

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO 900, DECEMBER 10, 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 Maryann Moise Derwin, Craig Hughes, John Richards; Vice Mayor Jeff Aalfs; Mayor Ann Wengert

Absent: None

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

ORAL COMMUNICATIONS

Vic Schachter, co-chair of the Ad Hoc Citizens Committee on Airplane Noise Abatement for the South Bay, reported the committee will proceed with litigation, filing the initial briefing by the February 2015 deadline. He said the community has been wonderfully responsive and supportive, and he also thanked the Councilmembers who have also been supportive. He said the petition in Federal District Court has been accepted and the FAA has responded "spiritedly." He reported that Anna Eshoo and Jackie Speiers have joined the "Quiet Skies Caucus." According to Mr. Schachter, several people also have pledged to contribute to what will undoubtedly be a very expensive litigation. He said there is no indication by the FAA that they want to sit down in good faith and try to work it out. Mr. Schachter expects they will likely inundate with data and restate issues as they have in the past. He said the Committee is grateful for and urges continuous financial and community support in this challenging task. He asked if it is conceivable in any fashion that the Town Council can consider a financial contribution to their effort.

Mayor Wengert thanked Mr. Schachter and his group for their continuing efforts on behalf of all of the residents of Portola Valley. Vice Mayor Aalfs asked if it was possible or if there would be any benefit for the multiple lawsuits to become a class action. Mr. Schachter said while it was considered, a class action would not get them any closer to their objectives, and the damaged communities bringing action in the name of three individuals from Portola Valley and surrounding areas is the most efficient and cost-effective way to preserve all our options and rights to challenge the actions of the FAA. Mayor Wengert added that the SFO Airport/Community Roundtable is finally making some significant progress to organize a South Bay Communities Group as a subset that will include communities outside of San Mateo County.

- (1) Proclamation of the Mayor: Honoring Tom Vlastic on his retirement and 42 years of dedicated service to the Town of Portola Valley [7:40 p.m.]

Mayor Wengert read the proclamation and congratulated Tom Vlastic on his excellent work on behalf of Portola Valley citizens and the Town's Planning Department over the past 42 years. Mayor Wengert also read an email from Leah Zaffaroni, a long-time Planning Commissioner, commending Mr. Vlastic for his extraordinary and lasting contributions to the community. Ms. Zaffaroni cited Mr. Vlastic's highest ethics and standards of excellence, his consistently balanced and unbiased approach to Town business and the fact that he encouraged vigorous discussion. She said he was a "careful listener and thoroughly researched questions and issues as they arose, so the Commission had all relevant facts and materials to make fully-informed decisions." She said, "It was a privilege to work with a dedicated principal and visionary Town Planner such as Tom, who, along with George Mader, helped establish the standards for responsible and innovate land use planning locally, nationally, and internationally. He has made extraordinary and lasting contributions to our community."

While recognizing contributions to a number of major projects (such as Town Center), speakers cited Mr. Vlastic's striking characteristics, including clear, logical and informed analyses, ability to diffuse hysteria.

Speakers also included former Planning Commissioner Arthur “Chip” McIntosh, former Councilmember and Mayor Steve Toben, and ASCC member Danna Breen.

Mr. McIntosh especially admired Mr. Vlastic’s knack for taking the drudgery out of the homework for the various Town entities; in fact, he said he often conjured up reasons to call him to engage in insightful and delightful conversation. Councilmember Derwin said Mr. Vlastic was one of the rare few she could include in the revered category of “honorable.” She said he belongs to an “era of gentleman statesmen whose time is fading like . . . bow ties and handwritten letters.” She said he made her a better person by knowing him. Councilmember Aalfs said Mr. Vlastic taught him how, not what, to think about the things that came before the Council. Mr. McIntosh said Mr. Vlastic guided and encouraged the Commission during the creation of Town Center with great insight and common sense, a calm demeanor and sensitivity. Steve Toben said that Mr. Vlastic helped applicants reach solutions that would simultaneously serve that citizens’ and the Town’s interests. Danna Breen said that Mr. Vlastic’s passion for the Town and the community was huge.

Mr. Vlastic thanked everyone and expressed gratitude for the extraordinary people he’s worked with in this community. Among the many opportunities he’s had to work with communities in his consulting business, he said none are like Portola Valley. “It’s a tough community to work with, but it’s a very special place.”

(2) Presentation: The Backyard Habitat Awards by the Conservation Committee: [7:57 p.m.]

Marge DeStaebler explained that the Backyard Habitat Program took off in 2013, when a David Boyce article in the *Portola Valley Almanac* prompted a next-day submission from Vic and Jan Schachter. The Town’s first array of Backyard Habitat Awards went to Vic and Jan Schachter, John and Sharon Richards, Marianne Plunder, Susan Hine on behalf of the Portola Valley Ranch, and Danna Breen.

Mr. Schachter said he was there in an ancillary role and it’s really Jan, his wife of 50 years, who mothered and nurtured the gardens the past 20 years. Ms. DeStaebler described their habitat as primarily all native plants, a small fenced vegetable garden and patio and open space.

On the Richards’ property, Ms. DeStaebler said decades of pulling weeds and planting 85% native grasses on their large horse pasture resulted in a gorgeous waving mass of *Nassella pulchra*, free of fencing except to corral chickens and vegetables, equipped with natural water sources as well as fountains for birds and large areas where wildlife can move freely. Councilmember Richards said that his wife, Sharon, is actually the one who deserves the award in his family.

Marianne Plunder’s removed fencing from her garden, cleared invasives and replaced them with an ample supply of flowering bird- and bee-friendly natives and protection for wood rats. Ms. Plunder cuts non-native grasses early to discourage reseeding.

Conservation Committee members spent hours touring the 400 acres of open space at Portola Valley Ranch, whose Landscape Committee applied for a Backyard Habitat Award on behalf of the entire development. The practice at the Ranch is to identify invasive and native grasses, clear the invasives before they go to seed and leave the natives to reproduce. The gardeners return for a second mowing to minimize the fire hazard presented by drying native grasses. The only fencing in the development is around the 200 acres of clustered homes, for houses, pools, tennis courts, vineyards and orchards, where a number of residents sponsor classes to help private gardeners maintain native plantings.

Ms. Breen’s garden includes an open area for wildlife, plus a pond for birds, frogs and insects. She pulled invasive plants and shrubs and re-seeding native options in their place to be a food source for wildlife. Ms. Breen also worked together with her neighbors on the Willowbrook Trail, which is below her property, to remove non-native plants.

Ms. DeStaebler thanked the Town for allowing pursuit of the Backyard Habitats program and encouraging residents to strive to make their gardens blend in better with their outdoor areas, more native in its plantings, more open to flourishing wildlife – and even have space for a rusty Backyard Habitat plaque.

Mayor Wengert thanked the Conservation Committee, declared the program a great success and expressed the Council's enthusiasm for their ongoing efforts.

REORGANIZATION OF TOWN COUNCIL

2014 in Review [8:13 p.m.]

Before moving on to the Reorganization of the Town Council and the nominations for Mayor and Vice Mayor, Mayor Wengert provided a recap of 2014 accomplishments.

Mayor Wengert said the 2014 accomplishments were primarily due to incredibly capable, talented and dedicated staff and volunteers. At the top of the list was the 50th Anniversary Celebration. She said public events and citizen engagement took a huge community effort this year and was the result of the efforts of both ad-hoc and standing Committees in the Town. She described it as a phenomenal success in terms of the breadth, scope and diversity of activities associated with the celebration. Mayor Wengert said 1,200 attended the Town-hosted dinner on September 21, 2014, the largest event in the Town ever.

Mayor Wengert said the formation of the very active Ad Hoc Water Conservation Task Force Committee, which came out of nowhere and was extremely effective and robust, most recently sponsoring the Drought Action Day in combination with the Nature and Science Committee on October 18, 2014. The founding group due to meet for the last time on January 27, 2015, will leave its success as their foundation for the group that takes their place.

On a related note, Mayor Wengert said that water consumption was reduced by 25% in the Town Center complex,

In addition, she enumerated several other 2014 accomplishments:

- Residents continue to enjoy the Town's ongoing partnership with Mountain Goat Farmer's Market, featuring popular vendors on a weekly basis and others coming in every other week
- The Town held its first-ever joint Town Council/Planning Commission/ASCC meeting, with representatives of all three entities discussing future land use issues facing Portola Valley
- The Town's new skate ramp has been a great success
- All Ford Field work and scheduled road-widening projects were completed

Mayor Wengert said another huge win this year, just getting started after years of lobbying the Mid-Peninsula Regional Open Space District (MROSD) to allow improvements to Alpine Trail, is that we have now made a presentation to MROSD and have taken initial efforts to develop the plans.

On the Town operations side, Mayor Wengert said we've completed a long, complicated and difficult transition from Spangler Associates, but are pleased with the staffing results that Mr. Pegueros and his team have put together. She said the addition of Debbie Pedro as Planning Director obviously headlines that group. Mayor Wengert said we added a kiosk in the lobby of the Town Hall for residents to access all archived records of the Planning Commission, Town Council and ASCC.

She said we now have emergency backup generators for all of Town Hall, and starting January 1, 2015, changes will be implemented to make the staff's work hours 8:00 a.m. to noon and 1:00 p.m. to 5:00 p.m. Employee benefits have also been restructured to better match the marketplace. She said aggressive steps have been taken toward fully funding our unfunded pension liability, and the Town ended its fiscal year with a budget surplus.

Regarding emergency preparedness, Mayor Wengert said the Town continues to upgrade operations and ordinances, and has engaged in a substantial amount of readiness training. We also continue working

with PG&E on the Cervantes Road-Peak Lane gas line replacement resulting from a rupture. Mayor Wengert noted that PG&E also stepped up recently to begin a program that will remove 31 trees that were deemed fire hazards and potential disruption of power. She said we've undertaken a very aggressive fuel management load program with the Woodside Fire Protection District (WFPD), which led both Woodside and Portola Valley to participate jointly with the WFPD and PG&E in removing trees.

Moving on to other matters, Mayor Wengert said the 2012 storm damage in the Upper Alpine area has been repaired, the Town is involved in open and robust public discussions relative to the use of automated license plate readers and traffic-calming devices, and the California Department of Housing and Community Development (HCD) has accepted our Draft Housing Element, so it's on track for final adoption in January 2015. She said we have also prioritized some Planning Commission work to focus on initiatives to make the Town's second-unit program more flexible for residents.

On a regional basis, Mayor Wengert said we've worked on airplane noise abatement on multiple fronts, including a longstanding relationship with groups such as SFO Airport/Community Roundtable, and the more recently organized Ad Hoc Citizens Committee on Airplane Noise Abatement for the South Bay. Last year, we made a concerted effort to work with our elected representatives to get the FAA to reevaluate the potential impacts of rolling out the Next Generation Air Transportation System (NextGen).

Mayor Wengert said we received our first-ever County grant through the efforts of the Bicycle, Pedestrian and Traffic Safety (BP&TS) Committee for funds to improve road shoulders and pinch points, particularly on Portola and Alpine Roads. She said this was due to the efforts of some of her colleagues, most notably Councilmember Derwin and others. She said the Town continues to participate regionally and intends to increase those efforts going forward.

Mayor Wengert said 2014 was a very productive year. She thanked the talented and responsive staff for all of their efforts in making it so.

(a) Election of Mayor

Councilmember Derwin moved to nominate Vice Mayor Jeff Aalfs for Mayor. Seconded by Councilmember Richards, the motion carried 5-0.

(b) Election of Vice Mayor

Councilmember Richards moved to nominate Councilmember Maryann Moise Derwin for Vice Mayor. Seconded by Vice Mayor Jeff Aalfs, the motion carried 5-0.

CONSENT AGENDA [8:24 p.m.]

Mayor Aalfs asked whether any items needed to be pulled from the Consent Agenda.

(3) Approval of Minutes: Town Council Special Meeting of November 5, 2014

(4) Approval of Minutes: Town Council Regular Meeting of November 12, 2014

(5) Ratification of Warrant List: November 26, 2014 in the amount of \$385,309.43

(6) Approval of Warrant List: December 10, 2014, in the amount of \$99,551.99

(7) Recommendation by Mayor: Town Manager Employment Agreement

(a) Adoption of a resolution of the Town Council of the Town of Portola Valley approving and authorizing execution of Amendment No. 3 to the Town Manager Employment Agreement between the Town of Portola Valley and Nicholas Pegueros (Resolution No. 2637-2014)

- (8) Appointment by Mayor: Request for appointment of Bob Pierce as a member to the Cable and Utilities Undergrounding Committee
- (9) Request for Appointment: of Ray Williams to the Board of Trustees for the San Mateo Mosquito and Vector Control District
- (10) Recommendation by Administrative Services Manager: Adoption of a Resolution Approving Amendments to the Town's Employee Compensation Plan
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley amending the Employee Compensation Plan effective January 1, 2015 (Resolution No. 2638-2014)

With no requests to pull items from the Consent Agenda, Mayor Aalfs asked for a roll call approval of Items 1-10. The motion carried 5-0 with the following roll call vote:

Aye: Councilmembers Hughes, Richards, Wengert; Vice Mayor Derwin; Mayor Aalfs.

No: None.

REGULAR AGENDA

- (11) Report by Ad Hoc Water Conservation Task Force: Receive Report from Task Force [8:25 p.m.]

Ad Hoc Water Conservation Task Force member Judith Murphy presented a slide show reporting on the body of work the Committee produced thus far. She said members are volunteers who are passionate about saving water. In addition to meeting twice a month, they have participated in subcommittee meetings that include outings all over the Bay Area.

Two of the five items on the Committee charter are completed, with work on the last three well underway. Ms. Murphy said that among significant accomplishments were building the Task Force capability by educating themselves (including tackling the book *Water 4* as required reading for all); obtaining useful data from Cal Water; sponsoring Drought Action Day (co-sponsored by Acterra, the Town of Woodside and the Portola Valley Nature and Science Committee), holding the Water Champ Contest; and creating a new logo.

She said that 92% of Portola Valley water use goes to residential consumption and 69% of that residential water goes to landscaping – resulting in landscaping as main focus of the Committee. The slide show presented graphs of statistical data and highlights of the various events put on throughout the year. Areas of focus going forward include the web page, market segmentation, education and incentive regulations.

Task Force member Al Sill reported on the proposed new page for the Town's website, which Ms. Murphy described as the linchpin of many of the Task Force's efforts – a repository for information and all the educational activities and ongoing resource. The link to the page will blend in with the Town's other sustainability efforts and programs, to include an overview, a news and events section, conservation tips, water-efficient landscaping and smart irrigation ideas, rainwater capture tips, gray water management and additional resource links. An embedded interactive spreadsheet – the wow! factor – will enable residents to enter personal data for calculations. It is hoped the website will go live by the end of January.

Ms. Murphy discussed market segmentation, focusing on dividing consumers into groups (uninterested, motivated, etc.) and presenting carrots and sticks options on how to strategically and effectively reach and educate each group. Ms. Murphy said they have just begun to look at incentive regulations. She said our goal is to make Portola Valley a model for other towns to emulate in our wise use of water through wet and dry years alike. She pointed out that many rules and regulations were enacted before the current understanding of the need for water conservation. She cited reports of communities that have made a huge impact on water conservation with rainwater capture – the slow it, sink it, save it approach.

Pointing out that smart landscaping is where we can conserve the most water, followed by smart irrigation and rainwater capture, Ms. Murphy said that as of tonight the term of work for the inaugural Task Force has officially ended. Nevertheless, the group has a final meeting scheduled and plans in place to produce a report with specific recommendations of regulations and incentives to add, remove, modify or reinterpret. She said the target for having the first of those recommendations is the end of March.

- (12) Report from Town Manager and Council Decision: Create a new standing Committee on Water Conservation and approve Charter [8:45 p.m.]

Based on what the Ad Hoc Waster Conservation Task Force has done, Mr. Pegueros presented a charter drafted for the Town Council to consider for a standing Committee on Water Conservation. He said they are moving quickly so as not to lose the ad hoc group's momentum; if all goes as planned, the new Committee could convene for the first time in February 2015. In response to a question from Councilmember Wengert, Mr. Pegueros said membership interviews would occur the first week and a half in January.

Vice Mayor Derwin asked Ad Hoc Water Conservation Task Force members in the audience to stand. She thanked them – Marty Mackowski, Loverine Taylor, Judith Murphy, Marge deStaebler and Al Sill – and members not present, saying this is the hardest-working group she's ever had the pleasure of working with. Councilmember Wengert seconded Vice Mayor Derwin's comments. Mayor Aalfs thanked Councilmember Wengert, Vice Mayor and Sustainability and Resource Efficiency Coordinator Brandi de Garmeaux for their efforts in working with the Task Force.

Councilmember Richards moved that the Town create a new Town standing Committee on Water Conservation and approve the charter Mr. Pegueros presented. Seconded by Vice Mayor Derwin, the motion carried 5-0.

- (13) Recommendation by the Parks and Recreation Committee: Proposed Expansion to Skate Ramp at Town Center [8:48 p.m.]

Parks and Recreation Committee member Jon Myers discussed expansion of the skate ramp. The small quarter-pipe installed on the all-sports court was considered phase one of potentially two phases, with phase two being consideration of a larger half-pipe. Prior to beginning the fundraising process for the substantially larger, much more visible, and higher-cost (\$15,000-\$20,000) equipment, the Committee wants to begin discussion with the Town Council and then receive permission to gather community feedback. In response to Vice Mayor Derwin, Mr. Myers said the plan was to go through the ASCC before soliciting community input and funding.

Mr. Myers said phase one has been successful. The Committee estimates 10 to 20 users per week and roughly 50 or more total users in the area. Because the ASCC thought the Committee's usage numbers were high, he pared them back and clarified that they were observational estimates. An initial complaint regarding litter was dealt with quickly. There was some concern regarding not having a full basketball court available, although Mr. Myers said he's never seen a full-court basketball game there and pointed out that users have access to other alternatives to play full-court basketball. In terms of displacing basketball players, he noted that the larger pipe benefits them in some ways because it is self-contained and requires no runway. The tennis players have expressed interest in a backboard and the larger half-pipe could also be used as a tennis backboard.

Mr. Myers clarified that the new ramp is 6 feet tall with the rail 4 feet higher, and noted that the basketball net is also 10 feet high. He said orientation of the half-pipe is among the details that are still being worked out. With regard to alternate locations, Mr. Myers stated that issue had been thoroughly explored; although a better location was never found, they plan to keep looking at the other locations. Ms. Prince replied that regardless of the size of the structure, the ordinance and signage in place protect the Town.

Vice Mayor Derwin asked if the Committee answered Howard Young's list of questions. Mr. Myers said some but not all questions were addressed. Vice Mayor said she would summarize what she thought the answers were and forward them to Mr. Myers and Mr. Young.

Resident Judith Murphy, asked how many Portola Valley Skate Park users are residents. Mr. Myers said it was only observational but because the park is so small, it's not likely people would come here from out of town. The larger structure would be more inviting, he added, but there were more attractive skate parks nearby and he did not believe this one would draw many out-of-towners.

Mayor Aalfs asked whether the Council wants the Committee to go forward with this after ASCC approval. The general consensus seemed to be yes, but Councilmember Wengert noted a concern about the mass and said story poles would be a helpful next step. Ms. Breen agreed about the value of story poles, and underscored the importance of an acoustical study as well,

Vice Mayor Derwin pointed out that retired WFPD Chief Armando Muela had pointed out that EMS calls go up when half-pipes go in. She believes a lot of community outreach will be required for this proposal. Danna Breen said she feels an acoustical study is important as well.

Mr. Pegueros suggested a path forward would be for the staff to work with the Committee to refine a preliminary design for the project, location, size, etc.; putting in story poles; community outreach; and undertaking an acoustical study, all of which have associated costs. Upon completion, then ASCC could be approached for comment, perhaps jointly with the Council. Mr. Pegueros asked for guidance from the Council with respect to costs/budget on the preliminary phase, how much staff time is needed and placement on the priority list, presuming support is present to move forward and work with the ASCC to be put on the ASCC agenda.

The Council further discussed the Public Works Department's current workload and time constraints. It was suggested the Committee may conduct some preliminary fundraising for this preliminary work (story poles, etc.). Mr. Pegueros suggested the possibility of hiring a consultant such as CSG to manage the project, or Committee members could develop some of this information on their own without a lot of staff time. The importance of expertise in various areas is also becoming more apparent as projects become more complex. Councilmember Wengert said she was concerned that projects already in the queue and possibly already stalled should have first priority; for those reasons, she suggested making preliminary decisions before the Committee begins any fundraising. She also suggested periodic status checks against time and budget to help streamline the prioritization process.

It was also suggested that for projects involving more than one Committee, the Council liaisons to the various committees vet the project initially before taking it to staff members or other members of the Council.

As a next step, Mayor Aalfs recommended a report in January 2015 from Mr. Pegueros with a budget and discussion of where this fits in with Mr. Young's schedule. Mr. Pegueros said the adopted budget for the fiscal year had assumed using all of staff time plus and this is a new thing on top of that. He said the staff will bring back an update with where we are with what was adopted in the budget and where we're going to spend the next six months. At that point, if there is capacity, Mr. Pegueros said we could talk about it and also decide if there is a consultant option.

- (14) Recommendation by Bicycle, Pedestrian & Traffic Safety Committee: Approval of proposed Policy for Assessing Hazards and Potential Hazards on Neighborhood Roadways (traffic calming) [9:15 p.m.]

After BPP&TS Committee Chair Ed Holland read the proposed policy, Vice Mayor Derwin noted that the Committee is seeking guidance on the process for:

- Scoping a problem that may cross Committee/Commission lines. What can we take the lead on? What do we have to coordinate with other Committees on? For example, a crosswalk policy for Alpine and Portola Roads.
- Asking for Town staff resources to help on a project. While the Committee will do the first level of data collection and research on a project, we often have a need for the expertise to

help on the issue. Is there a process we have to follow to make that ask? Should we consider outside resources if Town resources are unavailable in a timely fashion?

- When we've been asked by the Town Council to look at a problem, can we assume that we have the responsibility to make the recommendation? In what cases do other Committees have to weigh in? For example, Windy Hill parking signs – we were allowed to execute temporary solutions, but when it came to a permanent solution, we weren't.

Councilmember Hughes said that this process has been with the Committee for a while and part of it was the distinction between what needs to be done on arterials, and the whole range of issues that come up again and again for the Committee with crosswalks. Councilmember Wengert mentioned inconsistent crosswalk signage. Councilmember Hughes said this all originated with the issue that had been happening in the Corte Madera neighborhood where a certain number of people were driving dangerously, so the Council asked the BP&TS Committee to look at traffic calming and consider residential solutions. No particular focus on the issue of traffic calming in terms of arterials was discussed.

Councilmember Hughes said that in the process of trying to develop a comprehensive policy, the BP&TS Committee started encountering issues about signage and determined other Committees that would need to be involved. So understanding where the responsibilities lie and how to coordinate management time between Mr. Pegueros' and Mr. Young's time are needed to put together this policy. He thinks the Committee was unclear and was seeking guidance on how much authority were they being given to actually make use of staff time, how much should they do on their own before going and seeking input from members of other Committees, whether they should come back to the Council if they have an issue and then we tell them, "Okay, now go to the Committee," and how that process should work.

Councilmember Wengert said this traffic-calming policy development process discussion sounds exactly like the half-pipe discussion. Councilmember Hughes said it has taken more time because it has turned into a larger issue than slowing down a few cars speeding on their way from one school to the other in the morning. Part of what they're asking for is Council feedback. He said the Council can take those two issues separately and discuss them separately: 1) Look at this policy and 2) Discuss inter-Committee interaction and Committee interaction with staff and what are people's responsibilities and how that should all work as sort of a second and separate thing.

Mayor Aalfs suggested they start with the policy and then move on to the process question.

Councilmember Hughes said the Corte Madera school's change in terms of where kids are dropped off dramatically relieved the situation that we originally were looking into. He said he's heard of no problems since then, but the fundamental question may not concern whether any problems remain. As Councilmember Hughes said, similar problems may surface again or elsewhere, and given all the work the BP&TS Committee put into this process, it could result in something that might be useful the next time we face a situation like this.

Specifically, with regard to the policy as it's coming into shape, Councilmember Hughes said it may not be quite right for the needs of Portola Valley. To even meet the threshold for qualifying to be considered for any kind of traffic calming, Councilmember Hughes pointed out that we'd need to measure some large number of vehicles per day traveling at 32 miles an hour on a road where we may have posted a speed limit of 25. Although we are not legally allowed to post a limit any lower than 25 mph, 32 mph would be dangerously unsafe on that road. If a qualifying criteria is that the 85th percentile of the cars drive at dangerously unsafe speeds (i.e., exceeding 32 mph), they're never going to hit the threshold. As Councilmember Hughes put it, we need to set a balance between having a lot of people saying, "Hey, I want traffic calming" and also doing something about it.

Councilmember Richards said the thing that got his attention with the BP&TS Committee matrix is that all four thresholds have to be exceeded before anything is done, and he felt that one accident was enough to justify an examination. Councilmember Hughes, noting that the Corte Madera neighborhood problem, -- which the Council agreed was a problem -- wouldn't meet the policy's four threshold criteria, added that in addition to these thresholds, two-thirds of the neighbors also would have to be in favor, because some

people do not want speed bumps or stop signs in front of their homes. Mayor Aalfs pointed out that few if any Portola Valley roads would qualify for traffic-calming devices under these thresholds.

Mr. Pegueros said San Mateo County performed measurable scientific analysis of speeds and volumes to developed thresholds for this type of policy on roads in Ladera, Los Trancos and other unincorporated areas. Portola Valley could do the same, but he said we'd have to be very careful about potentially setting up what constitutes a dangerous or a hazardous situation. He asked what we'd surrender if we were to increase a speed limit if there was a suggestion or perception that the current speed limit was unsafe. Mr. Pegueros also pointed out that in terms of liability insurance through the Joint Powers Authority, we've been cautioned about adopting policies or making statements that could undermine liability immunities. Also indicating that Mr. Young might raise a few points of challenge, he added that if the Council wants to consider lowering speed limits the decision should be based on a scientific analysis and with a complete understanding of the implications.

Councilmember Wengert said it was a tough issue the Council gave the BP&TS Committee to handle, and she's reluctant to leave the Committee hanging. She doesn't think what the Council originally envisioned would have led to this level of complexity, but in the meantime, the original problem has already corrected itself and it is not a systemic problem. She thinks that for the non-arterial roads, these are relatively good thresholds, given they are adopted by the County already. Councilmember Wengert said she would be uncomfortable with changing speed limits to address one situation, because we wouldn't have the basis for doing it.

Referring back to the history of the traffic-calming policy development project, Mayor Aalfs said that even places exposed to that higher level of risk don't meet the criteria for us to step in. Councilmember Wengert added that she thinks the County is correct and that Ladera and Los Trancos are very comparable to this area and most other areas in town. Councilmember Wengert said her understanding is that ultimately the problem was a small number of people. Councilmember Hughes agreed, questioning whether having a policy in place would make it even more difficult to deal with. Neither Councilmember Wengert nor Vice Mayor Derwin thought so.

Councilmember Wengert said she favors adopting this policy because it allows for additional steps and it's not going to limit what we can ultimately do or what BP&TS can recommend that we do. Mr. Pegueros said there was no rush to adopt a policy, so if the Council wants to offer comments on the areas of concern, the policy could be revised and brought back to the Council.

Councilmember Richards said the policy as it is written doesn't really do anything, so he doesn't see why we would change it short of doing a study. If insurer requirements and County regulations are driving our actions and reactions, he said this policy is not much more than window dressing.

Ms. Prince said she thinks this policy needs to be refined with more details because it would be difficult to implement it as it is currently drafted. Councilmember Richards said he would be more inclined to vote for it if it was refined to the point where it wouldn't automatically eliminate half the roads in Town, which it currently did. Vice Mayor Derwin agreed.

Councilmember Richards said he thought the intent was to have a policy where somebody with a problem would be able to bring it to the Town and there would be a procedure to follow; however, this is a procedure that immediately eliminates so many. Councilmember Hughes said his reluctance to vote for it is that people might be turned away at the Town staff level if their issue didn't meet the thresholds, and the Council wouldn't even be aware of a concern.

Mr. Pegueros said he has a sense that the BP&TS Committee needs guidance from the Council on how to interact with the residents when they come and raise their concerns. What is it that they can do? What's within their scope? What guidance do they give the residents? He said that while staff was not particularly wed to the proposed BP&TS Committee policy, they want to be responsive and help move the discussion forward so that they can understand where the Council would like for them to go.

Vice Mayor Derwin asked whether the matter should go back to staff. Mayor Aalfs said the process is the second question. He said that part of the frustration is that we have an idea of what to do and staff comes back and tells us what we have from a legal and a design standpoint. The question then becomes is that happening satisfactorily, timely enough for the Committee? Is doing more of that same thing helpful or are we repeating the same thing over and over without getting anywhere?

Councilmember Wengert said she thinks it's very similar to the skate ramp issue in that staff oversight is required because they know the big picture regarding which committees would be involved and what staff time is involved. She said that because this issue has become more complicated and multidisciplinary, it will require more of Mr. Young's input. She said that to the extent that the Council gives guidance in this situation depends on where it falls in our priorities, and when we can free up time for Mr. Young or a consultant to ultimately tackle some of these issues. She added that there was also the issue of other affected Committees or groups that may need to weigh in. Councilmember Wengert stated she wants to make sure we're communicating realistically to the Committees as to what Committees and groups can expect to have available resources-wise.

Vice Mayor Derwin returned the discussion to the specific questions from the Committee, with the first being: When scoping a problem that may cross Committee and Commission lines, what can they take the lead on? What do they have to coordinate with other Committees on?

Councilmember Hughes said that no way can everybody know everything that's going on in Town and with all the Committees or their particular interests, but if an item comes up again and again they can let a Commissioner or Councilmember know. Not everything needs to go through the formal process that might be cumbersome and meanwhile six months has gone by, he said. Councilmember Richards said the liaisons could also serve that purpose.

Councilmember Hughes said a Committee representative might talk to a Councilmember or two and if they still feel the Committee should move ahead, they could refer something to the Council. Councilmember Wengert commented that there are advocates in all our Committees and even non-Committees and it is becoming more and more difficult for the Council to prioritize everything, primarily due to staff time constraints. Mr. Pegueros said the issue is resources – volunteers, staff and money – all part of the budgeting process. Historically they have relied more on volunteer effort than recently and he like to see that to a greater extent even though it sometimes tends to place an even greater burden on the staff at some point in the process. Councilmember Wengert agreed that was the way to get bandwidth.

With staff repeatedly and increasingly derailed by more complex projects, Councilmember Wengert suggested a semi-annual time and budgeting report as to the status of the staff's workload would be helpful in establishing and refocusing on priorities. Another important prioritization tool she mentioned is having each Committees specify at the beginning of the year to what they wanted to work on.

When Mr. Pegueros pointed out that issues often arise ad-hoc, Mayor Aalfs said unexpected issues should first go to the liaison, but if there's any doubt at that level, they probably should come back to the Council before the Committee invests much time in it.

Ms. Murphy suggested that inter-committees interchanges be major role of the Council, and it would be prudent for the Council liaison to step in before a Committee idea goes too far. It also could facilitate more cooperation in scheduling among Committees.

Vice Mayor Derwin said she thought all the BP&TS Committee's questions had been answered during this discussion, which she would summarize and email it to Mr. Holland.

Mr. Pegueros said he and Ms. Prince would like to work on the policy language a bit more. Councilmember Wengert agreed that Ms. Prince's input would be useful. Assuming that the San Mateo County thresholds probably can't be changed easily because they emerged through a painstaking process, Mayor Aalfs said we certainly can clarify the standards and make sure we understand them and the language surrounding them, including what happens if you don't meet the threshold.

Staff was directed to work with the Committee to refine the proposed policy and bring it back to the Council at a near future meeting.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(15) Reports from Commission and Committee Liaisons [10:18 p.m.]

Councilmember Richards

(a) Conservation Committee

At the meeting on November 24, 2014, the Committee discussed:

- Redesigning the entry to the schoolhouse to eliminate the trampled plants and people twisting ankles on the curb
- Potentially revising the fence ordinance to take wildlife circulation into account
- Encouraging Mr. Young to attend Committee meetings once or twice a year
- Streamlining the review process
- Evaluating the effectiveness of the website and the Conservation Committee's presence on the website
- Encouraging more attendance at the upcoming broom pull (scheduled for the first Sunday in March 2015)
- Setting up a speaker event

(b) Cultural Arts Committee

Councilmember Richards reported missing the December 11, 2014 meeting because rather than being rescheduled, as he had thought, it began an hour early.

Councilmember Hughes

(c) ASCC

Councilmember Hughes sat in on the November 24, 2014, meeting in place of Councilmember Richards. The ASCC reviewed a new large home at the end of Antonio Court, featuring an impressive PowerPoint presentation put on by Planning Director Debbie Pedro. There were minor issues but the project was approved and is moving ahead.

A carport enclosure in at Portola Valley Ranch was approved.

There was a quick discussion of the Portola Road Corridor that will be coming to the Council, possibly in January or February 2015.

There was discussion of some code enforcement issues, with the staff getting reports of violations.

(d) Cable and Utilities Undergrounding Committee

Meeting on November 13, 2014, the Cable and Utilities Undergrounding Committee discussed the undergrounding project. It was originally estimated to cost \$400,000 for 785 feet of trench. The new estimate – nearly doubling from the original – came in at \$700,000 plus or minus 20% for 1,200 feet of trench. There is only \$500,000 in the account to spend for that, which includes five years of future borrowing.

The bottom line is the Town can't afford it unless there are changes. Public Works Director Howard Young put together a meeting today with PG&E. He explained the history and that the project has been worked on for four or five years now and things looked to be going smoothly until this massive jump in cost. Mr. Young wanted to know what triggered the large increase.

Bob Bundy, a PG&E retiree serving on the Cable and Utilities Undergrounding Committee, reviewed the design and is of the opinion that while the design is great, it is a "Cadillac" proposal that includes fancy equipment we don't necessarily need. In Mr. Bundy's opinion, PG&E is trying to charge the Town for upgrading and modernizing the utility's infrastructure, some of which is out of compliance with current guidelines and they'd have to be upgrading anyway. The PG&E representatives said they once used a \$350 per linear foot cost estimate for a project, and now they use \$500. Our project is costing \$900 per linear foot.

Councilmember Hughes thought we might well be able to get another \$200,000 out by cutting the project back, not paying for PG&E's fancy equipment, putting a couple of transformers above ground, and employing a couple more of Mr. Bundy's suggestions. Councilmember Hughes said that Mr. Bundy's expertise and knowledge is extremely valuable in the negotiations with PG&E, as he is able to point out specific items that are unnecessary, extravagant, or should be PG&E's responsibility.

Another meeting is planned, which will involve all who met today, along with the PG&E engineer and cost estimator, to iron out details. It is hoped to get the cost down to the available funds (\$500,000).

It was noted that all costs must be paid from Rule 20A funds. It turns out there is actually an after-market for the purchase of other cities' unused Rule 20A funds. However, if our project is cancelled, PG&E will still charge against our Rule 20A funds for the engineering work that's been done so far.

Vice Mayor Derwin

(e) Ad Hoc Water Conservation Task Force

Vice Mayor Derwin attended meetings on November 18, 2014 and December 2, 2014. At the December 2 meeting, all members who were present wanted to continue to serve in 2015.

(f) Planning Commission

When Vice Mayor Derwin arrived at the Planning Commission's November 19, 2014 meeting, Marilyn Walters approached her and told her she had lost her car keys but had a spare set at home. Vice Mayor Derwin drove Ms. Walters home, retrieved her spare set of keys, returned to the meeting, and the very brief meeting – on the Housing Element – was already over.

The December 3, 2014 meeting included a discussion regarding the approval of lot-line adjustments for the Sausal Creek project. There were questions about zoning conformance and compliance with provisions of a previously issued PUD. In response,

Ms. Prince said that anything that gets developed on the property will still go through the applicable process for whatever is being proposed.

The Portola Road Corridor was going back to the Planning Commission next week but, according to Mr. Pegueros, the issue will likely be bumped due to the receipt of a letter from the Whites that raised a number of issues.

Vice Mayor Derwin asked whether there are two neighbors who may still appeal the decision on the development proposed for 40 Antonio Court. Apparently the deadline for appeals has passed.

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

Vice Mayor Derwin attended the December 3, 2014 HEART Board meeting. She said there was a long discussion regarding the Oceanview Senior Affordable Housing Project in Pacifica. The National Church Residences (NCR) is exiting the project and someone else is coming in to work with them. It was decided to go forward with the project.

Another consultant, Consulting Within Reach, has been selected to work with HEART advising on fundraising.

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

Vice Mayor Derwin attended the last City/County Association of Governments (C/CAG) where the San Mateo County Energy Watch gave its yearly report. They are meeting all their targets. Agreements were executed between C/CAG and PG&E for \$603,000 for Energy Watch.

(i) Portola Valley Ranch Main Line Repair/Replacement

Vice Mayor Derwin and Councilmember Wengert attended an invited outing with PG&E to view the work being done on the replacement of the main line on Valley Oak.

(j) City/County Association of Governments (C/CAG) Compensation Committee Meeting

Vice Mayor Derwin attended a meeting regarding the executive director compensation.

(k) Council of Cities

Vice Mayor Derwin attended the Council of Cities dinner and thought it was lovely and that the staff did a fantastic job.

Councilmember Wengert

(l) SFO Airport/Community Roundtable

Councilmember Wengert attended an Airport Roundtable where Brian Perkins from Congresswoman Jackie Speier's office reported that the FAA's response to the letter sent to the congressional committee was a rejection.

The most the FAA would agree to was to conduct a survey by 2016. She said it appeared that all of the efforts made to date, at multiple levels, have been met with a stone wall.

She added there has been an almost 5% increase last year in traffic at SFO and an equal if not greater increase is projected, resulting in more vector traffic everywhere. She said that Atherton reported getting more complaints lately. The Regional Airport Planning

Committee (RAPC), which had been defunct for two years, has been revived. Councilmember Wengert will be on the subcommittee, possibly as Chair.

(m) Parks and Recreation Committee

Councilmember Wengert attended a meeting where the location of a pump track for mountain bikes was discussed. Councilmember Wengert advised consulting the General Plan, reviewing the definition of the Scenic Corridor for Alpine and Portola Road, talking to the BP&TS Committee and not getting ahead of themselves in the process, although creating something for kids is a good thing and encouraged.

Lorrie Duval spoke regarding the need of a second Automated External Defibrillator (AED) at Town Center and where it should be placed.

Mayor Aalfs

No reports.

WRITTEN COMMUNICATIONS [10:53 p.m.]

(16) Town Council Digest – November 14, 2014 – None

(17) Town Council Digest – November 21, 2014 – None

(18) Town Council Digest – November 26, 2014

(a) #6 – City Selection Committee information and a listing of all seats that will be on the December 19, 2014 City Selection Committee meeting agenda.

Vice Mayor Derwin said she and Councilmember Wengert would attend the Council of Cities dinner next Friday night and there were a number of coveted seats open.

- The first contested seat is the Bay Area Air Quality Management District (BAAQMD) seat. David Canepa from Daly City, Kirsten Keith from Menlo Park, and Liza Normandy from South San Francisco are running. Vice Mayor Derwin recommends supporting Mr. Canepa.
- The San Mateo County Transit District (SamTrans) is the second contested seat. Wayne Lee of Millbrae and Charles Stone of Belmont are running. While noting that both candidates are capable, Vice Mayor Derwin recommends supporting Mr. Lee.
- The third contested seat is the San Mateo County Transportation Authority (SMCTA) for Central Cities. Terry Nagel from Burlingame is running for reelection and David Lim from San Mateo is also running. Vice Mayor Derwin recommends supporting Ms. Nagel.

Vice Mayor Derwin strongly encouraged other Councilmembers to attend Council of Cities dinners and stressed the importance of cultivating relationships with people on other Councils.

(19) Town Council Digest – December 5, 2014

(a) #7 – Monthly Meeting Schedule – December 2014

Councilmember Richards said EPC and Cultural Arts Meetings for December 11, 2014 have been cancelled due to weather.

- (b) #14 – Memo from Town Manager, Nick Pegueros re: Weekly Update – Friday, December 5, 2014

Re Item 2. Grant Opportunity for Creek Daylighting Project, Vice Mayor Derwin said she and Ms. Von Feldt met with Mr. Pegueros because Ms. Von Feldt has an opportunity to apply through Acterra for a Department of Water Resources Urban Streams Restoration Program grant that will help with the creek daylighting project at Town Center. This is due on January 7, 2015.

Ms. Von Feldt gave some background information. She said for the grant guidelines, this project is a good fit. She said that although it may be a long shot, she would like to pursue it and it would be a good way to set our intentions, figure out what it is we're looking at, get some options, and then try to go out and fundraise. She would like the Council's input regarding applying for this grant. Ms. Von Feldt said they would do all the writing of it and use very minimal staff involvement. Acterra would provide the staff resources to complete the application. She says the application would require submission with a resolution from the Council.

Not only is this a restoration opportunity, Ms. Von Feldt said, but we could actually start addressing some of the bigger problems that flooded out the maintenance yard a few years ago.

Councilmember Wengert expressed some reluctance because the project is outside the normal process in that the decision is made to do something and then we figure out how to fund it. Not only have we not made a decision, we haven't even made the decision to look at it. It also troubled Councilmember Wengert that it would be money driving the decision. "I am very sensitive to suddenly it appears on an agenda and somebody says, 'Where did this come from and when did you guys start talking about even doing it?'" Councilmember Wengert said. "Looking at is a resident who doesn't have any knowledge of any of this and all of a sudden this appears out of nowhere with no discussions having occurred prior to this time."

Noting that inasmuch as this opportunity is coming on the heels of the internationally acclaimed documentary film *Dam Nation*, Vice Mayor Derwin said, "I feel like this is a moment" – and there could be Stanford mitigation money coming at some point as well. She explained that it's an opportunity that just came up – kind of a cart before the horse, but if the Council does not agree to applying for the grant, the idea of daylighting the rest of the creek will go nowhere.

Councilmember Hughes indicated that on a point of order we're not acting in any way here tonight. In contrast, as he understands it, Mr. Pegueros said, if the Council agrees to make the resolution, contingent on the basis that Acterra will be doing all of the legwork on the application, the application would be submitted. In respect to the timeline, Ms. Von Feldt said the application with resolution must come from the Town; Acterra cannot apply and then have the Town come in later.

In regard to daylighting the creek, Councilmember Richards reminded fellow Councilmembers that we have a model of exactly what we're talking about. We've not only done it before, it's just an extension of what we've already done.

There was some debate about what actually might count as or be perceived as an action on the part of the Council.

Mr. Pegueros said process-wise, the information came via the Digest was because it was late for a staff report and agenda and this was the approach he saw as giving the Council the opportunity to at least gauge where staff should go with it. But process-wise, the resolution is not due until the project is awarded, so the Council can have the discussion about whether to adopt a resolution.

Mayor Aalfs said while he's certainly not opposed to the idea of daylighting the creek and there's very short notice here, he would consider a discussion on this matter on January 14, 2015. He also said he shares Councilmember Wengert's concern in that "it's almost a process question for me." He suggested that maybe the way to do this is to put it back to Ms. Von Feldt, make it clear that we'd have to get public support, and if she and Acterra want to take on writing the grant application, they could bring it back to the Council for that conversation. The process is awkward, Mayor Aalfs acknowledged, but he sees an opportunistic element that might be worth taking advantage of.

Councilmember Wengert said she'd want to make sure that we have somehow documented that in doing this we're not in any way approving this. We haven't even done the first step of understanding whether the community wants to do it.

The Council agreed to discuss the item at a later meeting.

ADJOURNMENT: [11:35 p.m.]

Mayor

Town Clerk