim of a scam.
14-9503	11/04/14 4:19PM	2000 Blk. Harkins Ave. West Menlo Park	Burglary	The victim reported that her residence had been burglarized by an unknown suspect(s). The items taken were a flat screen TV, an electric guitar and a Google ChromeCast Device. The estimated loss is at this time is 835.00. There were no suspects or witnesses at this time.
14-9529	11/05/14 1:30PM	Moore Rd. / Woodside Rd. Woodside	Driver w/ Suspended License	A deputy observed a GMC pickup truck pass him with expired registration. The deputy made a traffic enforcement stop and contacted the driver who stated that he did not have a driver's license. The driver also stated that his license was suspended. The driver was issued a citation and was released from the scene. The driver's vehicle was left parked at the scene.
14-9534	11/05/14 3:33PM	100 Blk. Barrett Dr. Woodside	Under the Influence of a Controlled Substance	Bengamin Arreguin from Woodside was arrested for being under the influence of a controlled substance. Upon being taken into custody the Arreguin violently attempted to free himself and was uncooperative. Arreguin was booked into the San Mateo County Jail.
14-9539	11/05/14 10:03PM	200 Blk. La Mesa Dr. Ladera	Driver w/ Suspended License	Deputies responded to the report of a suspicious person. The reporting party claimed that she saw an unknown subject with long hair standing inside her carport that was

				<p>attached to the house. As the deputies were speaking with the reporting party a vehicle drove by them that matched the physical description of the unknown subject. The subject pulled her vehicle over to the side of the road as instructed by the deputies. The unknown female verbally identified herself and claimed she lived in the neighborhood; however, she could not provide an address. She then claimed she lived in Los Gatos but could not provide a reason why she was driving in the area. A record check revealed that the suspect's driver's license was suspended. The suspect expressed knowledge that her license was suspended. She was issued a citation and arranged a licensed driver to drive her vehicle home.</p>
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Meeting Announcement & Agenda Friday, November 21, 2014

Everyone is encouraged to attend these monthly meetings. This is a great opportunity to meet colleagues from other cities, work together on solutions for our county, get to know how other cities handle issues, make friends and helpful connections, and learn what's going on with the "big" issues we seldom have time to discuss at council meetings.

Location	Schedule	
Portola Valley Town Center	6:00 p.m.	Hosted Bar
Community Hall	6:30 p.m.	Business Meeting
765 Portola Road	7:00 p.m.	Dinner
Portola Valley, CA 94028	8:00 p.m.	Council of Cities Program
(650) 851-1700	9:00 p.m.	Adjourn

Please contact Chairperson Mary Ann Nihart if you wish to bring up an item for group discussion or give a committee report.
Telephone: (650) 738-7301 or email: nihartm@ci.pacifica.ca.us

Buffet Style Dinner \$45.00 per person

RSVP to shanlon@portolavalley.net or call
(650) 851-1700 ext. 210
by 4 pm - Friday, November 14, 2014

PLEASE MAKE CHECKS PAYABLE TO: Town of Portola Valley

**MAIL CHECKS TO : Town of Portola Valley
Attn: Sharon Hanlon
765 Portola Road
Portola Valley, CA 94028**

Thank you for your prompt processing of payment for this event.
All payments for dinner expected on or before event date, unless other arrangements have been made.

Questions or need more information? Please call 650-851-1700 ext. 210



Business meeting
Friday, November 21, 2014
6:30 P.M.

- Call to Order
- Roll Call and Introduction of Council Members, and Guests
- Welcome by Mayor Ann Wengert
- Approval of Minutes of previous Meeting and Treasurer's report
- Committee Reports
- Old Business
- New Business
- Announcements

Program

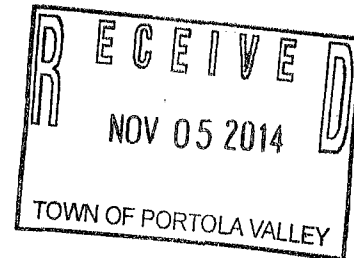
Water Sustainability as a Region. One of the largest sustainability challenges facing our County is water: the threat of too little fresh water to meet projected demand. There's no question that the future of our regional economy and the health of our ecosystem are dependent on managing existing water supplies to meet the projected demand. Portola Valley is actively engaged in educating the local community on ways to reduce some of the highest per capita water consumption rates in the region. While local efforts to conserve are essential to manage future demand, the long term water sustainability challenge requires a regional effort to address the water crisis.

1. Introductory remarks from Mayor Ann Wengert
2. Local Water Sustainability Efforts – Brandi de Garneau Town of Portola Valley's Sustainability and Special Projects Manager
3. A Regional Approach to Groundwater Management – Peter Drekmeier, former Mayor of City of Palo Alto; Policy Director at Tuolumne River Trust



**San Mateo County
Mosquito and Vector Control District**

1351 Rollins Rd
Burlingame CA 94010
(650) 344-8592 Fax (650) 344-3843
www.smcmad.org



November 3, 2014

Town of Portola Valley
Sharon Hanlon, Town Clerk
765 Portola Rd.
Portola Valley, CA 94028

Dear Ms. Hanlon:

The current term of office for Steve Hedlund, representative to the Board of Trustees of this district from the Town of Portola Valley will expire on December 31, 2014.

It is kindly requested that an appointment be made for the ensuing term of January 1, 2015 to December 31, 2016 or to December 31, 2018, according to the California Health and Safety Code, Section 2022:

“The term of office for a member of the board of trustees shall be for a term of two or four years, at the discretion of the appointing authority”.

The common law incompatibility of office doctrine was addressed in SB 1574, Beverly, (1996) and now a City Council member may be appointed to the Board of Trustees.

Once the appointment is made, please forward a letter to that fact indicating the term length. Thank you for your attention to this request.

Sincerely,

Rosendo Rodriguez
Interim District Manager

cc: Steve Hedlund, Trustee

Sharon Hanlon

Importance: High

Subject: Correction to previous email: December 2014 City Selection Committee Appointments/Reappoints

Honorable Mayors and Council Members

Please note that there are corrections/clarifications to the list of seats previously sent on October 31, 2014 via email and are underlined as follows

- 1) Selection of one (1) Council Member to serve on the Bay Area Air Quality Management District (BAAQMD) representing **Cities** fulfilling Daly City Council Member Carol Klatt's term through December 31, 2015
Currently held by: Council Member Carol Klatt, Daly City
- 2) Selection of one (1) Council Member to serve on the Peninsula Corridor Joint Powers Board (CalTrain) representing **Cities (All cities are eligible) from among the three Council Members on the San Mateo County Transit District (SamTrans) Board** - there is no term length
Seat was held by: Council Member Jerry Deal, Burlingame
- 3) Selection of one (1) Council Member to serve on the San Mateo County Transit District (SamTrans) representing **Central Cities (Eligible cities: Belmont, Burlingame, Foster City, Half Moon Bay, Hillsborough, Millbrae and San Mateo)** for a term of four (4) years beginning January 1, 2015 through December 31, 2018
Seat was held by: Council Member Jerry Deal, Burlingame
- 4) Selection of one (1) Council Member to serve on the San Mateo County Transit District (SamTrans) representing **Northern Cities (Eligible cities: Brisbane, Colma, Daly City, Pacifica, San Bruno and South San Francisco)** for a term of four (4) years beginning January 1, 2015 through December 31, 2018
Currently held by: Council Member Karyl Matsumoto, South San Francisco
- 5) Selection of one (1) Council Member to serve on the San Mateo County Transportation Authority (SMCTA) representing **Central Cities (Eligible cities: Belmont, Burlingame, Foster City, Half Moon Bay, Hillsborough, Millbrae and San Mateo)** for a term of two (2) years beginning January 1, 2015 through December 31, 2016
Currently held by: Vice-Mayor Terry Nagel, Burlingame
- 6) Selection of one (1) Council Member to serve on the San Mateo County Transportation Authority (SMCTA) representing **Southern Cities (Eligible cities: Atherton, East Palo Alto, Menlo Park, Portola Valley, Redwood City, San Carlos and Woodside)** for a term of two (2) years beginning January 1, 2015 through December 31, 2016
Currently held by: Council Member Rosanne Foust, Redwood City
- 7) Selection of one (1) Council Member to serve on the San Mateo County Transportation Authority (SMCTA) representing **Cities-At-Large (All cities are eligible) fulfilling Half Moon Bay Council Member Naomi Patridge's term through December 31, 2015.**
Currently held by: Council Member Naomi Patridge, Half Moon Bay
- 8) Election of a Chairperson to the City Selection Committee for 2015.

Currently held by: Council Member Mayor Mary Ann Nihart, Pacifica

9) Election of a Vice Chairperson to the City Selection Committee for 2015.

Currently held by: Council Member Elizabeth Lewis, Atherton

My apologies for any inconvenience this may have caused

Mina Lim

County Manager's Office/Board of Supervisors

650.363.4124



OFFICE OF THE MAYOR

CITY OF DALY CITY

333 - 90TH STREET
DALY CITY, CA 94015-1895
(650) 991-8125

November 7, 2014

Re: City Selection Committee Appointment: Bay Area Air Quality Management District (BAAQMD)
City Representative for San Mateo County

Honorable Mayor and City Council Members:

I am writing to request your consideration and support for my appointment as the San Mateo County representative to the Bay Area Air Quality Management District Board of Directors, replacing my colleague Vice Mayor Carol Klatt who is retiring. I would like to continue her legacy of serving Daly City and the residents of San Mateo County at the Air District.

The BAAQMD has made a significant impact on improved air quality in the Bay Area since it was created 50 years ago to address emissions in the region. This has resulted in large part to the Air District's controls on open burning and industrial sources, as well as state requirements for cleaner automobiles and fuels. But managing air quality in the region requires constant effort and vigilance. I would like to be part of developing policies and adopting regulations necessary to meet the challenges facing our region, including ever-increasing population, and traffic growth, as well as the continual evolution of industrial technologies which seriously impact air quality and the public's health. As the current Vice Chair of the San Mateo County Transportation Authority (TA) and Daly City's representative to C/CAG, I see my appointment to the BAAQMD Board as an opportunity to further ensure the effective alignment of the goals and strategies among these agencies for the benefit of our County.

While serving on the C/CAG Board and the TA, I have worked with elected officials from across the County who represent diverse interests, but who are committed to working collaboratively for the betterment of San Mateo County residents. Our policy initiatives on these Boards in the areas of Traffic Congestion Management, Transportation for Clean Air and Climate Protection have set a standard for other regional governing bodies to emulate. In the same manner that I have worked to build consensus around difficult policy questions and decisions on C/CAG and the TA, if elected to the BAAQMD Board of Directors, I will forge collaborative working relations with other Board Members to ensure the continued leadership and success of the Air District in addressing the most urgent air quality issues we have in San Mateo County and the greater Bay Area.

Thank you for your consideration of my appointment to the Bay Area Air Quality Management District Board. I look forward to serving the cities of San Mateo County by working to protect public health, air quality and the global climate. Please do not hesitate to contact me at (650) 991-8125 if you have questions or need additional information.

Sincerely,

David J. Canepa
Mayor

cc: Ms. Mina Lim, Secretary, City Selection Committee



2014

STATE of the CITY ADDRESS



*Mayor Laura Martinez and the East Palo Alto City Council
cordially invite you to the 2014 State of the City Address.*

Event Details:

*When: Monday, November 17, 2014
Doors open at 6:30 p.m.
Program begins at 7:00 p.m.*

*Where: San Mateo County Government Center
Council Chambers
2415 University Avenue
East Palo Alto, Ca 94303*

*Contact: City of East Palo Alto
(650) 853-3127*





MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council
FROM: Nick Pegueros, Town Manager
DATE: November 6, 2014
RE: Weekly Update

The purpose of this report is to provide a summary update on items/projects of interest for the week ended November 7, 2014.

1. **PG&E Tree Removals** – We have yet to learn from PG&E when the tree removals will commence. As soon as staff finds out, we will notify adjacent property owners and post the schedule to PV Forum.
2. **Comcast Service Issues in Town** – Comcast's Government Affairs Representative has confirmed that their technical folks are looking into the service issues in town but no commitment has been made to resolve the concerns.
3. **Traffic Calming Policy** – The BPTS Committee met this week and reached an agreement on the traffic calming policy recommendation to the Town Council. The item will be included on the December 10th agenda.
4. **Portola Road Corridor Plan** – The Planning Commission met this week and received comment from the public on the Portola Road Corridor Plan. The Commission, after consideration of the public comment and extensive discussion, decided to continue their review of the Plan. It was expected that the Plan would move forward to the Town Council for consideration on 11/12/14, however that has now been deferred pending Planning Commission final approval.
5. **Reminder of Special Meeting at Sequoias** – Just a reminder that next week's Council meeting will be at the Sequoias and start at 7PM.

#15

There are no written materials for this agenda item.