



# TOWN OF PORTOLA VALLEY

**6:00 PM** – Special Meeting of the Town Council  
 Wednesday, July 22, 2015

**Redwood Grove adjacent to the Historic Schoolhouse**  
 765 Portola Road, Portola Valley, CA 94028

***Councilmember Ann Wengert will be participating in the Council meeting by teleconference***

***Teleconference Location:***

***Seeley's Bay / 121 Bass Lane RR#3 / Ontario Canada KOH2NO***

## SPECIAL MEETING AGENDA

### **CALL TO ORDER AND ROLL CALL – 6:00 PM**

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

### **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 June 10, 2015 (3)
2. **Approval of Minutes** – Regular Town Council Meeting of June 24, 2015 (11)
3. **Ratification of Warrant List** – July 8, 2015 (18)
4. **Approval of Warrant List** – July 22, 2015 (29)
5. **Recommendation by Mayor** – Letter from Mayor to Sue Chaput (40)
6. **Recommendation by Public Works Director** – Notice of Completion for the 2014/2015 Annual Street Resurfacing Project – Surface Seals No. 2014-PW02 (41)
  - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley to Accept the Completed Town of Portola Valley 2014/2015 Street Resurfacing Project – Surface Seals #2014-PW02 and Authorizing Final Payment to Graham Contractors, Inc. Concerning Such Work, and Directing the Town Clerk to File a Notice of Completion (Resolution No. \_\_)

### **REGULAR AGENDA**

7. **PRESENTATIONS** – None (46)

### **COMMITTEE REPORTS & REQUESTS** – None to Report (47)

8. **Update on Drought Emergency** - *There are no written materials for this agenda item*

### **STAFF REPORTS AND RECOMMENDATIONS**

9. **Recommendation by Planning Director/Town Planner** – Proposal to Utilize Private Open Space Easement (POSE) for Construction Staging and Access, 3 Buck Meadow Drive, Ross/Tamasi Residence (48)
10. **Council Liaison Committee and Regional Agencies Reports** - Town Council members provide a brief announcement or report on items of significance for the entire Town Council arising out of their liaison appointments to both in-town and regional committees and initiatives. *There are no written materials and the Town Council does not take action under this agenda item.* (199)

**WRITTEN COMMUNICATIONS**

11. **Town Council Digest** – June 26, 2015 (200)
12. **Town Council Digest** – July 2, 2015 (226)
13. **Town Council Digest** – July 10, 2015 (337)
14. **Town Council Digest** – July 17, 2015 (350)

**ADJOURN TO CLOSED SESSION**

15. **Public Employee Performance Evaluation**  
Government Code Section 54957  
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. 912, JUNE 10, 2015

**I CALL TO ORDER AND ROLL CALL**

Mayor Aalfs 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, John Richards, Ann Wengert; Vice Mayor Maryann Moise Derwin, Mayor Jeff Aalfs

Absent: None

Others: Nick Pegueros, Town Manager  
Leigh Prince, Town Attorney  
Sharon Hanlon, Town Clerk  
Debbie Pedro, Town Planner  
Stacie Nerdahl, Administrative Services Manager

**II ORAL COMMUNICATIONS – None**

**III CONSENT AGENDA [7:30 p.m.]**

- (1) Approval of Minutes: Town Council Regular Meeting of May 27, 2015.
- (2) Approval of Warrant List: June 10, 2015, in the amount of \$1,245,311.26.

Councilmember Richards moved to approve Items 1 and 2 of the Consent Agenda. Seconded by Vice Mayor Derwin; motion passed 5-0.

**IV REGULAR AGENDA [7:31 p.m.]**

- (A) Presentations - None
- (B) Committee Reports and Requests [7:31 p.m.]

- (1) *Conservation Committee* – Proposal regarding Garden Area in front of the Historic Schoolhouse.

Judith Murphy, Conservation Committee Chair, and Bob Waterman, Landscape Architect, presented the proposed hardscape and landscape for the front area of the Historic Schoolhouse.

In response to Council questions, Mr. Waterman said the colored concrete with deep impressions mimics the Town Center concrete treatment. He said the most compelling reason to remove the two steps at the entrance was safety.

Mayor Aalfs called for public comment. There were none.

Mr. Pegueros said Mr. Young will obtain estimates for completing the work and present a proposal to the Council at a future meeting. The Council was in agreement.

- (2) *Update on Retaining a Consultant to Assist with Aircraft Noise Impact Analyses*

Mr. Pegueros presented an update regarding the results of the study regarding the hiring of an aviation consultant to effectively advocate for a decrease in aircraft noise and the scope of work required. In order to move forward with the study, staff requested guidance from the Council

regarding: 1) Scope of study (identify the problem to be solved); 2) Budgetary authority; and 3) Expectations.

Mr. Pegueros said, with regard to the scope of the study, the Town is trying to get answers from the airport and federal agencies regarding the reason for the increase in aircraft noise in Portola Valley and work on solutions to decrease noise impacts. Mr. Pegueros reached out to industry experts and was advised the strategy would be to first define the problem using data available from the airport and then work collaboratively with the FAA and ATC toward a positive change. He said the consultant's task would be to obtain historical over-flight data, analyze and summarize the data, map the change in landing pads over time, and, finally, identify the options most likely to result in the reduction in aircraft noise. Mr. Pegueros said once the reason for the increased aircraft noise is determined, that will have significant bearing on the proposed solutions. He said that in order to effect any change at the airport, input and buy-in from the FAA and ATC is necessary.

Mr. Pegueros said staff recommends a budget of \$7,500 for the identified scope, and may be higher if the Council wants the consultant to more fully develop one or more solutions.

Mr. Pegueros said, with regard to expectations, the recommendation at this time is to understand the scope of the problem and develop options to address the problem. He said staff would provide the Council with monthly updates on the progress toward the completed report. He noted, however, that San Francisco's compliance with the data requests could impact the schedule.

Mr. Pegueros said that when the report is final, staff will return to the Council to seek further guidance on how to proceed.

Mr. Pegueros said a couple of technical decisions need to be made which the Council could defer to the aviation expert. He said the consultants he spoke with recommended studying data for the past five years; however, based on a previous analysis, the noise problem has been increasing for 10 years.

Mr. Pegueros said Williams Aviation recommended measuring over-flight data at three locations (data points). Mr. Pegueros said it also needs to be decided if this study will focus solely on Portola Valley or will reach across the Southern Peninsula. Mr. Pegueros suggested that by including data points outside of Portola Valley, the regional impact of the noise issue would be clearer and could make Portola Valley's position strong when it goes to Congresswoman Eshoo's office, the FAA, or the ATC.

With respect to next steps, Mr. Pegueros said once the Council receives the final report, a decision will need to be made whether to devote additional Town resources (staff time and funds) to hire an aviation expert to work with a number of different stakeholders – regional coalitions, Congress and Senate representatives, FAA, and ATC.

Mayor Aalfs asked if collaborating with other towns or groups had been explored. Mr. Pegueros said he has not explored that option and suggested it may be more difficult to move things forward if more groups are involved. He would support keeping the stakeholders aware of what the Town's doing while moving forward with our own analysis. Councilmember Wengert said there is a lot of interest in a collaborative cohesive regional perspective.

Councilmember Richards asked if, as this process moves forward, there is flexibility for evolving it into a more regional cooperative study. Mr. Pegueros said Palo Alto is on a path to do studies and analyses and the Town would welcome the opportunity for synergy. He said, however, the opportunity to create a report specific to the interests and requests of the Portola Valley Town Council is important. He said the reports from Portola Valley and Palo Alto, viewed collectively, will be quite powerful.

Councilmember Wengert said that at the Roundtable meetings the issue is becoming much more regional and anticipates coalitions being formed, with the regional approach becoming more robust as time goes on.

Vic Schachter said a brief has been filed in Federal Court and he expects a response by the FAA in August. He hopes that by early 2016 there will be a hearing and a determination. He said the FAA continues to refuse to meet and discuss practical solutions to the problem and the Town's Congressional representatives, however well-intentioned, have also not made any progress. Mr. Schachter emphasized the need to set a time deadline with SFO. He said that Subsection D – "Identify options that are most likely to result in the reduction in aircraft noise" – should be a priority and cautioned against focusing too heavily on and becoming inundated with data to prove what is already clear, that the aircraft noise is unacceptable and affecting the quality of life of the residents of Portola Valley. With regard to coalitions, he said the City of Phoenix has filed a lawsuit against the FAA with the exact complaints as Portola Valley, Chicago, and Queens – the completely inaccessible and unresponsive FAA making changes without meeting or consulting with communities. He said the goal is not to inappropriately shift air traffic from our community to others, but to assure a fair allocation of the burden of these increasing flights, rather than merely be subjected to the FAA's arbitrary and disproportionate imposition of additional flights and resulting noise on a few communities, without proper environmental studies and analyses. Mr. Schachter wanted to emphasize not losing sight of quickly finding a practical solution.

Mayor Aalfs asked Mr. Schachter if there was an example of any instance in which the FAA has actually changed something in response to complaints. Tina Nguyen cited the Ranchos Palos Verdes and Del Mar communities.

Ms. Nguyen said that in 2012 she researched SFO minutes looking for data to support the perception of increased aircraft noise. After additional investigation, she learned SFO has all the data from 2008 to 2012.

Ms. Nguyen received a letter from Congresswoman Eshoo on September 26, 2013, and she believes Congresswoman Eshoo wants Portola Valley to propose practical solutions that she can evaluate. Ms. Nguyen said she is still working with the National Coalition of Residents.

With no further questions, Mayor Aalfs brought the topic back to the Council for comments.

Councilmember Wengert said the relationships within the Roundtable will be helpful to the extent she can speak directly with the airport to emphasize the need for cooperation relative to analyzing the data. She said she thinks the TRACON and FAA representatives will also be willing to work with the Town's consultant to potentially come up with practical solutions.

Vice Mayor Derwin asked if the Roundtable had discussed the lawsuit against the FAA. Councilmember Wengert said that they all are aware of the escalating anger in a number of locations and Portola Valley has been the loudest for the longest time, with larger communities now jumping in. Councilmember Wengert said the most effective strategies will be to work with the local people relative to the solutions and our Congressional representatives on a national level for the ultimate changes. She believes that, as they did in Palo Verdes, they can come up with some short-term solutions that are equitable to this area.

Councilmember Hughes said the air traffic report clearly showed a dramatic change from 2005 to 2010. If the change is found to be less dramatic from 2010 to present, he wondered if it would be better to study the data for the full 10 years. Councilmember Wengert said that while ideally more data is better, she is mindful of the modest budget, but she would defer that decision to the consultants. Councilmember Richards suggested that if it did not delay the process and was not too burdensome, he would prefer studying data for longer than five years. Councilmember Hughes said he would defer to the consultant to collect and analyze the data, with the main focus on possible solutions.

Vice Mayor Derwin asked what the difference was between what staff was requesting and what Mr. Schachter and Ms. Nguyen were proposing. Mr. Schachter said there is no difference, he just doesn't want to see the Town get caught up in revisiting data collection unnecessarily, particularly if it's not forthcoming from SFO, and wants to stress that the emphasis should be on finding solutions and making sure there's enough budgeted money to get to the point of solutions.

Ms. Nguyen pointed out that the major recession will impact the air traffic data. Mr. Schachter said there are current plans for more routes and large increases of air traffic coming in.

Mr. Pegueros asked Council how specific the consultant should be with recommendations. For example, he said the consultant could find that the vectoring appears to be disproportionately affecting Portola Valley and recommend the Town work with the ATC and FAA to find a solution, and they could specifically develop a plan on how the ATC and FAA can achieve that solution.

Councilmember Wengert said that the ATC and FAA locally participate at the Roundtable and, despite the dissatisfaction; there is the opportunity to present a case to them as the data emerges. Mr. Schachter strongly disagreed that the FAA would in any way be responsive or look for solutions as there has never been any good faith participation by the FAA. He believes that the consultants can find a solution and the Town must be prepared to forcefully present those solutions.

Ms. Nguyen said at the last FAA meeting they at least acknowledged there was a problem after looking at the data. She said it would have been very valuable at that meeting to have had our own expert aviation consultant who could have offered possible solutions. Additionally, the expert consultant would have been able to respond more effectively and knowledgeably to the FAA's generic responses.

Councilmember Wengert said it was putting a disproportionate burden on a consultant to come up with specific solution sets. She anticipated the solutions would be more generic and she did not want to set an expectation that the consultant would be able to provide a perfect solution. She supports the effort and agrees now is the time to use the resources we have as efficiently as possible to try to get the best set of solutions available.

Councilmember Hughes agreed that the Town should ask the consultant if it is possible to come up with a solution. He believes the more concrete a presentation that can be made to the FAA, the more likely they will not just ignore it again.

Vice Mayor Derwin said Jackie Speers and Anna Eshoo will want to see specific solutions. She said if the Town can get that information, another meeting could be held to try again with the FAA.

Mayor Aalfs suggested data gathering of 5 to 10 years, whatever is reasonably obtainable. He supported focusing on Portola Valley and exploring the possibility of combining with Palo Alto by piggybacking onto their bigger project, and then being a data point within their solution. He supported the consultant preparing and presenting a solution and asking the FAA to consider it and clearly explain why it is or isn't feasible.

Councilmember Wengert suggested the consultant provide an opinion on what would present the most cogent picture. She said that three data points within Portola Valley will show pretty much the same thing.

Council directed the Town Manager to define the scope of work with the consultant, execute an agreement within the Town Manager's spending authority, and provide Council with an update at the July 22, 2015, Council meeting.

(3) *Update on Drought Emergency*

Brandi de Garmeaux provided an update regarding the drought emergency, including the community outreach efforts and the following items:

- The Water Conservation Committee is working on the survey, which will be called a Water Use Profile, and is expected to have a first version from High Energy Analytics to test on Monday, June 15, and scheduled for release on July 1.
- Staff met with the San Mateo County Health Department on their greywater guidelines and will be working the Health Department to refine the permitting process.
- Cal Water's Final Schedule 14.1 (Water Shortage Contingency Plan), approved by the CPUC on June 1, did not include anything at all regarding pools.
- Town staff is preparing an appeal to Cal Water for Ford Field due to the construction that occurred in 2013. In addition, staff is preparing an appeal for the Town Center's domestic water account because there are no additional opportunities for reduction as a result of the extensive low-water saving devices already installed in the new Town Center and the usage depends upon events held there.
- In response to the Water Board's request, Cal Water will be providing timely feedback from Cal Water showing water reduction statistics. Ms. de Garmeaux presented the statistics for the Town water usage.

In response to Councilmembers' questions, Ms. de Garmeaux said she thought it took Cal Water about 30 days to respond to appeals. She said the water budgets will be on residents' bills and in July they will also include water usage reports. Ms. de Garmeaux confirmed that water rates would rise 21% in July.

(4) *Council Liaison Reports*

- Councilmember Wengert – Attended June 9 Trails & Paths Committee meeting.
- Councilmember Richards – None.
- Councilmember Hughes – Attended Parks & Recreation Committee meeting on June 1, attended Open Space Acquisition Advisory Committee meeting on June 2; and attended Bicycle, Pedestrian & Traffic Safety Committee on June 3.
- Vice Mayor Derwin – Attended Water Conservation Committee meeting on June 3 and attended the Planning Commission meeting on June 3.
- Mayor Aalfs – Attended the ASCC meeting on June 8.

(C) Public Hearings: [9:26 p.m.]

(1) *Recommendations by Town Attorney* – Introduction of an Ordinance Amending Title 2 of the Portola Valley Municipal Code.

(a) First Reading of Title, Waive Further Reading, and Introduce an Ordinance Amending Title 2 [Administration and Personnel] of the Portola Valley Municipal Code (Ord. \_\_\_\_\_)

Leigh Prince presented. She said that after receiving input from all parties, it was decided that Town Council, Planning Commission and ASCC meetings would start at 7:00 p.m. It was also decided not to include the potential for Council compensation. The next steps would include

removing the designated positions and disclosures categories so that when positions in Town Staff change, they can more easily update it by a resolution instead of in the ordinance. Since that will be removed from the ordinance, a resolution will be brought back to the Council regarding those two categories. She said the informal bidding procedures require the adoption of an ordinance and a resolution, so staff will bring back a resolution to the Council regarding this in the future.

There were no public comments.

Councilmember Hughes moved to approve the First Reading of Title, Waive Further Reading, and Introduce an Ordinance Amending Title 2 [Administration and Personnel] of the Portola Valley Municipal Code. Seconded by Councilmember Wengert; the motion carried 5-0.

The Second Reading is scheduled for the June 24, 2015 Council meeting.

(2) *Recommendation by Town Planner* – Introduction of an Ordinance Amending Section 18.64.010 of Title 18 [Zoning] – Referral of Projects for Architectural and Site Plan Review of the Portola Valley Municipal Code (Ord. \_\_\_\_)

(a) First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town of Portola Valley Amending Section 18.64.010 [Applicability-Purpose] of the Portola Valley Municipal Code (Ord. \_\_\_\_)

Debbie presented the proposed ordinance and provided the history.

Councilmember Wengert moved to approve the First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town of Portola Valley Amending Section 18.64.010 [Applicability-Purpose] of the Portola Valley Municipal Code. Seconded by Councilmember Hughes; the motion carried 5-0.

The Second Reading is scheduled for the June 24, 2015 Council meeting.

(D) Staff Reports and Recommendations [9:37 p.m.]

(1) *Report from Town Planner* – Annual Housing Element Progress Report for 2014

Debbie Pedro presented the draft annual housing element progress report, as required by State law.

Councilmember Hughes moved to authorize submission of the Annual Housing Element Progress Report for 2014 to the State. Seconded by Councilmember Richards; the motion carried 5-0.

(2) *Presentation by Town Manager* – 2015/2016 Proposed Budget Workshop

Stacie Nerdahl presented the proposed 2015/2016 budget.

Councilmember Wengert noted that this year the Town is dipping into the General Fund to pay for various expenditures, primarily due to the road impact. She asked if this type of deficit funding was expected to continue in the future and how that would be managed. Mr. Pegueros said the capital improvement budget for the next fiscal year is just under \$600,000. He said there are a number of isolated expenditures that will not be recurring. He said the measure to look to in terms of sustainability of the Town's budget is revenue less expenditure. He said the Town needs to make sure the General Fund operating surplus never reaches zero and should also be at least enough for the base road program, which is approximately \$200,000 in most years. He said this proposed budget does not result in unsustainable spending and the operating surplus is sufficient

to cover the road budget. Mr. Pegueros said that Bill Urban, the Chair of the Finance Committee, was pleased the Town was running a deficit because he views the accumulation of excess funds in the unassigned reserve as not being the proper use of taxpayer funds. Mr. Urban would prefer to see the Town run deficits for the next two to three years to draw down the unassigned reserve, which would be a Council policy decision. Councilmember Hughes agreed that running a modest deficit is appropriate, after the Town has prudently reviewed the reserves. He said the excess amount of cash collected from the taxpayers should be spent on services for them. Councilmember Wengert pointed out that the Town is being asked to deal with more regional and statewide issues that will draw resources for which funds may be allocated, which should be discussed going forward; however, she said she is supportive of the proposed budget.

Councilmember Wengert suggested discussion of the priorities list and accomplishments be separate from the budget. Councilmember Hughes and Mayor Aalfs preferred those items be included within the budget but agreed that there needs to be additional discussion of priorities.

In response to Council's questions, Mr. Pegueros said the undergrounding project has not yet been cancelled; the Town Center Master Plan Committee is hoping to start work in late-July; and the biggest challenge to the budget is in the area of recruitments and training.

The Council directed staff to present the 2015/2016 budget as proposed at the public hearing scheduled for June 24, 2015.

(3) *Discussion and Council Direction – Agenda Format and Protocol for Comments from the Audience*

Sharon Hanlon presented the staff report regarding two items for discussion - agenda format and meeting protocol for comments from the audience.

Staff requested Council direction on whether to continue with the current agenda format as proposed in January 2015 or revert back to the original agenda format. Staff also requested Council direction regarding placement of Council, Committee, and Regional reports.

The Council recommended reverting back to the simpler, non-tiered agenda with the order being Call to Order, Oral Communications, Consent Agenda, Regular Agenda, Presentations, Committee Reports & Requests, Staff Reports and Recommendations, Council Liaison Reports, Written Communications, and Adjournment. Ms. Prince said Public Hearings did not need to be a separate heading and could be placed anywhere under the regular agenda.

With regard to audience comments, the Council agreed to be more consistent in passing the microphone to the speakers and reminding speakers to introduce themselves versus requiring speakers to approach a lectern equipped with a microphone and requiring speaker cards, which may be difficult with the seating arrangements and the elderly or infirmed.

(E) Council Liaison Reports on Regional Agencies and Organizations [10:25 p.m.]

- (1) Councilmember Wengert – Attended San Francisco Roundtable with speakers from Santa Cruz “Save our Skies.”
- (2) Councilmember Richards – None to Report
- (3) Councilmember Hughes – None to Report
- (4) Vice Mayor Derwin – Attended Council of Cities, discussed the San Bruno Pipeline Explosion; Attended San Mateo County Library JPA meeting on June 8, discussed budget, elected officers, and uses of library donor funds.
- (5) Library JPA discussed budget, possible uses of library budget funds
- (6) Mayor Aalfs – None to Report

**V WRITTEN COMMUNICATIONS [10:33 p.m.]**

- (1) Town Council Digest: May 29, 2015
  - #10 – Email from Kelly Foley with California Clean Power re: Follow-up Information on Lake County. CCA Subcommittee (Councilmember Hughes, Mayor Aalfs, Town Manager Pegueros, and Town Attorney Prince) will review information as it becomes available and report back to the Council.
  - #14 – Letter from League of California Cities re: Designation of Voting Delegates and Alternates for Annual Conference – September 30, 2015, through October 2, 2015, in San Jose. Mayor Aalfs will be the voting member and Vice Mayor Derwin will be the alternate.
  - #16 – Memo from Town Manager, Nick Pegueros re: Weekly Update – Friday, May 29, 2015. With regard to the OPEB/Retiree Medical Liabilities, Mr. Pegueros said the roles are changing and in some cases the liability for Retiree Medical will triple and the full liability is going on the balance sheet for every governmental agency. He said that this, coupled with Pension going onto the balance sheet, will drive significant policy changes with pension and retiree medical. He said this will not impact Portola Valley.
- (2) Town Council Digest: June 5, 2015 – None

**VI ADJOURNMENT [10:47 p.m.]**

Mayor Aalfs adjourned the meeting.

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Mayor

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Town Clerk

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 913, WEDNESDAY, JUNE 24, 2015

Mayor Aalfs 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 John Richards, Ann Wengert; Vice Mayor Maryann Moise Derwin, Mayor Jeff Aalfs

Absent: Councilmember Craig Hughes

Others: Nick Pegueros, Town Manager  
Brandi de Garreaux, Sustainability and Special Projects Manager  
Sharon Hanlon, Town Clerk  
Leigh Prince, Town Attorney

**ORAL COMMUNICATIONS** – None**CONSENT AGENDA** [7:30 p.m.]

- (1) Approval of Warrant List: June 24, 2015, in the amount of \$118,853.82.
- (2) Recommendation by Town Attorney – Adoption of an Ordinance Adopting Revisions to Title 2 [Administration and Personnel] of the Portola Valley Municipal Code
  - (a) Second Reading of Title, Waive Further Reading, and Adopt an Ordinance Amending Title 2 [Administration and Personnel] of the Portola Valley Municipal Code (Ordinance No. 2015-406)
- (3) Recommendation by Town Planner – Adoption of an Ordinance Amending Title 18 [Zoning], Chapter 18.64 [Architectural and Site Plan Review] of the Portola Valley Municipal Code
  - (a) Second Reading of Title, Waive Further Reading, and Adopt an Ordinance Amending Section 18.64.010 [Applicability-Purpose] of the Portola Valley Municipal Code (Ordinance No. 2015-407)
- (4) Recommendation by Administrative Services Manager - Approval of 2015-2016 Appropriations Limit
  - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Determining and Establishing the Appropriations Limit for 2015-2016 (Resolution No. 2662-2015)
- (5) Recommendation by Administrative Services Manager - Approval of Investment Policy [*pulled from Consent Agenda*]
  - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting Town Investment Policy (Resolution No. 2663-2015)
- (6) Recommendation by Administrative Services Manager – 2015/2016 Woodside Highlands and Wayside II Road Maintenance District Tax Assessments
  - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing the San Mateo County Controller to Apply the Special Tax for the Woodside Highlands Road Maintenance District to the 2015-2016 Tax Roll and to Collect the Tax at the same time as General County Taxes (Resolution No. 2664-2015)

- (b) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing the San Mateo County Controller to Apply the Special Tax for the Wayside II Road Maintenance District to the 2015-2016 Tax Roll and to Collect the Tax at the same time as General County Taxes (Resolution No. 2665-2015)

- (7) Appointment by Mayor – Request for Appointment of Delle Maxwell to the Water Conservation Committee

Vice Mayor Derwin moved to approve Items 1, 2, 3, 4, 6, & 7 of the Consent Agenda. Seconded by Councilmember Richards; the motion carried 4-0.

- (5) Recommendation by Administrative Services Manager - Approval of Investment Policy

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting Town Investment Policy (Resolution No. 2663-2015)

Staff confirmed that the Treasurer is the Town Manager. Councilmember Wengert moved to approve Item 5 of the Consent Agenda. Seconded by Councilmember Richards; the motion carried 4-0.

### **REGULAR AGENDA**

- (8) Presentations – None

### **COMMITTEE REPORTS AND REQUESTS** [7:32 p.m.]

- (9) Cultural Arts Committee – Request for Acceptance and Placement of an Art Donation to the Town of Portola Valley.

Linda Olson, Cultural Arts Committee Chair, presented a proposal for an art donation of a large (2 feet wide by 3 feet tall, 200+ pounds) piece of the Berlin Wall. The donation was approved by the Cultural Arts Committee and the recommendation brought to the Town Council for consideration and approval.

Mike Green, of Portola Valley, said this art piece was displayed in his office in Palo Alto since 1997. Mr. Green owns the piece and, since he is now retiring, he wished to donate it to Portola Valley. He narrated a slide show presentation describing the history of the piece.

Vice Mayor Derwin said she received an email from Steve Toben, former Councilmember and Mayor, referencing the Town policy regarding accepting art donations. Mr. Pegueros distributed a printout of the Town's policy that was adopted in 2010. Ms. Prince pointed out a list of criteria to be considered within the policy.

In response to Vice Mayor Derwin's question, Mr. Pegueros said Nancy Lund, the Town Historian, did not recommend accepting this piece of art due to the Town's challenge in finding pieces of art that have a direct link to Portola Valley.

In response to Councilmember Wengert's question regarding the history of the art donation policy, Vice Mayor Derwin it came about after a resident wanted to donate statues of playing children. She said a subcommittee reviewed it and the Town accepted it. Vice Mayor Derwin said she now regrets that decision because she does not think the art fits in with the rural buildings and natural landscape.

With no further questions from the Council, Mayor Aalfs called for public comment.

Ms. Olson said that upon receipt of the donation offer, she received direction from Staff to discuss the matter with the Cultural Arts Committee. She said she visited the Mountain View City library and was very personally moved by their display of pieces of the Berlin Wall. She said that while this art piece is not specific to Portola Valley, she considers it to have wonderful historical and global significance. She said the Committee had a robust discussion and recommended accepting the art donation.

Mr. Green said that at his office there was constant attention, admiration, and discussion around the Berlin Wall display.

Vice Mayor Derwin asked Mr. Green if had considered donating it to the school district or the Priory. Mr. Green said he thought of Town government first because the pieces of the Berlin Wall are typically displayed in government offices around the world, but he had no objection to donating it to the school district.

With no further public comment, Mayor Aalfs brought it back to the Council for discussion.

Councilmember Wengert thanked Mr. Green for his generous offer and expressed admiration for the historical artifact. She suggested the following process: 1) establish that it fits the criteria for public art, 2) determine an appropriate location, and 3) have a plan for maintenance and preservation.

Councilmember Richards said it was a fascinating piece of art with substantial historical significance. He suggested review by a larger group. He also expressed concerned about placement and fit and agreed the connection to the Town was a bit tenuous.

Vice Mayor Derwin said that while she thinks the art is fantastic, edgy, and urban, she did not believe it belonged on the Town's campus. She would be open to forming a subcommittee to decide if the Town should accept it and, if so, where it would go. In response to Ms. Olson's question regarding Vice Mayor Derwin's specific objection, Vice Mayor Derwin said the piece was very urban and not a good fit for the Town's rural campus.

Mayor Aalfs said it was an impressive piece of art, and it might be good to have in Town somewhere, but did not believe it belonged on campus. He said if a piece of art is accepted, there should be a specific spot in mind. He was supportive of considering a subcommittee if the Council wanted to move forward. He also suggested reaching out to the school district or the Priory.

Mr. Pegueros apologized to the Council for missing the policy, which was adopted in 2010 but had not been utilized since. He said the process that has already occurred closely fits with the policy. He said that if the piece was going to be placed outside, it would require the Parks & Recreation Committee and ASCC involvement.

Councilmember Wengert said she thought it was a significant piece of artwork and it's appropriateness to Portola Valley would be strongly driven by where it's placed. She thought options would be limited if it was placed indoors. Councilmember Richards pointed out that it has been difficult protecting outdoor artwork. Mayor Aalfs said it would be safest indoors and the only place it would possibly fit would be in the library.

Mayor Aalfs pointed out that Criteria #3 specifies "aesthetic or historical significance of the artwork to the Town." He said there should be a fairly stringent test for that.

Councilmember Wengert suggested sending it back to the Cultural Arts Committee to come back with a recommendation of how and where the art would be most appropriately displayed.

Mr. Green suggested putting up a display in a specific corner of the library announcing that the piece of art was being considered for that location and seeing what feedback was received.

Council directed staff to take it back to the Cultural Arts Committee and convene a panel as outlined in the Town Council's approved policy for acceptance of donations of art.

(10) Update on Drought Emergency

Brandi de Garneau presented an update on the drought emergency.

Ms. de Garneau said the Water Conservation Committee has been working with High Energy Analytics to develop a water use analysis tool, which is currently being beta tested by the Water Conservation Committee, Conservation Committee and Sustainability Committee. She said they are on target for a soft launch on July 1 and a full launch on July 6 or 7 (after the 4th of July holiday) in time for the first billing cycle, with surcharges in mid-July.

Ms. de Garneau reported that the state released first draft of the update to the Water Efficiency Landscape Ordinance on June 12. She said the initial consideration will be at the July 15 California Water Commission meeting and is expected to be under consideration for approval at their August 19 meeting. She said at this point the proposed revisions included reducing the landscape size thresholds, efficient irrigation systems, encouraged installation of greywater systems to provide on-site landscape irrigation water, encouraged on-site storm water capture, further limited the portion of landscape that could be covered in turf, and a new provision that required local agencies to report to the Department of Water Resources on the implementation and enforcement of the Water Ordinance by December 31, 2015, and then January 31 in subsequent years. She said that after the final Water Efficiency Landscape Ordinance was approved, staff would formulate a plan of action for updating the Town's ordinance.

Ms. de Garneau said the Town met the reduction goals for the billing period ended in June. The appeals for Ford Field and the Town Center domestic water account were submitted to Cal Water this week and they indicated in their response email that they would respond to appeals within 30 days.

## **STAFF REPORTS AND RECOMMENDATIONS**

(11) PUBLIC HEARING – Adoption of the Fiscal Year Budget

(a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting the Operating and Capital Budgets for Fiscal Year 2015-2016 (Resolution No. 2666-2015)

Mr. Pegueros presented an overview of the trends in some of the details within the Town budget as described in the Proposed Operating & Capital Budgets Fiscal Year 2015-16 report.

Staff recommended the Council adopt a larger-than-usual capital improvement program budget of \$660,000, which is \$200,000 more than the previous year's budget.

With regard to resurfacing, Mr. Pegueros explained that over the course of 30 years, applying two slurry seals (lifespan of 5-8 years) and one asphalt overlay (lifespan of 12-15 years) would cost \$3.80 per foot, whereas applying two asphalt overlays within that time span would cost \$6.00 per foot. He said that converting to asphalt overlays every 12-15 years would require some adjustments to cash flow planning. Mr. Pegueros said staff would continue with the slurry seal program unless directed otherwise by Council.

Mr. Pegueros introduced the Town's new Communications Information Manager, Lise Olson.

Mr. Pegueros reported that today was the bid opening for the SMTA Measure A Grant Program and two bids came in at or below the engineer's estimate. He said Mr. Young was confirming the accuracy of the bids.

Mr. Pegueros pointed out a new item (\$60,000) in the budget is the renovation of the Historic Schoolhouse entry.

Mr. Pegueros pointed out the Library Playspace Installation was in last year's budget but the project has been defunded. He said if there was a desire to move forward in the future, staff would consult the Friends of the Library and other stakeholders for decisions regarding the donor funds.

Mr. Pegueros pointed out that for the last three years the surplus reserves in the General Fund have increased considerably. He said that on the Finance Committee's recommendation, the Town Council has taken proactive measures to earmark considerable amounts to set aside for an emergency fund. He said even with those set-asides, the General Fund still has an unassigned fund balance of \$1.8 million. He said the Town has an obligation to the community to ensure the collected resources are used responsibly. He said it has been challenging to determine the correct amount of money to be maintained in surplus reserves. Mr. Pegueros suggested responsible investments in infrastructure and using funds to pay down or plan for unfunded liabilities are appropriate uses of accumulated fund balance.

Mayor Aalfs opened the public hearing and asked for questions from the Council.

Councilmember Wengert asked Mr. Pegueros if there was a rule of thumb as to what percentage of the Town's budget should be surplus. Mr. Pegueros said there is an adopted General Fund Reserve Policy of 60% and the Town is exceeding it. He said that typically cities will put between 10% and 25% of their operating expenditures into a reserve fund.

Councilmember Richards asked why the engineer services budget of \$100,000 dropped to a projected \$10,000. Mr. Pegueros said those funds were requested last year to give Mr. Young extra help and it was not used. In response to Councilmember Wengert's question, Mr. Pegueros said the challenge is managing projects that start out small but mushroom into bigger requests. He said next year Mr. Young's primary focus will be the shoulder widening project, the Town Center Master Plan update, and the resurfacing project.

Councilmember Richards asked why the animal control proposed costs were reduced. Mr. Pegueros said there is a new agreement for animal control services with some cost containment measures. He said costs are allocated based on usage and the figure was provided by the County.

With no comments from the public, Mayor Aalfs closed the public hearing and asked for comments or questions from the Council.

The Council supported exploring ways to bring down the fund surplus to benefit the community.

Councilmember Richards moved to approve the Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting the Operating and Capital Budgets for Fiscal Year 2015-2016. Seconded by Councilmember Wengert; the motion carried 4-0-1.

- (12) Recommendation by Town Clerk – Calling of the 2015 Election and Giving Notice of an Election to Elect Two Members to the Town Council and Direct the San Mateo County Chief Elections Officer to Conduct the November 3, 2015 Election for the Town of Portola Valley and a Resolution Approving the November 3, 2015 Election be Conducted Wholly By Mail Pursuant to the Pilot Program Authorized by Assembly Bill 2028.

Sharon Hanlon, Town Clerk, presented two resolutions.

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Calling and Giving Notice of the Holding of a General Municipal Election to be Held on November 3, 2015, for the Purpose of Electing Two Members to the Town Council (Resolution No. 2667-2015)

Ms. Hanlon reported that the offices of incumbents Councilmember Ann Wengert and Mayor Jeff Aalfs will expire this year.

Councilmember Wengert moved for Adoption of a Resolution of the Town Council of the Town of Portola Valley Calling and Giving Notice of the Holding of a General Municipal Election to be Held on November 3, 2015, for the Purpose of Electing Two Members to the Town Council. Seconded by Councilmember Richards; the motion carried 4-0.

- (b) Adoption of a Resolution of the Town Council of the Town of Portola Valley Directing the San Mateo County Chief Elections Officer to Conduct the November 3, 2015 Election for the Town of Portola Valley Wholly by Mail (Resolution No. 2668-2015)

Ms. Hanlon reported the County asked each jurisdiction to participate in this pilot program and for authorization to conduct the November 3 election as an all-mail ballot election.

In response to Vice Mayor Derwin's question, Mr. Pegueros said that to date all of the cities in the County with elections next year, except for Portola Valley and Redwood City, have adopted the all-mail ballot.

Councilmember Richards moved for Adoption of a Resolution of the Town Council of the Town of Portola Valley Directing the San Mateo County Chief Elections Officer to Conduct the November 3, 2015 Election for the Town of Portola Valley Wholly by Mail. Seconded by Vice Mayor Derwin; the motion carried 4-0.

Ms. Hanlon said an email was received this evening from Bill Urban. The Council directed staff to send the email to the Finance Committee for their review.

(13) Discussion and Council Action – Posting Committee Meeting Minutes to the Town Website

Mr. Pegueros reported on the Bicycle, Pedestrian and Traffic Safety Committee's request of the Town Council to direct staff to begin posting meeting minutes to the Town's website. He said his concerns include ensuring the Town Clerk has the final approved minutes and the lack of uniformity of meeting minutes across and within committees. He said staff walked through the current process and identified two options for the Council to consider. Mr. Pegueros pointed out that Council could also choose not to post meeting minutes on the Town's website at all.

Option A requires the Town Council liaison, Town Clerk and possibly the Town Manager review draft meeting minutes, for conformance to the Brown Act, formatting, or content.

Option B requires committees to prepare action minutes rather than discussion minutes, eliminating the need for draft minutes to be approved by the Committee since the only recorded item is action.

In response to Mayor Aalfs' question, Mr. Pegueros said the action minutes would replace the discussion meeting minutes.

With no public comment, Mayor Aalfs asked for comments from the Council.

The Council was in unanimous agreement to approve Option B (action minutes). Council directed staff to circulate the sample action minutes to the Committee Chairs for input and bring back a revised Advisory Committee Handbook to the Council in August.

**COUNCIL LIAISON REPORTS ON REGIONAL AGENCIES AND ORGANIZATIONS** [9:18 p.m.]

- (1) Councilmember Wengert – None
- (2) Councilmember Richards attended San Mateo County Emergency Services Council JPA meeting and Conservation Committee meeting.
- (3) Vice Mayor Derwin attended C/CAG meeting, HEART Board meeting, and Friends of Portola Library board meeting. Vice Mayor Derwin received an email from Mike Ferrera expressing the Loma Prieta Chapter of the Sierra Club's concern about the San Mateo County Community Choice Aggregation (CCA) and Portola Valley. She met at her home with Councilmember Hughes, and Sue Chow, Jan Butts, Mike Ferrera. She said she again had to squelch the rumor that Portola Valley is ready to sign with California Clean Power. Mr. Pegueros said he also continues to be asked about the rumor. She said the Sierra Club members shared a lot of negative opinions and information regarding California Clean Power which she will pass on to staff for review.
- (4) Mayor Aalfs – None.

Mayor Aalfs will be attending the CCA Advisory Committee meeting on June 26. He has learned that the cost of hydro-electricity is skyrocketing and if you were in a CCA and replaced PG&E, you are subject to a Power Charge Indifference Adjustment (PCIA) which varies year to year based on PG&E's costs. Kelly Foley advised that this year's PCIA will be unusually high because the drought has increased the unit cost for energy and may adversely affect all CCAs for the coming year because of throwing off a lot of feasibility studies.

**WRITTEN COMMUNICATIONS** [9:39 p.m.]

- (14) Town Council Digest: June 12, 2015
- (15) Town Council Digest: June 19, 2015

**ADJOURNMENT** [9:45 p.m.]

Mayor Aalfs adjourned the meeting.

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Mayor

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Town Clerk

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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

ABAG PLAN CORPORATION	Annual Dues, 2015-16	16507	07/08/2015	
			07/08/2015	
PO BOX 2050	0006		07/08/2015	0.00
OAKLAND	BOA	49770	07/08/2015	0.00
CA 94604-2050	1052455			1,568.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4322	Dues	1,568.00	0.00

Check No.	49770	Total:	1,568.00
Total for	ABAG PLAN CORPORATION		1,568.00

ALMANAC	June Advertising	16543	07/08/2015	
			07/08/2015	
450 CAMBRIDGE AVE	0048		07/08/2015	0.00
PALO ALTO	BOA	49771	07/08/2015	0.00
CA 94306				186.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4320	Advertising	186.00	0.00

Check No.	49771	Total:	186.00
Total for	ALMANAC		186.00

ANIMAL DAMAGE MGMT INC	June Pest Control	16544	07/08/2015	
			07/08/2015	
16170 VINEYARD BLVD. #150	804		07/08/2015	0.00
MORGAN HILL	BOA	49772	07/08/2015	0.00
CA 95037	83092			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.	49772	Total:	295.00
Total for	ANIMAL DAMAGE MGMT INC		295.00

AT&T (2)	July Microwave	16545	07/08/2015	
			07/08/2015	
P.O. BOX 5025	877		07/08/2015	0.00
CAROL STREAM	BOA	49773	07/08/2015	0.00
IL 60197-5025				65.63

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4152	Emerq Preparedness Committee	65.63	0.00

Check No.	49773	Total:	65.63
Total for	AT&T (2)		65.63

BANK OF AMERICA	(3) Rolling Shelves CH Instrs	16553	07/08/2015	
Bank Card Center		00006309	07/07/2008	
P.O. BOX 53155	0022		07/08/2015	0.00
PHOENIX	BOA	49774	07/08/2015	0.00
AZ 85072-3155				719.37

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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

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4341	Community Hall	719.37	719.37

BANK OF AMERICA	June Statement	16554	07/08/2015	
Bank Card Center			07/08/2008	
P.O. BOX 53155	0022		07/08/2015	0.00
PHOENIX	BOA	49774	07/08/2015	0.00
AZ 85072-3155				1,756.24

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4152	Emerg Preparedness Committee	43.50	0.00
05-52-4168	Water Conservation Committee	108.99	0.00
05-64-4311	Internet Service & Web Hosting	109.99	0.00
05-64-4320	Advertising	450.00	0.00
05-64-4326	Education & Training	905.00	0.00
05-64-4336	Miscellaneous	138.76	0.00

Check No.	49774	Total:	2,475.61
Total for	BANK OF AMERICA		2,475.61

BW CONSTRUCTION	Spring Road Cleanup	16508	07/08/2015	
			07/08/2015	
110 RUSSELL AVE	930		07/08/2015	0.00
PORTOLA VALLEY	BOA	49775	07/08/2015	0.00
CA 94028	1848			970.00

GL Number	Description	Invoice Amount	Amount Relieved
90-00-4375	General Expenses	970.00	0.00

Check No.	49775	Total:	970.00
Total for	BW CONSTRUCTION		970.00

CALIFORNIA WATER SERVICE CO	Statements (5/12 - 6/10)	16510	07/08/2015	
			07/08/2015	
3525 ALAMEDA DE LAS PULGAS	0011		07/08/2015	0.00
MENLO PARK	BOA	49776	07/08/2015	0.00
CA 94025844				4,791.07

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	4,791.07	0.00

Check No.	49776	Total:	4,791.07
Total for	CALIFORNIA WATER SERVICE CC		4,791.07

CALPERS	June Pension	16509	07/08/2015	
FISCAL SERVICES DIVISION			07/08/2015	
ATTN: RETIREMENT PROG ACCTG	0107		07/08/2015	0.00
SACRAMENTO	BOA	49777	07/08/2015	0.00
CA 94229-2703				18,020.71

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2522	PERS Payroll	665.50	0.00
05-50-4080	Retirement - PERS	17,355.21	0.00

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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
CALPERS	July Unfunded Liability	16550	07/08/2015	
FISCAL SERVICES DIVISION			07/08/2015	
ATTN: RETIREMENT PROG ACCTG	0107		07/08/2015	0.00
SACRAMENTO	BOA	49777	07/08/2015	0.00
CA 94229-2703	14566406			446.00
GL Number	Description	Invoice Amount	Amount Relieved	
05-50-4080	Retirement - PERS	446.00	0.00	

Check No.	49777	Total:	18,466.71
Total for	CALPERS		18,466.71

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
CITY OF FOSTER CITY	CalOpps Job Postings (2)	16546	07/08/2015	
			07/08/2015	
610 FOSTER CITY BLVD.	0039		07/08/2015	0.00
FOSTER CITY	BOA	49778	07/08/2015	0.00
CA 94404	9315			500.00
GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4320	Advertising	500.00	0.00	

Check No.	49778	Total:	500.00
Total for	CITY OF FOSTER CITY		500.00

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
CLEANSTREET	March/Qtly Litter/Street Clean	16530	07/08/2015	
			07/08/2015	
1937 W. 169TH STREET	0034		07/08/2015	0.00
GARDENA	BOA	49779	07/08/2015	0.00
CA 90247-5254	77877			4,567.47
GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4342	Landscape Supplies & Services	74.00	0.00	
20-60-4262	Street Sweeping	659.52	0.00	
20-60-4262	Street Sweeping	2,963.85	0.00	
22-60-4266	Litter Clean Up Program	870.10	0.00	

Check No.	49779	Total:	4,567.47
Total for	CLEANSTREET		4,567.47

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
COMCAST	Wifi, 6/20 - 7/21	16511	07/08/2015	
			07/08/2015	
P.O. BOX 34227	0045		07/08/2015	0.00
SEATTLE	BOA	49780	07/08/2015	0.00
WA 98124-1227				88.77
GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4318	Telephones	88.77	0.00	

Check No.	49780	Total:	88.77
Total for	COMCAST		88.77

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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

COTTON SHIRES & ASSOC. INC.	SMTA Alpine Road Widening	16531	07/08/2015	
	4/20 to 5/31		07/08/2015	
330 VILLAGE LANE	0047		07/08/2015	0.00
LOS GATOS	BOA	49781	07/08/2015	0.00
CA 95030-7218	66920			12,500.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4537	SMTA Road Project	3,855.00	0.00
08-68-4537	SMTA Road Project	8,645.00	0.00

COTTON SHIRES & ASSOC. INC.	Applicant Charges ~ May	16538	07/08/2015	
			07/08/2015	
330 VILLAGE LANE	0047		07/08/2015	0.00
LOS GATOS	BOA	49781	07/08/2015	0.00
CA 95030-7218				15,350.33

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4190	Geoloqist - Charges to Appls	15,350.33	0.00

Check No.	49781	Total:	27,850.33
Total for	COTTON SHIRES & ASSOC. INC.		27,850.33

CULLIGAN	July Service	16547	07/08/2015	
			07/08/2015	
1785 RUSSELL AVE	0250		07/08/2015	0.00
SANTA CLARA	BOA	49782	07/08/2015	0.00
CA 95054-2032	30425			41.20

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

Check No.	49782	Total:	41.20
Total for	CULLIGAN		41.20

ECONO TREE SERVICE	Tree Removal	16532	07/08/2015	
			07/08/2015	
1914 SPRING STREET	1252		07/08/2015	0.00
REDWOOD CITY	BOA	49783	07/08/2015	0.00
CA 94063	338443			1,710.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4264	ROW Tree Trimming & Mowing	1,710.00	0.00

Check No.	49783	Total:	1,710.00
Total for	ECONO TREE SERVICE		1,710.00

FEDEX	Ship Charges	16512	07/08/2015	
			07/08/2015	
P.O. BOX 7221	0066		07/08/2015	0.00
PASADENA	BOA	49784	07/08/2015	0.00
CA 91109-7321				28.62

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	28.62	0.00

Check No.	49784	Total:	28.62
Total for	FEDEX		28.62

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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

GUILIA CONSTRUCTION	C&D Refund, 140 Westridge	16513	07/08/2015	
			07/08/2015	
205 S. DE ANZA BLVD, #270	417		07/08/2015	0.00
SAN MATEO	BOA	49785	07/08/2015	0.00
CA 94403				2,500.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	2,500.00	0.00

Check No.	49785	Total:	2,500.00
Total for	GUILIA CONSTRUCTION		2,500.00

WENDI HASKELL	Reimb for Zots to Tots	16548	07/08/2015	
			07/08/2015	
205 OLD SPANISH TRAIL	1038		07/08/2015	0.00
PORTOLA VALLEY	BOA	49786	07/08/2015	0.00
CA 94028				196.34

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4158	Parks & Recreation Committee	196.34	0.00

Check No.	49786	Total:	196.34
Total for	WENDI HASKELL		196.34

HUMAN INVESTMENT PROJECT	2015-16 Contribution	16514	07/08/2015	
Hip Housing			07/08/2015	
364 SOUTH RAILROAD AVENUE	1194		07/08/2015	0.00
SAN MATEO	BOA	49787	07/08/2015	0.00
CA 94401				3,000.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4222	Community Services	3,000.00	0.00

Check No.	49787	Total:	3,000.00
Total for	HUMAN INVESTMENT PROJECT		3,000.00

ICMA	May Deferred Compensation	16518	07/08/2015	
VANTAGE POINT TFER AGTS-304617			07/08/2015	
C/O M&T BANK	0084		07/08/2015	0.00
BALTIMORE	BOA	49788	07/08/2015	0.00
MD 21264-4553				3,246.96

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2557	Defer Comp	3,246.96	0.00

ICMA	June Deferred Compensation	16519	07/08/2015	
VANTAGE POINT TFER AGTS-304617			07/08/2015	
C/O M&T BANK	0084		07/08/2015	0.00
BALTIMORE	BOA	49788	07/08/2015	0.00
MD 21264-4553				3,246.96

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2557	Defer Comp	3,246.96	0.00

Check No.	49788	Total:	6,493.92
Total for	ICMA		6,493.92

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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

INTERSTATE TRAFFIC CNTRL	Various Road Signs	16533	07/08/2015	
		00006299	07/08/2015	
1700 INDUSTRIAL ROAD, STE B	564		07/08/2015	0.00
SAN CARLOS	BOA	49789	07/08/2015	0.00
CA 94070	205324			4,594.35

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4268	Street Signs & Striping	4,594.35	4,594.35

Check No.	49789	Total:	4,594.35
Total for	INTERSTATE TRAFFIC CNTRL		4,594.35

JOINT VENTURE	2015-16 Contribution	16515	07/08/2015	
SILICON VALLEY NETWORK			07/08/2015	
100 W. SAN FERNANDO STREET	0094		07/08/2015	0.00
SAN JOSE	BOA	49790	07/08/2015	0.00
CA 95113				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4222	Community Services	1,000.00	0.00

Check No.	49790	Total:	1,000.00
Total for	JOINT VENTURE		1,000.00

KUTZMANN & ASSOCIATES	June Plan Check Service	16549	07/08/2015	
			07/08/2015	
39355 CALIFORNIA STREET	0090		07/08/2015	0.00
FREMONT	BOA	49791	07/08/2015	0.00
CA 94538				8,015.12

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4200	Plan Check Services	8,015.12	0.00

Check No.	49791	Total:	8,015.12
Total for	KUTZMANN & ASSOCIATES		8,015.12

MARTIN AND CHAPMAN	2015 Election Materials	16520	07/08/2015	
			07/08/2015	
1951 WRIGHT CIRCLE	0174		07/08/2015	0.00
ANAHEIM	BOA	49792	07/08/2015	0.00
CA 92806-6028	2015184			58.69

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4302	Elections	58.69	0.00

Check No.	49792	Total:	58.69
Total for	MARTIN AND CHAPMAN		58.69

MAZE & ASSOCIATES	Audit Services for FY2014-15	16521	07/08/2015	
			07/08/2015	
3478 BUSKIRK AVENUE	879		07/08/2015	0.00
PLEASANT HILL	BOA	49793	07/08/2015	0.00
CA 94523	13896			10,900.00

GL Number	Description	Invoice Amount	Amount Relieved
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Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

05-54-4180	Accounting & Auditing	10,900.00	0.00	
MAZE & ASSOCIATES	MS365 Consultant Service	16539	07/08/2015	
		00006319	07/08/2015	
3478 BUSKIRK AVENUE	879		07/08/2015	0.00
PLEASANT HILL	BOA	49793	07/08/2015	0.00
CA 94523	14580			1,509.44

GL Number	Description	Invoice Amount	Amount Relieved	
05-54-4214	Miscellaneous Consultants	1,509.44	1,509.44	

Check No.	49793	Total:	12,409.44
Total for	MAZE & ASSOCIATES		12,409.44

PENINSULA BACKFLOW (DBA)	Backflow Certifications	16540	07/08/2015	
Chris S. Staggs-Richards		00006317	07/08/2015	
51 BROADWAY	383		07/08/2015	0.00
REDWOOD CITY	BOA	49794	07/08/2015	0.00
CA 94063	0526015-10, 0611015-TPV			995.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-58-4240	Parks & Fields Maintenance	995.00	995.00	

Check No.	49794	Total:	995.00
Total for	PENINSULA BACKFLOW (DBA)		995.00

PENINSULA CONFLICT RESOLUTION	2015-16 Contribution	16516	07/08/2015	
			07/08/2015	
1660 S. AMPHLETT BLVD	0171		07/08/2015	0.00
SAN MATEO	BOA	49795	07/08/2015	0.00
CA 94402				500.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-56-4222	Community Services	500.00	0.00	

Check No.	49795	Total:	500.00
Total for	PENINSULA CONFLICT RESOLUTI		500.00

PERS HEALTH	July Health Premium	16522	07/08/2015	
			07/08/2015	
VIA EFT	0108		07/08/2015	0.00
	BOA	49796	07/08/2015	0.00
				14,221.71

GL Number	Description	Invoice Amount	Amount Relieved	
05-50-4086	Health Insurance Medical	14,221.71	0.00	

Check No.	49796	Total:	14,221.71
Total for	PERS HEALTH		14,221.71

PG&E	June Statements	16523	07/08/2015	
			07/08/2015	
BOX 997300	0109		07/08/2015	0.00
SACRAMENTO	BOA	49797	07/08/2015	0.00
CA 95899-7300				381.23

GL Number	Description	Invoice Amount	Amount Relieved	
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Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

05-64-4330	Utilities		381.23	0.00
		Check No.	49797	Total:
		Total for	PG&E	381.23

PLATINUM FACILITY SERVICES	June Janitorial	16534	07/08/2015	
1530 OAKLAND RD., #150	402		07/08/2015	0.00
SAN JOSE	BOA	49798	07/08/2015	0.00
CA 95112	20610			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.	49798	Total:
		Total for	PLATINUM FACILITY SERVICES	2,987.51

PORTOLA VALLEY HARDWARE	June Statement	16537	07/08/2015	
112 PORTOLA VALLEY ROAD	0114		07/08/2015	0.00
PORTOLA VALLEY	BOA	49799	07/08/2015	0.00
CA 94028				69.12

GL Number	Description	Invoice Amount	Amount Relieved	
05-58-4240	Parks & Fields Maintenance	9.78	0.00	
05-60-4267	Tools & Equipment	11.97	0.00	
05-66-4340	Building Maint Equip & Supp	47.37	0.00	
		Check No.	49799	Total:
		Total for	PORTOLA VALLEY HARDWARE	69.12

SAM QUEZADA	C&D Refund, 15 Sausal	16551	07/08/2015	
15 SAUSAL DRIVE	1168		07/08/2015	0.00
PORTOLA VALLEY	BOA	49800	07/08/2015	0.00
CA 94028				5,000.00

GL Number	Description	Invoice Amount	Amount Relieved	
96-54-4205	C&D Deposit	5,000.00	0.00	
		Check No.	49800	Total:
		Total for	SAM QUEZADA	5,000.00

CHRISTOPHER QUINN	Deposit Refund	16524	07/08/2015	
310 CORTE MADERA	1077		07/08/2015	0.00
PORTOLA VALLEY	BOA	49801	07/08/2015	0.00
CA 94028				385.00

GL Number	Description	Invoice Amount	Amount Relieved	
96-54-4207	Deposit Refunds, Other Charges	385.00	0.00	
		Check No.	49801	Total:
				385.00

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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

<u>Total for</u>	CHRISTOPHER QUINN	385.00
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R&R RAINGUTTERS, INC	Design Costs for Award	16541	07/08/2015	
			07/08/2015	
810 E. SAN CARLOS AVE., STE A	0366		07/08/2015	0.00
SAN CARLOS	BOA	49802	07/08/2015	0.00
CA 94070	15-871			191.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4144	Conservation Committee	191.00	0.00

Check No.	49802	Total:	191.00
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<u>Total for</u>	R&R RAINGUTTERS, INC	191.00
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SAN MATEO CO INF SERVICES	May Microwave	16525	07/08/2015	
			07/08/2015	
455 COUNTY CENTER, 3RD FLOOR	0307		07/08/2015	0.00
REDWOOD CITY	BOA	49803	07/08/2015	0.00
CA 94063	1YPV11505			76.00

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

Check No.	49803	Total:	76.00
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<u>Total for</u>	SAN MATEO CO INF SERVICES	76.00
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SMALL BUSINESS BENEFIT PLAN TR	July Dental/Vision	16526	07/08/2015	
			07/08/2015	
	0132		07/08/2015	0.00
BELMONT	BOA	49804	07/08/2015	0.00
CA 94002-0156				1,852.00

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4090	Health Ins Dental & Vision	1,852.00	0.00

Check No.	49804	Total:	1,852.00
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<u>Total for</u>	SMALL BUSINESS BENEFIT PLAN	1,852.00
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STANDARD INSURANCE CO.	July LTD/Life Premium	16527	07/08/2015	
			07/08/2015	
PO BOX 5676	0469		07/08/2015	0.00
PORTLAND	BOA	49805	07/08/2015	0.00
OR 97228				362.77

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4091	Long Term Disability Insurance	362.77	0.00

Check No.	49805	Total:	362.77
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<u>Total for</u>	STANDARD INSURANCE CO.	362.77
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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

SUSTAINABLE SM COUNTY	2015-16 Annual Contribution	16517	07/08/2015	
			07/08/2015	
177 BOVET ROAD 6TH FLOOR	0170		07/08/2015	0.00
SAN MATEO	BOA	49806	07/08/2015	0.00
CA 94402				2,500.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4222	Community Services	2,500.00	0.00

Check No.	49806	Total:	2,500.00
Total for	SUSTAINABLE SM COUNTY		2,500.00

TOWNSEND MGMT, INC	May Applicant Charges	16528	07/08/2015	
			07/08/2015	
P.O. BOX 24442	609		07/08/2015	0.00
SAN FRANCISCO	BOA	49807	07/08/2015	0.00
CA 94124	200064-05-15 A-K			1,380.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	1,380.00	0.00

TOWNSEND MGMT, INC	CIP1415 Road Proj May Insp	16535	07/08/2015	
			07/08/2015	
P.O. BOX 24442	609		07/08/2015	0.00
SAN FRANCISCO	BOA	49807	07/08/2015	0.00
CA 94124	200150-05-15			5,175.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4536	CIP14/15 Street Resurface	5,175.00	0.00

TOWNSEND MGMT, INC	SMTA Insp and Gen Engg (May)	16536	07/08/2015	
			07/08/2015	
P.O. BOX 24442	609		07/08/2015	0.00
SAN FRANCISCO	BOA	49807	07/08/2015	0.00
CA 94124	200064-05-15 L/M/N			1,590.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4537	SMTA Road Project	454.89	0.00
08-68-4537	SMTA Road Project	1,020.11	0.00
20-54-4192	Engineer Services	115.00	0.00

Check No.	49807	Total:	8,145.00
Total for	TOWNSEND MGMT, INC		8,145.00

TYLER TECHNOLOGIES INC	Financial Software Support	16529	07/08/2015	
	FY 2015-16		07/08/2015	
P.O. BOX 203556	0240		07/08/2015	0.00
DALLAS	BOA	49808	07/08/2015	0.00
TX 75247-8142				3,293.96

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4314	Equipment Services Contracts	3,293.96	0.00

Check No.	49808	Total:	3,293.96
Total for	TYLER TECHNOLOGIES INC		3,293.96

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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

KATHY WADDELL	Instructor Fee, Spring 2015	16552	07/08/2015	
			07/08/2015	
460 CERVANTES ROAD	1354		07/08/2015	0.00
PORTOLA VALLEY	BOA	49809	07/08/2015	0.00
CA 94028				4,220.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	4,220.00	0.00

Check No.	49809	Total:	4,220.00
Total for	KATHY WADDELL		4,220.00

WOODSIDE FIRE PROTECTION DISTR	2014-15 Wood Chipper Program	16542	07/08/2015	
		00006318	07/08/2015	
3111 WOODSIDE ROAD	709		07/08/2015	0.00
WOODSIDE	BOA	49810	07/08/2015	0.00
CA 94062	PV-Chipper2015			18,705.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4333	Fire Prevention	17,119.43	17,119.43
08-56-4221	ABAG Risk Mgmt Programs	1,585.57	1,585.57

Check No.	49810	Total:	18,705.00
Total for	WOODSIDE FIRE PROTECTION DI		18,705.00

Total Invoices:	48	Grand Total:	165,757.57
		Less Credit Memos:	0.00
		Net Total:	165,757.57
		Less Hand Check Total:	0.00
		Outstanding Invoice Total:	165,757.57

TOWN OF PORTOLA VALLEY

Warrant Disbursement Journal ~ July 8, 2015

Claims totaling \$165,757.57 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

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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

ABAG PLAN CORPORATION	2015-16 Plan Premiums	16556	07/22/2015	
			07/22/2015	
PO BOX 2050	0006		07/22/2015	0.00
OAKLAND	BOA	49812	07/22/2015	0.00
CA 94604-2050	18PREM15.16			49,928.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4304	Liability Insurance/Bonds	43,112.00	0.00
05-66-4350	Property Insurance	6,816.00	0.00

Check No.	49812	Total:	49,928.00
Total for	ABAG PLAN CORPORATION		49,928.00

ABC COOLING & HEATING	Business License Refund	16557	07/22/2015	
			07/22/2015	
3266 INVESTMENT BOULEVARD	0463		07/22/2015	0.00
HAYWARD	BOA	49813	07/22/2015	0.00
CA 94545				101.00

GL Number	Description	Invoice Amount	Amount Relieved
05-56-4228	Miscellaneous Refunds	101.00	0.00

Check No.	49813	Total:	101.00
Total for	ABC COOLING & HEATING		101.00

ASSOCIATED BUSINESS MACHINES	Annual Maint, 8/1/15 - 7/31/16	16583	07/22/2015	
			07/22/2015	
1552 BEACH STREET	0017		07/22/2015	0.00
EMERYVILLE	BOA	49814	07/22/2015	0.00
CA 94608	2151028			830.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4314	Equipment Services Contracts	830.00	0.00

Check No.	49814	Total:	830.00
Total for	ASSOCIATED BUSINESS MACHINI		830.00

AV INTEGRATORS	Balance for AV System (CH)	16558	07/22/2015	
			07/22/2015	
131 INDUSTRIAL ROAD, SUITE 1	1132		07/22/2015	0.00
BELMONT	BOA	49815	07/22/2015	0.00
CA 94002	2500			4,720.98

GL Number	Description	Invoice Amount	Amount Relieved
05-70-4480	CIP14/15 Equipment	4,720.98	0.00

Check No.	49815	Total:	4,720.98
Total for	AV INTEGRATORS		4,720.98

BAY AREA GEOTECH GROUP	CIP Road - Density Testing	16559	07/22/2015	
			07/22/2015	
847 W. MAUDE AVENUE	618		07/22/2015	0.00
SUNNYVALE	BOA	49816	07/22/2015	0.00
CA 94085	38031			2,550.00

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

GL Number	Description	Invoice Amount	Amount Relieved	
05-68-4536	CIP14/15 Street Resurface	2,550.00	0.00	
		Check No. 49816	Total:	2,550.00
		Total for		BAY AREA GEOTECH GROUP 2,550.00

PAIGE BISHOP	Reimb for Concert Banners	16584	07/22/2015	
	(Date Changes)		07/22/2015	
131 GROVELAND STREET	712		07/22/2015	0.00
PORTOLA VALLEY	BOA	49817	07/22/2015	0.00
CA 94028				92.33

GL Number	Description	Invoice Amount	Amount Relieved	
05-52-4150	Cultural Arts Committee	92.33	0.00	
		Check No. 49817	Total:	92.33
		Total for		PAIGE BISHOP 92.33

CITY OF FOSTER CITY	Job Posting - Maint Worker	16560	07/22/2015	
	CalOpps		07/22/2015	
610 FOSTER CITY BLVD.	0039		07/22/2015	0.00
FOSTER CITY	BOA	49818	07/22/2015	0.00
CA 94404	9363			250.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4320	Advertising	250.00	0.00	
		Check No. 49818	Total:	250.00
		Total for		CITY OF FOSTER CITY 250.00

CLEANSTREET	Quarterly/June Litter & Street	16561	07/22/2015	
			07/22/2015	
1937 W. 169TH STREET	0034		07/22/2015	0.00
GARDENA	BOA	49819	07/22/2015	0.00
CA 90247-5254	78804			4,567.47

GL Number	Description	Invoice Amount	Amount Relieved	
05-66-4342	Landscape Supplies & Services	74.00	0.00	
20-60-4262	Street Sweeping	659.52	0.00	
20-60-4262	Street Sweeping	2,963.85	0.00	
22-60-4266	Litter Clean Up Program	870.10	0.00	
		Check No. 49819	Total:	4,567.47
		Total for		CLEANSTREET 4,567.47

COUNTY OF SAN MATEO	Class/Training, Kristiansson	16562	07/22/2015	
HUMAN RESOURCES DEPT	March 2015		07/22/2015	
455 COUNTY CENTER, 5TH FLOOR	1241		07/22/2015	0.00
SAN MATEO	BOA	49820	07/22/2015	0.00
CA 94063	CI15-0026			150.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4326	Education & Training	150.00	0.00	
		Check No. 49820	Total:	150.00

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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	COUNTY OF SAN MATEO	150.00
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CSG CONSULTANTS INC	Bldg Inspection, June	16602	07/22/2015	
1700 S. AMPHLETT BLVD	622		07/22/2015	0.00
SAN MATEO	BOA	49821	07/22/2015	0.00
CA 94402	30284			15,770.00

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4062	Temp Bldg Inspection	15,770.00	0.00

Check No.	49821	Total:	15,770.00
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Total for	CSG CONSULTANTS INC	15,770.00
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ECONO TREE SERVICE	Remove 2 Pine Trees	16563	07/22/2015	
1914 SPRING STREET	1252		07/22/2015	0.00
REDWOOD CITY	BOA	49822	07/22/2015	0.00
CA 94063	338474			446.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4264	ROW Tree Trimming & Mowing	446.00	0.00

ECONO TREE SERVICE	Tree Removal 6/19 & 6/22	16564	07/22/2015	
1914 SPRING STREET	1252		07/22/2015	0.00
REDWOOD CITY	BOA	49822	07/22/2015	0.00
CA 94063	338454			2,277.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4264	ROW Tree Trimming & Mowing	2,277.00	0.00

ECONO TREE SERVICE	Tree Removal, Alpine Road	16603	07/22/2015	
1914 SPRING STREET	1252		07/22/2015	0.00
REDWOOD CITY	BOA	49822	07/22/2015	0.00
CA 94063	338479			942.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4264	ROW Tree Trimming & Mowing	942.00	0.00

Check No.	49822	Total:	3,665.00
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Total for	ECONO TREE SERVICE	3,665.00
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EL REPORTERO	Election Advertising	16591	07/22/2015	
2601 MISSION STREET	0009		07/22/2015	0.00
SAN FRANCISCO	BOA	49823	07/22/2015	0.00
CA 94110	248			331.47

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4320	Advertising	331.47	0.00

Check No.	49823	Total:	331.47
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Total for	EL REPORTERO	331.47
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City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

GO NATIVE INC	ROW Veg Mgmt, June 2015	16565	07/22/2015	
			07/22/2015	
P.O. BOX 370103	632		07/22/2015	0.00
MONTARA	BOA	49824	07/22/2015	0.00
CA 94037	2793			10,320.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4264	ROW Tree Trimming & Mowing	10,320.00	0.00

GO NATIVE INC	TC Veg'n Mgmt - June	16566	07/22/2015	
			07/22/2015	
P.O. BOX 370103	632		07/22/2015	0.00
MONTARA	BOA	49824	07/22/2015	0.00
CA 94037	2792			7,080.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4342	Landscape Supplies & Services	7,080.00	0.00

Check No.	49824	Total:	17,400.00
Total for	GO NATIVE INC		17,400.00

GRAHAM CONTRACTORS INC	CIP 14-15 Road Resurfacing	16599	07/22/2015	
	Progress Payment		07/22/2015	
P.O. BOX 26770	1372		07/22/2015	0.00
SAN JOSE	BOA	49825	07/22/2015	0.00
CA 95159	025640			431,039.32

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4536	CIP14/15 Street Resurface	30,869.84	0.00
22-68-4536	CIP14/15 Street Resurface	98,000.00	0.00
60-68-4536	CIP14/15 Street Resurface	261,000.00	0.00
65-68-4536	CIP14/15 Street Resurface	41,169.48	0.00

Check No.	49825	Total:	431,039.32
Total for	GRAHAM CONTRACTORS INC		431,039.32

HALF MOON BAY GRADING & PAVING	CIP Road 2014-15 Bicycle Lane	16567	07/22/2015	
			07/22/2015	
1780 HIGGINS CANYON ROAD	0350		07/22/2015	0.00
HALF MOON BAY	BOA	49826	07/22/2015	0.00
CA 94019	5133			19,940.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4536	CIP14/15 Street Resurface	19,940.00	0.00

Check No.	49826	Total:	19,940.00
Total for	HALF MOON BAY GRADING & PAV		19,940.00

HOME ENERGY ANALYTICS INC	Water Conservation Tool	16568	07/22/2015	
			07/22/2015	
13061 BYRD LANE	1371		07/22/2015	0.00
LOS ALTOS	BOA	49827	07/22/2015	0.00
CA 94022	10685			3,750.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4165	Sustainability Committee	3,750.00	0.00

Check No.	49827	Total:	3,750.00
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City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Total for	HOME ENERGY ANALYTICS INC	3,750.00
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MARSHA HOVEY LLC	Emerg Prep Consult - May/June	16592	07/22/2015	
		00006267	07/22/2015	
5770 WINFIELD BLVD. #42	0381		07/22/2015	0.00
SAN JOSE	BOA	49828	07/22/2015	0.00
CA 95123	PV-16			536.25

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	536.25	536.25

Check No.	49828	Total:	536.25
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Total for	MARSHA HOVEY LLC	536.25
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J.W. ENTERPRISES	Portable Lavs (7/9 - 8/5)	16600	07/22/2015	
			07/22/2015	
1689 MORSE AVE	829		07/22/2015	0.00
VENTURA	BOA	49829	07/22/2015	0.00
CA 93003	184865			242.44

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4244	Portable Lavatories	242.44	0.00

Check No.	49829	Total:	242.44
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Total for	J.W. ENTERPRISES	242.44
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JENSEN LANDSCAPE SERVICES INC	Trails Weed Abatement	16569	07/22/2015	
			07/22/2015	
1983 CONCOURSE DRIVE	849		07/22/2015	0.00
SAN JOSE	BOA	49830	07/22/2015	0.00
CA 95131	145811			6,680.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4270	Trail Surface Rehabilitation	6,680.00	0.00

JENSEN LANDSCAPE SERVICES INC	Trails Weed Abatement	16570	07/22/2015	
			07/22/2015	
1983 CONCOURSE DRIVE	849		07/22/2015	0.00
SAN JOSE	BOA	49830	07/22/2015	0.00
CA 95131	147531			5,250.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4270	Trail Surface Rehabilitation	5,250.00	0.00

Check No.	49830	Total:	11,930.00
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Total for	JENSEN LANDSCAPE SERVICES I	11,930.00
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JORGENSON SIEGEL MCCLURE & FLEGEL	June Statement - Applicants	16571	07/22/2015	
			07/22/2015	
1100 ALMA STREET	0089		07/22/2015	0.00
MENLO PARK	BOA	49831	07/22/2015	0.00
CA 94025				247.50

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4186	Attorney - Charges to Appls	247.50	0.00

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JORGENSON SIEGEL MCCLURE & FLEGEL	General Attorney - June 2015	16572	07/22/2015	
1100 ALMA STREET	0089		07/22/2015	0.00
MENLO PARK	BOA	49831	07/22/2015	0.00
CA 94025				10,355.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4182	Town Attorney	10,355.00	0.00

Check No.	49831	Total:	10,602.50
Total for	JORGENSON SIEGEL MCCLURE &		10,602.50

LUCILLE KALMAN	Summer Class Fee	16593	07/22/2015	
245 OLD SPANISH TRAIL	1082		07/22/2015	0.00
PORTOLA VALLEY	BOA	49832	07/22/2015	0.00
CA 94028				1,464.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	1,464.00	0.00

Check No.	49832	Total:	1,464.00
Total for	LUCILLE KALMAN		1,464.00

KUSTOM SIGNALS INC	Radar Trailer	16585	07/22/2015	
P.O. BOX 947	602	00006293	07/22/2015	0.00
CHANUTE	BOA	49833	07/22/2015	0.00
KS 66720-0947	513905			15,407.05

GL Number	Description	Invoice Amount	Amount Relieved
05-70-4480	CIP14/15 Equipment	15,407.05	15,455.11

Check No.	49833	Total:	15,407.05
Total for	KUSTOM SIGNALS INC		15,407.05

MENLO PARTNERS STAFFING	Temp Services, Olsen	16573	07/22/2015	
P.O. BOX 26470	6/22/15 to 7/2/15		07/22/2015	
SAN FRANCISCO	0371		07/22/2015	0.00
CA 94123	BOA	49834	07/22/2015	0.00
	1323			4,904.16

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4215	Public Info Consultant	4,904.16	0.00

Check No.	49834	Total:	4,904.16
Total for	MENLO PARTNERS STAFFING		4,904.16

GARY & EILEEN MORGENTHALER	Deposit Refund, 6/20/15 Event	16594	07/22/2015	
4678 ALPINE ROAD	0455		07/22/2015	0.00
PORTOLA VALLEY	BOA	49835	07/22/2015	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

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State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	49835	Total:	1,000.00
Total for	GARY & EILEEN MORGENTHALER		1,000.00

LAURA NICOLLS	Deposit Refund, 6/28/15 Event	16595	07/22/2015	
			07/22/2015	
110 CORTE MADERA ROAD	412		07/22/2015	0.00
PORTOLA VALLEY	BOA	49836	07/22/2015	0.00
CA 94028				100.00

GL Number	Description	Invoice Amount	Amount Relieved
05-00-2562	Field Deposits	100.00	0.00

Check No.	49836	Total:	100.00
Total for	LAURA NICOLLS		100.00

NOLTE ASSOCIATES, INC	Applicant Charge, May	16586	07/22/2015	
			07/22/2015	
P.O. BOX 93243	0104		07/22/2015	0.00
LAS VEGAS	BOA	49837	07/22/2015	0.00
NV 89193-3243	32884			63.66

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	63.66	0.00

Check No.	49837	Total:	63.66
Total for	NOLTE ASSOCIATES, INC		63.66

O. NELSON & SON, INC.	Tree Removal, Bear Gulch Road	16574	07/22/2015	
			07/22/2015	
3345 TRIPP ROAD	634		07/22/2015	0.00
WOODSIDE	BOA	49838	07/22/2015	0.00
CA 94062	175			5,970.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4264	ROW Tree Trimming & Mowing	5,970.00	0.00

O. NELSON & SON, INC.	Repair TC Light	16575	07/22/2015	
			07/22/2015	
3345 TRIPP ROAD	634		07/22/2015	0.00
WOODSIDE	BOA	49838	07/22/2015	0.00
CA 94062	171			2,623.35

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4348	Repairs/Vandalism	2,623.35	0.00

Check No.	49838	Total:	8,593.35
Total for	O. NELSON & SON, INC.		8,593.35

PEELLE TECHNOLOGIES, INC	Digital Scan/Indexing Progress	16576	07/22/2015	
			07/22/2015	
197 EAST HAMILTON AVE	961		07/22/2015	0.00
CAMPBELL	BOA	49839	07/22/2015	0.00
CA 95008	TOPV2206			4,034.14

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4208	GIS Mapping	4,034.14	0.00

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State/Province Zip/Postal	Invoice Number			Check Amount

Check No.	49839	Total:	4,034.14
Total for	PEELLE TECHNOLOGIES, INC		4,034.14

PERS HEALTH	August Premium	16598	07/22/2015	
			07/22/2015	
VIA EFT	0108		07/22/2015	0.00
	BOA	49840	07/22/2015	0.00
				14,218.34

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4086	Health Insurance Medical	14,218.34	0.00

Check No.	49840	Total:	14,218.34
Total for	PERS HEALTH		14,218.34

MARIANNE PLUNDER	Reimb for Conserv Comm Exp	16587	07/22/2015	
			07/22/2015	
35 KIOWA COURT	0215		07/22/2015	0.00
PORTOLA VALLEY	BOA	49841	07/22/2015	0.00
CA 94028				43.44

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4144	Conservation Committee	43.44	0.00

Check No.	49841	Total:	43.44
Total for	MARIANNE PLUNDER		43.44

RAMONA'S SECRETARIAL SERVICES	June Transcription	16577	07/22/2015	
			07/22/2015	
18403 WATTERS DRIVE	1370		07/22/2015	0.00
CASTRO VALLEY	BOA	49842	07/22/2015	0.00
CA 94546	5867			2,328.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4188	Transcription Services	2,328.00	0.00

Check No.	49842	Total:	2,328.00
Total for	RAMONA'S SECRETARIAL SERVIC		2,328.00

REGIONAL GOVERNMENT SERVICES	June Contract Support (Bev'n)	16588	07/22/2015	
			07/22/2015	
P.O. BOX 1350	1165		07/22/2015	0.00
CARMEL VALLEY	BOA	49843	07/22/2015	0.00
CA 93924	5134			3,100.72

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4060	Temp NonPay Cler/Admin	3,100.72	0.00

Check No.	49843	Total:	3,100.72
Total for	REGIONAL GOVERNMENT SERVIC		3,100.72

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State/Province Zip/Postal	Invoice Number			Check Amount

CYNTHIA RICHARDSON	June Planning Consultant	16578	07/22/2015	
dba Richardson Consulting			07/22/2015	
24 CAMPBELL LANE	1250		07/22/2015	0.00
MENLO PARK	BOA	49844	07/22/2015	0.00
CA 94025				2,257.50

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4196	Planner	2,257.50	0.00

Check No.	49844	Total:	2,257.50
Total for	CYNTHIA RICHARDSON		2,257.50

RON RAMIES AUTOMOTIVE, INC.	Repairs to Tailgate	16579	07/22/2015	
	2001 Chev Silverado		07/22/2015	
115 PORTOLA ROAD	422		07/22/2015	0.00
PORTOLA VALLEY	BOA	49845	07/22/2015	0.00
CA 94028	48281			157.13

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	157.13	0.00

RON RAMIES AUTOMOTIVE, INC.	June Statement (Fuel)	16580	07/22/2015	
			07/22/2015	
115 PORTOLA ROAD	422		07/22/2015	0.00
PORTOLA VALLEY	BOA	49845	07/22/2015	0.00
CA 94028				323.48

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	323.48	0.00

Check No.	49845	Total:	480.61
Total for	RON RAMIES AUTOMOTIVE, INC.		480.61

SMALL BUSINESS BENEFIT PLAN TR	August Dental/Vision	16589	07/22/2015	
			07/22/2015	
	0132		07/22/2015	0.00
BELMONT	BOA	49846	07/22/2015	0.00
CA 94002-0156				1,679.50

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4090	Health Ins Dental & Vision	1,679.50	0.00

Check No.	49846	Total:	1,679.50
Total for	SMALL BUSINESS BENEFIT PLAN		1,679.50

SOUNDS LIKE MUSIC LLC	PV Concert Series ~ July	16555	07/22/2015	
		00006321	07/22/2015	
4811 TONINO DRIVE	0541		07/22/2015	0.00
SAN JOSE	BOA	49811	07/22/2015	0.00
CA 95136				900.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4150	Cultural Arts Committee	900.00	900.00

Check No.	49811	Total:	900.00 H
Total for	SOUNDS LIKE MUSIC LLC		900.00

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State/Province Zip/Postal	Invoice Number			Check Amount

STATE COMP INSURANCE FUND	Deposit Premium, 2015-16	16590	07/22/2015	
			07/22/2015	
PO BOX 748170	0122		07/22/2015	0.00
LOS ANGELES	BOA	49847	07/22/2015	0.00
CA 90074-8170				993.89

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4094	Worker's Compensation	993.89	0.00

STATE COMP INSURANCE FUND	July Premium	16601	07/22/2015	
			07/22/2015	
PO BOX 748170	0122		07/22/2015	0.00
LOS ANGELES	BOA	49847	07/22/2015	0.00
CA 90074-8170				1,713.50

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4094	Worker's Compensation	1,713.50	0.00

Check No.	49847	Total:	2,707.39
Total for	STATE COMP INSURANCE FUND		2,707.39

SHELLY SWEENEY	Summer Instructor Fee	16596	07/22/2015	
			07/22/2015	
285 GRANDVIEW DRIVE	407		07/22/2015	0.00
WOODSIDE	BOA	49848	07/22/2015	0.00
CA 94062				1,056.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	1,056.00	0.00

Check No.	49848	Total:	1,056.00
Total for	SHELLY SWEENEY		1,056.00

TOWN OF WOODSIDE	Reimb for Earth Day Fair	16581	07/22/2015	
			07/22/2015	
P.O. BOX 620005	541		07/22/2015	0.00
WOODSIDE	BOA	49849	07/22/2015	0.00
CA 94062	EF-2015			756.66

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4335	Sustainability	756.66	0.00

Check No.	49849	Total:	756.66
Total for	TOWN OF WOODSIDE		756.66

JENNIFER VAUGHN	Deposit Refund, Event 7/11/15	16597	07/22/2015	
			07/22/2015	
41 STONEGATE ROAD	0222		07/22/2015	0.00
PORTOLA VALLEY	BOA	49850	07/22/2015	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.	49850	Total:	1,000.00
Total for	JENNIFER VAUGHN		1,000.00

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City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
VERIZON WIRELESS	June Cellular	16582	07/22/2015	
			07/22/2015	
P.O. BOX 660108	0131		07/22/2015	0.00
DALLAS	BOA	49851	07/22/2015	0.00
TX 75266-0108				243.52
GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4318	Telephones	243.52	0.00	

Check No.	49851	Total:	243.52
Total for	VERIZON WIRELESS		243.52

Total Invoices:	49	Grand Total:	644,734.80
		Less Credit Memos:	0.00
		Net Total:	644,734.80
		Less Hand Check Total:	900.00
		Outstanding Invoice Total:	643,834.80

TOWN OF PORTOLA VALLEY ~ Warrant Disbursement Journal  
July 22, 2015

Claims totaling \$644,734.80 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

# TOWN of PORTOLA VALLEY

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



July 22, 2015

Sue Chaput  
358 Alamos Road  
Portola Valley, CA 94028

Dear Sue,

On behalf of the Town Council, I would like to acknowledge and thank you for your love of the Town of Portola Valley. Your recent effort to work with CalTrans and San Mateo County yielded improvements to the Alpine Road/Interstate 280 Intersection that are appreciated by many. To top it all off, the improvements were made in lightning speed, all thanks to you and your tenacity. What an achievement! We are very fortunate to have you as a member of our community and, again, thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Aalfs".

Jeff Aalfs,  
Mayor



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

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**TO:** Mayor and Members of the Town Council

**FROM:** Howard Young, Public Works Director

**DATE:** July 22, 2015

**RE:** **Acceptance of the Town of Portola Valley 2014/2015 Street Resurfacing Project – Surface Seals #2014-PW02**

### RECOMMENDATION

It is recommended that the Town Council adopt the attached resolution accepting as completed the Town of Portola Valley 2014/2015 Street Resurfacing Project – Surface Seals #2014-PW02, authorizing final payment concerning such work, and directing the Town Clerk to file a Notice of Completion.

### BACKGROUND

At its March 25, 2015 meeting, the Town Council approved the 2014/2015 Street Resurfacing plans and called for sealed bids for the project. Graham Contractors, Inc. was awarded the contract for the project. The Council authorized the Town Manager to award the project to the lowest responsible bidder. Sections of streets worked on included: Alpine Road, Beargulch Drive, Canyon Drive, Fawn Lane, Hayfields Road, Peak Lane, Portola Road, Toro Court, and Westridge Drive. Additional streets added included: Cima Way, Deer Meadow, and Mapache Drive.

### DISCUSSION

The project was substantially completed in June 2015 within the allocated budget. The fiscal year 2014/2015 adopted budget allocated \$400,000 for this capital improvement project. Subsequently, the Town Council authorized an additional \$150,000 for additional streets and paths resurfacing. The amount spent on this construction contract was approximately \$495,000. The remaining allocated budget amount was directed to surface sealing paths and shoulder widening projects under different contracts. The contract still requires Graham Contractors, Inc. to warranty all improvements for 1 year. The contractor, Public Works inspector, and staff have performed a final inspection of the improvements. Staff recommends to the Town Council acceptance of the improvements as complete.

### FISCAL IMPACT

This action will enable final payment of retention funds to the Contractor.

### ATTACHMENTS

Resolution and Notice of Completion

**APPROVED-** Nick Pegueros, Town Manager

**RESOLUTION NO. \_\_\_\_\_-2015**

**RESOLUTION OF THE TOWN COUNCIL OF THE  
TOWN OF PORTOLA VALLEY TO ACCEPT THE COMPLETED TOWN OF PORTOLA  
VALLEY 2014/2015 STREET RESURFACING PROJECT – SURFACE SEALS #2014-  
PW02 AND AUTHORIZING FINAL PAYMENT TO “GRAHAM CONTRACTORS, INC.”  
CONCERNING SUCH WORK, AND DIRECTING THE TOWN CLERK TO FILE A  
NOTICE OF COMPLETION**

**WHEREAS**, the Public Works Director of the Town of Portola Valley has, in writing, made and filed in the Office of Town Clerk his notice certifying that the work under the contract described above has been completed in conformance with the Plans and Specifications for said project, and has recommended that said work be accepted as complete and satisfactory,

**NOW, THEREFORE**, the Town Council of the Town of Portola Valley does RESOLVE as follows:

1. The above-described work as mentioned in the Notice of Completion of the Public Works Director is hereby accepted as substantially complete, and the appropriate officer of the Town is authorized to make final payment concerning the above-described work.

2. The Town Clerk is hereby authorized and directed to file with the County Recorder of the County of San Mateo, the Notice of Completion of said project within ten (10) days from the date of this resolution.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

This Document is Recorded  
For the Benefit of the  
Town of Portola Valley  
And is Exempt from Fee  
Per Government Code  
Sections 6103 and 27383

**When Recorded, Mail to:**

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

**NOTICE OF COMPLETION**

NOTICE IS HEREBY GIVEN that Graham Contractors, Inc., on May 8, 2015, did enter into a contract for the 2014/2015 Street Resurfacing Project-Surface Seals #2014-PW02 situated in San Mateo County, within the Town of Portola Valley. Said improvements were completed in accordance with the Plans and Specifications adopted by the Town Council and upon the terms and conditions set forth and identified by the written contract.

On the 30th day of June 2015, the work provided to be done under contract was fully completed in accordance with the terms of the contract.

NOTICE IS FURTHER GIVEN that the public board for whom the above-described work was done is the Town Council of the Town of Portola Valley, a municipal corporation of the State of California, and that the name and address of the political subdivision for which the above-described work was done is in the Town of Portola Valley, State of California, Town Hall, 765 Portola Road, Portola Valley, California 94028.

NOTICE IS FURTHER GIVEN that the name of the contractor by whom the above-described work was done is as follows:

CONTRACTOR: Graham Contractors, Inc.

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Howard Young  
Public Works Director  
Town of Portola Valley

DATE: \_\_\_\_\_

I hereby certify the foregoing to be a full, true and correct copy of a resolution adopted by the Council of the Town of Portola Valley, California, at a meeting thereon held on the 22nd day of July 2015, by the following vote of the members thereof:

AYES, and in favor thereof, Council members:

NOES, Council members:

ABSENT, Council members:

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Town Clerk of the  
Town of Portola Valley  
(SEAL)

APPROVED:

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Mayor

VERIFICATION

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
City/State

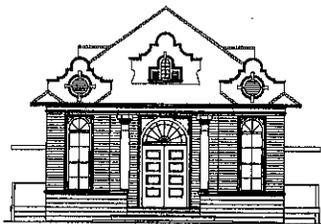
\_\_\_\_\_  
Date

#7

There are no presentations for tonight's Council meeting.

#8

There are no written materials for the Update on Drought Emergency.



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

---

**TO:** Mayor and Members of the Town Council

**FROM:** Carol Borck, Assistant Planner

**DATE:** July 22, 2015

**RE:** Proposal to Utilize Private Open Space Easement (POSE) for Construction Staging and Access, 3 Buck Meadow Drive, Ross/Tamasi Residence

### RECOMMENDATION

It is commended that the Town Council approve the proposed use of the private open space easement (POSE) for construction staging and access, subject to the recommended conditions of approval in Attachment 1.

### BACKGROUND

The subject property is a 1.34-acre undeveloped parcel located at 3 Buck Meadow Drive (see attached vicinity map). The parcel was created in 2012 as "Lot B" with the merger of the below market rate Lots 23 and 24 of the Blue Oaks Subdivision and is within the Blue Oaks Homeowner's Association (HOA). The adjacent below market rate lots, 25 and 26, were merged into "Lot A," which is now designated public open space. The parcel's building envelope (BE) is located in the central, western portion of the lot with a Private Open Space Easement (POSE) covering the northern and eastern portions of the property. The site is moderately sloped, rising from a street elevation of 750 to 796 at the parcel's northwest corner, and contains a natural blue oak forest and open grassland.

On May 11, 2015, the ASCC voted (5-0) to approve the construction of a 4,888 square foot single-story residence with an attached three-car garage, a 1,799 square foot basement, a 216 square foot greenhouse, and a swimming pool on the property. On May 20, 2015, the Planning Commission voted (4-0) to approve the site development permit for 1,384 cubic yards of grading associated with the project. A majority of the earthwork is associated with the development of the driveway, parking areas, and rear patio/landscaping area.

Due to steep slopes and the presence of several significant blue oaks, the use of the proposed driveway as the primary construction entry point is not feasible. The applicant is proposing to utilize the POSE for construction staging and access during the construction of the new

residence and related site improvements in order to protect and preserve the significant blue oaks on the property.

The ASCC and Planning Commission staff reports and minutes for the March 23, May 11, and May 20, 2015 meetings are included in Attachments 3-5. At their meetings, the ASCC and Planning Commission voiced support of the proposed construction staging area within the POSE subject to the submission of the additional information that has been provided by the applicant and is discussed below. Additionally, at the May 20, 2015 Planning Commission meeting, Commissioner Von Feldt offered to be the designated commissioner to review and comment on the proposed grassland restoration plan. Commissioner Von Feldt offers general support for the restoration proposal (Attachment 18).

The Blue Oaks HOA has reviewed the proposed POSE staging and restoration plans and supports the use of the POSE as proposed (Attachment 12).

## **DISCUSSION**

The applicant is proposing to use the POSE for construction staging and access to the building site. The Agreement for Conservation Easement (Attachment 6) states that the Town Council may authorize exceptions to the use of the POSE, "provided such exceptions are consistent with the purposes of law and not incompatible with the PUD Statement maintaining and preserving the natural character of the land." Under the agreement, uses of the POSE are limited to:

- public and private utilities, drainage facilities, and a sediment basin, all within designated easements
- public pathways dedicated to the Town
- private driveways

The agreement specifically identifies restrictive covenants that include prohibiting grading of the land other than attendant to permitted uses and cutting of vegetation, except as may be required for fire prevention, thinning, elimination of diseased growth, and similar measures. The PUD statement on the use and maintenance of private open space areas within the subdivision is also attached for reference (Attachment 7). This statement calls for the areas to "be preserved in essentially their natural condition."

### **Rationale for the proposal – preservation of existing key blue oak trees**

The project architect has advised that the proposed development is sited and designed in such a way as to protect the most significant and viable blue oak trees within the building envelope (particularly, trees #1, #2, #3, #27, and #43). Trees #1, #2, and #3 are located at the front of the property and provide natural screening and softening of off-site views to the new house. Both the property's neighbors and the Blue Oaks HOA have identified these three trees as key oaks to preserve.

The project architect, in her letter dated June 25, 2015 (Attachment 9), states that use of the proposed driveway as the primary construction entry point is not feasible due to the steep slope and the potential impacts to trees #1, #2, and #3. Because large excavation equipment will be required for this project, the equipment will need sufficient clearance to access the building site and remove the excavated materials. The letter from the project arborist, dated April 8, 2015

(Attachment 10), also supports the use of the POSE for construction staging. As described in the arborist letter, the use of large construction equipment between the trees in the front yard area will expose them to soil compaction, root damage, and potential physical impacts by passing equipment. The letter states that due to the large equipment needed for this project, at least one of the trees (#2) would need to be removed to accommodate the passage of the equipment through the area to the house site.

### **Proposed preliminary construction staging, grading, and erosion control plans**

The preliminary construction staging plan (Sheet A1.02) shows an area of approximately 3,743 square feet within the POSE for construction equipment storage and large equipment access. The plan calls for creating an approximately 95' long and 25' to 50' wide access and equipment storage pad within the POSE. The position and shape of the pad has been modified in response to ASCC comments to eliminate construction vehicle parking from the pad and to shift the pad west, away from the drainage channel.

Proposed construction of the pad initially called for a six- to ten-inch layer of wood chips placed on top of the existing grassland which would then be covered by three to five inches of cobble. Per the environmental consultant's recommendations, the plans have been modified to use interlocking  $\frac{3}{4}$  inch plywood mats with an underlayment of filter fabric placed on top of the grassland in the area of the proposed pad. Staking and 2" x 12" boards will be installed around the pad to secure it during construction. The filter fabric will extend at least six feet beyond the perimeter of the pad (and over the retaining boards). A three- to five-inch layer of 2-inch to 4-inch angular crushed rock will then be placed over the wood matting to further distribute heavy loads and act as an additional erosion control method. Straw fiber rolls with jute netting will be installed around the eastern side of the pad to control erosion and protect the drainage swale. (Attachment 19)

The Public Works Director has reviewed the current proposed plans and offers his general support (Attachment 14). Additionally, he suggests that the restoration plan should utilize the Town's approved Blue Oaks seed mix. However, the restoration plan (discussed below) proposes a site-specific seed mix that will better meet the site's current conditions with the restoration efforts rather than the more generalized Blue Oaks mix.

The total volume of earthwork proposed within the POSE to create the staging and access pad is 285 cubic yards, all of which is cut. As shown on the plan (Sheet 1), this grading would occur in the northwest corner of the access pad. A maximum 2:1 slope will be smoothed just north of the pad to adjust the contours adjoining the pad. At the end of construction and removal of the pad, all original slope contours will be restored as part of the POSE restoration plan.

Per the arborist report recommendations, six-foot high chain link fencing will be installed at tree drip lines prior to commencement of grading and pad construction. Additionally, the report recommends that the arborist inspect the protection measures prior to commencement of construction activities and also conduct monthly inspections to recognize any changes in the trees and to take corrective action as necessary.

### **POSE staging and access schedule**

Attachment 15 provides the timeline for creation, use, and restoration of the staging and access area within the POSE. Construction of the POSE staging pad is estimated to begin October 1,

2015, and will take approximately two weeks to complete. The duration of use of the pad for large excavation equipment access will be approximately 3 ½ months. Once excavation is complete, the pad will be used for material and small equipment storage for approximately 16 months. Completion of construction is anticipated at the end of 2017. Restoration of the POSE, including removal of the staging pad and grassland restoration (reseeding) will then commence and continue over the next three weeks. Five years of monitoring and maintenance of the restored grassland area is proposed through the beginning of 2023.

### **Biological report for proposed development of construction staging pad**

The biological report dated June 25, 2015 (Attachment 16) prepared by the project environmental consultant, Huffman-Broadway Group, provides:

- An evaluation of the proposed methods for creation and use of the staging pad in relation to the potential survival and restoration of the POSE grassland;
- A recommendation technique for removal of pad materials and evaluation of potential damage to the grassland that removal of the materials could cause.

As noted in the report, the environmental consultant reviewed the original proposal to place a layer of wood chips on top of the existing grassland which would then be covered by a layer of cobble. The consultant identified this method as deficient with respect to providing sufficient ground bearing support to adequately minimize: (1) soil and sod disturbance; and (2) compaction and rutting of soils from movement of heavy machinery and transport of materials.

Alternately, the consultant provided the recommendation to use the plywood and filter fabric method discussed above, identifying this system as “a long-standing, widely accepted best management practice.” According to the report, construction of the staging pad system as described above “will minimize soil compaction and significantly increase the likelihood of successful grassland restoration and potential for long-term survival of the restored grassland habitat.” Additionally, the proposed pad system in coordination “with appropriate site management and post project grassland restoration” will significantly minimize soil erosion, the expansion of invasive weed populations, alterations to the natural hydrologic patterns, and alteration in vegetation productivity and lifecycle.

### **Recommended technique for removal of pad materials and evaluation of potential damage**

The biological report provides recommendations for the staged removal of pad materials. Beginning at the farthest point (northern end of the pad), rock and soil materials would first be removed. Once completed, again starting at the northern end of the pad, the plywood, and then the filter fabric would be removed. This method will minimize the potential for damage to the underlying grassland soils with excessive vehicle trips. The report recommends that only rubber-tired, light duty front end loaders be used in combination with hand labor in order to minimize soil compaction and disturbance. While the report notes that this method may cause some minor soil disturbance, it suggests that this can be readily restored by following the procedures outlined in the grassland restoration plan discussed below.

## **POSE Grassland Restoration Plan**

The project environmental consultant has determined that, based on their consideration of the POSE's landscape position, soil, hydrology, and vegetation conditions, that it is feasible with appropriate management to re-establish the impacted grassland areas within the POSE.

### **Prior to construction of the staging pad**

The Grassland Restoration Plan (Attachment 17) outlines activities that will be carried out by the project biologist prior to construction of the staging pad within the POSE. These activities include: vegetation inventorying, representative soil sampling and testing, designating a stockpile area for removed topsoil (within the building envelope), establishing permanent photo points, and taking representative site photos. Data collected during these activities will assist the project biologist in developing a seed mix for replanting the area, assessing the soil nutrient conditions, and in documenting the existing, pre-impact conditions, the restoration activities, and annual monitoring and maintenance activities within the POSE.

### **Restoration of the impacted grassland**

Following deconstruction of the staging pad, the restoration plan describes the method for replanting of the impacted grassland area. The proposal includes: re-establishment of erosion control, soil preparation, pre-seeding weed control, seeding, post-seeding herbicide treatment, and biological monitoring. Fiber rolls will be installed around the perimeter and downslope of the restoration site, and loose sterile straw will be scattered over the grassland planting area. This erosion control will remain in place, as necessary, throughout the grassland restoration plan monitoring and maintenance period.

As noted in the email from Planning Commissioner Von Feldt (Attachment 18), in order to avoid having herbicide seep into the drainage area and eliminate the potential possibility of the chemicals drifting into adjacent areas, herbicides should not be used during the restoration.

The restoration site will be reseeded with the seed mix proposed in Table 3, page 13 of the restoration plan. The project biologist will monitor the restoration activities and a post-grassland restoration report shall be submitted to the Town within 90 days following the completion of the implementation of the restoration work.

### **Grassland restoration monitoring**

Performance monitoring by a qualified biologist over a five-year period will occur in order to track the progress towards meeting the performance standards and to determine if measures are necessary to ensure that the grassland restoration project is meeting its objectives.

Following the post-grassland restoration report, restoration performance monitoring reports prepared by the project biologist will be submitted on an annual basis by January 15 following each monitoring year, and a final report will be submitted after monitoring year five.

The project biologist will review the protocol and results of the monitoring program annually. Any changes will be reported to the Town, and any suggestions from the Town for adjusting the monitoring program will be reviewed and, if appropriate, will be incorporated into the following year's monitoring program.

## **Final report**

A final report summarizing the restoration project and evaluating the site's overall performance will be submitted to the Town at the end of the five-year monitoring program. Additionally, a final field visit will be conducted to verify that on-site conditions are consistent with information documented in the monitoring reports. Following receipt of the final report and the site visit, the Town will confirm the successful completion of the grassland restoration within the POSE or require additional restoration efforts and years of performance monitoring in order to determine success. Once the Town has determined that the POSE restoration has been successful, it shall provide a written notice of completion to the applicant.

## **CONCLUSION**

With the proposed grassland restoration plan, it appears that the proposal is in conformance with the Blue Oaks PUD Statement and Agreement for Conservation Easement. The proposed use within the POSE is temporary, and the staging and access area will be carefully restored to as close to original condition as possible. Prior to completing its action, the Town Council should consider the above comments and any new information presented at the July 22, 2015 meeting.

## **ATTACHMENTS**

1. Recommended Conditions of Approval
2. Vicinity Map
3. ASCC/Planning Commission staff report and meeting minutes dated 3/23/15
4. ASCC staff report and meeting minutes dated 5/11/15
5. Planning Commission staff report and meeting minutes dated 5/20/15
6. Blue Oaks Agreement for Conservation Easement – POSE
7. PUD use and maintenance establishment of private open space areas
8. Arborist report by Woodpecker Certified Arborist, dated 2/12/15
9. Letter from project architect re: POSE access, dated 6/25/15
10. Letter from project arborist re: construction staging plan, dated 4/8/15
11. Letter from Blue Oaks HOA, dated 5/7/15
12. Letter from Blue Oaks HOA, dated 7/13/15
13. Comments from Public Works Director, dated 5/14/15
14. Comments from Public Works Director, dated 7/9/15
15. POSE Staging Schedule, received on 6/25/15
16. Biological Report for Development of 3 Buck Meadow Drive, dated 6/25/15
17. Grassland Restoration Plan for Temporary Impacts to POSE, dated 7/15
18. Email from Planning Commissioner Alex Von Feldt, received on 7/10/15
19. Grading and Construction Staging/Access Plans, received on 7/2/15

Report approved by: Debbie Pedro, Town Planner

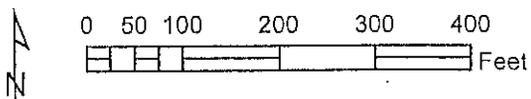
Recommended Conditions of Approval for  
Use of the Private Open Space Easement for Construction Staging and Access  
3 Buck Meadow Drive, Ross/Tamasi Residence, File #52-2014

The following conditions are recommended if the Town Council finds it can act to approve the project:

1. Six-foot high chain link fencing shall be installed at tree drip lines prior to commencement of grading and pad construction in accordance with the arborist report dated February 12, 2015.
2. The applicant shall implement the recommendations as listed in the letter by Huffman-Broadway Group, Inc. dated June 25, 2015 in the creation, use, and removal of the staging pad.
3. The applicant shall implement the Grassland Restoration and Monitoring plan prepared by Huffman-Broadway Group, Inc. dated July 2015 subject to the following modifications:
  - a. Fiber rolls with jute netting (rather than plastic netting) shall be used for erosion control.
  - b. No herbicides shall be used at any time.
  - c. The final field visit will be conducted with Town Planning staff and a designated member of the Conservation Committee to verify the success of the restoration and final report data.
4. All finish contours shall be blended with the existing site contours to result in a finished slope condition that appears as naturally as is reasonable possible, to the satisfaction of the Public Works Director and Town Planner.

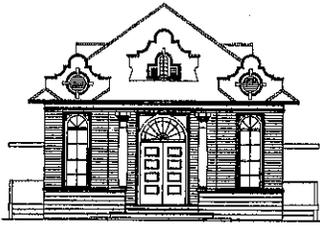


Vicinity Map



APN 080-241-240 3 Buck Meadow Dr

March 2015



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

**TO:** ASCC and Planning Commission

**FROM:** Carol Borck, Assistant Planner

**DATE:** March 23, 2015

**RE:** Preliminary Architectural Review and Site Development Permit for a New Residence, Greenhouse, and Swimming Pool; File #s: 52-2014 and X9H-687; 3 Buck Meadow Drive; Ross/Tamasi Residence

### BACKGROUND

This proposal is for the approval of plans for a 4,854 square foot single-story Tuscan farmhouse style residence with a three-car attached garage, 1,703 square foot basement, 216 square foot greenhouse, and 618 square foot swimming pool on a 1.34-acre property located at 3 Buck Meadow Drive (see attached vicinity map). The parcel was created in 2012 as "Lot B" with the merger of the below market rate Lots 23 and 24 of the Blue Oaks Subdivision and is within the Blue Oaks Homeowner's Association (HOA). The adjacent below market rate lots, 25 and 26, were merged into "Lot A," which is designated public open space. The parcel's building envelope (BE) is located in the central, western portion of the lot with private open space easements (POSE) covering the northern and eastern portions of the property. The site is moderately sloped, rising from a street elevation of 750 to 796 at the parcel's northwest corner, and contains a natural blue oak forest and open grassland.

The plans call for 1,384 cubic yards of grading counted pursuant to site development ordinance standards (PVMC Section 15.12.070). This includes 1,227 cubic yards of cut and 157 cubic yards of fill. Approximately 2,513 cubic yards of earth will be exported from the site.

The proposal is further described in the set of architectural, landscape, and civil plans received on February 27, 2015 (Attachment 12). In addition to the plans, the project submittal includes the information listed below:

- Letter from Blue Oaks HOA, dated 1/27/15
- Arborist Report by Woodpecker Certified Arborist, dated 2/12/15
- Outdoor Water Use Efficiency Checklist, dated 11/26/14
- Build It Green Checklist, received 11/26/14
- Colors/Materials Board (to be available at ASCC meeting), received 11/26/14

The following comments are offered for ASCC and Planning Commission consideration.

## CODE REQUIREMENTS

As required by sections 18.64.010.1 and 15.12.100C of the Zoning and Site Development Codes, this application for a new residence and site development permit has been forwarded to the ASCC and Planning Commission, respectively, for review. In addition to the Municipal Code, the Blue Oaks PUD and the Design Guidelines are used to evaluate the project.

## DISCUSSION

The parcel is located on the north side of Buck Meadow Drive and is within the "Combination Zone of Habitation" as defined in the Blue Oaks PUD statement (see PUD zone design guidelines, Attachment 2). The applicant proposes to construct a single-story residence with a basement and attached three-car garage, a greenhouse, and a swimming pool.

Proposed development of the site is generally centered within the BE, with the driveway, three guest parking spaces, and retaining walls located south of the BE boundary. The building pad would be cut into the hillside with finished floor elevations varying from 757.5 at the basement, 766 at the garage, and 771 at the bedrooms to the north of the garage (street elevation is approximately 750). Patios and a pool area would be located to the rear of the eastern wing of the home. Stone and stucco retaining walls around the perimeter of the patios and rear landscaping areas are generally low with heights varying from one to four feet; however, a 15-foot section of retaining wall in the area of the greenhouse reaches heights of up to 11 feet. This wall faces into the site, rises approximately three and one-half feet above adjacent grade, and will be constructed with an outdoor fireplace. Additionally, the greenhouse will incorporate some of the taller retaining walls into its structure.

A portion of the retaining walls at the autocourt has been designed with stone column and black iron railing (see Sheet A5.03). This section of the wall would have a maximum height of approximately six feet above finished grade. A portion of this wall is located outside of the building envelope where it may not exceed a height of four feet. The project team is aware of this requirement and will be modifying the plans to remove the wall railing (as it is not required by building code) and maintain the four maximum height limit.

The parcel is within the "Combination Zone of Habitation" under the PUD design guidelines. The Blue Oaks PUD Zones of Habitation establish the architectural framework for residential design and site development within the Blue Oaks community. The new residence will have a Tuscan farmhouse design, utilizing both medium tan stucco and stone siding, brown painted wood trim, and flat to low-sloping 3:12 tiled roofs. The mass of the home is divided into two wings located to the west and east of the entry. Variation in wall plane surfaces/floor plan layout and roof forms also contribute to reducing the massing of the structure. PUD Combination zone design guidelines call for structures to be kept relatively low, follow the land form, have flat or low pitch roofs, include wood and stone, and have colors in harmony with natural site conditions. The design of the proposed house appears to generally conform with these design provisions.

The proposed basement would be located under the eastern wing of the home. As with the recently approved project at 17 Redberry Ridge, this basement design includes a 470 square foot patio-style, extended light well that has been designed so that it conforms to the 18- and 24-foot height limits. Portola Valley Municipal Code Section 18.04.065.C permits additional

light, ventilation and access for basements when the ASCC finds that such provisions “will not be visible from adjoining or nearby properties.” The light well wall will be approximately three and one-half feet above grade. Conceptual landscape plan, Sheet CLP.1, identifies proposed screen planting, including native shrubs and cascading vines, in front of the wall that will soften its view from off site. The Commission should consider this extended light well area and provide any comments or direction to the applicant if any adjustments are deemed necessary.

Project design and siting has been executed with thoughtful consideration of site conditions, off-site views, and direct input from immediate neighbors and the HOA. Sheet A1.05 provides perspectives of the project when viewed from neighboring properties. The project team has informed staff that they have worked directly with these neighbors through the HOA review process. The single story, low roof pitch design, broken wall plane surfaces, existing trees, and proposed screening vegetation appear to reduce potential massing and off-site view impacts.

### **Blue Oaks Homeowners Association Design review process**

The property is located within the Blue Oaks HOA is subject to its design review process. The project team has received and incorporated comments from adjacent neighbors and the HOA into the proposed plans. The HOA has considered the project and requested additional refinements as noted in their letter dated 1/27/15 (Attachment 4). Their outstanding concerns involve landscape screening around the home and between properties, the health of the oak adjacent to the proposed pool area stairs, and architectural solutions for privacy and pool noise abatement for the rear neighbor at 1 Redberry Ridge. In response to HOA comments, the plans have been revised to: include a stacked stone wall (max height of four feet) uphill from the western wing of the home (with option for additional planting), lengthen the planter along the pool, include some screen planting in front of the basement patio wall, and reconfigure the steps adjacent to the large oak (tree #43) north of the pool. The current plans included in the packet have also been resubmitted to the HOA, and review is anticipated in April.

### **Compliance with floor area, impervious surface, height, and setback standards**

The total proposed floor area is 5,620 square feet (including the 216 square foot greenhouse), and is just under the 5,700 square foot limit. Pursuant to the Blue Oaks PUD provisions, 200 square feet of the swimming pool would count against the floor area limit, and this is included in the 5,620 square foot total. The Blue Oaks PUD does not have an 85% floor area limit, and therefore, a higher concentration of floor area within the main structures may be approved without the need for special findings by the ASCC.

The total proposed impervious surface area is 6,116 square feet (not 4,101 square feet as noted in the plans), which is approximately 51% of 12,000 square feet, the allowable IS for the property.

The proposed home and accessory structures conform with setbacks and height limits that apply to this parcel under the PUD.

### **Parking**

Required parking in the Blue Oaks subdivision is two covered spaces and six guest spaces. The guest parking spaces are not required to be located within the BE. The project proposes three covered spaces and five guest spaces located in the autocourt and parking pad at the

driveway entrance. Staff has been advised that the HOA provided direction to the applicant to site some of the guest parking spaces near the driveway entrance to avoid additional site disturbance and tree removals if the parking were placed further into the site.

### **Grading and Site Development Committee review**

The PUD Architectural and Site Design guidelines (Attachment 3) provide a framework for architectural design and site development that is unobtrusive and subordinate to the landscape and that enhances the natural setting. The guidelines call for architectural design that is sensitive to the existing site environment "so that the combination of structures, grading, and landscaping leave the impression of conformance to the land in a way that preserves the natural setting." This includes such measures as using contour grading that blends into land forms, breaking up or terracing retaining walls, maintaining natural slope and drainage patterns, and avoiding removal where feasible of large specimen trees.

The project proposes 1,384 cubic yards of grading which includes 1,227 cubic yards of cut and 157 cubic yards of fill. There will be approximately 2,513 cubic yards of dirt exported from the site that includes excavation for the basement. The guest parking area near the driveway entrance at the southwest corner of the property would require retaining walls that range from at-grade to four feet in height. Cut and fill will be necessary to bring the driveway upslope from the street into the site. As much as three feet of fill will be placed in the autocourt. Slope contours on either side of the driveway will be smoothed to a maximum 2:1 slope.

The most extensive area of grading involves the 1,111 cubic yards of cut around the home necessary to create patio and landscaping areas. The finished grade of the rear patio is at elevation 768, requiring up to ten feet of cut.

**Town Geologist.** The Town Geologist, in his letter dated 1/16/15, recommends approval of the site development permit with the condition that drainage design clarifications be made concerning discharge locations of collected surface water and roof downspouts.

**Public Works.** The Public Works Director, in his memorandum dated 1/20/15, has provided standard conditions for site development permit approval. Additionally, he notes some minor plan corrections and calls for adjustments to the driveway entrance width which have been made on the current plans.

**Fire Marshal.** The Fire Marshal, in her letter dated 1/13/15, includes all standard conditions concerning fire code for conditional approval of the site development permit.

**Conservation Committee.** The committee's 1/28/15 comments include caution about planting beneath the blue oaks and advises that some of them are proposed to be planted too close together to allow for optimum canopy development. They also express concern over the amount of proposed impervious surface and suggest a portion of it be laid on a pervious base (the current plans have been updated to include pervious paving in the autocourt). The committee also urges the project team to buy true Berkeley Sedge, *Carex tumulicola*, from a specialty nursery or otherwise, remove it from the plans as nurseries often sell invasive plants under this name.

**Trails Committee.** No comments have been received from the Trails Committee, and no trail easement is located on the property.

The property will be served by sanitary sewer and therefore, no comments from County Environmental Health are expected.

In general, none of the Site Development Committee reviews raise significant issues, and the proposed siting of the development and associated earthwork appear to generally conform to the PUD guidelines.

### **Exterior materials and finishes, exterior lighting, skylights, and solar photovoltaics**

The proposed finish treatments for the project meet Town reflectivity guidelines and include:

- Stucco siding in Springfield Tan, LRV approximately 40%
- Wood trim/windows in Chocolate Truffle, LRV approximately 15%
- Wood garage doors
- Walls and columns in stone veneer
- Black iron fencing/railing
- Clay tile roofing
- Asphalt and paver driveway

Samples or cut sheets for the patio surfaces and driveway pavers will need to be provided. Samples of the proposed tile roofing will also need to be submitted to review the color blend and to ensure that the tiles do not have a reflective glaze.

A two and one-half foot allan block retaining wall is proposed around the existing utility box near the street. The ASCC will want to consider the proposed material and determine if a wood or stone wall would be more appropriate at this location.

Proposed exterior lighting is shown on Sheet E1.01 and fixture cut sheets are identified on Sheet E1.02. The proposed fixtures and locations for house lighting appear to be in general compliance with Town guidelines; however, eliminating one light at the entry porch and one light at the master bedroom patio should be considered as only one light is required by the building code at these doors. Additionally, four lights are proposed at the front of the garage, and it appears that two lights would provide adequate lighting in this area. Reduction of site lighting should be considered inside the light-well planting area and at the guest parking pad at the driveway entrance. Pool and spa lighting will need to be specified.

There are no skylights proposed with the project. An array of solar photovoltaic panels are proposed to be installed on the garage roof facing Buck Meadow Drive.

### **Landscaping and fencing**

Blue Oaks PUD objectives for landscaping focus on preserving natural views, establishing appropriate screen plantings between houses, extending natural woods and grasslands in a flow across the land, and creating a visual balance in type and massing of materials. A natural appearing transition should be created between the new construction and the natural landscape. Selected varieties must conform to approved plant lists and provisions within the PUD statement.

The conceptual planting plan, Sheet CLP.1, proposes plantings that are located close to the improvements and 31 blue oaks around the perimeter of the development to soften views to the structures. The plant species proposed appear to be in general compliance with the PUD, with the exception of the *Cistus purpureus* noted as invasive by the Conservation Committee. Minimal planting is proposed beyond the building envelope in the private open space easement to help screen views to the basement patio wall. Such planting is permitted with HOA and ASCC approval. A final, detailed planting plan will need to be submitted that specifically identifies plant species, quantities, and sizes, and all plantings located outside of the building envelope must comply with the PUD approved plant list for the Combination Zone of habitation.

The attached arborist report identifies both significant and non-significant trees proposed for removal. A total of 25 significant blue oaks, having a diameter of at least five inches measured at 54 inches above natural grade, are proposed for removal with the project. Additionally, three non-significant blue oaks, two non-significant live oaks, and three olives will be removed. The report also provides recommendations for the structural root inspection of six trees that may be impacted during construction and for tree protection during construction, including supervision by the arborist of any grading or trenching within 10 feet of tree driplines. Large oaks located in the front and rear yards will be preserved as a result of thoughtful driveway/parking area and retaining wall design.

Six-foot high black iron fencing with stone columns and a stone wall are proposed just north of the vegetable garden. This fencing and three sections of iron fencing with pedestrian gates proposed within the interior of the main patio have been designed to deter deer from entering the patio and garden. The PUD states that fences shall be constructed of materials and colors that blend with natural site conditions and harmonize with other development on the site. Metal fencing, when dark in color, may be used when approved by the HOA and ASCC. While the black metal fencing appears to compliment the proposed architectural style, it may be ineffective in preventing deer from accessing the patio. Post and wire fencing placed directly around the vegetable garden would be more beneficial and blend more naturally with the existing site conditions. The Commission should consider the proposed fencing and provide any direction for alternative materials or placement as appropriate.

No pool fencing is proposed as the pool will be fitted with a locking cover to meet Building Code security requirements.

### **"Sustainability" aspects of project**

The project architect has provided the enclosed Build-It-Green checklist targeting 77 points for the project, whereas, 184 points would be required under the Town's previous Green Building Ordinance. The Town's Green Building Ordinance is currently not in effect due to the adoption of the Cal Green Code 2013 that superseded it as of January 1, 2014. Staff will be working with the Town Council in the future to determine if a new green building ordinance should be developed, and in the meantime, staff is requesting that all ASCC applications include a completed Build-It-Green checklist.

### **NEIGHBOR COMMENTS**

No public comments have been received as of the writing of this report.

## **CONCLUSION**

The ASCC and Planning Commission should conduct the 3/23/15 preliminary review, including the site visit, and offer comments, reactions and directions to assist the applicant and project architect make any plan adjustments or clarifications that members conclude are needed before both commissions consider final action on the application. Project review should then be continued to the regular April 13, 2015 ASCC meeting.

## **Attachments**

1. Vicinity Map
2. PUD zone design guidelines
3. PUD key development standards
4. Letter from Blue Oaks HOA, dated 1/27/15
5. Arborist Report by Woodpecker Certified Arborist, dated 2/12/15
6. Outdoor Water Use Efficiency Checklist, dated 11/26/14
7. Build It Green Checklist, received 11/26/14
8. Comments from Town Geologist dated 1/16/15
9. Comments from Public Works Director dated 1/20/15
10. Comments from Fire Marshal dated 1/13/15
11. Comments from Conservation Committee dated 1/28/15
12. Architectural plans, received 2/27/15

Report approved by: Debbie Pedro, Town Planner

**ARCHITECTURAL AND SITE CONTROL COMMISSION** **March 23, 2015**  
**Special Joint ASCC/Planning Commission Site Meeting, 3 Buck Meadow Drive, Preliminary Architectural Review for New Residence, Green House, Swimming Pool, and Site Development Permit X9H-687**

Chair Ross called the special site meeting to order at 4:00 p.m.

**Roll Call:**

ASCC: Breen, Clark, Harrell, Koch, Ross  
 ASCC absent: None  
 Planning Commission: Gilbert, McKitterick, Von Feldt  
 Planning Commission absent: Hasko, Targ  
 Town Council Liaison: None  
 Town Staff: Town Planner Pedro, Assistant Planner Borck

Others present relative to the proposal for 3 Buck Meadow Drive:

Tracy Ross, applicant  
 Bill Maston, project architect  
 Leah Bayer, project architect  
 John Banister, project General Contractor  
 Jane Bourne, Conservation Committee  
 Jason and Jessica Pressman, 127 Ash  
 Kelly Heath, project architect for 127 Ash  
 John Toor, 2 Buck Meadow Drive

Ms. Borck presented the March 23, 2015 staff report on this preliminary review of the proposed new residence and site improvements. She advised that the project will involve 1,384 cubic yards of grading that counts towards the site development permit and that the Planning Commission is the approving body on the permit. She stated that the proposed development is generally centered within the building envelope and that the project complied with all height, setback, and floor area regulations. Ms. Borck explained that the site is located within the Combination Zone of Blue Oaks and that the proposed design appears to respond to the required provisions of that zone. She emphasized that the proposed basement was being proposed with a patio-style light well and that the zoning ordinance does allow for additional provisions for light, ventilation, and access to a basement if the ASCC finds that the provisions will not be visible from adjoining or nearby properties. She noted that the light well wall would extend approximately 42 inches above grade and that the ASCC should consider the proposed wall in relation to its location and the proposed landscape screening that would soften views to it from Buck Meadow Drive.

Bill Maston, project architect, provided the background to the development of the design concept and explained the layout of the story poles. He advised that the applicant was proposing the use of the Private Open Space Easement (POSE) for construction staging and parking. He explained that using the POSE appeared to be the most viable approach to developing the lot due to the extensive earthwork that would be required and the difficulty in getting the equipment into the site while still protecting the blue oaks that are proposed to be preserved with the project. He then led the commissioners through the site to view the story poles and existing conditions. In response to questions, Mr. Maston stated that:

- The utilities would likely come up the driveway; however, if the POSE were used for staging, the utilities could be drawn through the easement.
- The plan for construction staging within the POSE would involve installing a 30-foot wide temporary rock road up into the open meadow. The meadow would not be graded. After the excavation for foundations is complete, the rock area in the open space easement would be retained for construction parking and material storage.
- The equipment cannot adequately access the site from the front of the property (outside of the POSE) as the approach is not long enough for trucks to come in to unload. Coming in from the

front of the property at the proposed driveway would also not allow enough clearance between equipment and protected trees.

Commissioner Koch questioned whether the POSE could be used for staging. Mr. Maston stated that he believed the Homeowner's Association had approved such use in the past. Commissioner Breen expressed her concern for the number of tree removals required to accomplish the project and asked Mr. Maston to help her understand the reasons for the removals. Mr. Maston further explained the adjustments that had been made to the home's design in order to save existing trees and respond to neighbor's view concerns. He stated that it was a balance of determining the priority of which trees to save and which to remove. He advised that the rear patio needed to be dug down approximately 10 feet and that the trees in that area could not be saved due to the impacts to root systems. He explained that pulling the rear walls closer to the house would not improve this situation because the root systems would still be impacted by the excavation.

In response to a question, Mr. Maston clarified that there would be approximately 2,500 cubic yards of dirt to be off-hauled from the property.

Chair Ross invited public comments, but none were offered.

ASCC members agreed that they would offer comments on the proposal at the regular evening ASCC meeting. Planning Commissioners in attendance held their comments and will submit them via email to Planning staff. Thereafter, project consideration was continued to the regular evening ASCC meeting.

#### **Adjournment**

The special site meeting was adjourned at approximately 4:45 p.m.

minimizing the use of any retaining wall, and reducing the 420 lineal feet down to six different sections that add up to 110 feet, it would be a beautiful solution.

Mr. Wallace said that the exposure of the sandstone can be maximized by cleaning it off with high pressure air. However, he noted that it is a 200-foot stretch that will be very difficult to break up, but that further exploration can be carried out.

Commissioner Koch suggested that the design utilize the natural outcroppings to break up the retaining wall. Chair Ross agreed, as long as the work remains within the Town right-of-way, that visually breaking up the wall so that it is not in a straight line would be preferable. He suggested that a two-phase approach may need to be employed, where first, removal of the existing materials with some exploration for competent sandstone outcroppings would occur, and then the design of the wall could then be finalized based on the locations of that competent rock.

Mr. Young advised that he will use the Commission's feedback and determine what is feasible, what logistics and funding will be required, and how the preferred option would affect the construction schedule. Regarding the project setting a precedent, he advised that the BPTS identified this one location, and there are no other wall widening projects under consideration.

Commissioner Breen asked Mr. Young if a wall was planned for Portola Road in front of Town Center. Mr. Young advised that there would be no wall. Commissioner Breen stated that it is important for the ASCC to review any proposed improvements within the scenic corridors. Mr. Young said that he understands that improvements within the scenic corridors should be limited and in keeping with the rural nature of Portola Valley.

Ms. Pedro asked the Commission to recommend the top three options for Town Council consideration, including the additional options they discussed.

Based on the ASCC discussion, Chair Ross summarized the three recommended options, in no particular order of preference: 1) a stone retaining wall that is broken up by natural, competent sandstone outcroppings left in place, that would stagger in height and depth where feasible; 2) a rock clad retaining wall, either CMU or concrete; 3) a wood lagging retaining wall with steel I-beams.

Mr. Young confirmed that he will forward the Commission's feedback back to the Town Council.

(5) NEW BUSINESS

(a) Preliminary Architectural Review and Site Development Permit for a New Residence, Greenhouse, and Swimming Pool, 3 Buck Meadow Drive, Ross/Tamasi Residence, File #s: 52-2014 and X9H-687.

Chair Ross thanked the applicants for the tour conducted earlier today. He explained that this project will also require Planning Commission approval due to the amount of excavation involved in the project.

Assistant Planner Carol Borck presented the staff report and noted that the primary concern raised during today's field meeting was the number of trees proposed to be removed. She said the ASCC should consider any adjustments that may be possible in the patio areas or along the landscape walls that may provide an opportunity to preserve more trees. Ms. Borck said another key issue raised during the field meeting was the proposed use of the private open space easement ("POSE") for construction staging. Ms. Borck provided the Commission with a copy of the Easement Agreement. She noted that the purpose of the conservation easement is to prevent adverse impacts on the land, including grading, vegetation removal, and erosion, recognizing that such land is essentially unimproved and if retained in its natural state has substantial scenic value. Ms. Borck said it appears the easement agreement would not allow for construction staging activity but does allow for the Town Council to authorize exceptions to the easement requirements.

She read an email from Planning Commissioner Alex Von Feldt saying that she strongly encouraged the project team to see what more they can do to mitigate tree loss. In addition, she commented that while she appreciates the proposal to create the construction driveway away from the oak trees, the area proposed is probably the best quality grassland on the site and restoration of grassland and meadow is very difficult and takes years of careful monitoring. She encouraged the applicant to explore other options that do not cover such high quality grassland.

Commissioner Clark asked staff to confirm that POSE is not an option for construction staging. Ms. Pedro confirmed this statement. Vice Chair Harrell asked if they could use the area if they were putting in private utilities. Ms. Pedro said they could, but not for construction staging. Chair Ross asked if they could build a permanent private driveway in a POSE. Ms. Pedro said yes but the purpose is to allow for access to those properties in the Blue Oaks subdivision where the entire lot is surrounded by POSE and the only way to access the building site is through the open space easement.

Vice Chair Harrell asked if the Town Council had ever been approached for an exception to use the POSE for the purpose of trying to reduce potential adverse impact on trees during construction. Ms. Pedro advised that she was not aware of any such requests.

Bill Maston, project architect, said they had weighed whether the mitigation of putting in a temporary road was more beneficial than the time expended for restoration of the meadow. He said the Town Council does have the ability to make exceptions. He advised that he will conduct additional research on the construction staging and access for the project.

Regarding the parcel's history, Mr. Maston said that the original subdivision approval for this property was for four homes in a cluster. He said that the lots were merged to create two parcels and new building envelopes were drawn to reduce the footprint on the site. These modifications resulted in fewer trees being at risk as they were now outside of the building envelope. He advised that he has worked to create a design that balances the trees they want to protect and those that cannot be preserved due to necessary grading. He stated that the emphasis has always been to save the trees that the neighbors thought were the most important.

Mr. Maston presented the site plan and proposal with 3D renderings.

In response to a question, Mr. Maston stated that pavers were proposed in the autocourt. Ms. Pedro advised that the Blue Oaks PUD requires that all driveways be constructed with asphalt surfaces. However, other surface materials may be used subject to prior ASCC review and approval when the materials blend with the adjoining terrain and vegetation or when the coloring agents can be added to effectively achieve such blending.

Commissioner Clark stated that it appears that the only way to avoid putting the staging in the POSE is to sacrifice the front oak tree that is encircled by the driveway and the lower parking pad. He asked how the ASCC could help the applicant determine where to locate the construction staging.

Commissioner Koch expressed concern with the number of significant trees in good condition that were proposed for removal at the back patio area. She asked what options had been explored regarding protecting these trees. Mr. Maston advised that the proposed patio is 10 feet below grade, and it is not possible to protect the root systems of those trees. He stated that the original design located the entire outdoor patio system on the pool side, toward the street, but the neighbors did not support that proposal. He said the design is a balance between uses, privacy, and noise between neighbors.

Commissioner Koch said the arborist report does not indicate that many of the trees are unhealthy. She asked if they had considered relocating the greenhouse and vegetable garden to avoid removing the clusters of trees in that area. Mr. Maston said they had to prioritize which trees were most important to save and decided to eliminate the small trees that were bundled close together in favor of preserving the largest, most mature trees. Commissioner Koch said she supports saving the three trees in front and

understands the screening factor with neighbors, but is disappointed to see the removal of the 25 blue oaks on this property.

Leah Bayer, project architect, advised that the proposed greenhouse breaks up the height of the retaining wall, where the majority of the tree clusters are, and if that were moved closer to the home there would be a massive wall close to the house.

In response to a question, Mr. Maston advised that the roof tiles will be a modulation of 70/20/10 and that he will provide a mockup upon request.

Vice Chair Harrell asked how they decided to propose 31 new blue oak trees. Mr. Maston said it was recommended that they plant more than what might be needed, knowing that they will be culled out with age. Vice Chair Harrell asked if they had given further consideration to the utilities location. Mr. Maston said that if staging activities were permitted in the POSE, that the utilities would also be installed there. If the POSE is not used, the utilities would be installed in the driveway.

Chair Ross asked if there was any consideration given to reducing the program footprint to further protect existing trees. Mr. Maston advised that the previous project architect had designed a two-story solution, but was unable to comply with the single-story height limits. Additionally, the proposed grading with the previous design scheme required more tree removal. He advised that the current plan has received the support of the Blue Oaks HOA. He noted that because a significant amount of floor area is located within the basement, the actual footprint of the ground floor is much less than 5,620 square feet proposed with the project.

Chair Ross invited comments and questions from the public.

John Toor, 2 Buck Meadow Drive, offered support for the project and stated that he and the other homeowners are pleased to see the revised plan. He said the extension of the chimney on the southeast wall of the kitchen, the largest expanse of the house, is directly visible to him and Buck Meadow Drive. Mr. Toor encouraged the project team to provide any measures that would reduce the visual impact of this feature. Mr. Maston advised that the feature was not a functioning chimney, but a recessed area of the kitchen range serving as an exhaust vent. He confirmed that the faux chimney feature could be reduced in height.

Commissioner Koch asked Mr. Toor if it was the height of the chimney or the size of the wall that created the most visual impact for him. Mr. Toor stated it was a combination of both. Commissioner Koch offered that the faux chimney does break up the wall dimension, but at the same time, it is an entirely stucco surface.

Tracy Ross, applicant, advised that she had met with three general contractors to discuss the means for construction staging and access. She noted that the general contractor selected for this project expressed much concern in minimizing potential tree damage. She explained that with the size of the equipment required for the grading work and the need to stabilize the home's excavation area, it became apparent that access from the proposed driveway entrance and up through the trees slated for preservation was not going to be feasible.

There being no further comments from the public, Chair Ross asked the Commission for comments.

Vice Chair Harrell offered support for the project siting and minimizing visual impacts off-site. She expressed concern for the survival of the three oak trees to be preserved in the front yard during construction activities and earthwork. She stated that she supported the use of the POSE for construction staging in order to ensure the preservation of the front oak trees. She offered that two lights at the front entry are acceptable for aesthetic reasons. She supported the installation of native shrubs within the open space easement to screen the patio light well wall.

Commissioner Breen stated that the proposed house did not fit the site with respect to the loss of the 25 significant blue oak trees. She said the loss of these trees is significant and changes the character of the property which is one of the significant blue oak properties within the Blue Oaks subdivision. She questioned whether there is another design solution that would preserve many more of these oaks.

Commissioner Clark offered support for the scale and massing of the proposed project. He said he would prefer a darker palette of browns for the tile roof that will blend into the site more naturally than a red/orange selection. He agreed with the reduction in exterior lighting mentioned in the staff report. Concerning the proposed landscaping plan, he stated that he does not support any shrub planting within the POSE for screening the patio light well wall. He suggested lowering the faux chimney element and proposing a material for it other than stucco. He also expressed support for the proposed driveway and parking locations. Commissioner Clark stated that tree located between the lower parking pad and the autocourt could be difficult to protect during driveway construction, even if the POSE were used for staging. He offered that if the POSE were approved for staging that a detailed analysis of how it will be used and restored would be needed.

Commissioner Koch supported the design of the home, while also suggesting that any possible modifications to the rear patio be considered if additional oak trees could be preserved. She expressed concern for potential view impacts for the 2 and 4 Buck Meadow properties, and requested that the faux chimney be reduced in height or the massing of the wall be broken up. She supported reducing the proposed exterior lighting within the patio light well wall and the other locations around the home identified in the staff report. Commissioner Koch expressed support for minimal planting, particularly in front of the light well wall.

Chair Ross offered general support for the project. He understands the loss of oak trees is unavoidable with the development of the property and that a reduction in house size would not necessarily preserve a significant number of additional trees. He stated that he also recognizes that removing the rear patio and moving that wall closer to the house would be undesirable. He stated that the use of the POSE grassland area to access the site may provide the lowest risk to the trees identified for preservation, and that the temporary access must be well thought out. Chair Ross stated that screen plantings were not needed in front of the basement light well. He stated that the roof tiles should be in tan or brown hues with less red and yellow. He offered that it ornamental lighting at the house entry seemed appropriate. He supported the other areas of lighting reduction identified in the staff report. He expressed appreciation for the limited areas of fenestration and suggested that there be a material change along the faux chimney wall.

(6) COMMISSION AND STAFF REPORTS:

**(a) Solar Path Lights at Schoolhouse**

The Commission suggested that new down-shielded path lights be installed as part of the landscape replanting plan in front of the Historic Schoolhouse.

**(b) Replacement Radar Trailer**

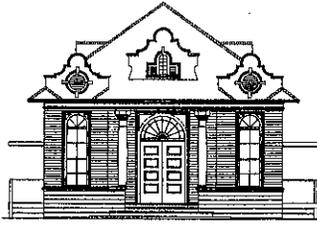
Ms. Pedro advised the Commission that a new, smaller radar trailer will be purchased to replace the existing one.

**(c) 315 Grove**

Commissioner Koch advised that she reviewed and approved a proposed siding material and color change for this project.

**(d) 220 Golden Hills**

Commissioner Clark advised that he had approved proposed obscured glass for an entry light fixture at



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

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**TO:** ASCC

**FROM:** Carol Borck, Assistant Planner

**DATE:** May 11, 2015

**RE:** Architectural Review and Site Development Permit for a New Residence, Greenhouse, and Swimming Pool, File #s: 52-2014 and X9H-687, 3 Buck Meadow Drive, Ross/Tamasi Residence

### RECOMMENDATION

Staff recommends that the ASCC review the revised project plans submitted by the applicant on April 28, 2015 and approve the proposed project, subject to the recommended conditions of approval in Attachment 1 and any additional conditions deemed necessary. As the site development permit is subject to review and approval by the Planning Commission, the ASCC should provide comments on the proposed grading permit that will be forwarded to the Planning Commission at their 5/20/15 meeting.

### BACKGROUND

The applicant is requesting approval of development of the 1.34-acre vacant property with a 4,888 square foot single-story residence with an attached three-car garage, a 1,799 square foot basement, a 216 square foot greenhouse, and swimming pool. 1,384 cubic yards of grading is proposed which includes 1,227 cubic yards of cut and 157 cubic yards of fill. A majority of the earthwork is associated with the development of the driveway, parking areas, and rear patio/landscaping area.

On March 23, 2015, the ASCC and Planning Commission conducted a joint preliminary review of the proposed project at the site. The staff report prepared for the March 23, 2015 meeting and meeting minutes are included in Attachment 2. The Blue Oaks HOA has reviewed the current plans and offered support of the architectural and site design as well as the proposed use of the Private Open Space Easement for construction staging. Staff has been advised that the HOA will issue its approval letter once the Town has approved the project to ensure that there are no additional changes to the plans.

## CODE REQUIREMENTS

As required by sections 18.64.010.1 and 15.12.100.C of the Zoning and Site Development Codes, this application for a new residence and site development permit has been forwarded to the ASCC and Planning Commission, respectively, for review. In addition to the Municipal Code, the Blue Oaks PUD and the Design Guidelines are used to evaluate the project.

## DISCUSSION

In response to ASCC comments at the preliminary review meeting, the applicant has submitted revised plans on April 28, 2015 (Attachment 10). The submittal includes only those plan sheets which have been revised. A full set of the originally submitted plans will be available at the 5/11/15 meeting. As described in the transmittal from the architect, dated 4/25/15 (Attachment 3), the following changes have been made to the project:

### 1. Architectural Plans

As directed by the Commission, the faux chimney feature on the southeast elevation has been modified to reduce its apparent massing. The updated design tapers the chimney top and narrows the section of the chimney projecting above the roof. It was suggested by the Commission that the chimney be faced with a rock veneer to break up the visual massing of the stucco wall; however, the project architect indicates that this could draw increased attention to the feature due to the contrasting materials. Alternatively, the windows located on either side of the chimney have been modified to a simpler form that draws less attention to the feature. Sheet A9.06 provides elevation renderings of the chimney with and without a stone veneer for comparison.

The applicant also proposes minor modifications to the floor plans (including extending the hallway at the master bedroom and adjusting the window, doors, and fireplace in the master bedroom) and adding 96 square feet to the basement area. These modifications add 34 square feet to the main level of the house and bring the total basement area to 1,799 square feet (of which 337 square feet count as floor area). The total proposed floor area for the site is 5,641 square feet and under the 5,700 square foot limit.

### 2. Exterior Lighting Plan

Exterior lighting (Sheet E1.01) has been modified to eliminate the lights at the guest parking pad at the driveway entrance and three of the lights at the autocourt. Additionally, two lights at the garage, two at the master bedroom, and two within the patio light well area have been removed. As suggested by commissioners at the preliminary meeting, two lights at the entry remain as proposed for aesthetic symmetry. Pool lighting has not been specified and will need to be included with the building permit submittal (Condition #2).

### 3. Landscape Plan

The revised, detailed landscape plan, Sheet LP.1, responds to the Commission's direction to limit or eliminate proposed screen planting within the POSE in front of the patio light well wall. All proposed planting has been removed from the POSE. The plan proposes four California grape vines that will cascade and soften the view of the wall. Additionally, the *Cistus purpureus* has been eliminated from the plan as recommended by the Conservation Committee.

As stated in the preliminary review staff report, all plantings proposed to be located outside of the building envelope must comply with the PUD approved plant list for the Combination Zone of habitation. Plantings proposed adjacent to the parking pad, autocourt, and driveway are located outside of the building envelope. Of the plant species proposed in these areas, *Muhlenbergia rigens* and *Vitis californica* are not on the approved PUD plant list and will need to be replaced with approved species (Condition #3).

The plan continues to propose the removal of 25 significant blue oaks and planting of 31 new blue oak trees as discussed in the preliminary review staff report. At the preliminary meeting, some commissioners expressed concern for the number of trees that are proposed for removal with the project. The project architect explained that the proposed development was sited and designed in such a way as to protect the most significant and viable trees in the building envelope (particularly, trees #1, #2, #3, #27, #43). He stated that the design sought a balance between the development and the loss/protection of trees, and advised that, if the rear patio area were to be brought closer in towards the home, the roots of the adjacent trees would still be subject to critical damage due to the depth required to cut the home and improvements into the site.

#### 4. Material Samples and Cut Sheets

The applicant has provided samples of the proposed roof tiles, stone for the house and retaining walls, and autocourt pavers. These samples comply with Town reflectivity guidelines and will be available at the 5/11/15 meeting. As suggested by the Commission at the preliminary review, the roof tiles are in keeping with brown/tan tones and less red/orange hues. The finish on the tiles is matt and does not appear to have a reflective glazing.

#### 5. Construction Staging Plan

As discussed at the preliminary review meeting, the applicant is proposing to use the POSE for construction staging and access to the building site. The Agreement for Conservation Easement (Attachment 6) states that the Town Council may authorize exceptions to the use of the POSE, "provided such exceptions are consistent with the purposes of law and not incompatible with the PUD Statement maintaining and preserving the natural character of the land." Under the agreement, uses of the POSE are limited to:

- public and private utilities, drainage facilities, and a sediment basin, all within designated easements
- public pathways dedicated to the Town
- private driveways

The agreement specifically identifies restrictive covenants that include prohibiting grading of the land other than attendant to permitted uses and cutting of vegetation, except as may be required for fire prevention, thinning, elimination of diseased growth, and similar measures. (It is noted that private utilities are *only* permitted to be placed in the POSE within a designated easement. Discussion at the preliminary review meeting included the applicant's proposal to use the POSE not only for construction staging, but to also install utilities through it. As there is no designated easement for these utilities, they may not be run through the POSE.)

Preliminary commissioner comments concerning the proposed use of the POSE for construction staging varied between support for the approach and encouragement for the project team to determine a way to direct construction staging and access through the front portion of the property where the proposed driveway will be located. In addition, Planning Commissioner Alex Von Feldt, in her preliminary comments (Attachment 8) stated that "the (POSE) area proposed (for construction staging) is probably the best quality grassland on the site." She also advised that she has seen previous construction projects that have tried similar protections (as discussed below), and the disruption kills the native species and allows the introduction of non-native invasive species. She encouraged the applicant to explore other options that do not cover "such a high quality grassland," noting that "grassland and meadow restoration is very difficult and takes years of careful monitoring."

The project architect, in his letter dated 4/28/15 (Attachment 4), states that use of the proposed driveway as the primary construction entry point is not feasible due to the potential impacts to trees #1, #2, and #3, located at the front of the property and proposed for preservation. The letter from the project arborist, dated 4/8/15 (Attachment 5), also supports the use of the POSE for construction staging. As described in the arborist letter, accessing large construction equipment between the trees in the front yard area will expose them to soil compaction, root damage, and potential physical impacts by passing equipment. The letter states that due to the large equipment needed for this project, at least one of the trees (#2) would need to be removed to accommodate the passage of the equipment through the area to the house site. The arborist notes that construction of a platform could reduce the risk of compaction at the front of the site, but that the elevation presents safety issues. The full arborist report is enclosed (Attachment 7) for reference and includes recommendations for tree protection and pre-construction inspection of the structural root systems of trees #1, #2, #3, #27, #41, #43.

Sheet A1.02 presents a preliminary construction staging plan that proposes utilizing an area of approximately 4,700 square feet within the POSE for construction staging, parking, and large equipment access. The plan calls for creating a 30' x 110' access and equipment storage pad within the POSE. This pad would have a six- to ten-inch layer of wood chips placed on existing grade (on top of the existing grassland) and would then be covered by three to five inches of base rock/cobble. Staking and 2" x 12" boards would be installed around the pad to secure it during construction. The letter from the architect indicates that research into site sensitive methods and materials for native grass preservation is in progress.

In addition to using the rocked pad for construction staging and building site access, the applicant also proposes that the pad be used for construction parking. All construction projects in town are required to provide on-site parking where possible, and over-flow parking is typically maintained on the street where feasible. It is common and anticipated that construction projects within the subdivision utilize the streets for the over-flow of contractor parking. Parking of contractor vehicles is kept to one side of the street, and a safe throughway is maintained. For this development proposal, on-site construction parking should be proposed within the staging area located at the new driveway, rather than within the POSE. By maintaining parked vehicles within the new driveway staging area and on the street, it appears it might be possible to reduce or eliminate the need to use the staging pad for parking, and hence, reduce the amount and duration of compaction and disturbance in the POSE.

From the proposed staging pad, an approximately 1,400 square foot large equipment access-way to the house site/basement excavation area would be created. Some grading may be

required to create this access-way, and the contours would be restored and the area re-seeded with the approved Blue Oaks native seed mix prior to project completion.

With the proposed use and creation of the staging and access area within the POSE and the grasses being subject to potentially intense compaction and sunlight deprivation, it remains unclear as to the likelihood of survival of the native grassland and the potential success of the proposed restoration. Further information and details on the proposal prepared by an environmental consultant who is a specialist in ecological preservation and restoration should be submitted to the Town Council for consideration, including:

- Evaluation of the proposed methods for creation and use of the staging pad in relation to the potential survival and restoration of the grassland.
- A detailed schedule that includes a timeline for the pad/access-way creation, expected uses of the pad over the duration of construction, removal of the pad materials, restoration of the equipment access-way and grassland within the POSE.
- Technique for removal of pad materials and evaluation of potential damage to the grassland that removal of the materials could cause.
- Grading and contour restoration plan for the large equipment access area
- Grassland restoration and monitoring plan

While the ASCC cannot act on the use of the POSE for the proposed construction staging activities, the applicant is requesting that the Commission review the preliminary proposal and provide comments that can then be used by the Town Council in reviewing the request. The ASCC should consider the preliminary plan and materials and determine if adequate information has been provided in order to make a recommendation on the proposal.

## **NEIGHBOR COMMENTS**

No public comments have been received as of the writing of this report.

## **CONCLUSION**

The applicant has made design changes in response to directions provided by the ASCC. The project is in general conformance with the Town's Zoning and Site Development Codes and the Blue Oaks PUD. Prior to completing action on the architectural review, the ASCC should consider the above comments and any new information presented at the May 11, 2015 ASCC meeting. The ASCC action for this project would have two parts:

1. Action on the architectural review plans;
2. A recommendation to the Planning Commission concerning the grading, i.e., the site development permit for the project

**ARCHITECTURAL AND SITE CONTROL COMMISSION**  
**Regular Evening Meeting, 765 Portola Road**

**May 11, 2015**

(1) CALL TO ORDER

Chair Ross called the regular meeting to order at 7:30 p.m. in the Town Center Historic School House Meeting Room, 765 Portola Road.

(2) ROLL CALL

Town Planner Pedro called roll:

Present: ASCC: Breen, Clark, Harrell, Ross, Koch  
 Absent: None  
 Planning Commission Liaison: Judith Hasko  
 Town Council Liaison: Jeff Aalfs  
 Town Staff: Town Planner Debbie Pedro, Assistant Planner Carol Borck

(3) ORAL COMMUNICATIONS: None.

(4) OLD BUSINESS

- (a) Architectural Review and Site Development Permit for a New Residence, Greenhouse, and Swimming Pool, 3 Buck Meadow Drive, Ross/Tamasi Residence, File #s: 52-2014 and X9H-687

Ms. Borck presented the revised project plans submitted by the applicant. She explained that there is a site development permit required for this project and, because grading exceeds 1,000 cubic yards, the Planning Commission will be responsible for review and action. She advised that the applicant has made design changes in response to the directions provided after the March 23, 2015, joint ASCC/Planning Commission preliminary review of the project. She said the project is in general conformance with the Town's Zoning and Site Development Codes and the Blue Oaks PUD. She said the applicant was also seeking comments from the ASCC regarding the use of the Private Open Space Easement (POSE) for the proposed construction staging activities that can be forwarded to the Town Council who will be the reviewing body under the Conservation Easement Agreement.

The project architect, Bill Maston, said they feel they've addressed all the concerns shared by staff and are in agreement with the suggested conditions.

Chair Ross brought the topic to the Commission for discussion.

In response to Commissioner Koch's question, Mr. Maston said the visual impact of the stone versus stucco finish on the fireplace was subjective in that some may find the stone faux finish draws more attention than stucco. He said the homeowners were flexible with either approach.

Commissioner Breen asked if a raised platform could be built in the POSE area to help protect the ground. Mr. Maston said the issue was discussed with the arborist, who suggested that laying down mulch topped with a layer of relatively open cobbles to keep it from getting compacted creates the equivalent of an air gap protection and allows the grasslands to go to seed. He said they are mindful that potential damage could occur when removing the stone and they will take extra care during that process.

Vice Chair Harrell asked why the pool lighting was not specified in the proposal. Mr. Maston said they were working with the pool contractor in researching newer pool lighting options and will bring that

element back to the ASCC at a future date. In response to Vice Chair Harrell's question, the homeowner said she preferred the stone design option for the fireplace.

Chair Ross opened the public hearing.

As there were no public comments, Chair Ross closed the public hearing and requested Commissioner comments.

Commissioner Breen supported the revised project plans. She said she would be supportive of the Commission's recommendation regarding the fireplace finish, but she preferred stucco. With regard to the proposed use of the POSE, she said she would support it for construction staging, but that parking should be on the street.

Commissioner Clark was supportive of the project. He added that further evaluation was needed for the construction staging proposal within the POSE in order to determine the best process.

In response to Vice Chair Harrell's question, Mr. Maston said the size of the proposed staging pad within the POSE can be reduced in size by six to eight feet in width. He also stated that the proposed pad could be shifted away from the drainage swale. He said if the Commission advises minimizing the size of the staging pad and maximizing on-street parking, it would be helpful in negotiating a compromise with the HOA, which generally discourages on-street parking. Vice Chair Harrell strongly supported saving the three primary trees at the front of the property. She stated that while she preferred the stucco chimney, it is an aesthetic issue, and therefore, the applicant's choice.

Commissioner Koch offered support of the project. With regard to the fireplace, she noted preference for the stone facing. She agreed that the size of the proposed staging pad in the POSE should be reduced and on-street parking be maximized. She stated that the proposed use of the POSE didn't appear to comply with the permitted uses as identified in the easement agreement.

Chair Ross offered support for the project. He agreed the POSE was the appropriate choice for construction staging. He expressed concern about parking equipment that may have oil or hydraulic leaks and requested that the staging plan address that issue. He supported daytime parking on the street, but not overnight parking. He suggested that when the foundation phase is complete, the applicant should reduce the staging area more, and this detail and timing should be incorporated into the staging plan.

Vice Chair Harrell moved to accept the project with the staff conditions as recommended and with the chimney finish to be selected at the applicant's discretion, noting that the revised chimney design was made at the request of the neighbor at 2 Buck Meadow Drive.

The motion was seconded by Commissioner Breen, passed (5-0).

The Commission recommended and unanimously supported daytime street parking in exchange for reduction of the size of the staging pad and duration of use of the POSE. The also agreed that the pad should be shifted away from the drainage swale.

(5) NEW BUSINESS

(a) Discussion of Purpose and Guiding Principles for Architectural and Site Plan Review

The Commission discussed the guiding principles of the ASCC, particularly with reference to architectural style of proposed new residences. Ms. Pedro presented a compilation of zoning code sections relative to purposes and guiding principles of architectural and site plan review, as well as relevant sections of the



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

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**TO:** Planning Commission

**FROM:** Carol Borck, Assistant Planner

**DATE:** May 20, 2015

**RE:** Site Development Permit for a New Residence, Greenhouse, and Swimming Pool, File #s: 52-2014 and X9H-687, 3 Buck Meadow Drive, Ross/Tamasi Residence

### RECOMMENDATION

Staff recommends that the Planning Commission review the revised project plans submitted by the applicant on April 28, 2015 (Attachment 16) and approve the proposed site development permit, subject to the recommended conditions of approval in Attachment 1 and any additional conditions deemed necessary.

### BACKGROUND

The applicant is requesting approval of development of the 1.34-acre vacant property with a 4,888 square foot single-story residence with an attached three-car garage, a 1,799 square foot basement, a 216 square foot greenhouse, and swimming pool. 1,384 cubic yards of grading is proposed as defined under the Town's site development ordinance (PVMC 15.12.070). This includes 1,227 cubic yards of cut and 157 cubic yards of fill. Overall, approximately 2,511 cubic yards of earth will be exported from the site. A majority of the earthwork is associated with the development of the driveway, parking areas, and rear patio/landscaping area.

On March 23, 2015, the ASCC and Planning Commission conducted a joint preliminary review of the proposed project at the site. The staff report prepared for the March 23, 2015 meeting and meeting minutes are included in Attachment 2. At the preliminary meeting, the applicant also proposed the use of the Private Open Space Easement (POSE), located in the eastern half of the parcel, for construction staging and access.

The ASCC completed its architectural review for the project and approved it (5-0) on May 11, 2015 with conditions, contingent on Planning Commission action on the site development permit. The ASCC supports the site development permit subject to the conditions it placed on the architectural review application. The ASCC also provided comments on the proposed construction staging within the POSE that are discussed below and will be forwarded to the

Town Council in reviewing the request. The May 11, 2015 ASCC meeting staff report and conditions of approval are included in Attachment 3. The Blue Oaks HOA has reviewed the current plans and offered general support of the architectural and site design as well as the proposed use of the POSE for staging provided that measures to control erosion are developed and implemented (Attachment 4).

## **CODE REQUIREMENTS**

As required by section 15.12.100.C of the Site Development Code, this application for a site development permit has been forwarded to the Planning Commission for review. In addition to the Municipal Code, the Blue Oaks PUD and the Design Guidelines are used to evaluate the project.

## **DISCUSSION**

In response to comments received at the preliminary meeting, the applicant has submitted revised plans received on April 28, 2015 (Attachment 16). The submittal includes only those plan sheets which have been revised and pertain to the site development permit review, i.e., the architectural site plan and civil plans. In addition to these plans, the applicant has provided a preliminary construction staging plan for the POSE which is discussed below.

### **1. Previous consideration and ASCC action**

As noted above, the project has been discussed and considered by the ASCC at the March 23, 2015 joint preliminary field meeting with the Planning Commission and at the May 11, 2015 ASCC meeting. The ASCC conditionally approved the project at the May 11<sup>th</sup> meeting contingent on Planning Commission approval of the site development permit.

During the preliminary meetings, concern was expressed by both ASCC and Planning Commissioners regarding the number of blue oaks that are proposed for removal with the project. The project architect explained that the proposed development was sited and designed in such a way as to protect the most significant and viable trees in the building envelope (particularly, trees #1, #2, #3, #27 and #43). He stated that the design sought a balance between the development and the loss/protection of trees, and advised that, if the rear patio area were to be brought closer in towards the home, the roots of the adjacent trees would still be subject to critical damage due to the depth of the cut required for the building pad and related improvements on the site. Therefore, the design and siting of the proposed improvements remain as originally proposed. The ASCC has approved the removal of 25 significant blue oaks proposed by the applicant. The arborist report is provided in Attachment 13 for reference.

### **2. Grading and site development permit committee review**

During the preliminary site meeting, the project architect provided details of the design scheme and grading required to accomplish the project. Grading quantities primarily consist of cut that is necessary to nestle the home and its site improvements down into the hillside. Planning Commissioners in attendance at the site meeting expressed their general support of the proposed earthwork, the off-hauling of excavated soil rather than spreading it on site, and the lowering of the retaining walls at the driveway.

Proposed earthwork that counts towards the site development permit (1,385 cubic yards) remains unchanged from the original submittal; however, due to the addition of 34 square feet of floor area to the main level of the home and 96 square feet of floor area to the basement, the amount of off-haul has increased by 36 cubic yards to 2,511 cubic yards.

As noted in the preliminary review, the most extensive area of grading involves the 1,111 cubic yards of cut around the home necessary to create patio and landscape areas. The finished grade of the rear patio will require up to ten feet of cut.

The guest parking area near the driveway entrance at the southwest corner of the property would require retaining walls that range from at-grade to four feet in height. Cut at the parking area will be as deep as approximately four and one-half feet. Cut and fill will be necessary to bring the driveway upslope from the street into the site. As much as three feet of fill will be placed in the autocourt. Slope contours on either side of the driveway will be smoothed to a maximum 2:1 slope.

The site development permit committee members have found the project conditionally acceptable and their comments are shown below. Their comments are:

**Town Geologist.** The Town Geologist, in his letter dated January 16, 2015, recommends approval of the site development permit with the condition that drainage design clarifications be made concerning discharge locations of collected surface water and roof downspouts (Attachment 5).

**Public Works.** The Public Works Director, in his memorandum dated January 20, 2015, has provided standard conditions for site development permit approval (Attachment 6). Additionally, he notes some minor plan corrections and calls for adjustments to the driveway entrance width which have been made on the current plans.

**Fire Marshal.** The Fire Marshal, in her letter dated January 13, 2015, includes all standard conditions concerning fire code for conditional approval of the site development permit (Attachment 7).

The property will be served by sanitary sewer and therefore, no comments from County Environmental Health were received.

### 3. Proposed construction staging plan within the POSE

The applicant is proposing to use the POSE for construction staging and access to the building site. The Agreement for Conservation Easement (Attachment 11) states that the Town Council may authorize exceptions to the use of the POSE, "provided such exceptions are consistent with the purposes of law and not incompatible with the PUD Statement maintaining and preserving the natural character of the land." Under the agreement, uses of the POSE are limited to:

- public and private utilities, drainage facilities, and a sediment basin, all within designated easements
- public pathways dedicated to the Town
- private driveways

The agreement specifically identifies restrictive covenants that include prohibiting grading of the land other than attendant to permitted uses and cutting of vegetation, except as may be required for fire prevention, thinning, elimination of diseased growth, and similar measures. The PUD statement on the use and maintenance establishment of private open space areas within the subdivision is also attached for reference (Attachment 12).

Preliminary commissioner comments concerning the proposed use of the POSE for construction staging varied between support for the approach and encouragement for the project team to determine a way to direct construction staging and access through the front portion of the property where the proposed driveway will be located. In her preliminary comments, Commissioner Alex Von Feldt encouraged the applicant to explore other options that do not cover "such a high quality grassland," noting that "grassland and meadow restoration is very difficult and takes years of careful monitoring." (Attachment 14)

The project architect, in his letter dated April 28, 2015 (Attachment 9), states that use of the proposed driveway as the primary construction entry point is not feasible due to the potential impacts to trees #1, #2, and #3, located at the front of the property and proposed for preservation. The letter from the project arborist, dated April 8, 2015 (Attachment 10), also supports the use of the POSE for construction staging. As described in the arborist letter, accessing large construction equipment between the trees in the front yard area will expose them to soil compaction, root damage, and potential physical impacts by passing equipment. The letter states that due to the large equipment needed for this project, at least one of the trees (#2) would need to be removed to accommodate the passage of the equipment through the area to the house site. The arborist notes that construction of a platform could reduce the risk of compaction at the front of the site, but that the elevation presents safety issues. The arborist report includes recommendations for tree protection and pre-construction inspection of the structural root systems of trees #1, #2, #3, #27, #41, #43.

Sheet A1.02B presents a preliminary construction staging plan that proposes utilizing an area of approximately 3,900 square feet within the POSE for construction staging and large equipment access. This current plan has been revised from the plan that the ASCC reviewed on May 11, 2015 (Sheet A1.02). Specifically, in response to ASCC comments, the plan has been modified to reduce the area of the proposed staging pad by approximately 800 square feet and to shift the pad west, away from the drainage channel.

The plan calls for creating an approximately 24' x 105' access and equipment storage pad within the POSE. The proposed pad has been narrowed by approximately six feet in width and tapered at its northern end from the original proposal. Modifications were made to the pad's width in response to ASCC direction to eliminate the proposed construction vehicle parking from the pad. By maintaining parked vehicles within the new driveway staging area and on the street, it appears it might be possible to reduce the amount and duration of compaction and disturbance in the POSE. Construction of the pad would involve placement of a six- to ten-inch layer of wood chips on top of the existing grassland which would then be covered by three to five inches of base rock/cobble. Staking and 2" x 12" boards would be installed around the pad to secure it during construction.

While the plans have been modified to respond to both the ASCC and the HOA's concerns about the location of the equipment storage area of the pad within the drainage swale, further adjustments to the plan for erosion control appear necessary. As discussed in their attached letter, dated May 7, 2015, the HOA noted their concern over potential for erosion of the land

within the POSE that would impact the natural slopes and prevent the preservation and restoration of the grassland. The HOA directed the applicant to determine a solution to prevent excessive erosion and subsequent siltation onto the street. In response to these concerns, the applicant proposes silt fencing to be installed across the drainage swale. In his review of the preliminary staging plan (Attachment 15), the Public Works Director advises that silt fencing should not cross the drainage swale as shown on the plan. Instead, the plan should propose erosion control measures that ensure that no silt reaches the swale and that the swale remains fully operational, allowing the free flow of water. He advised staff that silt fencing should be installed around the perimeter of the pad to prevent erosion and straw wattles could be installed upstream of the bottom of the swale.

From the proposed staging pad, an approximately 1,400 square foot large equipment access-way to the house site/basement excavation area would be created. Some grading may be required to create this access-way, and the contours would be restored and the area re-seeded with the approved Blue Oaks native seed mix prior to project completion.

With the proposed use and creation of the staging and access area within the POSE and the grasses being subject to potentially intense compaction and sunlight deprivation, it remains unclear as to the likelihood of survival of the native grassland and the potential success of the proposed restoration. Further information and details on the proposal prepared by an environmental consultant who is a specialist in ecological preservation and restoration should be submitted to the Town Council for consideration, including:

- Evaluation of the proposed methods for creation and use of the staging pad in relation to the potential survival and restoration of the grassland.
- A detailed schedule that includes a timeline for the pad/access-way creation, expected uses of the pad over the duration of construction, removal of the pad materials, restoration of the equipment access-way and grassland within the POSE.
- Technique for removal of pad materials and evaluation of potential damage to the grassland that removal of the materials could cause.
- Grading and contour restoration plan for the large equipment access area
- Grassland restoration and monitoring plan

In reviewing the proposal on May 11, 2015, the ASCC offered comments in general support of the proposed use of the POSE for construction staging and access, subject to the submission of the additional information discussed above.

While the Planning Commission cannot act on the use of the POSE for the proposed construction staging activities, the applicant is requesting that the Commission review the preliminary proposal and provide comments that can be forwarded to the Town Council. The Commission should consider the preliminary plan and materials and determine if adequate information has been provided in order to make a recommendation on the proposal.

## **CEQA COMPLIANCE**

This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(a) of the CEQA Guidelines. This section exempts construction of individual new single-family residences.

### **NEIGHBOR COMMENTS**

No public comments have been received as of the writing of this report.

### **CONCLUSION**

The project is in conformance with the Town's Zoning and Site Development Codes and the Blue Oaks PUD. Prior to completing its action, the Planning Commission should consider the above comments and any new information presented at the May 20, 2015 meeting.

### **ATTACHMENTS**

1. Recommended Conditions of Approval
2. ASCC/Planning Commission staff report and meeting minutes dated 3/23/15
3. ASCC staff report and conditions of approval dated 5/11/15
4. Letter from Blue Oaks HOA, dated 5/7/15
5. Comments from Town Geologist dated 1/16/15
6. Comments from Public Works Director dated 1/20/15
7. Comments from Fire Marshal dated 1/13/15
8. Transmittal letter from project architect, dated 4/28/15
9. Letter from project architect re: construction staging plan, dated 4/28/15
10. Letter from project arborist re: construction staging plan, dated 4/8/15
11. Blue Oaks Agreement for Conservation Easement – POSE
12. PUD use and maintenance establishment of private open space areas
13. Arborist report by Woodpecker Certified Arborist, dated 2/12/15
14. Preliminary review comments from Planning Commissioner Alex Von Feldt, received on 3/23/15
15. Comments from Public Works Director on staging plan, dated 5/14/15
16. Architectural plans, received on 4/28/15

Report approved by: Debbie Pedro, Town Planner

Recommended Conditions of Approval for  
Site Development Permit X9H-687  
3 Buck Meadow Drive, Ross/Tamasi Residence, File #52-2014

The following conditions are recommended if the Planning Commission finds it can act to approve the project:

1. All conditions of the May 11, 2015 ASCC approval shall apply.
2. The applicant shall comply with the conditions of the Town Geologist as set forth in his January 16, 2015 letter.
3. The applicant shall comply with the conditions of the Public Works Director as set forth in his January 20, 2015 memorandum.
4. The applicant shall comply with the conditions of the Fire Marshal as set forth in her January 13, 2015 review.
5. All finish contours shall be blended with the existing site contours to result in a finished slope condition that appears as naturally as is reasonable possible, to the satisfaction of the Public Works Director and Town Planner.

PLANNING COMMISSION REGULAR MEETING, TOWN OF PORTOLA VALLEY, MAY 20, 2015,  
SCHOOLHOUSE, TOWN CENTER, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Chair Targ called the Planning Commission regular meeting to order at 7:30 p.m. Ms. Pedro called the roll.

Present: Commissioners McKitterick and Von Feldt, Vice Chair Hasko, and Chair Targ.

Absent: Commissioner Gilbert

Staff Present: Debbie Pedro, Town Planner  
Carol Borck, Assistant Planner  
Karen Kristiansson, Deputy Town Planner

ORAL COMMUNICATIONS

None.

REGULAR AGENDA

- (1) Public Hearing: Site Development Permit for a New Residence, Greenhouse, and Swimming Pool, File #'s: 52-2014 and X9H-687, 3 Buck Meadow Drive, Ross/Tamasi Residence (Staff: C. Borck)

Ms. Borck presented the project staff report and recommended conditions of approval for the proposed site development permit associated with the new residential development on the 1.34-acre vacant property. She noted that the proposed earthwork for the project that counts towards the site development permit is 1,384 cubic yards and remains unchanged from the original submittal. Ms. Borck advised that the most extensive area of grading involved 1,111 cubic yards of cut around the home necessary to create patio and landscape areas. Additionally, she advised that cut at the parking area near the driveway entrance would be as deep as approximately four and one-half feet and that fill at the autocourt would be as deep as three feet. Ms. Borck stated that all members of the site development permit committee had reviewed the proposed plans and found the project conditionally acceptable. She advised that the applicant was also seeking comments from the Planning Commission regarding the use of the Private Open Space Easement (POSE) for the proposed construction staging activities that can be forwarded to the Town Council who will be the reviewing body under the Conservation Easement Agreement.

Chair Targ asked for questions from the Commission or Staff.

Commissioner Von Feldt asked if there would be a process for inspecting the installation of the construction staging pad and accessway within the POSE and monitoring the grassland restoration after project completion. Ms. Borck advised that a schedule of inspections and monitoring would need to be included with the proposal.

Commissioner McKitterick asked if the Commission was voting to approve the site development permit, allowing the driveway to be the point of construction access with the option of using the POSE, if the POSE were to be approved for use by the Town Council. Ms. Borck said the Town Council is the ultimate approving body for the use of the POSE and will receive the comments and recommendations from the Planning Commission.

Bill Maston, project architect, said that they were in agreement with all recommendations provided by the ASCC and staff. He said that there will be a monitoring program proposed as part of the grassland restoration within the POSE. He stated that temporarily using the POSE for construction access would be the best way to preserve the three important blue oak trees at the front of the parcel. He said the three trees were also identified as the most important by the neighbors for screening of the site.

Mr. Maston advised that the Blue Oaks HOA directed the applicant to design the house with a low profile that is dug into the site so that the roof would be below the tree canopy. Additionally, he said there were neighbor concerns that the orientation of the primary outdoor patio area should be directed away from off-site views. In order to achieve this, they created a depressed courtyard behind the house that would be out of the visual sightline. To accomplish this design scheme, the deeper excavations are required.

Commissioner Von Feldt asked if new blue oak trees would be planted to replace some of the removed trees. Mr. Maston advised that approximately 30 blue oaks will be planted around the perimeter of the project.

Commissioner McKitterick asked if the neighbors were supportive of the use of the POSE for construction staging. Ms. Borck said she has not received any comments from neighbors concerning the use of the POSE. She advised that the HOA has reviewed the preliminary staging plan, and while they support the use of the POSE, they have directed the applicant to propose measures that will mitigate potential erosion of the drainage swale.

Chair Targ asked if there were any issues associated with the need for on-street construction parking. Mr. Maston said the Blue Oaks HOA has a general policy of restricting parking along the roadway; however, the HOA is willing to accept the tradeoff of directing parking to the street in order to have a smaller staging pad and reduce potential compaction of the grassland area in the POSE. Mr. Maston added that the roadway meets the minimum road width requirements, is visually accessible from both uphill and downhill from oncoming traffic, and that he does not think there are any increased safety concerns.

In response to Vice Chair Hasko's question regarding the use of the POSE staging pad, Mr. Maston advised it would be used for access for the excavation equipment and also for trucks to off-haul dirt. Once excavation is complete, Mr. Maston said the pad will be used for equipment staging for the foundation work. At the completion of the foundation and backfill work, the pad would then be used for temporary storage of framing materials. He said the pad would probably remain in place for approximately 20 months.

As there were no public comments, Chair Targ closed the public hearing and requested Commissioner comments.

Vice Chair Hasko expressed support for the project. She understands the balance between saving the three trees and preserving and restoring the grassland. She said a key factor is getting the right expert advice regarding the grassland restoration.

Commissioner Von Feldt offered support for the project. She said she understands the tradeoff with locating the staging area on the grassland in order to save the three trees. She offered to be the designated Planning Commission member to review and provide comments on the forthcoming documentation for the proposed use and restoration of the POSE. Additionally, she also noted that erosion control straw wattles with plastic wrapping traps and kills snakes, therefore, she would recommend using wattles with jute netting within the staging area.

Commissioner McKitterick stated that he supports the project.

Chair Targ supported Commissioner Von Feldt as a designated commissioner to review the POSE use and restoration plans, and he supports the project. He said that the resolution reached by the HOA regarding the POSE should be a prerequisite before it goes to the Town Council. Mr. Maston said if they wait for HOA approval before placing the item on the Town Council agenda, they will lose a couple of months and were hoping to be able to run the reviews simultaneously. Chair Targ agreed, however, he advised Mr. Maston to obtain an approval letter from the HOA before the Town Council meeting. Chair Targ also asked for a letter with respect to the on-street parking safety issue.

Commissioner Von Feldt moved that the Planning Commission find the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(a) of the CEQA Guidelines. Seconded by Vice Chair Hasko; the motion carried 4-0.

Commissioner Von Feldt moved to approve the site development permit for 3 Buck Meadow Drive as proposed, with the addition of Commissioner Von Feldt as reviewer of the environmental plan proposed for the use and restoration of the POSE. Seconded by Commissioner McKitterick; the motion carried 4-0.

Vice Chair Hasko moved to communicate to the Town Council that the Planning Commission supports the use of the POSE for construction staging and access, subject to the mitigation measures. Seconded by Commissioner Von Feldt; the motion carried 4-0.

- (2) Preliminary Review of Plans for Landslide Repair: Site Development Permit X9H-660), 16/42 Santa Maria Avenue, Bylund (Staff: K. Kristiansson)

Chair Targ recused himself as he has adjoining property and asked that Vice Chair Hasko chair the meeting.

Ms. Kristiansson presented the staff report. She summarized components of the project including demolition of the existing homes, the proposed grading to repair the landslide, the design of the storm drainage improvements, tree removal, and locations of the septic systems which were designed to work with the landslide repair. She said the applicant provided the HOA and the neighbors with a traffic and parking plan for review, which will need to be finalized and approved by the Public Works Director prior to the start of work. The applicant provided a stockpile and staging plan which is being reviewed by his geotechnical experts and will also be reviewed by the Town Geologist. No parking will be allowed along the roadway or under the large oak near the entrance to 16 Santa Maria. There will be no work or access west of 42 Santa Maria. The catch basin and erosion control will begin at the property line and access will be provided solely from the applicant's property.

Ms. Kristiansson said the ASCC offered preliminary comments during the field meeting, noting they are generally supportive of the project and of stabilizing the site.

For landscaping, in addition to the hydroseeding and Coast Live Oak, non-native invasive plants should be controlled to allow native plants on and adjacent to the site to fill in.

Ms. Kristiansson said that the Planning Commission is being asked to provide preliminary comments on the project, which is currently scheduled to return to the ASCC on May 26 and the Planning Commission on June 3.

Ms. Von Feldt asked how this landslide repair solution is different from the proposal that was approved in 2008. Town consulting geologist Ted Sayre said the sub-surface excavation, the layout of the



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AGREEMENT FOR CONSERVATION EASEMENT

P.O.S.E.

This Agreement is made and entered into this 22 day of July, 1998, by and between P.V. BLUE OAKS LIMITED PARTNERSHIP, A Delaware Limited Partnership, ("Owner") and the Town of Portola Valley, a municipal corporation, ("Town").

RECITALS

A. Owner is the owner of certain real property in the Town commonly known as the Blue Oaks Subdivision and more particularly described as:

Parcels A through G and Lots 1 through 36 on the Map entitled "Blue Oaks" filed for record in the Office of the Recorder of the County of San Mateo, State of California on AUGUST 6TH, 1998, in Book 128 of Maps, Pages 64 TO 92 INCLUSIVE.

B. Town has adopted a General Plan and, pursuant thereto, may accept grants of conservation and open space easements on privately owned lands lying within the Town.

C. Town finds this conservation easement to be consistent with the adopted Town's General Plan and in the best interest of the Town.

D. Both Owner and Town desire to limit the use of a portion of the property described above by dedication of a conservation easement in order to reduce potential adverse impacts on such land including grading, vegetation removal, and erosion, recognizing that such land is essentially unimproved and if retained in its natural state has substantial scenic value to the public and that the preservation of such land as open space constitutes an important physical, social, aesthetic and economic asset to the Town and the Owner.

NOW, THEREFORE, the parties, in consideration of the mutual covenants and conditions set forth herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

1. Grant of Conservation Easement. Owner, as grantor, hereby grants a conservation easement to the Town of Portola Valley, a municipal corporation, County of San Mateo, State of California, over the real property described as the portion of Lots 1 through 36 and Parcel E designated "private open space easement" as shown on the Map entitled "Blue Oaks" filed for record in the Office of the Recorder of the County of San Mateo, State of California on AUGUST 6TH, 1998, IN VOL. 128 OF Maps, Pages 64 TO 92 INCL. (the "Property") to have and to hold said conservation easement for the term and for the purposes and subject to the conditions, covenants and exceptions described herein.

2. Statutory Authorization. This Agreement and grant of conservation easement are made and entered into pursuant to Civil Code Sections 815 through 816 and Chapter 6.6 (commencing with section (51070) of Part 1, Division 1, Title 5 of the Government Code. This Agreement is subject to all of the provisions of said sections and chapter including any amendments thereto which may hereafter be enacted.

3. Restriction on Use of Property. During the term of this Agreement and the conservation easement granted herein, the Property shall not be used for any purpose other than a conservation easement and those uses related to or compatible therewith. Owner, for the direct benefit of the Property described herein and of the Owner, hereby declares that the Property shall be subject to restrictive covenants running with the land which shall be binding upon all subsequent grantees. Said restrictive covenants shall be:

a. against the right of Owner to construct any improvements on or within the Property except for

- public and private utilities, drainage facilities, and a sediment basin, all within designated easements
- public pathways dedicated to the Town
- private driveways

Provided these reserved exceptions shall be consistent with the purposes of law and shall not permit any action which will be incompatible with the Planned Unit Development Statement, Town of Portola Valley Conditional Use Permit approved by Town Resolution No. 1622-1998, January 14, 1998, as it may be amended ("PUD Statement"), and maintaining and preserving the natural or scenic character of the land; and

b. against the extraction of natural resources or other activities which may destroy the unique physical and scenic characteristics of the land, and

c. against the grading of land other than attendant to permitted uses; and

d. against the cutting of vegetation, except as may be required for fire prevention, thinning, elimination of diseased growth, and similar measures.

The Town Council of the Town may authorize exceptions to the foregoing restrictive covenants, provided such exceptions are consistent with the purposes of law and not incompatible with the PUD Statement maintaining and preserving the natural character of the land.

4. Restrictions on Public Use. The public shall not have a right of entry upon the Property, except upon public pathways dedicated to the Town. Except for said pathways, the right of entry and surface use is limited solely to the Town, but only for the purpose of inspection of landscaping, trees or natural growth upon the Property.

5. Term of Agreement. This conservation easement and Agreement shall be effective on the date of recordation of this Agreement and shall remain in effect in perpetuity, unless abandoned pursuant to Government Code Sections 51093 and 51094, or any successor legislation.

6. Successors in Interest. This Agreement and the conservation easement shall run with the Property and shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement.

OWNER

Date: July 20, 1998

PV Blue Oaks Limited Partnership, a Delaware limited partnership

By: H&H PV Blue Oaks Limited Partnership, a California limited partnership,

Its: General Partner

By: 1898 Development Group, a California corporation

Its: General Partner

By: [Signature]  
Paul B. Fay, III, President

Date: July 22, 1998

TOWN OF PORTOLA VALLEY  
By: [Signature]

Its: VICC MARR

ATTEST: [Signature]  
Town Clerk

These areas will be established, and used and maintained as provided in the PUD Statement and the CC&Rs, generally as follows:

1. **Residential Parcels and Private Common Recreation Area.** These areas will be developed for the active use of the Blue Oaks residents and all development and use will be according to the standards and guidelines contained in this PUD Statement. Further, all development shall comply with the land development provisions of the Portola Valley Municipal code except as those provisions are modified or superseded by the specific standards and guidelines contained in this PUD Statement.
- 2. **Private Open Space and Common & Public Open Space Areas.** These areas will be preserved in essentially their natural condition. They will be encumbered in their entirety with an open space easement established with undivided benefit to the HOA and Town of Portola Valley at the time of recording the (the first) final subdivision map. Such open space easement will be placed over all areas on residential parcels that are generally beyond the limits of the Building Envelopes (BE) as shown on the PUD Plan Map T 12, and in Appendix C, and over all common open space areas as shown on Map T 12 or on the tentative subdivision map. Uses within the private and common open space areas will be limited to open space and open space maintenance, trails and paths, fire management, including the emergency access road system, utilities, and other uses permitted by the Town of Portola Valley pursuant to the provisions of the final open space easement. In no case shall private residential use of a parcel extend into an open space easement area. Except for the public trails and paths system, these open space easement areas and all uses permitted within them shall be maintained by the HOA pursuant to land management and other standards and guidelines contained in this PUD Statement. (Fire management/emergency access provisions set forth in this document are in conformity with the approved subdivision map and the Fire Management Plan, being Appendix A of the report, Fire Management Considerations, Blue Oaks Development, Town of Portola Valley, January 26, 1995, by Wildland Resource Management and REMAR. A copy of this document is on file in the Planning Department at Portola Valley Town Hall.)

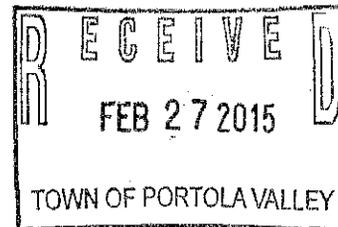
In order to ensure that the HOA fulfills its open space maintenance responsibilities, as set forth in this PUD statement or as may be required pursuant to the Blue Oaks subdivision approval, the Blue Oaks CC&Rs shall include a section stating that proper maintenance is for the benefit of the Town as well as Blue Oaks residents and setting forth the Town's ability to enforce the HOA maintenance obligations. This section shall be prepared to the satisfaction of the town attorney and recorded as part of the CC&Rs in conjunction with recording of any final subdivision map.

In addition to the private and common open space areas, at the time of recording the Blue Oaks final subdivision map, public open space lands will be dedicated to the town along the east side of Los Trancos Road and west side of Alpine Road as shown on the PUD Plan and Tentative Subdivision Map.

3. **Neighborhood Preserves.** As provided for on the Tentative Map, two neighborhood preserves will be dedicated in fee title to the Town of Portola Valley, for conformity with the Town's General Plan, at the time of recording of the final subdivision map. *Redberry Preserve*, approximately 2 acres, is located at the northern boundary of the building area, adjacent to, and west of, Lots 19, 20, and 21. The second neighborhood preserve, approximately 8 acres, is located at the

# ROSS RESIDENCE ARBORIST REPORT

NEW HOME CONSTRUCTION



ADDRESS

3 BUCK MEADOW  
PORTOLA VALLEY, CA 94028

CLIENT

TRACY ROSS

UPDATED

THURSDAY, FEBRUARY 12, 2015

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**WOODPECKER CERTIFIED ARBORIST**

P.O. Box 41115, San Jose, CA 95160 • (408) 298-2948

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## SUMMARY

This is a preliminary report that has been updated to reflect the latest house design. This redesign allows for the retention of more significant trees, but some modification of retaining walls and pathways may be necessary. Prior to construction, the structural root system of six trees (#1, 2, 3, 27, 41, & 43) need inspection where they may interact directly with construction. As well, all protected trees should have a complete root crown excavation and inspection. A subsequent arborist report with findings and recommendations should be made upon completion of this examination. Otherwise, my recommendations (*See-Guidelines for Protecting Retained Trees*) provide a quality outline to protect all retained trees from start to finish.

## INTRODUCTION

### ASSIGNMENT

Provide Tracy Ross with an arborist report for the construction of a new home at 3 Buck Meadow, Portola Valley, CA 94028

- Identify the trees on site.
- Determine which trees should be retained or removed.
- Provide a plan to protect the trees to be retained.
- Satisfy the Town of Portola Valley requirements for an arborist report for construction of this type.

### LIMITING CONDITIONS

Tree inventory performed on or prior to Sunday, March 30, 2014. No aerial diagnostics or inspections were performed, all evaluations were done on the ground. Tree evaluation, treatment, removal, and other efforts may involve considerations beyond the scope of this report.

Sketches, drawings, and photographs in this report are intended for use as visual aids, are not necessarily to scale, and should not be construed as engineering or architectural reports or surveys.

I (Consultant) shall not be required to give testimony or attend meetings, hearings, conferences, mediations, arbitrations, trials, etcetera by reason of this report unless subsequent arrangements are made, including payment of an additional fee for such services.

This report is not meant to guarantee tree health, structure, safety, viability, or any other future outcome. Trees are living organisms with possible hidden defects in structure and/or health that can cause them to fail or die suddenly. It is therefore impossible to guarantee the longevity or stability of any tree.

### ASSUMPTIONS

Information given to me is assumed to be truthful and accurate. All property detailed in this report is believed to be under the legal control of Tracy Ross (Client). Any third party permission required for completion of my assignment is the responsibility of the Client. Furthermore, the property is presumed to be in conformance with applicable codes, ordinances, statutes, and regulations.

### OBSERVATIONS

#### TREE INVENTORY (Sunday, March 30, 2014)

#	Identification Common / Botanical	D.B.H.	Significant Tree	Health	Retain
1	Blue Oak / <i>Quercus douglasii</i>	16	yes	good	pro
2	Blue Oak / <i>Quercus douglasii</i>	19.4	yes	good	pro
3	Blue Oak / <i>Quercus douglasii</i>	21.1	yes	poor	pro
4	Blue Oak / <i>Quercus douglasii</i>	9.6	yes	ok	no
5	Blue Oak / <i>Quercus douglasii</i>	12.8	yes	ok	no
6	Blue Oak / <i>Quercus douglasii</i>	18.5	yes	poor	pro
7	Blue Oak / <i>Quercus douglasii</i>	12.9	yes	ok	pro
8	Blue Oak / <i>Quercus douglasii</i>	5	yes	poor	no
9	Blue Oak / <i>Quercus douglasii</i>	6.8	yes	poor	no
10	Coast Live Oak / <i>Quercus agrifolia</i>	6.1	yes	poor	no
11	Coast Live Oak / <i>Quercus agrifolia</i>	6	yes	poor	no
12	Blue Oak / <i>Quercus douglasii</i>	17.6	yes	ok	no
13	Olive / <i>Olea europaea</i>	3.9	no	ok	no
14	Blue Oak / <i>Quercus douglasii</i>	12.4	yes	ok	no
15	Blue Oak / <i>Quercus douglasii</i>	10.4	yes	ok	no
16	Blue Oak / <i>Quercus douglasii</i>	10.4	yes	ok	no
17	Blue Oak / <i>Quercus douglasii</i>	13.5	yes	ok	no
18	Blue Oak / <i>Quercus douglasii</i>	8	yes	ok	no
19	Blue Oak / <i>Quercus douglasii</i>	9.5	yes	ok	no

TREE INVENTORY (Continued)

#	Identification		D.B.H.	Significant Tree	Health	Retain
	Common	Botanical				
20	Olive	<i>Olea europaea</i>	3.5	no	ok	no
21	Blue Oak	<i>Quercus douglasii</i>	15.4	yes	ok	no
22	Coast Live Oak	<i>Quercus agrifolia</i>	11.2	no	dead	no
23	Blue Oak	<i>Quercus douglasii</i>	16.7	yes	ok	no
24	Blue Oak	<i>Quercus douglasii</i>	14.6	yes	ok	no
25	Blue Oak	<i>Quercus douglasii</i>	10.2	yes	ok	no
26	Blue Oak	<i>Quercus douglasii</i>	6.4	yes	ok	no
27	Blue Oak	<i>Quercus douglasii</i>	10.9	yes	ok	pro
28	Blue Oak	<i>Quercus douglasii</i>	13.4	yes	ok	no
29	Blue Oak	<i>Quercus douglasii</i>	12.4	yes	ok	no
30	Blue Oak	<i>Quercus douglasii</i>	2.1	no	ok	no
31	Blue Oak	<i>Quercus douglasii</i>	6.8	yes	ok	no
32	Blue Oak	<i>Quercus douglasii</i>	6.4	yes	ok	no
33	Blue Oak	<i>Quercus douglasii</i>	10.3	yes	ok	no
34	Blue Oak	<i>Quercus douglasii</i>	4.5	no	poor	no
35	Blue Oak	<i>Quercus douglasii</i>	7.1	yes	ok	no
36	Olive	<i>Olea europaea</i>	8.5	no	ok	no
37	Blue Oak	<i>Quercus douglasii</i>	9.1 & 8.8	yes	ok	no
38	Blue Oak	<i>Quercus douglasii</i>	11	yes	ok	no
39	Blue Oak	<i>Quercus douglasii</i>	7.5	yes	ok	no
40	Blue Oak	<i>Quercus douglasii</i>	4.8	no	ok	no
41	Blue Oak	<i>Quercus douglasii</i>	23.6	yes	ok	pro
42	Blue Oak	<i>Quercus douglasii</i>	17.3	yes	poor	pro
43	Blue Oak	<i>Quercus douglasii</i>	20.1	yes	ok	pro
44	Blue Oak	<i>Quercus douglasii</i>	16.3	yes	ok	pro
45	Blue Oak	<i>Quercus douglasii</i>	15.9	yes	ok	pro
46	Blue Oak	<i>Quercus douglasii</i>	9.9	yes	poor	pro
47	Blue Oak	<i>Quercus douglasii</i>	7.3	yes	poor	pro
48	Blue Oak	<i>Quercus douglasii</i>	2.7	no	ok	pro
49	Blue Oak	<i>Quercus douglasii</i>	4	no	ok	pro
50	Blue Oak	<i>Quercus douglasii</i>	13.2	yes	ok	yes
51	Blue Oak	<i>Quercus douglasii</i>	6.3	yes	ok	yes
52	Blue Oak	<i>Quercus douglasii</i>	6.2	yes	ok	yes
53	Blue Oak	<i>Quercus douglasii</i>	3	yes	ok	yes
54	Blue Oak	<i>Quercus douglasii</i>	7.8	yes	ok	yes
55	Blue Oak	<i>Quercus douglasii</i>	13.7	yes	poor	pro
56	Blue Oak	<i>Quercus douglasii</i>	10.9 & 10.3	yes	poor	pro
57	Blue Oak	<i>Quercus douglasii</i>	12.9	yes	poor	pro
58	Blue Oak	<i>Quercus douglasii</i>	19.5	yes	poor	pro

D.B.H. - Diameter at Breast Height - Measured 4.5' above grade in inches

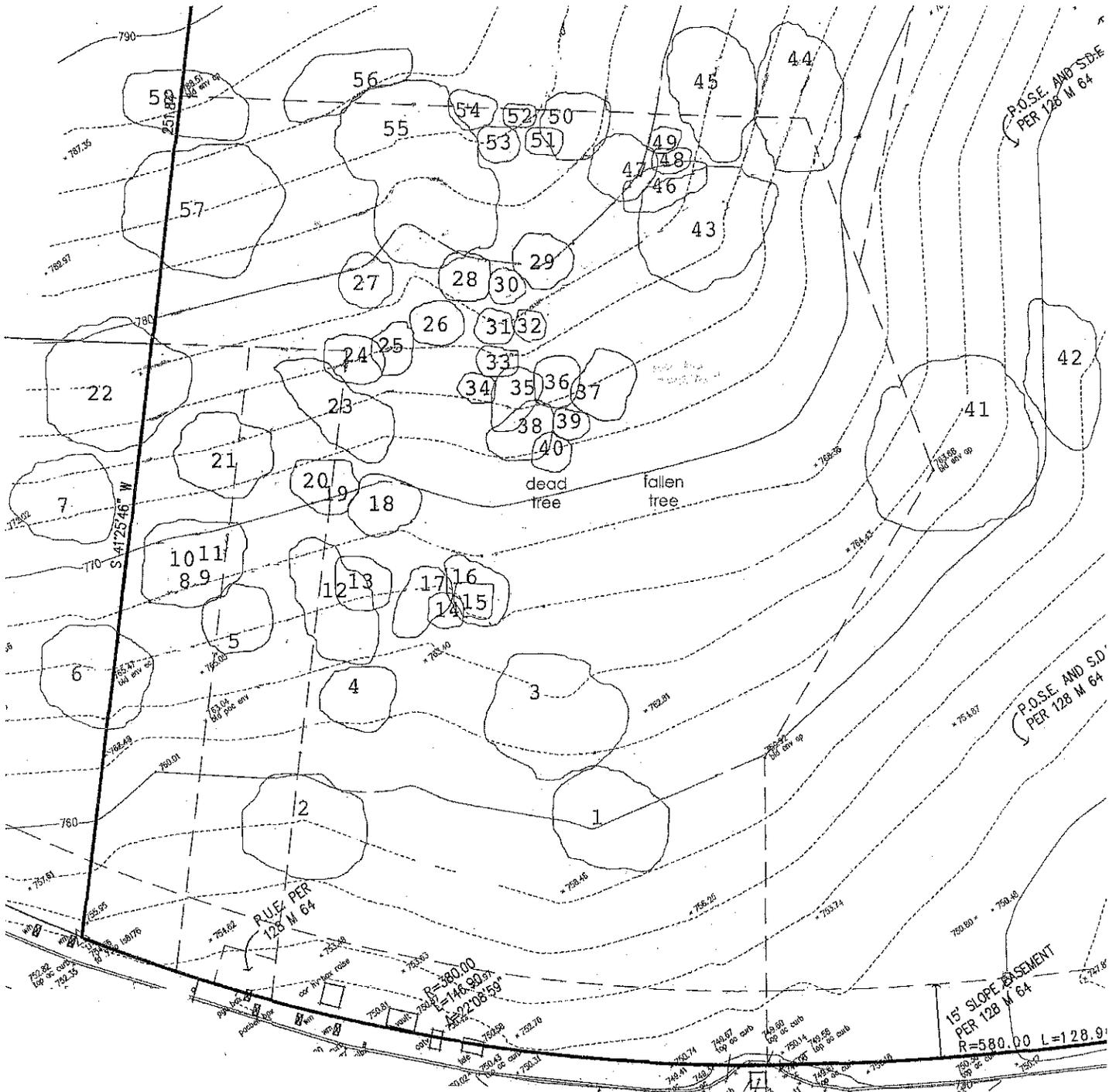
Significant Tree - Town of Portola Valley Municipal Code 15.12.060

Health (General Condition) - dead, poor, ok, good, ideal (Worst to Best)

Retain - pro = protect, no = remove

Row Colors - Green (Protect Tree), Red (Remove Tree), Gray (Not A Tree)

SITE MAP - CURRENT

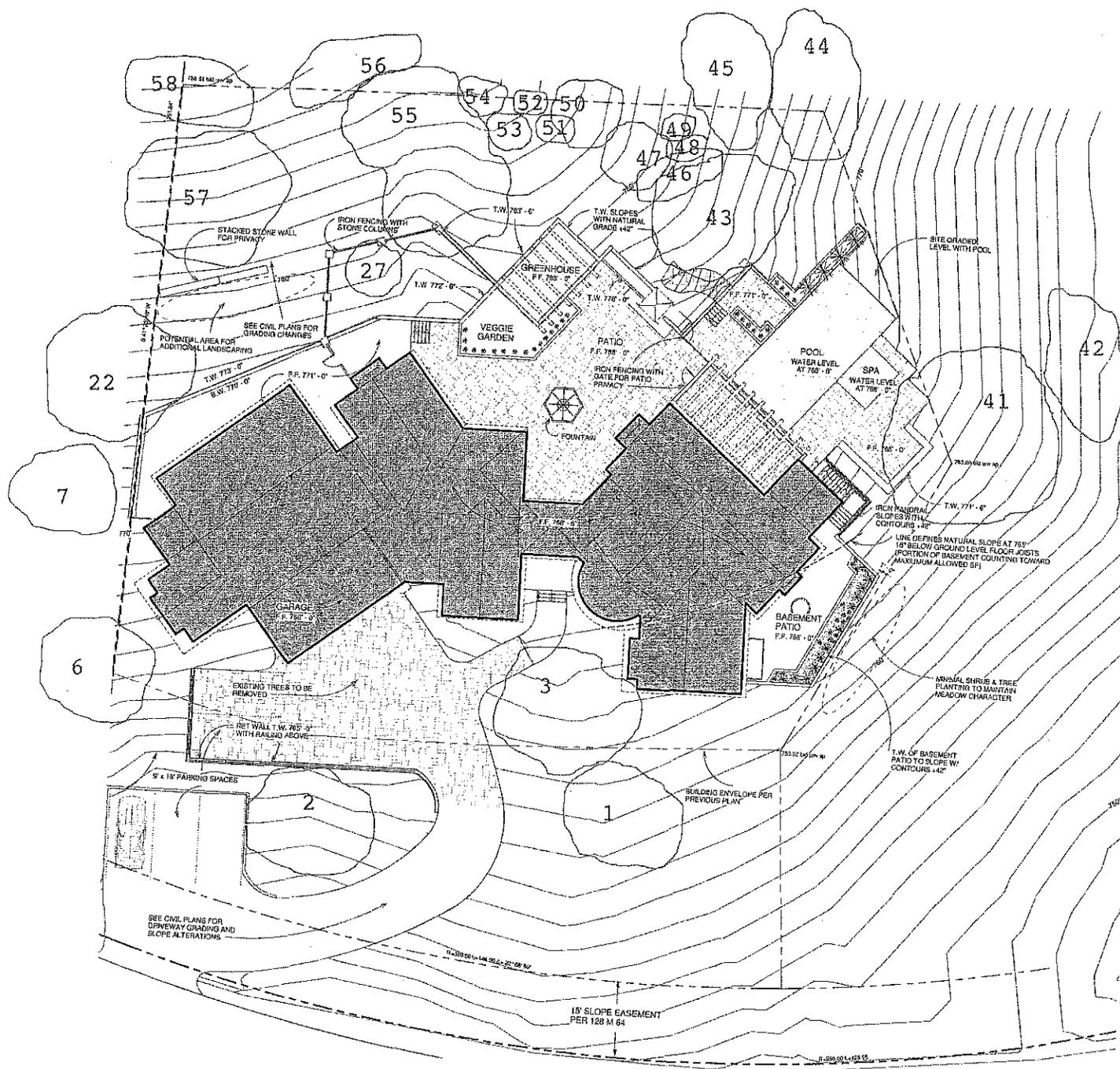


- 12 Tree (Remove)
- 3 Tree (Retain)

\*Not to Scale\*

Base Map Provided by  
 Willam Masten  
 Architect & Associates  
 Mountain View, CA

SITE MAP - PROPOSED



- ⑫ Tree (Remove)
  - ③ Tree (Retain)
- \*Not to Scale\*

Base Map Provided by  
 Willam Masten  
 Architect & Associates  
 Mountain View, CA

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## RECOMMENDATIONS

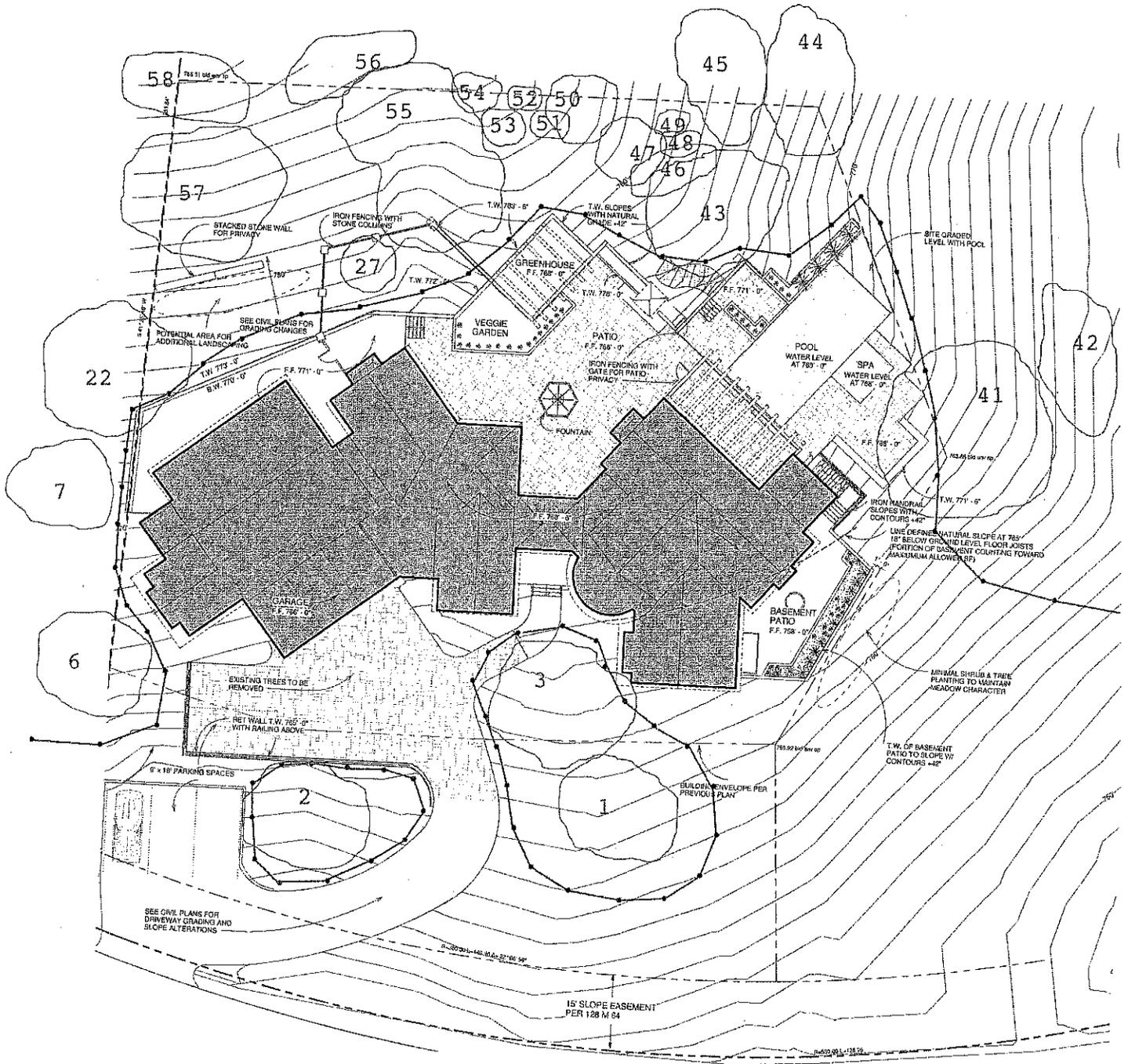
### GUIDELINES FOR PROTECTING RETAINED TREES

- I. All personnel working on site should be informed that the trees are important and that their protection is not to be modified in anyway.
- II. A Project Arborist is to be designated prior to any work beginning on site.
  - A. The arborist shall be a Certified Arborist by The International Society of Arboriculture in good standing.
  - B. The arborist shall be familiar with this report and project prior to any adjustments to these guidelines or site determinations.
- III. All trees listed for preservation will have a combination chain-link fence wrapped in orange snow fencing placed around them at the drip-line prior to the start of any work.
  - A. The chain-link fence will be a minimum of 6 feet high.
  - B. The fence will be mounted on standard steel posts driven 18 inches into the ground.
  - C. Tree fences will be located as diagramed in this report.
    1. The Project Arborist shall mark the location on site or otherwise oversee all protective fencing installation.
    2. Combining of tree fences to enclose multiple trees and larger areas is recommended wherever possible.
  - D. Fencing will be designated with signage.
    1. Signage will notice:
      - a) Fencing installed to protect tree & roots
      - b) Project Arborist Required to enter, modify, or remove fencing for any reason.
      - c) They will be in both English and Spanish.
    2. Signs will be spaced no more than 12 feet apart.
  - E. Tree fences are not to be removed, dismantled, or modified unless authorized by the Project Arborist.

- 
- F. Tree fences are to remain in place until construction is complete and final approval has been given by the Project Arborist.
  - G. No personnel or equipment are allowed inside of this fencing unless authorized by the Project Arborist.
- IV. It is recommended that a 2 inch layer of arbor-mulch be spread over the root zone of protected trees on the inside of the protection fencing.
- A. The arbor-mulch shall not contact the trunk or root crown of the tree being protected.
  - B. The arbor-mulch is to be spread by hand.
- V. All trenching, grading, or demolition within 10 feet of the drip-line or below the canopies of these trees, for any reason, is to be done under the supervision of the Project Arborist.
- A. Use of an Airspade to locate roots, dig, or trench will be necessary.
    - 1. Prior to construction, the structural root system of six trees (#1, 2, 3, 27, 41, & 43) need inspection where they may interact directly with construction.
- VI. Chemicals, construction materials, trash, etcetera, are not to be stored within twice the radius of the drip-line of any protected tree.
- VII. All necessary pruning of the canopies is to be done under the direct supervision of the Project Arborist.
- VIII. If construction traffic is deemed necessary under the canopy of a protected tree by the Project Arborist, a layer of arbor-mulch is to be applied and covered with plywood sheeting.
- A. The arbor-mulch shall be a minimum 2 inches thick for foot traffic and 6 inches thick for any equipment traffic.
  - B. The plywood should be a minimum of ¼ inch thick for foot traffic and ½ inch thick for equipment traffic
    - 1. Protective plywood is to be tied together, or otherwise supported, to prevent slippage.

2. Nonslip material may be substituted or added to the plywood for the safety of persons and equipment, but must be approved by the Project Arborist.
- IX. All protection measures are to be inspected by the Project Arborist, prior to commencement of construction activities, to confirm all guidelines have been properly followed.
  - X. Regular Monitoring by the Project Arborist before, during, and after construction, to recognize any changes in the trees and to take corrective action as soon as possible, is advised.
    - A. The Project Arborist should inspect the site no less than once a month during construction and semiannually following construction for three years.
    - B. Any concerns regarding the trees should be brought to the Project Arborist's attention immediately.
  - XI. Anyone violating these guidelines will be liable for damages, the full cost of cure, and/or any loss of tree value as determined by the Project Arborist and paid to the Client.

SITE MAP - TREE PROTECTION FENCING



- Protective Fencing
- ① Tree (Remove)
- ③ Tree (Retain)
- \*Not to Scale\*

Base Map Provided by  
 Willam Masten  
 Architect & Associates  
 Mountain View, CA

---

## GLOSSARY

Airspade: A tool that uses compressed air to remove soil.

Arbor-mulch: The mulch created by using a wood chipper on plant material. *also called wood chips.*

Branch bark collar: The transition zone at the attachment point of a limb. This is an important area of tree defense in resisting the spread of decay.

D.B.H. (*Diameter at Breast Height*): The diameter of a tree measured at 4.5 feet above grade.

Drip-Line: An imaginary line on the ground defined by the canopy spread.

Root Crown: The transition zone between the trunk and root system.

## BIBLIOGRAPHY

American National Standards Institute (ANSI). American National Standard A300(Part 5)-2012 for Tree Care Operations - Tree, Shrub, and Other Woody Plant Management - Standard Practices (Management of Trees and Shrubs During Site Planning, Site Development, and Construction). Tree Care Industry Association, Inc.. Londonderry, New Hampshire. ©2012

Best Management Practices - Managing Trees During Construction. Kelby Fite and E. Thomas Smiley. International Society of Arboriculture. Champaign, IL. ©2008

Dictionary of Standard Definitions for the Green Industry. 2009-2010. Tree Care Industry Association, Inc.. Londonderry, New Hampshire. ©2009

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## ARBORIST DISCLOSURE STATEMENT

Arborists are specialists in the care of trees who try to inform the public about tree needs and reduce the risks of living among trees through evaluation and care. Arborists combine education, experience, knowledge, and training in the field of arboriculture to perform this task.

Arborist knowledge of arboriculture is continuously growing, but will never be complete. Trees are living organisms that constantly evolve and change with their environment. Conditions within a tree, below ground, or otherwise not visible can conceal significant defects. For these reasons no arborist, even with the most exhaustive inspection and care, can guarantee tree health, structure, or safety.

Tree evaluation, treatment, removal, and other efforts may involve considerations beyond the scope of this report. These items may include property boundaries, landscape ownership and rights, neighbor disputes, and other issues. Arborists cannot be expected to have power over all of these issues, even when they are disclosed to the Arborist. Information supplied to the Arborist should be as complete and accurate as possible to help minimize the chance of any inaccuracy.

Trees, as all parts of the landscape, can be managed but not controlled. To live near trees is to accept the risk that they pose. The only way to eliminate all risks from trees is to eliminate all trees.

Clients may choose to accept or disregard the opinions and/or recommendations in this report, and are encouraged to seek additional advice until their concerns regarding trees are addressed to their satisfaction.

---

**CERTIFICATE OF PERFORMANCE**

I, Brian McGovern, certify:

All trees and property referred to in this report were inspected by me insofar as was necessary to complete my task as described in assignment section of this report.

I have no current or probable interest in the property, property parts, or the parties involved that are the subject of this report.

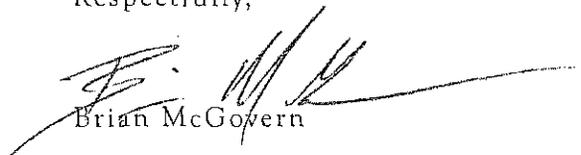
My compensation is not conditional upon reporting a predetermined conclusion that favors any party or result.

This report has been developed according to commonly accepted arboricultural practices and my analysis, opinions, and conclusions are the result of this process.

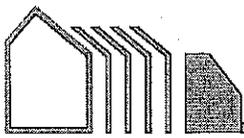
Except where noted in this report, no one provided significant professional assistance to my consultation and all analysis, opinions, and conclusions are my own.

I further attest that I am I.S.A. Certified Arborist #WE-0958A and Licensed Tree Care Contractor #770742 with current membership in the American Society of Consulting Arborists, and the International Society of Arboriculture, and the Tree Care Industry Association. I have been practicing the art and science of arboriculture for over twenty years.

Respectfully,



Brian McGovern



**William Maston**

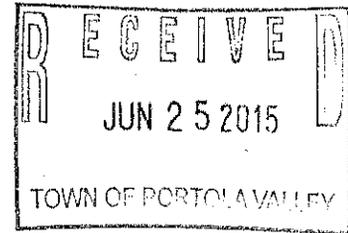
ARCHITECT & ASSOCIATES

Attachment 5

June 25, 2015

**Carol Borck**

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



**Re: Tamasi Ross Residence POSE Access**

3 Buck Meadow  
Portola Valley, CA 94028  
Blue Oaks – Lot23/24

Honorable Town Council,

The proposed residence for 3 Buck Meadow has, from initial programming, been designed with care and concern for selected significant oak trees as identified by the neighbors and Blue Oaks HOA members. Now, turning focus towards the construction of the home, the same concern remains at the forefront. During review of the proposed project with the general contractor it was pointed out that accessing the site during construction would be difficult due to the slope and tree locations. The typically preferred approach via the proposed driveway is, in this case, not be advisable as the loss and/or damage to trees #1, 2, & 3 is very likely. Instead, the contractor and our arborist suggested access from below the project site (highlighted in orange on A1.02) as the primary access point for construction excavation, staging, and storage.

The proposed location for the construction staging area is on the Tamasi Ross property but within the Private Open Space Easement (POSE) that is part of the subdivision. While planning staff has pointed out that only the Town Council can approve such a temporary use, we have asked the HOA, ASCC, and Planning Commission to review and comment on the preliminary staging plan within the POSE in order to develop the best solution possible. That plan has evolved through the thoughtful input we received regarding the location, size, and use of the proposed pad and, as recommended by the ASCC, we hired an environmental specialist to provide further research and recommendations regarding the health and protection of the POSE, specifically for the native grasses. A significant proponent of his work is a restoration and monitoring plan, which will be implemented as soon as construction is complete.

The submitted plans, reports, and supporting documents for your review are the result of a collaboration between neighbors, committee members, planning staff, the contractor, the arborist, environmental specialists, and our office. We believe they provide a strong and thoughtful construction staging plan that recognizes the prioritization of saving the significant trees on site while still respecting the importance of natural character of the adjacent POSE.

We look forward to presenting the plans and reports to the Town Council for approval.

Sincerely,

Leah Alissa Bayer  
William Maston Architect & Associates

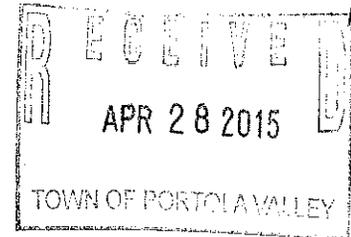


# WOODPECKER CERTIFIED ARBORIST

P.O. Box 41115, SAN JOSE, CA 95160-1115

Wednesday, April 8, 2015

Leah Bayer / Project Manager  
 William Maston Architect & Associates  
 384 Castro Street, M.V., CA 94041  
[www.mastonarchitect.com](http://www.mastonarchitect.com)



re: Staging Plan for 3 Buck Meadow Dr in Portola Valley

To Whom it May Concern:

I have been involved with this project for the past eight months and have performed the initial and subsequent arborist reports. The following are my findings and assessment regarding the staging prior and post construction at 3 Buck Meadow.

I reviewed the Site Plan A1.02 of the Construction Staging Plan for 3 Buck Meadow Drive, Portola Valley, CA 94028 emailed to me Monday, April 6, 2015. Using the front of the property within the building envelope as a staging, parking, and equipment storage area is problematic. Three well-established blue oaks marked to be "saved" are in this area. It is my understanding, that the HOA and the neighbors have also identified these trees as being of the highest priority to save. It is my opinion that the POSE staging area location is the least impactful to the trees on site.

Accessing large construction equipment between the trees in the front area will expose them to soil compaction. Soil compaction during construction is devastating to trees. Roots will be broken and crushed, while the space for water and air in the soil is pressed out making it unsuitable for roots to recolonize. It is possible to construct a platform that would reduce the risk of compaction at the front of the site, but the elevation in that area presents safety issues. The elevation at the front of the house is sloped enough that the protective platform would rest at an angle making it potentially dangerous to move equipment far enough away from the trees to maneuver safely without the continued risk of equipment sliding toward the street.

Additionally, the large equipment needed for this project would require at least one tree be removed (#2). Even with removing this tree, this would still not provide enough room for materials and parked cars within the limited space at the front of the house and may require another of the three trees to be removed.

The final issue that concerns me about attempting to use the front of the house as a staging area is the danger of hitting surrounding trees. The route for soil removal and equipment use would all be focused near the trees in front and those located to the left of the building envelope. That



I.S.A. CERTIFIED ARBORIST WE-0958A



CA CONTRACTOR LIC D-49 #770742





# WOODPECKER CERTIFIED ARBORIST



P.O. Box 41115, SAN JOSE, CA 95160-1115

area is tight and it would be all too easy, and likely, for a tree to be accidentally hit trying to maneuver in tight quarters.

This front access strategy cannot be considered as a viable option for staging. I do not believe this solution is ideal based on the community's desire to have these trees remain and because there is another solution that would not require any of them be removed and bypasses the potential hazards of maneuvering over a small sloped space.

It is my professional arboricultural opinion that front access not be used and advise that ingress/ egress through the proposed area outside the POSE be used exclusively throughout the construction process for all phases of staging.

Some adjustments to the plan will prevent unnecessary damage to the grass area and aid the trees. The 'Tree Protective Fencing' (TPF) on Site Plan A1.02 needs to be located as outlined in my report for this project dated Thursday, February 12, 2015. Additional fencing to exclude foot traffic outside of the proposed access road and staging area should be installed and connected to 'TPF' to limit soil impacts.

Moving forward, Item VIII (pg7 of 02/12/15 report) of the 'Guidelines for Protecting Retained Trees' outlines soil protections that can be adapted here. Specifically using a thick layer of wood chips (6-10 inches) as a buffering agent to prevent soil compaction. When available, the storage/ access detail describing the materials & installation techniques should be reviewed for tree conflicts.

Respectfully,

  
Brian McGovern  
ISA Certified Arborist WE-0958A

*Arborist Disclosure Statement, "Trees are living organisms that constantly evolve and change with their environment. They can be managed, but not controlled. No arborist can guarantee tree health, structure, or safety."*



I.S.A. CERTIFIED ARBORIST WE-0958A



CA CONTRACTOR LIC D-49 #770742



Ferrari Management Company  
444 First Street, Suite A  
Los Altos, CA 94022

[ferraringtco94022@yahoo.com](mailto:ferraringtco94022@yahoo.com)

May 7, 2015

William Maston Architect and Associates  
384 Castro Street  
Mountain View CA 94041

Re: Tamasi Ross -- Construction Staging Plan Requests  
3 Buck Meadow, Portola Valley

Dear Mr. William Maston:

Thank you for providing me with a copy of the Preliminary Construction Staging Plan dated 4/15/15 to share with the members of the Blue Oaks Board of Directors. It is understood that the Town of Portola Valley is the jurisdiction that can approve the construction staging use of the POSE you propose. Per your request, the Board considered this plan at its meeting on April 27<sup>th</sup> and made the following requests:

That 6 foot privacy fencing be maintained during construction between tree #22 and up to and around tree #43 as roughly shown at the top of the page on the attached document in order to provide adequate construction screening for neighboring properties.

Protocol be established to prevent excessive erosion and/or deposits of silt on other areas of Blue Oaks (including Buck Meadow on the other side of the street). The area where storage equipment is indicated is in a drainage swale. The Board members expressed concern that blocking the swale without a temporary culvert (or other solution) will result in erosion impacting the natural slopes of the POSE area, preventing the restoration of the grasslands and introducing excessive silt onto Buck Meadow. The Board members confirmed the need to restore any impacted areas of Blue Oaks and the difficulty in keeping out invasive species during grassland restoration.

It was also noted that the 3 Buck Meadow project has not received approval by the Blue Oaks Homeowner's Association. Discussions are currently underway to develop plans for permanent screening at the pool and rear of the 3 Buck Meadow site.

Let me know if you have questions or comments.

Kindly yours,

DOMINIC FERRARI, Property Manager  
On Behalf of the Blue Oaks Board of Directors

CC: Carol Borck, Town of Portola Valley

Ferrari Management Company  
444 First Street, Suite A  
Los Altos, CA 94022

ferrari

July 13, 2015

William Maston Architect and Associates  
384 Castro Street  
Mountain View CA 94041

Re: Tamasi Ross – Construction Staging Plan Requests  
3 Buck Meadow, Portola Valley

Dear Mr. William Maston:

Thank you for meeting with the board members on July 13, 2015 to further explain the Construction Staging Plan. It is understood that the Town of Portola Valley is the jurisdiction that can approve the construction staging use of the POSE you propose. As we understand, the Town Council will consider your request on July 22<sup>nd</sup>.

The Blue Oaks HOA Board of Directors supports the latest POSE use proposal, which includes the following documentation:

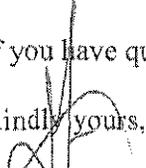
QA1.02 – Preliminary Construction Staging Plan dated July 13, 2015. The plan successfully addresses previous HOA comments by specifying the 6' privacy screening fence is to be located around the perimeter of the project as well as by adjusting the shape and location of the staging pad to avoid conflict with natural drainage through the swale within the POSE.

Biological Report for Development of 3 Buck Meadow Drive, Portola Valley, CA by Huffman-Broadway Group, Inc. dated June 25, 2015.

Grassland Restoration Plan for Temporary Impacts to the POSE dated July 2015. The Blue Oaks HOA Board of Directors requested that any follow-up reports and/or other findings during the proposed restoration and maintenance period outlined in the Biologist's plan be provided to the Board for review and approval that the remediation has been implemented per the plan

If you have questions or comments, do not hesitate to contact me.

Kindly yours,

  
DOMINIC FERRARI, Property Manager  
On Behalf of the Blue Oaks Board of Directors

CC: Carol Borck, Town of Portola Valley

**Carol Borck**

---

**From:** Howard Young  
**Sent:** Thursday, May 14, 2015 1:27 PM  
**To:** Carol Borck  
**Subject:** 3 buck meadow - concerning added staging area

Adequate erosion control shall be placed to prevent silt and erosion into natural drainage swales. Drainage swales shall be fully operational. The draft erosion control plan was reviewed on site by the public works inspector who indicated that the amount and direction of silt fencing in the drainage swale could potentially impede flow. This should be reviewed by the project manager.

All other project requirements for site erosion control remain in place

Truly,

Howard Young  
Public Works Director  
Town of Portola Valley  
650-851-1700 x 214  
[hyoung@portolavalley.net](mailto:hyoung@portolavalley.net)

**Carol Borck**

---

**To:** Howard Young  
**Subject:** RE: 3 Buck Meadow - use of POSE

**From:** Howard Young  
**Sent:** Thursday, July 09, 2015 3:13 PM  
**To:** Carol Borck  
**Subject:** RE: 3 Buck Meadow - use of POSE

Looks fine.

One comment. The restoration plan should include seeding the area with blue oaks seed mix and monitoring the following year for invasive weeds.

Truly,

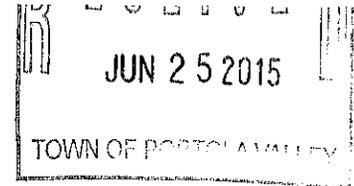
Howard Young  
Public Works Director  
Town of Portola Valley  
650-851-1700 x 214  
[hyoung@portolavalley.net](mailto:hyoung@portolavalley.net)

**POSE STAGING/ACCESS/RESTORATION SCHEDULE**

ID	Task Name	Duration	Start	Finish
1	Large Equipment Access via POSE	101 days	Thu 10/17/15	Thu 2/18/16
2	Pre-Pad construction Biologist check (pg 11 of Biologist Restoration Plan)	11 days	Thu 10/17/15	Thu 10/22/15
3	Vegetation inventory	1 wk	Thu 10/17/15	Thu 10/22/15
4	Soil Sampling & testing	1 wk	Thu 10/17/15	Thu 10/22/15
5	Top Soil removal & storage	1 day	Thu 10/17/15	Thu 10/17/15
6	Establish permanent photo points	1 day	Thu 10/17/15	Thu 10/17/15
7	Photograph site	1 day	Thu 10/17/15	Thu 10/17/15
8	Pre-Construction Erosion Control & Pad Construction	2 wks	Thu 10/29/15	Thu 11/19/15
9	Excavation	4 wks	Thu 11/26/15	Thu 1/13/16
10	Foundation Work - Steel Placement & Concrete Pour	12 wks	Thu 12/17/15	Thu 2/11/16
11	Materials Storage/Small Equipment Access via POSE	490 days	Fri 2/19/16	Thu 4/14/18
12	Structural Steel Framing	12 wks	Fri 2/19/16	Thu 5/14/16
13	Roofing	10 wks	Fri 2/19/16	Thu 5/14/16
14	Rough Plumbing/Electrical, etc	8 wks	Fri 2/19/16	Thu 5/14/16
15	Roof Waterproofing	3 wks	Fri 9/22/16	Thu 9/22/16
16	Windows & Doors Installation	3 wks	Fri 9/22/16	Thu 9/22/16
17	Roofing Installation	8 wks	Fri 10/16/16	Thu 10/16/16
18	Gutters	2 wks	Fri 12/22/16	Thu 12/22/16
19	Insulation	2 wks	Fri 12/22/16	Thu 12/22/16
20	Sheetrock, Tape, & Texture	5 wks	Fri 12/22/16	Thu 12/22/16
21	Floors Installation	4 wks	Fri 3/23/17	Thu 3/23/17
22	Prime Interior & Exterior	4 wks	Fri 3/23/17	Thu 3/23/17
23	Cabinets Install	4 wks	Fri 4/27/17	Thu 4/27/17
24	Granite & Tile Installation	6 wks	Fri 4/27/17	Thu 6/6/17
25	Interior Trim	3 wks	Fri 6/9/17	Thu 6/29/17
26	Garage Doors Install	1 wk	Fri 6/30/17	Thu 7/6/17
27	Exterior Hardscaping	30 wks	Fri 7/7/17	Thu 9/14/17
28	Pool Installation	30 wks	Fri 9/15/17	Thu 11/23/17
29	Setting Finishes	6 wks	Fri 11/24/17	Thu 11/24/17
30	POSE Restoration	1223 days	Fri 1/19/18	Thu 1/19/25
31	Remove & dispose of temporary pad materials	2 days	Fri 1/19/18	Mon 1/22/18
32	Ground cleanup	1 day	Mon 1/22/18	Mon 1/22/18
33	Dust Control	1 day	Mon 1/22/18	Mon 1/22/18
34	Biological monitoring	1 day	Mon 1/22/18	Mon 1/22/18
35	Restoration (pg 12 of Biologist Restoration Plan)	17 days	Thu 1/19/18	Wed 1/24/18
36	Soil Preparation	1 day	Thu 1/19/18	Thu 1/19/18
37	Pre-vegetated weed control	1 day	Thu 1/19/18	Thu 1/19/18
38	Seeding (following first rain of fall or early winter, date is an estimate)	1 wk	Thu 1/19/18	Wed 1/24/18
39	Post-seeding herbicide treatment	1 wk	Thu 1/19/18	Wed 1/24/18
40	Biological monitoring	3 wks	Wed 1/24/18	Thu 1/31/18
41	Post-Grassland Restoration Implementation Report (pg 13 of Biologist Restoration Plan) created and submitted to Portola Valley	99 days	Thu 1/19/18	Wed 6/6/18
42	Performance Monitoring - 5 yr recurrence (pg 16 of Biologist Restoration Plan)	1825 days	Thu 1/19/18	Mon 1/19/23
43	Determine area of restored grassland habitat	1 wk	Thu 1/19/18	Mon 1/22/18
44	Annual recording of plant species (after rainfall in March or April)	1 wk	Thu 1/19/18	Mon 1/22/18
45	Annual photographing of restoration area	1 wk	Thu 1/19/18	Mon 1/22/18
46	Develop report comparing annual data to determine status of successful restoration	2 wks	Thu 1/19/18	Mon 1/22/18
47	Annual review of prepared reports by Biologist and city	1 wk	Thu 1/19/18	Mon 1/22/18
48	Maintenance Inspection & Action - 5 yr recurrence (pg 21 of Biologist Restoration Plan)	3805 days	Thu 1/19/18	Mon 1/19/23
49	Site observation & photo documentation	1 day	Thu 1/19/18	Thu 1/19/18
50	Sediment & erosion control inspections (after heavy rainfall, at the end of may each year)	1 day	Thu 1/19/18	Thu 1/19/18
51	Vegetation management	3 mons	Fri 6/1/18	Thu 8/23/18
52	Record keeping	1 wk	Fri 6/1/18	Thu 6/28/18
53	Reporting & submittal to the city	2 wks	Mon 1/15/19	Mon 1/15/19
54	Year 2 Adaptive Management Reporting (if necessary, per 26 of Biologist Restoration Plan)	2 wks	Fri 1/14/21	Thu 1/14/21
55	Completion of Restoration Responsibilities	1 day	Thu 1/14/21	Thu 1/14/21



**Huffman-Broadway Group, Inc.**  
ENVIRONMENTAL REGULATORY CONSULTANTS



June 25, 2015

Leah Alissa Bayer  
WILLIAM MASTON ARCHITECT & ASSOCIATES  
384 Castro Street  
Mountain View, CA 94041

**Subject: Biological Report for Development of 3 Buck Meadow Drive, Portola Valley, California**

Dear Ms. Bayer:

At your request, I am providing technical responses to the requested items below which relate to proposed temporary construction impacts to California grassland habitat within the private open space easement (POSE) adjacent to a proposed single family residential development at 3 Buck Meadow Drive, Portola Valley, California:

1. Evaluation of the proposed methods for creation and use of the staging pad in relation to the potential survival and restoration of the grassland;
2. Recommended technique for removal of pad materials and evaluation of potential damage to the grassland that removal of the materials could cause; and
3. Prepare a grassland restoration and monitoring plan;

Evaluation of the Proposed Methods for Creation and Use of the Staging Pad. I have reviewed the May 15, 2015 proposed construction staging plan prepared by your firm which proposes the creation of a construction staging pad to protect the temporarily impacted grassland area within the POSE. The pad would consist of a 6 to 10-inch layer of wood chips placed over the existing grade of the site with 3 to 5-inch cobbles placed on top. The pad materials would be held in place on the downslope side by a 2 x 12-inch board wall. It is my understanding that the property owner is proposing to leave the staging pad in place for approximately two years then remove the pad and restore the area back to California grassland habitat.

Impacts associated with the use of the site for construction staging which may impact successful grassland habitat restoration include:

1. Increased risk of soil erosion and sediment transport due to lack of vegetative cover;
2. Expansion of invasive and noxious weed populations along the proposed staging area as a result of construction and operational vegetation maintenance;

Leah Alissa Bayer  
WILLIAM MASTON ARCHITECT & ASSOCIATES  
384 Castro Street  
Mountain View, CA 94041

3. Soil and sod disturbance (mixing of topsoil with subsoil with resulting altered biological activities and chemical conditions that could affect reestablishment and natural recruitment of native vegetation after restoration);
4. Compaction and rutting of soils from movement of heavy machinery and transport of materials;
5. Altering natural hydrologic patterns, inhibiting water infiltration and seed germination; and
6. Alteration in vegetation productivity and lifecycle due to placement of staging area atop of grassland habitat.

While all of the above listed impacts are expected to occur to some degree they can be significantly minimized with appropriate site management or during post project grassland restoration. The use of construction pads or mats to minimize soil compaction is a long standing widely accepted best management practice. However, the proposed pad design was found to be deficient with respect to providing sufficient ground bearing support to adequately minimize: (1) soil and sod disturbance; and (2) compaction and rutting of soils from movement of heavy machinery and transport of materials. As designed the rounded rock will work through the wood chips into the under lying soil from heavy surface loads. Furthermore the wood chips, depending on woody species, may release natural chemical which would prohibit the germination of seeds of other plant species. It is recommended that a wood or metal mat be used with sufficient thickness to spread the bearing pressure created by heavy equipment and stockpile materials evenly over a wide area. An example is interlocking 3/4 inch plywood. All mats should be underlain by woven filter fabric to prevent sediment transport and facilitate site cleanup when the construction mat or pad is de-commissioned. The fabric should extend at least 6 feet beyond the perimeter of the pad so that it can be overlapped with erosion fencing or fiber rolls along the immediate perimeter of the pad for added erosion and sedimentation protection. The excess material can be extended when the pad is de-commissioned to facilitate site clean-up and protect abutting areas during clean-up activities. A 3 to 5 inch deep layer of 2 to 4 inch angular crushed rock should be placed over the wood or steel mat to further distribute heavy loads and act as an additional erosion / sedimentation control BMP.

Use of the above described pad system will minimize soil compaction and significantly increase the likelihood of successful grassland restoration and potential for long-term survival of the restored grassland habitat.

Leah Alissa Bayer  
WILLIAM MASTON ARCHITECT & ASSOCIATES  
384 Castro Street  
Mountain View, CA 94041

Recommended Technique for Removal of Pad Materials and Evaluation of Potential Damage.

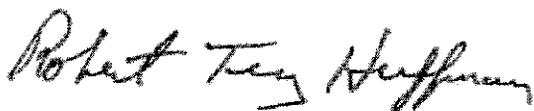
The recommended technique for removal of pad materials is to remove rock and soil materials first, then the interlocking wood or steel pad/mat, and finally remove the underlying filter fabric. Each removal operation should begin at the furthest point from Buck Meadow Drive, with removal of pad materials progressing toward the street. This will minimize the potential for damage to the underlying grassland soils with excessive vehicle trips. Only rubber-tired light duty front end loaders should be used in combination with hand labor in order to minimize soil compaction and soil disturbance. All haul trucks should remain on the street.

Potential significant damage to the temporarily impacted grassland area would result if the construction staging pad is removed by tracked vehicles; or by rubber-tired heavy earth moving equipment or haul trucks. Such equipment would cause significant soil compaction and soil mixing in the upper portion of the soil profile. Use of light duty rubber-tired front end loaders as described above will minimize soil compaction and disturbance, but may result in some minor soil disturbance which can be readily restored following the procedures provided in the grassland restoration plan being prepared for the site.

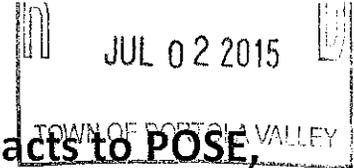
Grassland Restoration and Monitoring Plan. A grassland restoration plan which includes monitoring to determine performance success is currently under preparation and will be provided within the next several days.

If you have any questions please call or email me 415.385.1045; [thuffman@h-bgroup.com](mailto:thuffman@h-bgroup.com).

Sincerely,



Terry Huffman, PhD  
Wetland Regulatory Scientist



**Grassland Restoration Plan for Temporary Impacts to POSE,  
3 Buck Meadow Drive, Town of Portola Valley,  
San Mateo County, California**



**Huffman-Broadway Group, Inc.**  
ENVIRONMENTAL REGULATORY CONSULTANTS

July 2015

Prepared for:

William Maston Architect & Associates  
384 Castro Street,  
Mountain View, CA 94041

Prepared by:

Huffman-Broadway Group, Inc.  
828 Mission Avenue  
San Rafael, California 94901

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### ATTACHMENTS

#### ATTACHMENT 1 Figures

Figure 1	USGS Map of the Project Location
Figure 2	Aerial Photograph of 3 Buck Meadow Drive, Portola Valley, CA
Figure 3	Proposed Project Development and Location of POSE
Figure 4	Area of POSE Proposed to be Temporarily Impacted
Figure 5	Vegetation Sampling Transect and Quadrat Locations

#### ATTACHMENT 2 NRCS Soil Resources Report

#### ATTACHMENT 3 Historical Rainfall Data

#### ATTACHMENT 4 Representative Site Photographs of the POSE to be Temporarily Impacted

#### ATTACHMENT 5 Forms

Maintenance Monitoring Field Form
Data Sheet for Assessing Plant Cover

This report should be cited as: Huffman-Broadway Group, Inc., 2015. *Grassland Restoration Plan for Temporary Impacts to POSE, Town of Portola Valley, San Mateo County, California*. July. 31 pp. plus attachments. Prepared for William Maston Architect & Associates, Project Architects.

## 1.0 INTRODUCTION

### 1.1 Summary

The property owner of 3 Buck Meadow Drive proposes to temporarily use a portion of the Private Open Space Easement (POSE) within the property as a temporary laydown area to support construction of a single family residence. It is estimated that this temporary use will extend over a 2-year timeframe. Use of the proposed grassland portion of the POSE has been determined necessary by the 3 Buck Meadow Drive property owner due to the constraints of the site and the importance of preserving existing oak trees. Attachment 1, Figure 1 provides a location map of the site overlaid on top of a USGS map. Figure 2 provides an aerial photograph of the 3 Buck Meadow Drive subdivision lot. Figure 3 shows the location of the proposed residential construction, POSE, and proposed temporary laydown area within a grassland portion of the POSE. The temporarily impacted area within the POSE is approximately 3,743 square feet or 0.086 of an acre in size. The temporarily impacted area would be restored to former California grassland habitat upon completion of the residential construction project in accordance with this grassland restoration plan.

### 1.2 Goal and Objectives of the Restoration Plan

The goal of this grassland restoration plan is to re-establish previously existing California Grasslands temporarily impacted by a City approved single family residential development at 3 Buck Meadow Drive. This will be accomplished by achieving the objective of re-establishing<sup>1</sup> approximately 3,743 square feet or 0.086 of an acre of grassland habitat temporarily impacted within the POSE. Successful implementation of the grassland restoration plan will result in restoration of temporary impacts to the POSE resulting from the residential development project.

### 1.3 Responsible Parties

The following organizations and individuals are responsible for the successful implementation of this grassland restoration plan:

Owner	Project Architect / Manager	Project Biologist
Tony & Tracy Tamasi 1457 Mercer Avenue San Jose, CA 95125 <b>Contact:</b> Tracy Tamasi Telephone: (650) 302.3170 <a href="mailto:trossbuilder@gmail.com">trossbuilder@gmail.com</a>	William Maston Architect & Associates 384 Castro Street Mountain View, CA 94041 <b>Contact:</b> Leah Aïssa Bayer Telephone: (650) 968.7900 x15 <a href="mailto:leahb@mastonarchitect.com">leahb@mastonarchitect.com</a> <a href="http://www.mastonarchitect.com">http://www.mastonarchitect.com</a>	Huffman-Broadway Group, Inc. 828 Mission Avenue San Rafael, CA 94901 <b>Contact:</b> Terry Huffman, PhD Telephone: (415) 385.1045 <a href="mailto:thuffman@h-bgroup.com">thuffman@h-bgroup.com</a> <a href="http://www.h-bgroup.com">http://www.h-bgroup.com</a>

<sup>1</sup> Re-establishment as defined herein means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/ historic functions to a former grassland resource. Re-establishment results in rebuilding a former resource and re-establishment of temporarily impacted resource area and functions.

## 2.0 BASELINE INFORMATION: PROJECT AREA REQUIRING RESTORATION

This section describes the proposed grassland restoration site.

### 2.1 Location

The grassland restoration site is in the County of San Mateo and the Town of Portola Valley within a City approved subdivision lot at 3 Buck Meadow Drive. The restoration site is situated in an area of the subdivision lot set aside for conservation purposes as a private open space easement (POSE). The temporarily impacted area within the POSE is approximately 3,743 square feet or 0.086 of an acre in size. Approximate latitude and longitude coordinates for the center of the restoration site are 122°12'13.486"W / 37°21'18.083"N in the El Corte De Madera land grant area of the Mindero Hill United States Geological Survey (USGS) 7.5-minute quadrangle, Mount Diablo Base and Meridian (MDBM). Figure 1 provides a location map of the site overlaid on top of a USGS map. Figure 2 provides an aerial photograph of the 3 Buck Meadow Drive subdivision lot.

### 2.2 Project Description

The property owner of 3 Buck Meadow Drive proposes to temporarily use a portion of the POSE within the property as a temporary laydown area to support construction of a single family residence. It is estimated that this temporary use will extend over a 2-year timeframe. Use of the proposed grassland portion of the POSE has been determined necessary by the 3 Buck Meadow Drive property owner due to the constraints of the site and the importance of preserving existing oak trees. Attachment 1, Figure 3 shows the location of the proposed residential construction, POSE, and proposed temporary laydown area within a grassland portion of the POSE.

### 2.3 Site Characteristics

The restoration site consists of a hillslope California grassland habitat which is situated within an approved residential subdivision (Attachment 1, Figure 4). Site topography, precipitation, hydrology, soil and vegetation characteristics are described below.

#### 2.3.1 Topography

The restoration site consists of a convex linear hillslope with a range of slope from 8 to 30%.and gently sloping plains with low slope gradient, typically between 0 and 15 percent slope. Attachment 1, Figure 1 is a USGS topographic map of the restoration site.

#### 2.3.2 Precipitation

HBG acquired USDA Natural Resources Conservation Service historical weather data for Portola Valley, California (NRCS 2015, Woodside). The WETS table in Appendix C provides 30-year average (1971 – 2000) temperature and precipitation data for the county, along with estimated growing season dates and a 42-year record of precipitation for WETS Station Woodside Fire Station 1, CA 9792. The historical WETS data indicate that the average annual rainfall is 28.71 inches, with average monthly rainfall of 2.39 inches from January to December of each year (Attachment 3). The data also indicate that the growing season occurs 365 days per year.

Attachment 3 also provides weather data for the past 12 months obtained from Accuweather (2015).

### 2.3.3 Hydrology

As a result of direct precipitation stormwater moves as sheetflow and near surface groundwater across the area within the POSE proposed to be temporarily impacted. No incised stream drainage or drainages occur within this area. Sheet flow and near surface groundwater are directed downslope in an approximate southeasterly direction across the temporarily impacted area to an existing ephemeral drainage which is tributary to Los Trancos Creek. This drainage enters an underground stormwater drainage system within the POSE, approximately 30 feet northeast of Buck Meadow Drive, where flow is directed to Los Trancos Creek.

### 2.3.4 Soils

HBG obtained a Study Area-specific custom soil resources report from the Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS). One soil complex, Mouser-Footpath complex, 8 to 30 percent slopes, consisting of two soil series, Mouser and Footpath, occurs within the site to be restored. A copy of the NRCS report is in Attachment 2; it includes a site soils map and detailed information regarding the soil complex mapped. Pertinent soil characteristics are summarized below:

Soil Name	Acres in Area of Interest	Percent of Area of Interest	Landform	Typical Profile (inches)	Minor Components	Slope	Drainage Class	Depth to Water Table (inches)	Frequency of Flooding/Ponding
Mouser - Footpath	0.1	100.0	Hillslopes	<p><b>Mouser:</b>            Oi - 0 to 3 inches: slightly decomposed plant material A - 3 to 12 inches: sandy clay loam            Bt1 - 12 to 28 inches: sandy clay loam            Bt2 - 28 to 37 inches: sandy clay loam            C1 - 37 to 39 inches: very gravelly sandy clay loam            C2 - 39 to 59 inches: very gravelly sandy clay loam.</p> <p><b>Footpath:</b> Oi - 0 to 2 inches: slightly decomposed plant material A - 2 to 10 inches: gravelly coarse sandy loam            ABt - 10 to 15 inches: loam            Bt - 15 to 24 inches: gravelly loam            BCt - 24 to 31 inches: very gravelly sandy clay loam            Cr - 31 to 59 inches: bedrock</p>	Mouser: None Footpath: Sanikara	30% to 8%	Well drained	> 80 inches	None/None
<b>Total Area</b>	<b>0.1</b>	<b>100.0</b>							

### 2.3.5 Vegetation

Under current land use, the proposed restoration site is dominated by annual grassland species. California annual grassland habitat is a dry seasonal habitat consisting of low-lying annual grasses and forbs. As shown in Table 2, it is dominated by introduced and native annual grass species, with varying percentages of native and introduced forbs. Two invasive species were also found to be present, common wild oat (*Avena fatua*) and rough cat's ear (*Hypochaeris radicata*). No noxious plants were found to be present.

Scientific Name	Common Name	Grass or Forb	Origin <sup>1</sup>	Estimated Percent Cover
<i>Avena fatua</i>	Common Wild Oat	Grass	Introduced, Invasive	1
<i>Bromus carinatus</i>	California Brome	Grass	Native	2
<i>Danthonia californica</i>	California Oatgrass	Grass	Native	1
<i>Erodium botrys</i>	Long-Beak Storks-Bill	Forb	Introduced	5
<i>Festuca idahoensis</i>	Idaho fescue, Blue Fescue	Grass	Native	5
<i>Festuca occidentalis</i>	Western Fescue	Grass	Native	60
<i>Hypochaeris radicata</i>	Rough Cat's Ear	Forb	Introduced, Invasive	2
<i>Sisyrinchium bellum</i>	blue-eyed grass	Forb	Native	1

<sup>1</sup> Origin is used to describe native or introduced origins of plant species. Native means naturally occurring at the time of Columbus. Introduced plants arrived later, invariably with human assistance, from some other part of the world. Introduced plants reproduce spontaneously in the wild without human help. The use of the term, introduced, is used herein since it is widely known rather than the similar term naturalized. Because people have been moving plants for thousands of years, and because it is often hard to know how a plant got where it is, Native Status is frequently ambiguous and therefore difficult to assign. Weeds can be native or non-native, invasive or non-invasive, and noxious or not noxious. Legally, a noxious weed is any plant designated by a Federal, State or county government as injurious to public health, agriculture, recreation, wildlife or property.

## 3.0 RESTORATION FEASIBILITY

As restated from above, the objective of this restoration plan is to re-establish grassland habitat temporarily impacted within the POSE by residential construction activities. The following sections (1) describe the factors considered in determining whether or not grassland restoration is feasible, and (2) provide a feasibility assessment that the restoration can be accomplished successfully.

### 3.1 Factors Considered in Determining Restoration Feasibility

The subsections below describe the factors considered in determining whether or not the grassland restoration is feasible. Implementation of this grassland restoration plan is designed to result in the re-establishment of grassland conditions similar to those temporarily impacted by abutting residential housing construction activities. The following factors were considered in

making this determination: landscape position; soils, hydrology, and vegetation conditions following construction; and the ability to provide long-term protection.

### **3.1.1 Landscape Position**

Surface grade will be returned to original surface elevations using laser leveling equipment eliminating any depressional areas created as a result of temporary construction activities. If necessary, resulting depressional areas will be backfilled with stockpiled grassland surface soils from the area where residential development occurred. The resulting convex slope will be similar to surrounding grade elevation and topographic relief.

### **3.1.2 Resulting Soil Conditions**

Despite protective measures during residential construction surface soils within the temporarily impacted site will become compacted to some degree. Surface soil will be loosened by disking which will restore soil runoff, permeability and drainage conditions. During disking for seed bed preparation surface soils will be amended with a thin ( $\leq 2$  inch) layer of surface soils stockpiled during residential construction. Sterile straw mulch will also be added during site disking for seed bed preparation to replace organic material lost during the period when the site was temporarily impacted and surface soils were stockpiled. If necessary, the site will be fertilized to supplement the loss of pre-existing nutrient content. Resulting soil runoff, permeability, drainage, organic matter, and nutrient conditions should be similar to surrounding grassland areas within the POSE.

### **3.1.3 Resulting Hydrology Conditions**

The temporarily impacted site will be returned to original grade and the surface soil loosened by disking. Resulting soil runoff, permeability and drainage conditions associated with annual stormwater events should be similar to surrounding grassland areas within the POSE.

### **3.1.4 Resulting Vegetation Conditions**

The existing area within the POSE to be temporarily impacted is currently dominated by California annual grassland species. Upon completion of the residential development project the impacted soil will be treated and seeded prior to the on-set of the rainy season with the same dominant California grassland species as previously occurred. In addition, revegetation will also result from germination of grassland seed contained within the soil. This existing seed bank also contains undesirable weed species which will need to be managed for during the 5-year restoration management and maintenance period. It is anticipated that vegetation of the site will progress quickly toward the established performance standards (Section 6.0). Additional seeding, if determined necessary and vegetation management activities during the 5-year monitoring period will enhance the likelihood of successful revegetation.

### **3.1.5 Ability for Long-Term Protection**

The land owner has fee title ownership control of the lands at 3 Buck Meadow Drive and understands the deed restrictions associated with the POSE which provide for long term

protection and conservation of the area which abuts residential development permitted by the City.

### **3.2 Restoration Feasibility Assessment**

Considering the above factors, which are essential to successful grassland restoration, it was determined that the landscape position, soil, hydrology, and vegetation conditions of the temporarily impacted area can be re-established similar to those found within the abutting un-impacted grassland areas within the POSE. Based on this finding it is feasible with appropriate management to re-establish the temporarily impacted grassland habitat.

## 4.0 IMPLEMENTATION OF GRASSLAND RESTORATION

This section describes the methods for implementation of the grassland restoration plan.

### 4.1 Grassland Restoration Implementation Activities

This section provides a detailed description of grassland restoration activities and sequencing.

**Prior to Establishment of Temporary Construction Pad.** The Project Biologist will conduct the following activities prior to construction of the temporary construction pad within the grassland restoration site:

1. *Vegetation Inventory.* A detailed plant inventory will be taken prior to ground disturbance. This inventory will be used to develop a seed mix for replanting the area. Percent cover of individual species found will be visually estimated within the temporary construction pad area. Plant cover will be estimated within 5 foot x 5 foot sampling quadrats positioned randomly along three sampling transects. Four quadrats will be used for the purposes of plant cover estimation along each quadrat. Attachment 1, Figure 5 shows the approximate location of transects and quadrats.
2. *Representative Soil Sampling and Testing.* Three soil samples will be taken to characterize soil nutrient conditions present prior to ground disturbance. Soil samples will be taken at the center point of each sample quadrat location shown in Attachment 1, Figure 5. Samples will be collected within the upper 3 inches of the ground surface. The four samples taken along each transect will form one of three composite samples to be analyzed to document site conditions prior to ground disturbance.
3. *Designate Residential Construction Project Top Soil Removal and Stock Pile Area.* Ground surface top soils from grassland areas that will be permanently lost due to residential construction will be stockpiled in sufficient quantities to apply a 1-inch top soil cover over the disturbed temporary construction pad during implementation of the grassland restoration plan. The stockpile area would be treated annually under the supervision of the Project Biologist using USEPA approved herbicides (i.e., 2, 4-D, glyphosate). The top soil will provide native seed, plant nutrients and organic matter, and arbuscular mycorrhizae spores.
4. *Establish Permanent Photo Points.* Permanent photo points and view directions will be established which provide approximate north, south, east, west views of the temporary construction pad area. These photo points will be repeatedly used to document pre-impact conditions, grass land restoration activities, annual monitoring activities, and maintenance activities. Photo point locations will be established by placing a metal survey pin in the ground and documenting the location using a hand-held GPS instrument with sub-meter accuracy.
5. *Take Representative Site Photos.* Project Biologist will take representative site

photographs of existing conditions prior to construction of the temporary construction pad area. The photographs will be from the permanently established photo points described above. These photographs will be used for comparative purposes during annual site monitoring activities following the implementation of grassland restoration plan.

**Deconstruction of Temporary Construction Pad:** Restoration Project construction includes:

1. *Removal and Disposal of Temporary Construction Pad Materials.* The recommended technique for removal of pad materials is to remove rock and soil materials first, then the interlocking wood or steel pad/mat, and finally remove the underlying filter fabric. Each removal operation should begin at the furthest point from Buck Meadow Drive with removal of pad materials progressing toward the edge of the street. This will minimize the potential for damage to the underlying grassland soils with excessive vehicle trips. Only rubber-tired light duty front end loaders should be used in combination with hand labor in order to minimize soil compaction and soil disturbance. All haul trucks should remain on the street. Use of light duty rubber-tired front end loaders may result in some minor soil disturbance which can be readily restored following the planting described below.
2. *Ground Clean-Up.* Removal of remaining stray gravel and debris will also need to be accomplished following removal temporary construction pad materials. This can be accomplished with hand tools, a light duty rubber-tired front end loader to place the materials into, and a shop vacuum, if necessary.
3. *Dust Control.* Dust control during deconstruction of the temporary construction pad will be accomplished using sprinklers connected by water hose to the 3 Buck Meadow Drive residence City water system.
4. *Biological Monitoring.* The Project Biologist will monitor the above activities to ensure correct implementation with the grassland restoration plan.

#### **Planting:**

1. *Re-Establishment of Erosion Control.* Following site deconstruction erosion control BMPs will be re-established to prevent erosion and sedimentation from occurring following grassland restoration site soil preparation and seeding. BMPs will include use of fiber rolls along the margin and downslope of the restoration site and loose sterile straw scatter over the grassland planting area. The use of erosion control BMPs will continue, as necessary, throughout the grassland restoration plan monitoring and maintenance period.
2. *Soil Preparation.* The former construction pad area will be disked following deconstruction to a depth of 4 to 6 inches so that soil is loose and fine without dirt clods. Stockpile top soil will then be added to any shallow depressions that may have developed during pad use or deconstruction. A 1-inch layer of stockpiled top soil will then be added to the entire former pad area together with scattered sterile straw. The

site will then be re-disked to a 4 to 6 inch depth. Soils will be re-sampled and tested for soil nutrients as described above before planting. Equipment will consist of a rubber-tired tractor and towed disk.

3. *Pre-Seeding Weed Control.* Treat prepared soil with USEPA approved pre-emergent herbicide (i.e., 2,4-D, glyphosate) as needed following first seed germinating rain and flush of weed species.
4. *Seeding.* Grassland restoration site will be planted with the native grassland seed mix shown in Table 3. This seed mix may be modified subsequent to detailed vegetation inventory and sampling to determine percent cover as described above. To provide better seeding coverage the site will be planted twice by cross drilling with the second drill lines set at right angles to the first. The grassland seed mix will be supplemented with arbuscular mycorrhizae AM120 inoculant to promote better plant growth within the disturbed soils. Equipment will consist of a rubber-tired tractor and towed drill seeder.

Scientific Name	Common Name	Grass or Forb	Origin	Estimated Seed Mix (lbs. per acre) <sup>1</sup>
<i>Bromus carinatus</i>	California Brome	Grass	Native	10
<i>Danthonia californica</i>	California Oatgrass	Grass	Native	7
<i>Festuca idahoensis</i>	Idaho fescue, Blue Fescue	Grass	Native	20
<i>Festuca occidentalis</i>	Western Fescue	Grass	Native	30
<i>Lupinus bicolor</i>	Bicolored lupine	Forb	Native	3

<sup>1</sup> Local seed source will be used. 60 lbs of AM120 (arbuscular mycorrhizae) inoculant per acre will also be added.

5. *Post-Seeding Herbicide Treatment.* If needed following planted seed mix germination, treat seeded soil with USEPA approved pre-emergent herbicide (i.e., 2, 4-D, glyphosate).

6. *Biological Monitoring.* The Project Biologist will monitor the above activities to ensure correct implementation with the grassland restoration plan.

#### Post-Grassland Restoration Implementation Report:

*Prepare Draft Report.* Within 60 days after initial site restoration implementation has been completed (deconstruction of the temporary construction pad; and planting) the Project Manager will prepare together with the Project Biologist, a post-grassland restoration implementation report for inspection and approval by the property owner, or assignee. This report will include:

1. A narrative description of site restoration implementation, paying particular attention to any adjustments to the final planting plan.
2. Photo-documentation of each step of restoration implementation presented with mapping showing photo location and direction of view.
3. Mapping showing the location and direction of view of permanent photo points.

*Prepare Final Report.* Within 90 days following completion of the post-grassland restoration implementation report shall be submitted to the City.

#### 4.2 Schedule

Implementation of the grassland restoration plan will begin following completion of the residential construction project. Soil preparation will begin following removal of the temporary construction pad. Final seed bed preparation and seeding will begin following the first seed germinating rain during the fall or early winter. The Project Biologist will conduct monitoring activities as necessary throughout restoration of the temporarily impacted portion of the POSE.

#### 4.3 Funding

The property owner, or assignee, will fund all costs associated with implementing the grassland restoration plan. Estimated costs are tabulated below. This budget does not include production of this plan.

**Table 4. Estimated Cost to Implement Grassland Restoration Within the POSE**

Task	Estimated Cost(\$)
<b>Prior to Establishment of Temporary Construction Pad</b>	
1. Vegetation inventory	1,200
2. Representative Soil Sampling and testing	800
3. Designate construction project top soil removal and stock pile area	200
4. Establish Permanent Photo Points	200
5. Take Representative Site Photos	100
<b>Subtotal</b>	<b>\$2,500</b>
<b>Deconstruction of Temporary Construction Pad:</b>	
1. Removal and Disposal of Temporary Construction Pad Materials	6,000
2. Ground Clean-Up (Removal of stray gravel and debris by hand rake, and vacuum)	2,000
3. Dust Control	1,000
4. Biological Monitoring	2,000
<b>Subtotal</b>	<b>\$8,000</b>
<b>Planting:</b>	
1. Re-Establishment of Erosion Control	2,000
2. Soil Preparation (Disk entire site to 4 to 6 Inch depth; Add top soil to shallow depressions; Add one inch top soil layer and straw to entire area; Re-disk entire site to 4 to 6 Inch depth)	1,500
3. Treatment with Pre-Emergent Herbicide as Needed Following First Seed Germinating Rain and Flush of Weed Species	1,000
4. Seeding (Seed Area Twice by Cross Drilling the Site Twice with Second Drill Lines Set at Right Angles to the First)	2,000

**Table 4. Estimated Cost to Implement Grassland Restoration Within the POSE**

Task	Estimated Cost(\$)
5. Post Seeding Herbicide Treatment (If Needed Following Seed Germination)	1,500
6. Biological Monitoring	2,000
<b>Subtotal</b>	<b>\$10,000</b>
<b>Post-Grassland Restoration Implementation Report:</b>	
I. Prepare Post-Grassland Restoration Implementation Report	4,000
<b>Subtotal</b>	<b>\$4,000</b>
<b>Estimated Total</b>	<b>\$30,500</b>

#### 4.4 Responsible Parties

Successful implementation of the above-described Implementation Plan is the responsibility of the following:

Owner	Project Architect / Manager	Project Biologist
Tony & Tracy Tamasi 1457 Mercer Avenue San Jose, CA 95125 <b>Contact:</b> Tracy Tamasi Telephone: (650) 302.3170 <a href="mailto:trossbuilder@gmail.com">trossbuilder@gmail.com</a>	William Maston Architect & Associates 384 Castro Street Mountain View, CA 94041 <b>Contact:</b> Leah Alissa Bayer Telephone: (650) 968.7900 x15 <a href="mailto:leahb@mastonarchitect.com">leahb@mastonarchitect.com</a> <a href="http://www.mastonarchitect.com">http://www.mastonarchitect.com</a>	Huffman-Broadway Group, Inc. 828 Mission Avenue San Rafael, CA 94901 <b>Contact:</b> Terry Huffman, PhD Telephone: (415) 385.1045 <a href="mailto:thuffman@h-bgroup.com">thuffman@h-bgroup.com</a> <a href="http://www.h-bgroup.com">http://www.h-bgroup.com</a>

*Landscape Contractor.* Landscape contractor information will be provided to the City prior to implementation of the POSE grassland restoration project plan.

## 5.0 PERFORMANCE MONITORING

Performance standards should relate to the objectives of the restoration project, so that the project can be objectively evaluated to determine if it is developing into the desired resource type and attaining any other applicable metrics (e.g., percent cover, acres). This section presents the grassland restoration plan performance standards and monitoring methods for evaluating conformance with these standards. The performance standards have been designed to be measurable in order to quantitatively determine if the restoration project meets its objectives.

Performance monitoring over a 5-year period will occur in order to track progress toward meeting the performance standards and to determine if measures are necessary to ensure that the grassland restoration project is meeting its objectives. The monitoring will be conducted over the 5-year monitoring period by a qualified biologist by using the methods described in Section 5.3, recommend any necessary actions to remedy problems, and prepare annual reports. Annual report preparation requirements are discussed in Section 7.0.

### 5.1 Monitoring Objective

The objective of restoration monitoring is to track progress toward meeting the Restoration Plan objectives. Monitoring is designed to evaluate the achievement of various desired habitat characteristics which include:

1. Establishment of desirable native and naturalized plant species; and
2. Avoidance of an increase in noxious non-native plant species.

The performance standards described in Section 5.3 are designed to determine if the restoration objective is being achieved and, if not provide a means to identify and remedy problems that would hinder achievement of the restoration objective. This will be accomplished by collecting and analyzing data to determine if the performance standards are being met and, if not, whether corrective actions need to be taken or an adaptive management strategy for unanticipated problems needs to be developed as described in Section 8.0.

### 5.2 Reference Site Monitoring Plan

A minimum of three (3) reference sites with adjacent California annual grassland habitat shall be located within un-impacted portions of the POSE and monitored, using the methodology described in Table 5, in order to establish baseline data prior to grassland restoration plan implementation and annual monitoring for 5-years. The reference sites will be similar in hydrogeomorphic conditions as the grasslands within the POSE being temporarily impacted by the residential home project. The initial baseline monitoring will provide data used to aid in finalizing the planting plan prior to implementation of the restoration plan. The reference sites will continue to be monitored during the 5-year monitoring period to provide a basis of comparison between existing and restored grassland conditions in order to evaluate whether performance standards are being met.

### 5.3 Performance Standards and Evaluation Methods

Table 5 presents the performance standards that need to be satisfied before the objectives for grassland restoration can be met. Methods for determining if the performance standards have been met are also provided. Monitoring results will provide indication as to whether the temporarily impacted grassland area is developing desired habitat conditions or if corrective action(s) needs to be taken.

**Table 5. Performance Standards and Evaluation Methods**

Performance Standards	Monitoring Methods										
<p>1. <b>Vegetation Conditions.</b> Vegetation will consist predominantly of native and introduced California grassland species similar to baseline conditions as determined by plant cover analysis.</p>	<p><i>Vegetation Monitoring at Grassland Restoration and Reference Sites</i></p> <ol style="list-style-type: none"> <li>1. Establish permanent photo points prior to implementation of grassland restoration. Provide the location and direction of view of the photo points with all monitoring reports.</li> <li>2. Obtain plant cover data by plant species present on an annual basis. To measure plant cover, sample vegetation prior to site impact within the POSE and during March or April each monitoring year, depending on annual rainfall patterns, using twelve (12) 3-foot by 3-foot vegetation sampling quadrats randomly located (annually) along three (3) linear transects lines oriented in an approximate east-west direction within the impacted portion of the POSE. Each 9 square-foot quadrat will be assigned a number. Each transect will contain four (4) 3-foot by 3-foot vegetation sampling quadrats. One transect will be located 25 feet from the northern boundary of the temporarily impacted POSE grassland area, one transect will be located along the approximate center of the impacted area, and one transect will be located 25 feet from the southern edge of the impacted area.</li> <li>3. Annually record the end location coordinates of each linear transect and center coordinates of each selected quadrat using a mapping-grade global positioning system (GPS) with post processing correction (accuracy &lt;50cm).</li> <li>4. Take annual overview photographs of each transect with an east to west orientation and take annual photographs of each sampled quadrat.</li> <li>5. Fill out a data sheet for assessing plant species presence and total cover by plant species (example provided in Attachment 5) for each quadrat sampled.</li> <li>6. Format data for use in spatial analysis software and spreadsheet software. Analyze vegetative cover data and include results in each annual monitoring report. The analysis will determine if vegetation within the restored grassland area of the impacted POSE consists predominantly of native and introduced California grassland species similar to baseline conditions at the impact and reference sites as determined by plant cover analysis. Predominantly means &gt; 50% native and introduced California grassland species.</li> <li>7. Include color photographs of the permanent photo point and quadrat photos as an appendix in the monitoring reports with captions and annotations noting vegetation.</li> </ol>										
<p>2. <b>Management of Noxious Non-native Vegetation.</b> Total percent plant cover by noxious non-native plants within the temporarily impacted POSE will be &lt; 2 percent by monitoring year 5.</p>	<p><i>Vegetation Monitoring at Grassland Restoration and Reference Sites</i></p> <p>Same as above for vegetation conditions criterion with percent cover values not to exceed the following percent cover amounts during monitoring years 1 thru 5:</p> <table border="1" data-bbox="642 1128 1978 1203"> <thead> <tr> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> </tr> </thead> <tbody> <tr> <td>&lt; 3%</td> <td>&lt; 2%</td> <td>&lt; 2%</td> <td>&lt; 2%</td> <td>&lt; 2%</td> </tr> </tbody> </table>	Year 1	Year 2	Year 3	Year 4	Year 5	< 3%	< 2%	< 2%	< 2%	< 2%
Year 1	Year 2	Year 3	Year 4	Year 5							
< 3%	< 2%	< 2%	< 2%	< 2%							
<p>3. <b>Vegetation Re-Establishment.</b> Total percent vegetative cover within the temporarily impacted POSE will be ≥ 70 percent native and introduced California grassland species by monitoring year 5.</p>	<p><i>Vegetation Monitoring at Grassland Restoration and Reference Sites</i></p> <p>Same as above for vegetation conditions criterion with percent cover values ≥ the following percent cover amounts during monitoring years 1 thru 5:</p> <table border="1" data-bbox="642 1307 1978 1382"> <thead> <tr> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> </tr> </thead> <tbody> <tr> <td>≥ 30%</td> <td>≥ 40%</td> <td>≥ 50%</td> <td>≥ 60%</td> <td>≥ 70%</td> </tr> </tbody> </table>	Year 1	Year 2	Year 3	Year 4	Year 5	≥ 30%	≥ 40%	≥ 50%	≥ 60%	≥ 70%
Year 1	Year 2	Year 3	Year 4	Year 5							
≥ 30%	≥ 40%	≥ 50%	≥ 60%	≥ 70%							

Table 5. Performance Standards and Evaluation Methods

Performance Standards	Monitoring Methods
<p>4. <b>Area of Restored Grassland Habitat.</b> The temporarily impacted grassland within the POSE will be restored.</p>	<p><i>Determining Area of Restored Grassland Habitat</i></p> <ul style="list-style-type: none"> <li>▪ Determine the geographic extent of temporary impact area within POSE grassland habitat prior to implementation of grassland restoration plan using a mapping-grade global positioning system (GPS).</li> <li>▪ Determine the geographic extent of grassland restored during March - April of each monitoring year using a mapping-grade global positioning system (GPS).</li> <li>▪ Export the data into spatial analysis software and database software for evaluation and mapping. Compare the GPS data collected with the as-built drawings.</li> </ul>

#### 5.4 Data Analysis

The monitoring results for the annual monitoring periods (March/April) will be compared, as appropriate, with: (1) restoration site base line data collected before site impacts, (2) reference site baseline data collected before reference site impacts; (3) annual reference site data; and (4) restoration site data collected annually. Data collected annually during the 5-year monitoring period will also document change(s) from baseline and previous monitoring years. The data collected will be analyzed annually for comparative change in attainment of the performance standards. Both vegetation data (percent plant cover) for data analysis purposes and GPS location data for mapping purposes will be collected in the field. Data include:

1. Percent plant cover
2. Location of noxious non-native plant species
3. Plant species list

Results of data analysis to be reported will include:

1. Percent cover values for native plant species
2. Percent cover for introduced plant species
3. Percent cover for noxious non-native plant species
4. Total percent cover values for native, introduced species, and noxious non-native plant species
5. Comparison of percent cover values with baseline and values from previous monitoring years.

#### 5.5 Annual Review of Monitoring Procedures

The Project Biologist will review the protocol and results of the monitoring program annually. Adjustments to monitoring procedures may be required as the site changes over time, or if logistical problems render a procedure unduly difficult to conduct. Such adjustments will be reported to the City. City suggestions for adjusting the monitoring program will be reviewed and if appropriate will be incorporated into the following year's monitoring program. It is anticipated that the monitoring program may need occasional adjustments to remain accurate, complete, and feasible.

#### 5.6 Funding

The property owner, or assignee, will fund all the costs associated with the activities as outlined in the above described Monitoring Plan, which includes performance monitoring and agency-required reporting.

## 5.7 Responsible Parties

Successful implementation of the above-described Monitoring Plan is the responsibility of the following entities:

Owner	Project Architect / Manager	Project Biologist
<p>Tony &amp; Tracy Tamasi 1457 Mercer Avenue San Jose, CA 95125</p> <p><b>Contact:</b> Tracy Tamasi Telephone: (650) 302.3170 <a href="mailto:trossbuilder@gmail.com">trossbuilder@gmail.com</a></p>	<p>William Maston Architect &amp; Associates 384 Castro Street Mountain View, CA 94041</p> <p><b>Contact:</b> Leah Alissa Bayer Telephone: (650) 968.7900 x15 <a href="mailto:leahb@mastonarchitect.com">leahb@mastonarchitect.com</a> <a href="http://www.mastonarchitect.com">http://www.mastonarchitect.com</a></p>	<p>Huffman-Broadway Group, Inc. 828 Mission Avenue San Rafael, CA 94901</p> <p><b>Contact:</b> Terry Huffman, PhD Telephone: (415) 385.1045 <a href="mailto:thuffman@h-bgroup.com">thuffman@h-bgroup.com</a> <a href="http://www.h-bgroup.com">http://www.h-bgroup.com</a></p>

## 5.8 Schedule

Monitoring for a 5-year period to determine the successful attainment of the performance standards shall be tied to the actual date the restoration plan is first implemented on the ground rather than to predetermined years. The proposed monitoring schedule is outlined in Table 6 below:

**Table 6. Schedule For Performance Monitoring Activities**

Activity	Schedule
Conduct success monitoring and complete field monitoring data sheets.	During March - April of monitoring Years 1 – 5.
Prepare and submit annual compliance monitoring report to include data sheets, photo documentation and a report summarizing monitoring results.	January 15 of the monitoring year for Years 1 – 5.

## 6.0 MAINTENANCE INSPECTION AND ACTIONS

This section details site maintenance inspection and activities to insure achievement of the restoration performance standards described in Section 5.0 following restoration implementation.

### 6.1 Overview

The Project Biologist will implement a 5-Year maintenance program to ensure that the performance standards established by the restoration plan are achieved. Activities will include management inspections and, if necessary, maintenance to ensure successful achievement of performance standards. Inspection activities are described in detail below in Section 6.2. Section 6.6 provides a schedule as to when these maintenance inspections and follow-up maintenance actions are to occur.

During management inspections, the Project Biologist's tasks are to:

1. Photo-document site conditions, to include annual on-site photographs taken at pre-designated permanent photo points and directions;
2. Look for and photo document locations within the restoration site where problems may potentially prevent successfully meeting restoration plan performance standards;
3. Prepare Maintenance Monitoring Field Data Form (Attachment 5) including mapping, if necessary, indicating where site specific maintenance should occur;
4. Ensure working with property owner, or assignee, that appropriate corrective actions are undertaken and documented appropriately;
5. Photo document and record maintenance actions undertaken on the Maintenance Monitoring Field Data Form (Attachment 5); and
6. Include copies of prepared annual Maintenance Monitoring Field Data Form with annual restoration plan monitoring report.

### *Photo Documentation*

During each management inspection, in addition to photo documentation of locations within the site where problems may potentially prevent successfully meeting restoration plan performance standards, photographs documenting overall site conditions will be taken from permanent photo points and directions of view established during initial restoration plan implementation (see Implementation Plan describe above). Photo locations will be memorialized using a GPS instrument with sub-meter accuracy and direction of view will be documented. At a minimum the on-site photos shall include:

- North, South, East, and West overview photographs of the restoration site (4 photos total)
- Overview photographs of the vegetation sampling transect taken at the beginning of each of four (4) vegetation sampling transects established during the baseline investigation

- Four (4) representative vegetation quadrat sampling locations within each of the four (4) vegetation sampling transects
- Four (4) representative vegetation quadrat sampling locations within the representative grassland site.

## 6.2 Inspection and Maintenance Activities

### 6.2.1 Sedimentation and Erosion Control Inspections

**Goal:** Restore grassland habitat soil similar to pre-impact conditions.

**Responsibility:** Owner / Project Biologist

**Objective:** Prevent adverse impacts to the grassland restoration site and downstream watershed from erosion and resulting sedimentation.

**Specific Tasks to be performed by Project Biologist:** The site will be inspected for signs of erosion and sediment release up or downslope of the restoration site. If it is determined that erosion and resulting sedimentation detrimental to successfully meeting restoration plan performance criteria is occurring, measures will be taken where feasible to correct the problem prior to taking remedial action(s). The Project Biologist will coordinate with the property owner, or assignee, to ensure that these measures are applied. Specific tasks are outlined below:

**Task 1.** Inspect the site for signs of erosion and sedimentation;

**Task 2.** Photograph problem area and complete Maintenance Monitoring Field Form (in Attachment 5) to document conditions observed;

**Task 3.** Initiate any necessary maintenance to correct problem(s) identified; and

**Task 4.** Photo document and record maintenance actions undertaken on the Maintenance Monitoring Field Data Form (Attachment 5).

**Details Regarding Maintenance to Prevent and Control Erosion and Sedimentation:** If erosion detrimental to successfully meeting performance standards is occurring, take appropriate erosion control measures to slow seasonal stormwater runoff. Appropriate erosion control actions include stabilizing bare ground areas with sterile straw mulch and installing fiber rolls packed with sterile straw to reduce stormwater surface velocity and trap sediment. Any accumulated sediment within, above, or below the restoration site will be removed using hand tools with the land surface restored to original grade and the bare area covered with sterile straw after first planting with the grassland seed mix specified by this plan.

### 6.2.2 Vegetation Management

Invasive species threaten the diversity or abundance of native species through competition for resources, predation, parasitism, interbreeding with native populations, transmitting plant

diseases, or causing physical or chemical changes to the invaded habitat. Both native and nonnative plant species occur within the POSE and to the portion of the POSE being restored following temporary construction impacts. If not properly managed, invasive noxious plant species can out-compete native plant species.

**Goal:** Maintain a competitive advantage of native California annual grassland species over noxious annual plant species within the grassland restoration site.

**Responsibility:** Owner / Project Biologist

**Objective:** Monitor and document the presence/absence of noxious plant species and take management actions to maintain a competitive advantage of native California annual grassland species in the over noxious annual plant species.

**Specific Tasks to be performed by Project Biologist:** This section describes three (3) tasks involving (1) invasive species research; (2) annual site inspections; and (3) vegetation management.

**Task 1. Invasive Species Research.** Prior to annual site inspection review consult the following (or similar) sources to identify species that may threaten the site and methods for managing / eliminating those species:

California Department of Food and Agriculture's Integrated Pest Control Branch  
(<http://www.cdfa.ca.gov/phpps/ipc/>)

California Department of Food and Agriculture (CDFA) list of "noxious weeds" that are subject to regulation or quarantine by county agricultural departments (Encycloweedia: [http://www.cdfa.ca.gov/phpps/ipc/encycloweedia/encycloweedia\\_hp.htm](http://www.cdfa.ca.gov/phpps/ipc/encycloweedia/encycloweedia_hp.htm))

University of California Statewide Integrated Pest Management Program list of "Exotic and invasive pests and diseases that threaten California's agricultural, urban, or natural areas" (<http://www.ipm.ucdavis.edu/GENERAL/links.html>).

California Invasive Plant Council's California Invasive Plant Inventory ([www.cal-ipc.org](http://www.cal-ipc.org))

**Task 2. Conduct Annual Inspections.** Inspect the site for signs of noxious plant growth that has the potential to gain a competitive advantage over native California annual grassland plants as follows:

- a. Inspect the site for noxious vegetation.
- b. Using a GPS instrument, map the outer edge / perimeter of any areas containing concentrations of noxious vegetation.
- c. Photo-document any problems discovered.

- d. Photograph problem area and complete Maintenance Monitoring Field Form (in Attachment 5) to document conditions observed.

**Task 3. Vegetation Management.** Based on documented site conditions determine and implement management strategy using one or more of the methods listed below. All weed control actions other than those specified by this plan will be reviewed and approved by the City before being conducted. Vegetation management will be monitored and supervised by the Project Biologist.

- a. **Hand Weeding.** Hand pulling and extraction using hand tools to control noxious nonnative annual species before seed set is allowable.
- b. **Controlled Mowing.** Mowing to control noxious nonnative annual species before seed set is allowable with hand-held mechanical mowers. Mowing with rubber-tired mowers is allowable during the summer months (after June 1 to September 31) when the ground surface and subsoil (upper 12 inches) are dry so that vehicle ruts do not form.
- c. **Controlled Herbicide Application.** Herbicide application is allowable, but only to control small, localized noxious weed problems. Application of herbicides will be accomplished in accordance with the following standards:
  - (1) Herbicides will be used only by a licensed applicator.
  - (2) Applied under the direction of the Project Biologist, a biological monitor will accompany sprayers to prevent impacts to non-target native vegetation that is to be retained.
  - (3) Nonnative plants will only be sprayed using EPA-approved post-emergent herbicides (i.e., 2,4-D, glyphosate).

All management actions taken will be documented as follows:

- (1) Photo document and record maintenance actions undertaken on the Maintenance Monitoring Field Data Form (Attachment 5).

### 6.3 Record Keeping and Reporting

Documentation of all inspection and maintenance management activities will be required during the 5-year monitoring period. A record of maintenance activities by date will be documented on maintenance monitoring forms (Attachment 5) submitted yearly to the City as part of the annual monitoring report. Annual report preparation requirements are discussed in Section 7.0.

### 6.4 Funding

The property owner, or assignee, will fund all the costs associated with the POSE grassland restoration management and maintenance activities described in this section.

## 6.5 Responsible Parties

Successful implementation of this Maintenance Plan is the responsibility of:

Owner	Project Architect / Manager	Project Biologist
<b>Tony &amp; Tracy Tamasi</b> 1457 Mercer Avenue San Jose, CA 95125  <b>Contact:</b> Tracy Tamasi Telephone: (650) 302.3170 <a href="mailto:trossbuilder@gmail.com">trossbuilder@gmail.com</a>	<b>William Maston Architect &amp; Associates</b> 384 Castro Street Mountain View, CA 94041  <b>Contact:</b> Leah Alissa Bayer Telephone: (650) 968.7900 x15 <a href="mailto:leahb@mastonarchitect.com">leahb@mastonarchitect.com</a> <a href="http://www.mastonarchitect.com">http://www.mastonarchitect.com</a>	<b>Huffman-Broadway Group, Inc.</b> 828 Mission Avenue San Rafael, CA 94901  <b>Contact:</b> Terry Huffman, PhD Telephone: (415) 385.1045 <a href="mailto:thuffman@h-bgroup.com">thuffman@h-bgroup.com</a> <a href="http://www.h-bgroup.com">http://www.h-bgroup.com</a>

## 6.6 Schedule

The POSE grassland restoration site will be maintained for a 5-year period so that performance standards (Section 5.0) are met. Monitoring inspections and maintenance activities will commence subsequent to the completion of restoration plan implementation. Table 7 defines the maintenance action schedules.

**Table 7. Schedule For Management Inspections and Maintenance Activities**

Inspection and Maintenance Activity	Activity	Schedule (Years 1-5) <sup>2</sup>	Responsibility
1. Erosion and Sedimentation Control	I & M <sup>1</sup>	Annually, after the first heavy, continuous rainfall period > 1 inch and at end of May each monitoring year	Property Owner/ Project Biologist
2. Vegetation Management	I & M	Annually for each monitoring year (February thru July)	Property Owner/ Project Biologist
3. Record Keeping	Documentation	Annually for each monitoring year	Property Owner/ Project Biologist
4. Reporting	Report Preparation	Annually for each monitoring year	Property Owner/ Project Biologist

<sup>1</sup> I&M = Inspection and, if necessary, maintenance; <sup>2</sup> Reports submitted by January 15 following previous year's monitoring.

## 7.0 MONITORING REPORTS

### 7.1 Post-Grassland Restoration Implementation Report

Within 60 days after initial site restoration implementation has been completed, which includes: (1) deconstruction of the temporary construction pad; and (2) planting, the Project Manager will prepare together with the Project Biologist, a post-grassland restoration implementation report for inspection and approval by the property owner, or assignee. This report will include:

4. A narrative description of site restoration implementation, paying particular attention to any adjustments to the final planting plan.
5. Photo-documentation of each step of restoration implementation presented with mapping showing photo location and direction of view.
6. Mapping showing the location and direction of view of permanent photo points.

Within 90 days following completion of the post-grassland restoration implementation report shall be submitted to the City.

### 7.2 Annual Reports

Restoration performance monitoring reports prepared by the Owner's Project Biologist will be submitted on an annual basis by January 15 following each monitoring year (1 – 5) and a final report will be submitted after monitoring Year 5. The first annual monitoring report will be submitted following the end of the year when restoration is implemented.

These reports will provide technical findings as to the attainment of performance standards and/or progress toward achievement of final success. Each report will include the following:

#### *Monitoring Report Narrative:*

##### **1.0 Project Overview (1 page)**

- Name of party responsible for conducting the monitoring and the date(s) the inspection was conducted.
- A brief paragraph describing the purpose of the approved restoration project, acreage and type of resources impacted; and required restoration acreage.
- Written description of the location of the restoration site including information to locate the site perimeter, and coordinates (expressed as latitude, longitudes, UTM's, state plane coordinate system, etc.).
- Dates the compensatory restoration project commenced and/or was completed.
- Short statement on whether the performance standards are being met.
- Dates of any recent corrective or maintenance activities conducted since the previous report submission.
- Specific recommendations for any additional corrective or remedial actions.

##### **2.0 Requirements (1 page)**

- List the monitoring requirements and performance standards specified in the approved

POSE Grassland Restoration Plan and any required special conditions associated with project authorization.

- Evaluate whether the restoration project site is successfully achieving the approved performance standards or trending towards success. (If applicable use a table to present this information).

### **3.0 Summary Data (4 pages maximum)**

- Present summary data to substantiate the success and/or potential challenges associated with the restoration project.
- Include photo documentation to support the findings and recommendations in the monitoring report and to assist the City in assessing whether the restoration project is meeting applicable performance standards for that monitoring period.
- Format submitted photos to print two photos (2) on each standard 8 ½" x 11" paper. Show date and clearly label photos with the direction from which the photo was taken.
- Identify the photo location points and direction of view on the appropriate mapping.

### **4.0 Maps and Plans (3 pages maximum)**

- Provide maps that show location of the restoration site relative to other landscape features; restoration site perimeter; locations of photo reference points, transects, sampling data points, and other pertinent features.
- Format maps/diagrams to print on 8.5" x 11' paper.
- Include a legend and photo locations.

### **5.0 Conclusions (1 page)**

- Include statement that describes the conditions of the restoration project in terms of meeting restoration performance standards.
- If performance standards are not being met, explain the difficulties and potential remedial actions proposed by the Project Biologist, together with a timetable for correction.

A final report summarizing the restoration project and evaluating the site's overall performance will be prepared and submitted electronically at the end of monitoring. City required restoration requirements will not be considered fulfilled until the property owner, or assignee, has received written concurrence from the City that the POSE grassland restoration project has met its objectives and no additional monitoring reports are required. City will review the final monitoring report to make this determination. A final field visit will be conducted to verify that onsite conditions are consistent with information documented in the monitoring reports. Monitoring will cease when the site has met all the performance standards or by mutual agreement of the City and the property owner, or assignee.

## 8.0 ADAPTIVE MANAGEMENT

Should unforeseen changes in site conditions or other components of the grassland restoration project occur, including the party or parties responsible for implementing adaptive management measures, the property owner, or assignee, will notify the City as soon as possible and will work with the City to identify appropriate measures to correct the deficiencies. These measures shall constitute the adaptive management plan and will guide decisions for revising this POSE Grassland Restoration Plan to address both foreseeable and unforeseen circumstances that adversely affect restoration success. The term “adaptive management” as defined for the purposes of this restoration plan means:

The development of a management strategy that anticipates likely challenges associated with the POSE Grassland Restoration Plan and provides for the implementation of actions to address those challenges, as well as unforeseen changes to those projects. It requires consideration of the risk, uncertainty, and dynamic nature of habitat restoration projects and guides modification of the project to optimize performance. It includes: (1) the selection of appropriate measures that will ensure that the temporarily impacted grassland is restored similar to its pre-impact natural self-maintaining condition; (2) involves analysis of monitoring results to identify potential problems; and (3) the identification and implementation of measures to rectify those problems in order to meet performance standards established to determine restoration success.

### 8.1 Determining if Adaptive Management Action is Required

The City shall require implementation of adaptive management if:

1. If the grassland restoration project cannot be constructed in accordance with the approved POSE Grassland Restoration Plan, the property owner, or designated assignee, must notify the City. A significant modification of the grassland restoration plan requires approval from the City.
2. If monitoring or other information indicates that the grassland restoration project is not progressing towards meeting its performance standards as anticipated, the property owner, or assignee, must notify the City as soon as possible. The City will evaluate and pursue measures to address deficiencies in the grassland restoration project. The City shall consider whether the grassland restoration project is providing ecological benefits comparable to the original objectives of the grassland restoration project.

If Year 3 performance standards are not met, the annual monitoring report submitted to the City shall indicate the source(s) of problem(s) and recommend remediation.

The Year 3 annual monitoring report shall indicate whether or not the Restoration Site is expected to meet the Year 5 final performance standards. If the performance standards are not

expected to be met, the report submitted to the City shall provide details on problem areas and make recommendations for remediation.

Should the restoration project fail to meet the performance standards outlined in this document by Year 5, the Project Biologist shall prepare a remediation report outlining the work that would need to be implemented for project success, including maintenance, and continued monitoring. The site shall be monitored annually until all performance standards are met.

## 8.2 Identification of Appropriate Measures

The following measures are to be taken if adaptive management actions are found necessary based on either (1) or (2) in Subsection 8.1, above:

1. The City, in consultation with the responsible party, the owner, or assignee, of 3 Buck Meadow Drive, or its assignee, shall determine the appropriate measures. The measures may include site modifications, planting design changes, revisions to maintenance requirements, and revised monitoring requirements. The measures must be designed to ensure that the modified grassland restoration plan provides restored grassland habitat comparable to those described in the POSE Grassland Restoration Plan objectives.
2. Performance standards may be revised in accordance with adaptive management to account for measures taken to address deficiencies in the POSE Grassland Restoration Plan. Performance standards may also be revised to reflect changes in management strategies and objectives if the new standards provide for ecological benefits that are comparable or superior to the approved POSE Grassland Restoration Plan. No other revisions to performance standards shall be allowed except in the case of natural disasters.

## 8.3 Funding

The 3 Buck Meadow Drive property owner, or its assignee, will fund all the costs associated with planning, implementation, and performance monitoring of any contingency procedures that may be required to achieve the objectives of this Grassland Restoration Plan.

## 8.4 Responsible Parties

Owner	Project Architect / Manager	Project Biologist
<p>Tony &amp; Tracy Tamasi 1457 Mercer Avenue San Jose, CA 95125</p> <p><i>Contact:</i> Tracy Tamasi Telephone: (650) 302.3170 <a href="mailto:trossbuilder@gmail.com">trossbuilder@gmail.com</a></p>	<p>William Maston Architect &amp; Associates 384 Castro Street Mountain View, CA 94041</p> <p><i>Contact:</i> Leah Alissa Bayer Telephone: (650) 968.7900 x15 <a href="mailto:leahb@mastonarchitect.com">leahb@mastonarchitect.com</a> <a href="http://www.mastonarchitect.com">http://www.mastonarchitect.com</a></p>	<p>Huffman-Broadway Group, Inc. 828 Mission Avenue San Rafael, CA 94901</p> <p><i>Contact:</i> Terry Huffman, PhD Telephone: (415) 385.1045 <a href="mailto:thuffman@h-bgroup.com">thuffman@h-bgroup.com</a> <a href="http://www.h-bgroup.com">http://www.h-bgroup.com</a></p>

## **9.0 COMPLETION OF RESTORATION RESPONSIBILITIES**

### **9.1 Notification of Completion**

When the 5-year monitoring period is complete, and if the 3 Buck Meadow Drive property owner, or assignee, believes final performance standards have been met, the property owner, or assignee, shall notify the City in writing when submitting the annual performance monitoring report that documents this completion. A comparison of base line conditions and conditions at the end of the 5-year monitoring period documented by the Project Biologist will be provided as part of the documentation of completion.

### **9.2 City Confirmation**

Following receipt of the report, the City will either confirm the successful completion of the grassland restoration obligation within the POSE or require additional restoration efforts and years of performance monitoring in order to determine success. The property owner, or assignee, is not released from the grassland restoration obligation until written notice of completion is received from the City. The City may require a site visit to confirm the successful completion of the restoration effort.

## 10.0 REFERENCES

Accuweather. 2015. Retrieved 25 June. 2015

<http://premiuma.accuweather.com/premium/index.asp>

California Department of Food and Agriculture's Integrated Pest Control Branch

(<http://www.cdfa.ca.gov/phpps/ipc/> )

California Department of Food and Agriculture (CDFA) list of "noxious weeds" that are subject to regulation or quarantine by county agricultural departments (Encycloweedia:

[http://www.cdfa.ca.gov/phpps/ipc/encycloweedia/encycloweedia\\_hp.htm](http://www.cdfa.ca.gov/phpps/ipc/encycloweedia/encycloweedia_hp.htm) )

California Invasive Plant Council's California Invasive Plant Inventory ([www.cal-ipc.org](http://www.cal-ipc.org))

Sawyer, J.O., and T. Keeler-Wolf. 1995. *A Manual of California Vegetation*. California Native Plant Society.

US Department of Agriculture, Natural Resources Conservation Service. June 2015. Web Soil Survey (WSS). <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

United States Department of Agriculture, Natural Resources Conservation Service. June 2015. WETS Station: Woodside Fire Station 1, CA 9792. Start year 1971, end year 2000. June 2015. [http://efotg.sc.egov.usda.gov/efotg\\_locator.aspx](http://efotg.sc.egov.usda.gov/efotg_locator.aspx)

University of California Statewide Integrated Pest Management Program list of "Exotic and invasive pests and diseases that threaten California's agricultural, urban, or natural areas" (<http://www.ipm.ucdavis.edu/GENERAL/links.html>).

## Attachment 1

### Figures

- |          |  |
|----------|--|
| Figure 1 | USGS Map of the Project Location                             |
| Figure 2 | Aerial Photograph of 3 Buck Meadow Drive, Portola Valley, CA |
| Figure 3 | Proposed Project Development and Location of POSE            |
| Figure 4 | Area of POSE Proposed to be Temporarily Impacted             |
| Figure 5 | Vegetation Sampling Transect and Quadrat Locations           |

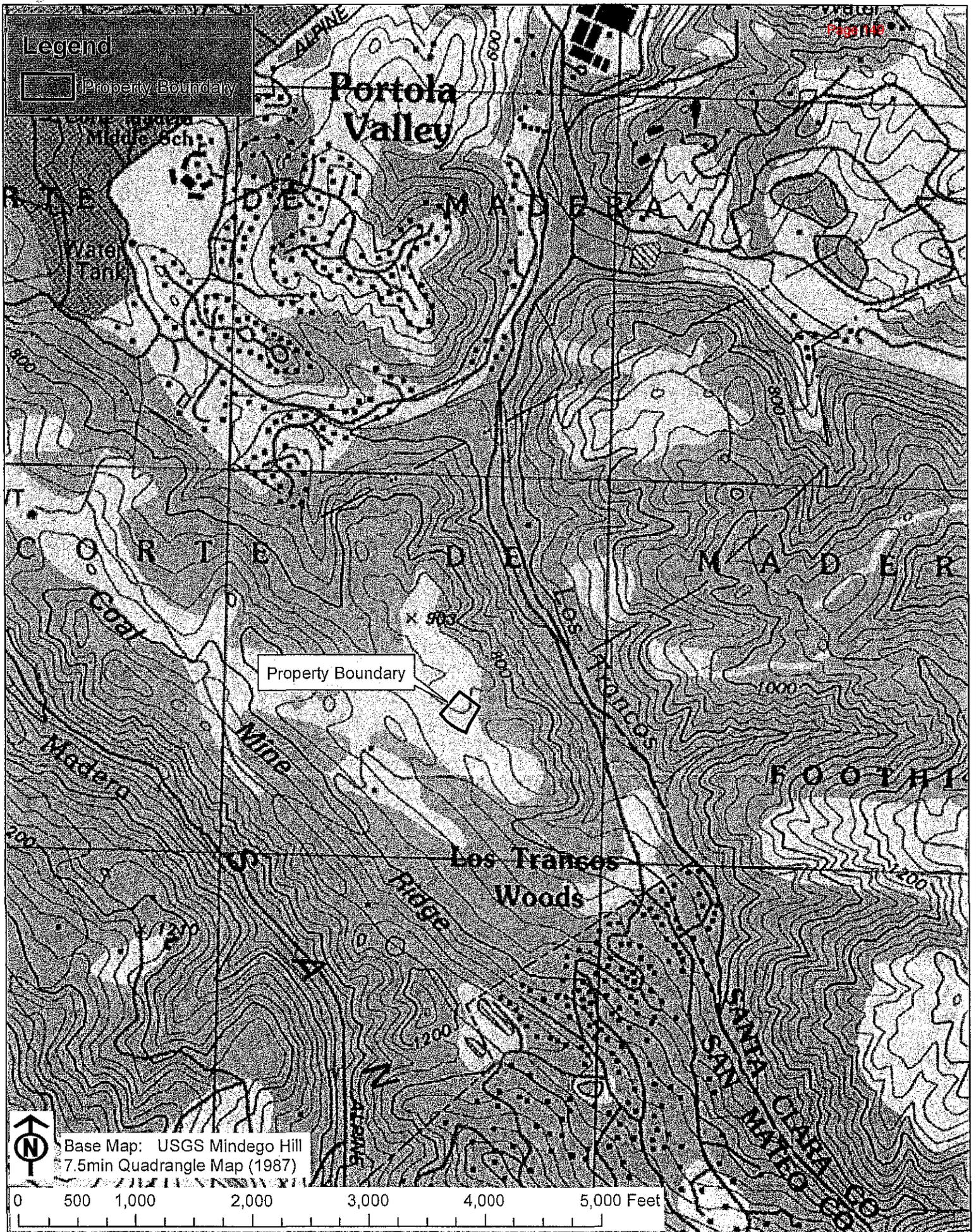


Figure 1. USGS Map of the Project Location, 3 Buck Meadow Drive, Portola Valley, CA

Legend

Property Boundary

Redberry Rd

Buck Meadow Dr

Blue Oaks Ct

Google

0 25 50 100 150 200 250 Feet



Imagery ©2015

Figure 2. Aerial Photograph of 3 Buck Meadow Drive, Portola Valley, CA

**Legend**

 Portion of POSE Impacted by Project

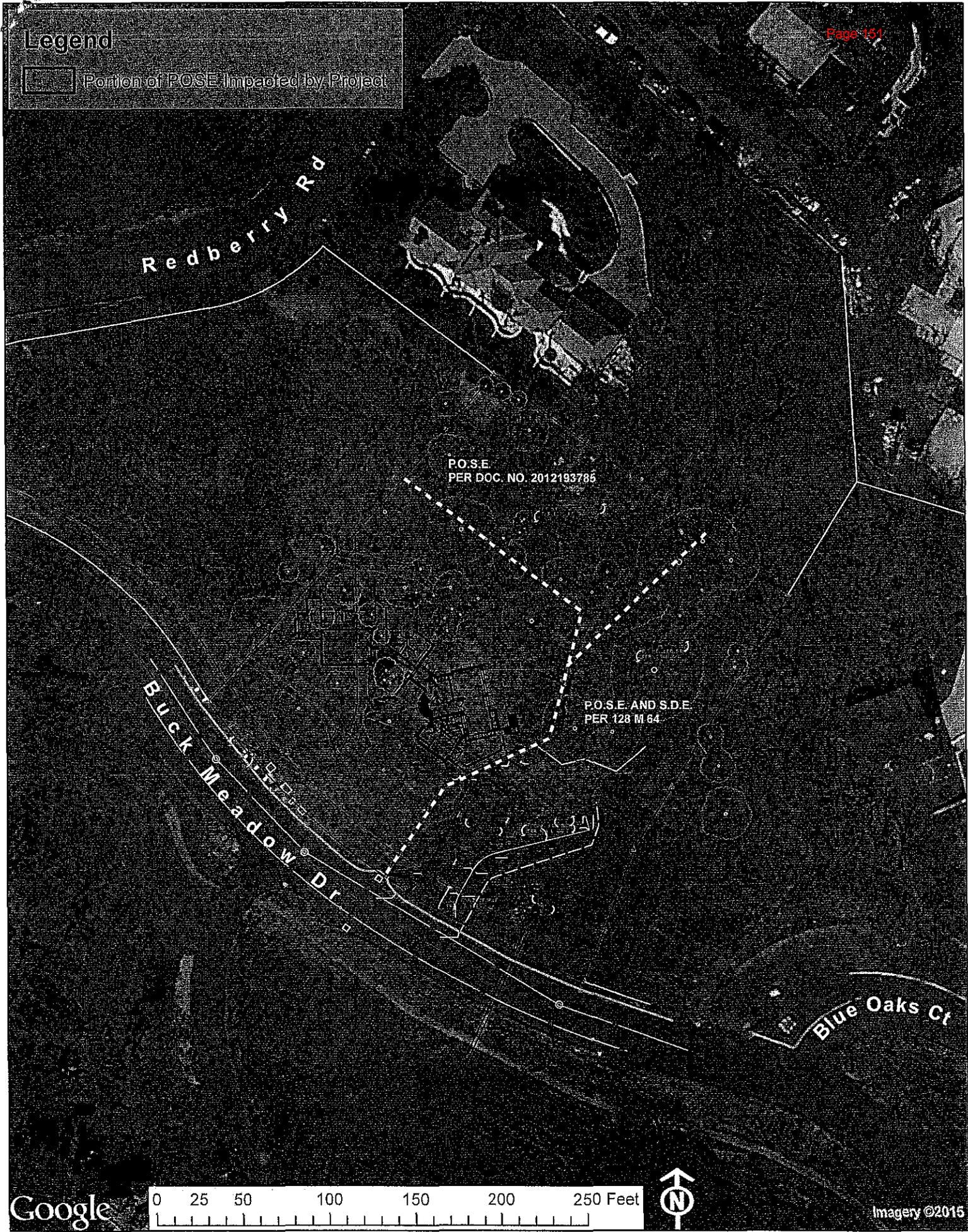


Figure 3. Proposed Project Development and Location of POSE, 3 Buck Meadow Drive, Portola Valley, CA

### Legend

-  Property Boundary
-  Portion of POSE Impacted by Project

Redberry Rd

Buck Meadow Dr

Blue Oaks Ct

P.O.S.E.  
PER DOC. NO. 2012193785

P.O.S.E. AND S.D.E.  
PER 128 M 64

Google

0 25 50 100 150 200 250 Feet

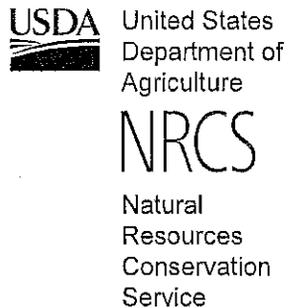


Imagery ©2015

Figure 4. Area of POSE Proposed to be Temporarily Impacted, 3 Buck Meadow Drive, Portola Valley, CA

**Attachment 2**

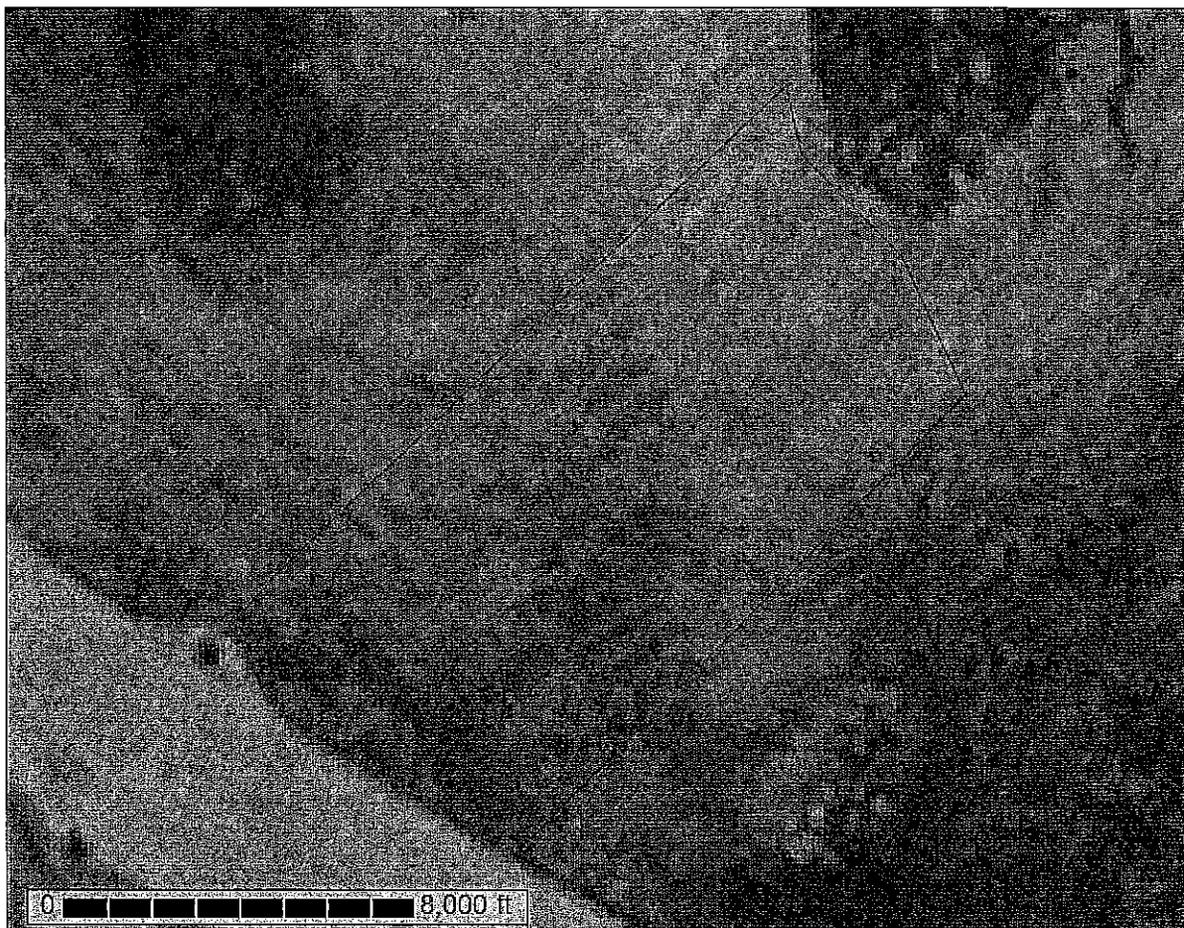
**NRCS Soil Resources Report**



A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

# Custom Soil Resource Report for San Mateo County, Eastern Part, and San Francisco County, California

## 3 Buck Meadow Drive Study Area



## Preface

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Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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## Soil Map

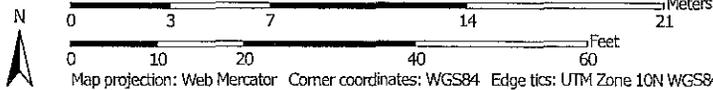
---

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

# Custom Soil Resource Report Soil Map



Map Scale: 1:255 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

## Custom Soil Resource Report

## MAP LEGEND

## Area of Interest (AOI)

 Area of Interest (AOI)

## Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

## Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

## Water Features

 Streams and Canals

## Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

## Background

 Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: San Mateo County, Eastern Part, and San Francisco County, California  
 Survey Area Data: Version 11, Sep 26, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 26, 2010—Sep 17, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Custom Soil Resource Report

## Map Unit Legend

San Mateo County, Eastern Part, and San Francisco County, California (CA689)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
575scl	Mouser-Footpath complex, 8 to 30 percent slopes	0.1	100.0%
Totals for Area of Interest		0.1	100.0%

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

## Custom Soil Resource Report

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## Custom Soil Resource Report

## San Mateo County, Eastern Part, and San Francisco County, California

## 575scl—Mouser-Footpath complex, 8 to 30 percent slopes

**Map Unit Setting**

*National map unit symbol:* 2pcl  
*Elevation:* 520 to 2,810 feet  
*Mean annual precipitation:* 30 to 60 inches  
*Mean annual air temperature:* 55 to 59 degrees F  
*Frost-free period:* 200 to 250 days  
*Farmland classification:* Not prime farmland

**Map Unit Composition**

*Mouser and similar soils:* 60 percent  
*Footpath and similar soils:* 20 percent  
*Minor components:* 20 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Mouser****Setting**

*Landform:* Hillslopes, mountains  
*Landform position (two-dimensional):* Backslope, summit  
*Landform position (three-dimensional):* Upper third of mountainflank, center third of mountainflank, lower third of mountainflank, mountaintop, side slope, nose slope  
*Down-slope shape:* Convex, linear, concave  
*Across-slope shape:* Convex, linear  
*Parent material:* Colluvium derived from greenstone and/or residuum weathered from greenstone

**Typical profile**

*Oi - 0 to 3 inches:* slightly decomposed plant material  
*A - 3 to 12 inches:* sandy clay loam  
*Bt1 - 12 to 28 inches:* sandy clay loam  
*Bt2 - 28 to 37 inches:* sandy clay loam  
*C1 - 37 to 39 inches:* very gravelly sandy clay loam  
*C2 - 39 to 59 inches:* very gravelly sandy clay loam

**Properties and qualities**

*Slope:* 8 to 30 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Well drained  
*Runoff class:* Medium  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high (0.20 to 0.57 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Salinity, maximum in profile:* Nonsaline (0.0 to 0.1 mmhos/cm)  
*Available water storage in profile:* Moderate (about 8.0 inches)

**Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 4e  
*Hydrologic Soil Group:* C

## Custom Soil Resource Report

**Description of Footpath****Setting**

*Landform:* Hillslopes, mountains  
*Landform position (two-dimensional):* Backslope, shoulder, footslope  
*Landform position (three-dimensional):* Upper third of mountainflank, center third of mountainflank, lower third of mountainflank, side slope, base slope  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Convex, linear  
*Parent material:* Colluvium derived from greenstone and/or residuum weathered from greenstone

**Typical profile**

*Oi - 0 to 2 inches:* slightly decomposed plant material  
*A - 2 to 10 inches:* gravelly coarse sandy loam  
*ABt - 10 to 15 inches:* loam  
*Bt - 15 to 24 inches:* gravelly loam  
*BCt - 24 to 31 inches:* very gravelly sandy clay loam  
*Cr - 31 to 59 inches:* bedrock

**Properties and qualities**

*Slope:* 8 to 30 percent  
*Depth to restrictive feature:* 20 to 40 inches to paralithic bedrock  
*Natural drainage class:* Well drained  
*Runoff class:* High  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high (0.20 to 0.57 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Salinity, maximum in profile:* Nonsaline (0.0 to 0.1 mmhos/cm)  
*Available water storage in profile:* Low (about 4.3 inches)

**Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 4e  
*Hydrologic Soil Group:* C

**Minor Components****Sanikara**

*Percent of map unit:* 10 percent  
*Landform:* Hillslopes, mountains  
*Landform position (two-dimensional):* Backslope, summit  
*Landform position (three-dimensional):* Upper third of mountainflank, center third of mountainflank, lower third of mountainflank, mountaintop, interfluve  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Convex, linear

**Typic haploxeralfs, limestone**

*Percent of map unit:* 5 percent  
*Landform:* Mountains, hillslopes  
*Landform position (two-dimensional):* Backslope, summit  
*Landform position (three-dimensional):* Upper third of mountainflank, center third of mountainflank, lower third of mountainflank, mountaintop, side slope, nose slope  
*Down-slope shape:* Linear, concave, convex

## Custom Soil Resource Report

*Across-slope shape:* Convex, linear

**Rock outcrop**

*Percent of map unit:* 3 percent

*Landform:* Hillslopes, mountains

*Landform position (two-dimensional):* Backslope, summit

*Landform position (three-dimensional):* Center third of mountainflank, lower third of mountainflank, mountaintop, upper third of mountainflank, side slope, nose slope

*Down-slope shape:* Convex, linear, concave

*Across-slope shape:* Convex, linear

**Haploxerolls, limestone**

*Percent of map unit:* 2 percent

*Landform:* Mountains

*Landform position (two-dimensional):* Backslope

*Landform position (three-dimensional):* Upper third of mountainflank

*Down-slope shape:* Linear

*Across-slope shape:* Convex

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**Attachment 3**  
**Historical Rainfall Data**

WETS Station : WOODSIDE FIRE STN 1, CA9792      Creation Date: 06/26/2015  
 Latitude: 3726      Longitude: 12215      Elevation: 00380  
 State FIPS/County(FIPS): 06081      County Name: San Mateo  
 Start yr. - 1971      End yr. - 2000

Month	Temperature (Degrees F.)			Precipitation (Inches)					
	avg daily max	avg daily min	avg	avg	30% chance will have		avg	# of days w/.1 or more	total snow fall
					less than	more than			
January	59.8	36.4	48.1	6.16	2.67	7.50	8	0.0	
February	63.8	39.0	51.4	5.79	2.51	7.05	8	0.1	
March	66.9	40.7	53.8	4.57	2.06	5.57	8	0.0	
April	72.5	41.8	57.2	1.64	0.67	2.01	4	0.0	
May	77.9	45.0	61.5	0.64	0.06	0.71	2	0.0	
June	84.2	48.4	66.3	0.13	0.00	0.13	0	0.0	
July	88.2	51.1	69.7	0.04	NA	NA	0	0.0	
August	88.0	50.8	69.4	0.14	0.00	0.00	0	0.0	
September	85.4	49.3	67.4	0.26	0.00	0.26	1	0.0	
October	78.7	45.1	61.9	1.27	0.37	1.51	2	0.0	
November	66.4	39.6	53.0	3.86	1.08	4.59	6	0.0	
December	59.9	35.6	47.8	4.21	1.97	5.20	6	0.0	
Annual					21.96	33.34	--	--	
Average	74.3	43.6	59.0						
Average				28.71			41	0.2	

GROWING SEASON DATES

Probability	Temperature		
	24 F or higher	28 F or higher	32 F or higher
	Beginning and Ending Dates Growing Season Length		
50 percent *			
70 percent *			

\* Percent chance of the growing season occurring between the Beginning



# Portola Valley, CA

Change Location: Enter a Postal Code, or City

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Units: English | Metric

Table Graph Details

## Actual Conditions For October 2014

Choose another month / year: Month  Year  GO

Reports from: REDWOOD CITY, CA [REDX]

Choose another location: Postal Code or City  GO

(Lat: 37.49 Lon:-122.23)

Enter a Different Station: station  GO

Obs. Date	Act. High	Act. Low	Act. Avg	Norm. High	Norm. Low	Norm. Avg.	Norm. Dept.	Rec. High	Rec. Year	Rec. Low	Rec. Year	Precip. Amt	Snow Amt.	Snow Ground	Heat Deg Day	Cool Deg Day
1	86	53	70	78	52	65	5	103	1980*	40	1971*	0	0	0	0	5
2	93	51	72	78	52	65	7	104	1980*	40	1950*	0	0	0	0	7
3	94	55	74	77	52	65	9	103	1980*	43	1973*	0	0	0	0	9
4	95	54	74	77	52	64	10	101	1980*	43	1973*	0	0	0	0	9
5	92	54	73	77	52	64	9	99	1987*	39	1969*	0	0	0	0	8
6	86	52	69	77	52	64	5	99	1987*	42	1969*	0	0	0	0	4
7	78	51	64	76	52	64	0	95	1996*	41	1970*	0	0	0	1	0
8	89	52	70	76	51	64	6	98	1996*	40	1975*	0	0	0	0	5
9	74	52	63	76	51	64	-1	92	1958*	42	1968*	0	0	0	2	0
10	73	55	64	76	51	63	1	92	1991*	40	1968*	0	0	0	1	0
11	81	51	66	76	51	63	3	91	1991*	43	1985*	0	0	0	0	1
12	91	52	72	75	51	63	9	92	2010*	39	1969*	0	0	0	0	7
13	90	51	70	75	50	63	7	93	2004*	39	1981*	0	0	0	0	5
14	72	55	64	75	50	63	1	94	1961*	41	1985*	0	0	0	1	0
15	72	60	66	75	50	62	4	95	1961*	39	1966*	0	0	0	0	1
16	74	51	62	74	50	62	0	92	1961*	42	1968*	0	0	0	3	0
17	77	50	64	74	50	62	2	92	1988*	38	1971*	0	0	0	1	0
18	78	55	66	74	50	62	4	90	1988*	39	1971*	0	0	0	0	1
19	76	54	65	74	49	62	3	89	1964*	40	1969*	0	0	0	0	0
20	71	55	63	73	49	61	2	87	1991*	33	1949*	0	0	0	2	0
21	70	48	59	73	49	61	-2	86	1991*	35	1949*	0	0	0	6	0
22	74	49	62	73	49	61	1	88	1965*	38	1949*	0	0	0	3	0
23	74	55	64	72	49	61	3	91	1959*	37	1961*	0	0	0	1	0
24	76	52	64	72	48	60	4	90	1965*	36	1956*	0	0	0	1	0
25	72	59	66	72	48	60	6	93	2003*	37	1971*	0.17	0	0	0	1
26	68	49	58	72	48	60	-2	94	2003*	38	1971*	0	0	0	7	0
27	70	46	58	71	48	60	-2	93	2003*	40	2011*	0	0	0	7	0
28	76	45	60	71	48	59	1	91	2003*	38	1975*	0	0	0	5	0
29	82	48	65	70	48	59	6	84	1949*	37	1975*	0	0	0	0	0
30	74	54	64	70	47	59	5	85	1949*	33	1971*	0	0	0	1	0
31	63	56	60	70	47	58	2	83	1949*	36	1972*	0.18	0	0	5	0

M = Missing

# Portola Valley, CA

Change Location: Enter a Postal Code, or City

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Units: English | Metric

Table Graph Details

## Actual Conditions For November 2014

 Choose another month / year: Month  Year  GO

Reports from: REDWOOD CITY, CA [REDX]

Choose another location: Postal Code or City GO

(Lat: 37.49 Lon:-122.23)

Enter a Different Station: station

GO

Obs. Date	Act. High	Act. Low	Act. Avg	Norm. High	Norm. Low	Norm. Avg.	Norm. Dept.	Rec. High	Rec. Year	Rec. Low	Rec. Year	Precip. Amt	Snow Amt.	Snow Ground	Heat Deg Day	Cool Deg Day
1	63	51	57	70	47	58	-1	86	1967*	35	1971*	0.04	0	0	8	0
2	67	44	56	69	47	58	-2	87	1967*	37	1952*	0	0	0	9	0
3	69	42	56	69	47	58	-2	82	2010*	36	1971*	0	0	0	9	0
4	72	43	58	68	46	57	1	83	2010*	35	1973*	0	0	0	7	0
5	77	47	62	68	46	57	5	84	2012*	37	1971*	0	0	0	3	0
6	74	49	62	68	46	57	5	80	2012*	36	1957*	0	0	0	3	0
7	71	48	60	67	46	57	3	81	1955*	35	1971*	0	0	0	5	0
8	78	50	64	67	46	56	8	81	1955*	35	1971*	0	0	0	1	0
9	73	48	60	67	46	56	4	83	1955*	34	1979*	0	0	0	5	0
10	69	49	59	66	45	56	3	85	1955*	34	1978*	0	0	0	6	0
11	68	50	59	66	45	56	3	75	1969*	34	1975*	0	0	0	6	0
12	66	55	60	66	45	55	5	75	1990*	34	2000*	0	0	0	5	0
13	66	55	60	65	45	55	5	76	1995*	31	1985*	0.27	0	0	5	0
14	67	48	58	65	44	55	3	79	2010*	30	1985*	0	0	0	7	0
15	66	46	56	64	44	54	2	81	2010*	30	1978*	0	0	0	9	0
16	63	46	54	64	44	54	0	74	2010*	33	1964*	0	0	0	11	0
17	66	42	54	64	44	54	0	76	1949*	29	1961*	0	0	0	11	0
18	65	44	54	64	44	54	0	77	2005*	31	1964*	0	0	0	11	0
19	65	52	58	63	44	53	5	74	1989*	29	1975*	0	0	0	7	0
20	60	50	55	63	43	53	2	72	1989*	30	1994*	0.14	0	0	10	0
21	63	46	54	62	43	53	1	73	1962*	30	1979*	0	0	0	11	0
22	66	56	61	62	43	53	8	75	1959*	32	1975*	0.05	0	0	4	0
23	67	46	56	62	43	52	4	80	1959*	33	1956*	0	0	0	9	0
24	68	40	54	62	43	52	2	75	1959*	30	1993*	0	0	0	11	0
25	67	41	54	61	43	52	2	77	1959*	31	2010*	0	0	0	11	0
26	69	42	56	61	42	52	4	77	1959*	33	1952*	0	0	0	9	0
27	67	43	55	61	42	52	3	73	1969*	33	1969*	0	0	0	10	0
28	65	41	53	61	42	51	2	72	1956*	31	1948*	0	0	0	12	0
29	64	55	60	60	42	51	9	76	1977*	31	1976*	0.01	0	0	5	0
30	58	50	54	60	42	51	3	75	1977*	29	1954*	0.46	0	0	11	0

M = Missing

# Portola Valley, CA

Change Location: Enter a Postal Code, or City

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Table Graph Details

## Actual Conditions For December 2014

Choose another month / year: Month  Year  GO

Reports from: REDWOOD CITY, CA [REDX]

Choose another location: Postal Code or City  GO

(Lat: 37.49 Lon:-122.23)

Enter a Different Station: station  GO

Obs. Date	Act. High	Act. Low	Act. Avg	Norm. High	Norm. Low	Norm. Avg.	Norm. Dept.	Rec. High	Rec. Year	Rec. Low	Rec. Year	Precip. Amt	Snow Amt.	Snow Ground	Heat Deg Day	Cool Deg Day
1	67	51	59	60	42	51	8	72	1956*	32	1976*	0.03	0	0	6	0
2	57	53	55	60	42	51	4	75	2011*	32	1967*	1.8	0	0	10	0
3	66	57	62	60	41	50	12	73	1959*	29	1955*	1.84	0	0	3	0
4	68	56	62	59	41	50	12	74	1958*	31	1990*	0.03	0	0	3	0
5	66	54	60	59	41	50	10	73	1976*	27	2013*	0	0	0	5	0
6	68	54	61	59	41	50	11	73	1964*	31	2013*	0.66	0	0	4	0
7	66	50	58	59	41	50	8	73	1979*	22	1998*	0	0	0	7	0
8	68	50	59	59	41	50	9	70	1975*	25	1978*	0	0	0	6	0
9	63	52	58	59	41	50	8	69	1975*	22	1972*	0	0	0	7	0
10	66	52	59	58	41	50	9	70	2012*	25	1972*	0	0	0	6	0
11	65	53	59	58	40	49	10	72	1958*	24	1972*	2.77	0	0	6	0
12	55	48	52	58	40	49	3	76	1958*	25	1972*	1.68	0	0	13	0
13	56	42	49	58	40	49	0	70	1953*	28	1985*	0.03	0	0	16	0
14	63	43	53	58	40	49	4	71	1958*	26	1972*	0	0	0	12	0
15	56	49	52	58	40	49	3	72	1980*	27	1975*	1.4	0	0	13	0
16	62	45	54	58	40	49	5	74	1998*	28	1965*	0.2	0	0	11	0
17	58	44	51	58	40	49	2	73	1958*	27	1965*	0.59	0	0	14	0
18	61	50	56	58	40	49	7	70	1998*	27	1965*	0.13	0	0	9	0
19	59	51	55	58	40	49	6	70	1999*	29	1971*	0.06	0	0	10	0
20	62	54	58	58	40	49	9	70	2005*	28	1968*	0.21	0	0	7	0
21	65	57	61	58	40	49	12	70	1999*	24	1968*	0.01	0	0	4	0
22	65	50	58	58	40	49	9	68	2013*	19	1990*	0	0	0	7	0
23	69	47	58	57	40	49	9	69	2014*	21	1990*	0	0	0	7	0
24	62	47	54	57	40	49	5	72	2013*	22	1990*	0.02	0	0	11	0
25	58	40	49	57	40	48	1	75	1967*	25	1998*	0	0	0	16	0
26	58	41	50	57	40	48	2	74	1967*	25	1998*	0	0	0	15	0
27	56	33	44	57	40	48	-4	75	1967*	28	1990*	0	0	0	21	0
28	58	36	47	57	40	48	-1	74	1967*	29	1997*	0	0	0	18	0
29	57	37	47	57	40	48	-1	69	2013*	28	1990*	0	0	0	18	0
30	54	37	46	57	40	48	-2	69	1958*	25	1990*	0	0	0	19	0
31	56	31	44	57	40	48	-4	70	1958*	28	1990*	0	0	0	21	0

M = Missing

# Portola Valley, CA

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Table Graph Details

## Actual Conditions For January 2015

Choose another month / year: Month  Year  GO

Reports from: REDWOOD CITY, CA [REDX]

Choose another location: Postal Code or City GO

(Lat: 37.49 Lon:-122.23)

Enter a Different Station: station GO

Obs. Date	Act. High	Act. Low	Act. Avg	Norm. High	Norm. Low	Norm. Avg.	Norm. Dept.	Rec. High	Rec. Year	Rec. Low	Rec. Year	Precip. Amt	Snow Amt.	Snow Ground	Heat Deg Day	Cool Deg Day
1	56	32	44	57	40	48	-4	67	1996*	28	1991*	0	0	0	21	0
2	53	30	42	57	40	48	-6	71	1999*	24	1976*	0	0	0	23	0
3	55	31	43	57	40	48	-5	71	1996*	25	1976*	0	0	0	22	0
4	57	34	46	57	40	48	-2	69	2014*	25	1949*	0	0	0	19	0
5	64	36	50	57	40	49	1	69	2014*	22	1949*	0	0	0	15	0
6	65	38	52	57	40	49	3	71	2003*	24	1950*	0	0	0	13	0
7	70	38	54	57	40	49	5	73	1962*	27	1973*	0	0	0	11	0
8	62	43	52	57	40	49	3	75	1962*	29	1955*	0	0	0	13	0
9	65	46	56	57	40	49	7	74	1962*	28	1982*	0	0	0	9	0
10	61	45	53	58	40	49	4	68	1961*	23	1949*	0	0	0	12	0
11	58	40	49	58	40	49	0	70	1959*	16	1949*	0	0	0	16	0
12	63	41	52	58	40	49	3	67	2012*	26	1949*	0	0	0	13	0
13	65	40	52	58	40	49	3	70	2014*	24	1963*	0	0	0	13	0
14	63	36	50	58	40	49	1	74	2014*	27	1997*	0	0	0	15	0
15	61	38	50	58	40	49	1	78	2009*	27	1963*	0	0	0	15	0
16	63	43	53	58	40	49	4	74	2014*	27	1962*	0	0	0	12	0
17	62	46	54	58	40	49	5	70	2014*	29	2012*	0	0	0	11	0
18	64	47	56	58	40	49	7	74	2009*	29	1961*	0	0	0	9	0
19	62	52	57	58	40	49	8	73	1976*	30	1961*	0	0	0	8	0
20	62	43	52	58	41	49	3	73	1976*	27	1963*	0	0	0	13	0
21	64	40	52	58	41	49	3	70	1976*	28	1966*	0	0	0	13	0
22	58	39	48	58	41	50	-2	75	1968*	28	1962*	0	0	0	17	0
23	68	38	53	58	41	50	3	72	2011*	30	1973*	0	0	0	12	0
24	73	42	58	58	41	50	8	73	2015*	29	1962*	0	0	0	7	0
25	67	40	54	59	41	50	4	72	2014*	24	1949*	0	0	0	11	0
26	64	39	52	59	41	50	2	71	2014*	25	1949*	0	0	0	13	0
27	71	51	61	59	41	50	11	71	2015*	28	1949*	0	0	0	4	0
28	68	43	56	59	41	50	6	71	1984*	27	1975*	0	0	0	9	0
29	67	42	54	59	41	50	4	70	2009*	27	1979*	0	0	0	11	0
30	66	42	54	59	41	50	4	72	1976*	25	1975*	0	0	0	11	0
31	75	41	58	59	41	50	8	75	2015*	28	1972*	0	0	0	7	0

M = Missing

# Portola Valley, CA

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Table Graph Details

## Actual Conditions For February 2015

 Choose another month / year: Month  Year  GO

Reports from: REDWOOD CITY, CA [REDX]

Choose another location: Postal Code or City GO

(Lat: 37.49 Lon:-122.23)

Enter a Different Station: station GO

Obs. Date	Act. High	Act. Low	Act. Avg	Norm. High	Norm. Low	Norm. Avg.	Norm. Dept.	Rec. High	Rec. Year	Rec. Low	Rec. Year	Precip. Amt	Snow Amt.	Snow Ground	Heat Deg Day	Cool Deg Day
1	66	40	53	60	42	50	3	74	2005*	27	1950*	0	0	0	12	0
2	68	42	55	60	42	51	4	73	1976*	27	1950*	0	0	0	10	0
3	69	46	58	60	42	51	7	74	1984*	28	1979*	0	0	0	7	0
4	67	45	56	60	42	51	5	77	1984*	29	1957*	0	0	0	9	0
5	66	48	57	60	42	51	6	76	2011*	28	1989*	0	0	0	8	0
6	65	59	62	60	42	51	11	78	2011*	25	1989*	1.26	0	0	3	0
7	66	56	61	60	42	51	10	74	1987*	25	1989*	0.3	0	0	4	0
8	63	54	58	61	42	51	7	72	1954*	30	1989*	0	0	0	7	0
9	66	53	60	61	42	52	8	74	2006*	31	2001*	0	0	0	5	0
10	65	43	54	61	42	52	2	75	1988*	32	2013*	0	0	0	11	0
11	69	42	56	61	42	52	4	78	1971*	32	1976*	0	0	0	9	0
12	73	45	59	61	42	52	7	76	1996*	29	1949*	0	0	0	6	0
13	75	45	60	61	43	52	8	76	1977*	27	1949*	0	0	0	5	0
14	77	46	62	62	43	52	10	80	1977*	26	1949*	0	0	0	3	0
15	75	44	60	62	43	52	8	76	1977*	28	1990*	0	0	0	5	0
16	74	44	59	62	43	52	7	74	2015*	32	2013*	0	0	0	6	0
17	58	53	56	62	43	52	4	76	1977*	32	1956*	0	0	0	9	0
18	65	53	59	62	43	53	6	77	1977*	32	1990*	0	0	0	6	0
19	65	48	56	62	43	53	3	76	1964*	30	1955*	0	0	0	9	0
20	71	50	60	62	43	53	7	74	1995*	32	2013*	0	0	0	5	0
21	71	44	58	63	43	53	5	74	1995*	30	1955*	0	0	0	7	0
22	66	44	55	63	43	53	2	77	2012*	32	1975*	0	0	0	10	0
23	63	42	52	63	44	53	-1	75	1985*	32	1975*	0	0	0	13	0
24	69	36	52	63	44	53	-1	76	2012*	33	1987*	0	0	0	13	0
25	70	40	55	63	44	53	2	78	1954*	32	1996*	0	0	0	10	0
26	72	44	58	63	44	54	4	79	1986*	31	1996*	0	0	0	7	0
27	62	54	58	63	44	54	4	77	1992*	26	1962*	0	0	0	7	0
28	61	47	54	63	44	54	0	76	1986*	30	1955*	0.01	0	0	11	0

M = Missing

# Portola Valley, CA

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Table Graph Details

## Actual Conditions For March 2015

 Choose another month / year: Month  Year  GO

Reports from: REDWOOD CITY, CA [REDX]

Choose another location: Postal Code or City GO

(Lat: 37.49 Lon:-122.23)

Enter a Different Station: station GO

Obs. Date	Act. High	Act. Low	Act. Avg	Norm. High	Norm. Low	Norm. Avg.	Norm. Dept.	Rec. High	Rec. Year	Rec. Low	Rec. Year	Precip. Amt	Snow Amt.	Snow Ground	Heat Deg Day	Cool Deg Day
1	66	40	53	64	44	54	-1	73	2013*	33	1955*	0	0	0	12	0
2	63	41	52	64	44	54	-2	73	1994*	29	1953*	0	0	0	13	0
3	63	40	52	64	44	54	-2	78	1959*	30	1966*	0	0	0	13	0
4	68	40	54	64	44	54	0	78	1959*	33	1976*	0	0	0	11	0
5	72	40	56	64	44	54	2	78	1972*	32	1976*	0	0	0	9	0
6	74	41	58	64	44	54	4	80	1972*	30	1971*	0	0	0	7	0
7	77	42	60	64	44	54	6	80	1972*	31	1976*	0	0	0	5	0
8	72	44	58	64	44	54	4	78	1972*	34	1969*	0	0	0	7	0
9	69	48	58	64	44	54	4	75	1979*	31	1976*	0	0	0	7	0
10	69	47	58	64	44	54	4	76	1997*	32	1951*	0	0	0	7	0
11	68	54	61	64	45	54	7	80	2007*	32	1951*	0.05	0	0	4	0
12	75	48	62	64	45	55	7	76	1994*	31	1950*	0	0	0	3	0
13	76	49	62	65	45	55	7	79	2013*	32	1950*	0	0	0	3	0
14	86	52	69	65	45	55	14	86	2015*	32	1977*	0	0	0	0	4
15	79	58	68	65	45	55	13	87	2004*	35	1973*	0	0	0	0	3
16	71	52	62	65	45	55	7	84	1972*	35	1950*	0	0	0	3	0
17	70	53	62	65	45	55	7	82	1978*	32	1966*	0	0	0	3	0
18	74	45	60	65	45	55	5	81	1960*	35	1977*	0	0	0	5	0
19	78	46	62	65	45	55	7	81	1960*	34	1977*	0	0	0	3	0
20	71	47	59	65	45	55	4	81	1960*	34	1952*	0	0	0	6	0
21	72	49	60	65	45	55	5	83	1965*	33	1955*	0	0	0	5	0
22	68	53	60	65	45	55	5	78	1997*	35	1987*	0	0	0	5	0
23	65	50	58	66	45	55	3	78	1970*	36	1994*	0	0	0	7	0
24	66	48	57	66	45	55	2	83	1970*	37	1963*	0	0	0	8	0
25	77	49	63	66	45	55	8	84	1952*	32	1964*	0	0	0	2	0
26	83	49	66	66	45	56	10	83	2015*	35	1972*	0	0	0	0	1
27	73	51	62	66	45	56	6	83	1969*	35	1972*	0	0	0	3	0
28	80	47	64	66	45	56	8	81	1986*	36	1950*	0	0	0	1	0
29	82	46	64	66	45	56	8	85	1988*	35	1975*	0	0	0	1	0
30	74	47	60	66	45	56	4	84	2011*	35	1977*	0	0	0	5	0
31	66	54	60	66	45	56	4	86	2011*	35	1977*	0	0	0	5	0

M = Missing

# Portola Valley, CA

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Table Graph Details

## Actual Conditions For April 2015

Choose another month / year: Month  Year  GO

Reports from: REDWOOD CITY, CA [REDX]

Choose another location: Postal Code or City GO

(Lat: 37.49 Lon:-122.23)

Enter a Different Station: station GO

Obs. Date	Act. High	Act. Low	Act. Avg	Norm. High	Norm. Low	Norm. Avg.	Norm. Dept.	Rec. High	Rec. Year	Rec. Low	Rec. Year	Precip. Amt	Snow Amt.	Snow Ground	Heat Deg Day	Cool Deg Day
1	65	47	56	67	45	56	0	84	1959*	34	1976*	0	0	0	9	0
2	69	43	56	67	45	56	0	88	1961*	33	1976*	0	0	0	9	0
3	73	42	58	67	45	56	2	88	1961*	37	1956*	0	0	0	7	0
4	66	41	54	67	45	56	-2	86	1960*	37	1974*	0	0	0	11	0
5	60	44	52	67	45	56	-4	87	1989*	38	1955*	0	0	0	13	0
6	64	40	52	67	46	56	-4	90	1989*	35	1975*	0	0	0	13	0
7	60	48	54	68	46	56	-2	92	1989*	36	1953*	0.5	0	0	11	0
8	64	45	54	68	46	57	-3	92	1989*	38	1980*	0	0	0	11	0
9	68	44	56	68	46	57	-1	93	1989*	35	1975*	0	0	0	9	0
10	69	44	56	68	46	57	-1	90	1989*	37	1999*	0	0	0	9	0
11	70	44	57	68	46	57	0	88	1988*	36	1976*	0	0	0	8	0
12	71	46	58	68	46	57	1	87	1962*	34	1956*	0	0	0	7	0
13	64	47	56	69	46	57	-1	87	1990*	37	1983*	0	0	0	9	0
14	64	48	56	69	46	57	-1	89	1985*	38	2001*	0	0	0	9	0
15	73	44	58	69	46	58	0	89	1966*	35	1975*	0	0	0	7	0
16	80	48	64	69	46	58	6	90	1966*	36	1975*	0	0	0	1	0
17	82	47	64	69	46	58	6	86	1954*	36	1976*	0	0	0	1	0
18	73	47	60	69	46	58	2	87	1950*	34	1975*	0	0	0	5	0
19	70	50	60	70	46	58	2	89	2009*	36	1979*	0	0	0	5	0
20	71	55	63	70	47	58	5	92	2009*	37	1972*	0	0	0	2	0
21	66	49	58	70	47	58	0	89	2012*	35	1968*	0	0	0	7	0
22	67	47	57	70	47	58	-1	88	2013*	37	1970*	0	0	0	8	0
23	71	49	60	70	47	59	1	89	1966*	39	1970*	0	0	0	5	0
24	64	53	58	70	47	59	-1	85	1966*	36	1964*	0	0	0	7	0
25	63	54	58	71	47	59	-1	88	1965*	37	1964*	0.01	0	0	7	0
26	73	50	62	71	47	59	3	90	1965*	37	1964*	0	0	0	3	0
27	86	50	68	71	48	59	9	90	1965*	36	1955*	0	0	0	0	3
28	72	53	62	71	48	59	3	93	1981*	38	2002*	0	0	0	3	0
29	75	49	62	71	48	60	2	96	1981*	37	1967*	0	0	0	3	0
30	89	50	70	71	48	60	10	93	1996*	38	1962*	0	0	0	0	5

M = Missing

# Portola Valley, CA

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Table Graph Details

## Actual Conditions For May 2015

Choose another month / year: Month  Year  GO

Reports from: REDWOOD CITY, CA [REDX]

Choose another location: Postal Code or City GO

(Lat: 37.49 Lon:-122.23)

Enter a Different Station: station GO

Obs. Date	Act. High	Act. Low	Act. Avg	Norm. High	Norm. Low	Norm. Avg.	Norm. Dept.	Rec. High	Rec. Year	Rec. Low	Rec. Year	Precip. Amt	Snow Amt.	Snow Ground	Heat Deg Day	Cool Deg Day
1	84	56	70	72	48	60	10	93	1996*	38	1967*	0	0	0	0	5
2	71	57	64	72	48	60	4	92	2013*	40	1954*	0	0	0	1	0
3	71	53	62	72	48	60	2	91	2013*	40	1974*	0	0	0	3	0
4	64	51	58	72	48	60	-2	91	1990*	36	1950*	0	0	0	7	0
5	67	45	56	72	49	60	-4	95	1987*	37	1952*	0	0	0	9	0
6	72	46	59	72	49	60	-1	96	1987*	38	1968*	0	0	0	6	0
7	67	46	56	72	49	61	-5	95	1987*	38	1975*	0	0	0	9	0
8	72	47	60	72	49	61	-1	94	1987*	39	1950*	0	0	0	5	0
9	73	51	62	73	49	61	1	92	1993*	40	1965*	0	0	0	3	0
10	70	49	60	73	49	61	-1	90	1993*	41	1985*	0	0	0	5	0
11	62	49	56	73	49	61	-5	91	1973*	40	1982*	0	0	0	9	0
12	63	50	56	73	50	61	-5	101	1976*	40	1977*	0	0	0	9	0
13	67	51	59	73	50	61	-2	100	1976*	40	1977*	0	0	0	6	0
14	64	53	58	73	50	62	-4	95	1972*	39	1968*	0.04	0	0	7	0
15	63	47	55	73	50	62	-7	97	1970*	39	1964*	0	0	0	10	0
16	66	52	59	74	50	62	-3	98	1997*	40	1955*	0	0	0	6	0
17	63	55	59	74	50	62	-3	96	2009*	40	1977*	0	0	0	6	0
18	61	54	58	74	50	62	-4	92	1952*	40	1974*	0	0	0	7	0
19	66	54	60	74	50	62	-2	92	1983*	40	1989*	0	0	0	5	0
20	63	55	59	74	51	62	-3	93	1988*	43	1991*	0	0	0	6	0
21	68	55	62	74	51	62	0	98	2000*	40	1974*	0	0	0	3	0
22	66	55	60	74	51	63	-3	91	2000*	42	1949*	0	0	0	5	0
23	64	54	59	75	51	63	-4	97	1982*	41	1975*	0	0	0	6	0
24	70	48	59	75	51	63	-4	100	1982*	42	1961*	0	0	0	6	0
25	68	54	61	75	51	63	-2	99	1982*	40	1990*	0	0	0	4	0
26	71	54	62	75	51	63	-1	98	1974*	40	1980*	0	0	0	3	0
27	71	51	61	75	51	63	-2	98	1984*	43	1961*	0	0	0	4	0
28	71	53	62	76	52	64	-2	96	1984*	41	1977*	0	0	0	3	0
29	71	54	62	76	52	64	-2	102	1950*	41	1982*	0	0	0	3	0
30	73	53	63	76	52	64	-1	101	2001*	43	1962*	0	0	0	2	0
31	75	54	64	76	52	64	0	98	1970*	42	1966*	0	0	0	1	0

M = Missing

# Portola Valley, CA

Change Location: Enter a Postal Code, or City

Go

My Locations

Add to My Locations

Units: English | Metric

Table Graph Details

## Actual Conditions For June 2015

 Choose another month / year: Month  Year  GO

Reports from: REDWOOD CITY, CA [REDX]

Choose another location: Postal Code or City GO

(Lat: 37.49 Lon:-122.23)

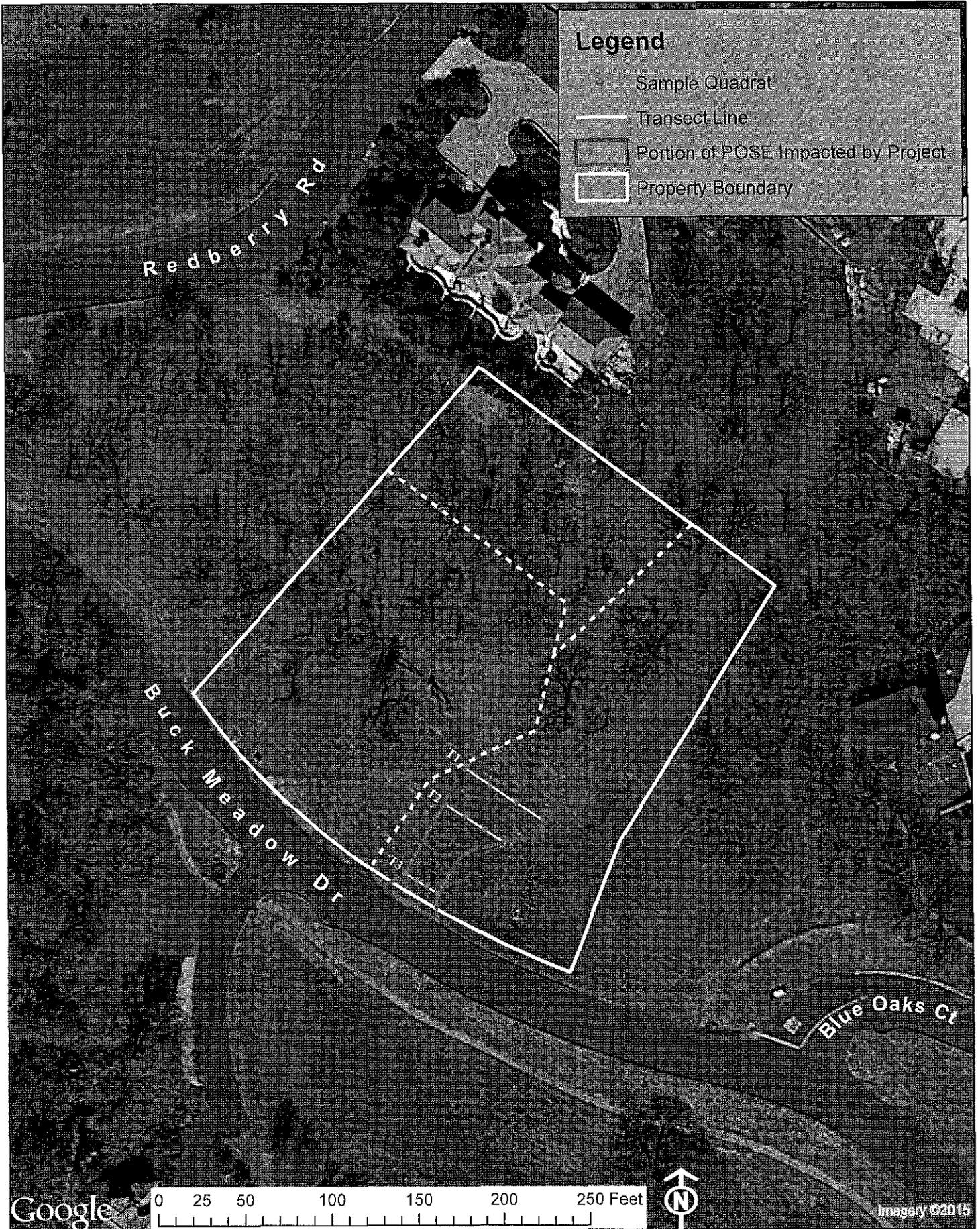
Enter a Different Station: station GO

Obs. Date	Act. High	Act. Low	Act. Avg	Norm. High	Norm. Low	Norm. Avg.	Norm. Dept.	Rec. High	Rec. Year	Rec. Low	Rec. Year	Precip. Amt	Snow Amt.	Snow Ground	Heat Deg Day	Cool Deg Day
1	74	55	64	76	52	64	0	103	1960*	41	1955*	0	0	0	1	0
2	72	53	62	76	52	64	-2	108	1960*	41	1971*	0	0	0	3	0
3	65	50	58	77	52	64	-6	105	1960*	42	1982*	0	0	0	7	0
4	77	51	64	77	52	65	-1	100	1981*	41	1976*	0	0	0	1	0
5	82	55	68	77	52	65	3	97	1972*	42	1976*	0	0	0	0	3
6	80	59	70	77	52	65	5	97	1978*	42	1962*	0	0	0	0	5
7	78	60	69	78	53	65	4	99	1973*	41	1979*	0	0	0	0	4
8	100	58	79	78	53	65	14	103	1973*	42	1950*	0	0	0	0	14
9	82	59	70	78	53	65	5	101	1973*	42	1979*	0	0	0	0	5
10	71	63	67	78	53	66	1	101	1994*	43	1972*	0.1	0	0	0	2
11	89	58	74	78	53	66	8	96	1985*	44	1972*	0	0	0	0	9
12	84	58	71	79	53	66	5	94	1966*	41	1968*	0	0	0	0	6
13	80	58	69	79	53	66	3	104	1966*	42	1968*	0	0	0	0	4
14	77	58	68	79	53	66	2	108	1961*	45	1959*	0	0	0	0	3
15	73	52	62	79	53	66	-4	109	1961*	45	1978*	0	0	0	3	0
16	80	51	66	79	54	66	0	99	1961*	45	1965*	0	0	0	0	1
17	86	52	69	80	54	67	2	97	1981*	46	1996*	0	0	0	0	4
18	79	53	66	80	54	67	-1	99	1981*	40	1975*	0	0	0	0	1
19	82	51	66	80	54	67	-1	103	1981*	45	1964*	0	0	0	0	1
20	85	54	70	80	54	67	3	103	1973*	45	1991*	0	0	0	0	5
21	76	56	66	80	54	67	-1	104	1981*	43	1975*	0	0	0	0	1
22	74	51	62	81	54	67	-5	100	1989*	45	1975*	0	0	0	3	0
23	80	53	66	81	54	68	-2	101	1976*	45	1975*	0	0	0	0	1
24	84	52	68	81	54	68	0	104	1976*	46	1971*	0	0	0	0	3
25	87	47	67	81	54	68	-1	102	1995*	39	1975*	0	0	0	0	2
26	M	M	M	81	55	68	M	103	1973*	43	1950*	M	M	M	M	M
27	M	M	M	81	55	68	M	104	1976*	45	1969*	M	M	M	M	M
28	M	M	M	81	55	68	M	100	1976*	45	1969*	M	M	M	M	M
29	M	M	M	82	55	68	M	99	2013*	42	1949*	M	M	M	M	M
30	M	M	M	82	55	68	M	103	1972*	46	1975*	M	M	M	M	M

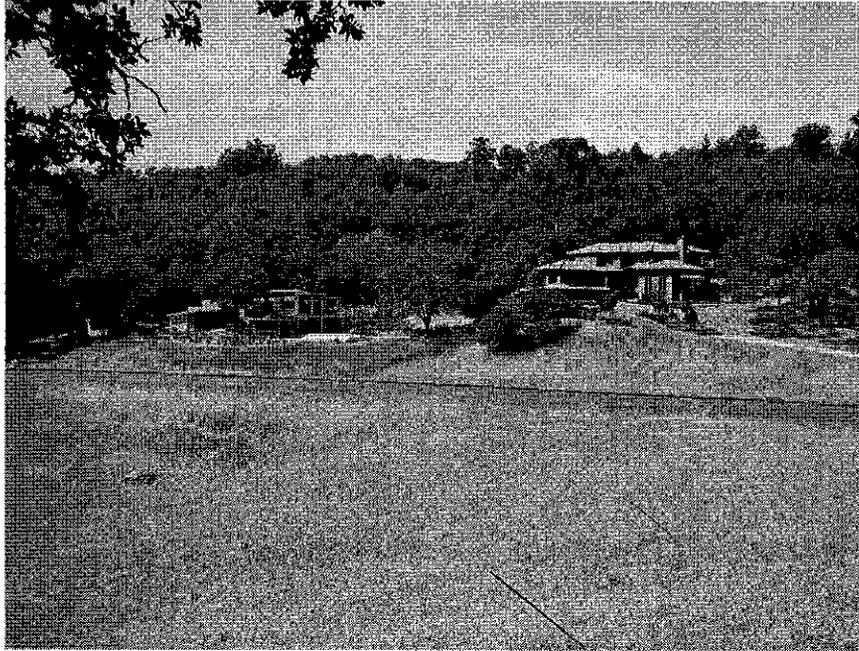
M = Missing

## **Attachment 4**

### **Representative Site Photographs of the POSE to be Temporarily Impacted**



**Transect and Quadrat Location Area Overview for Representative Photos**  
3 Buck Meadow Drive, Portola Valley, CA



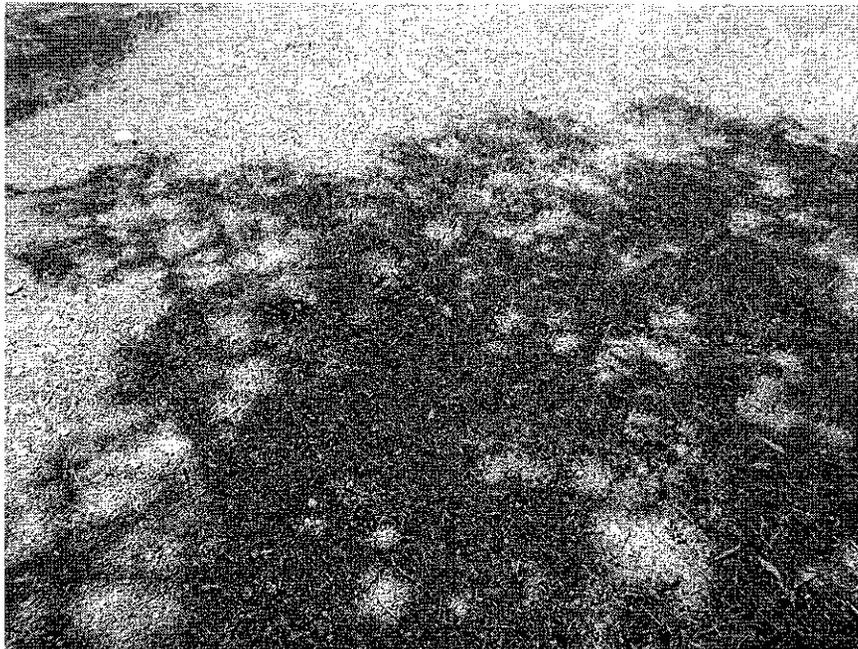
**South View of POSE Area Impacted by Project**



**North View of POSE Area Impacted by Project**



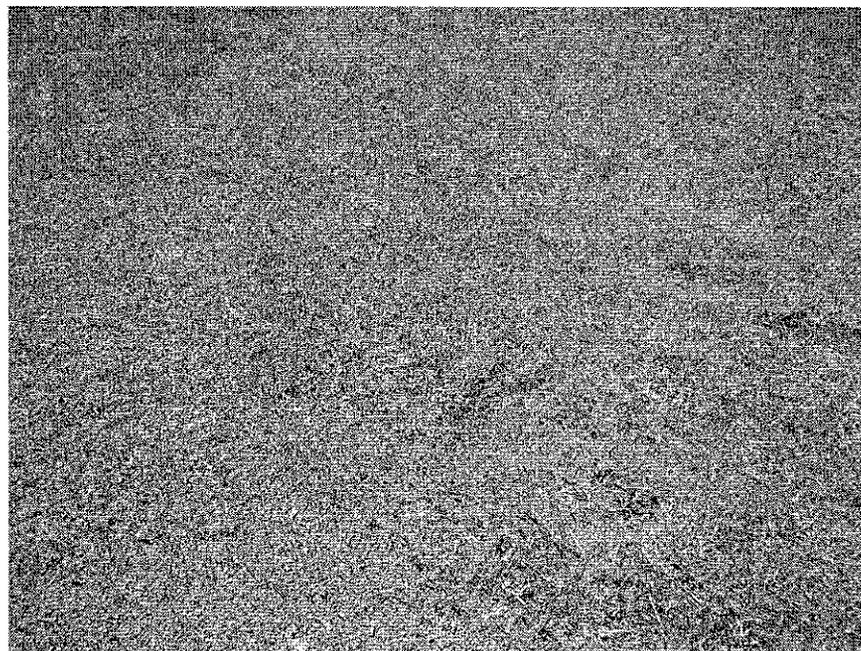
**Transect 1. Southeast View**



**Transect 1. Vegetation Documentation Photo A**



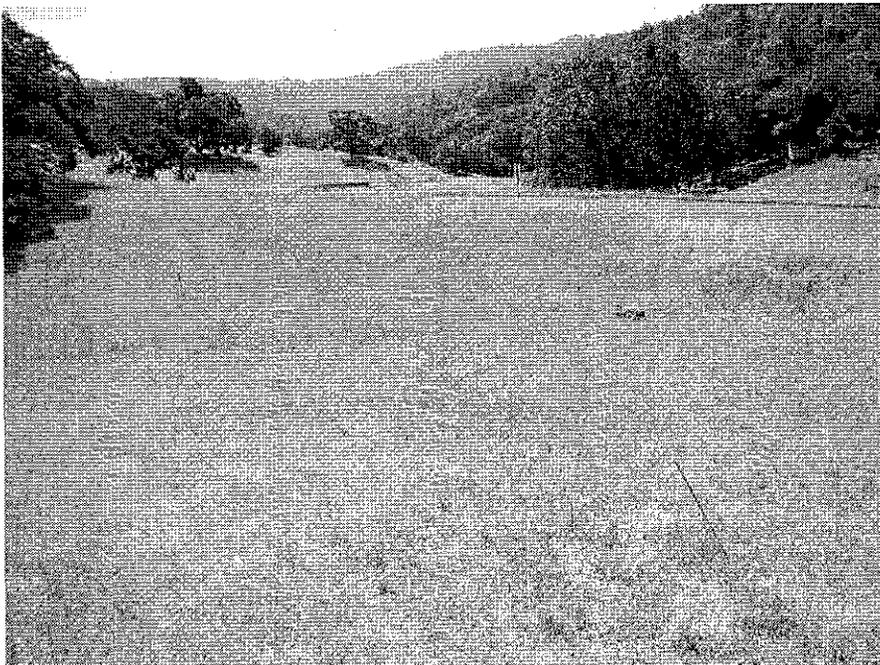
**Transect 1. Vegetation Documentation Photo B**



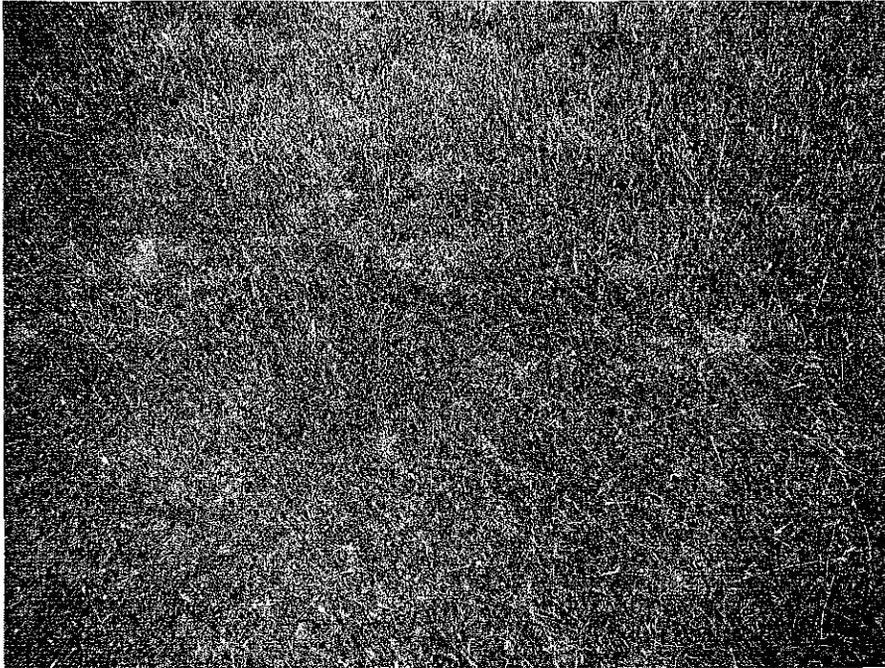
**Transect 1. Vegetation Documentation Photo C**



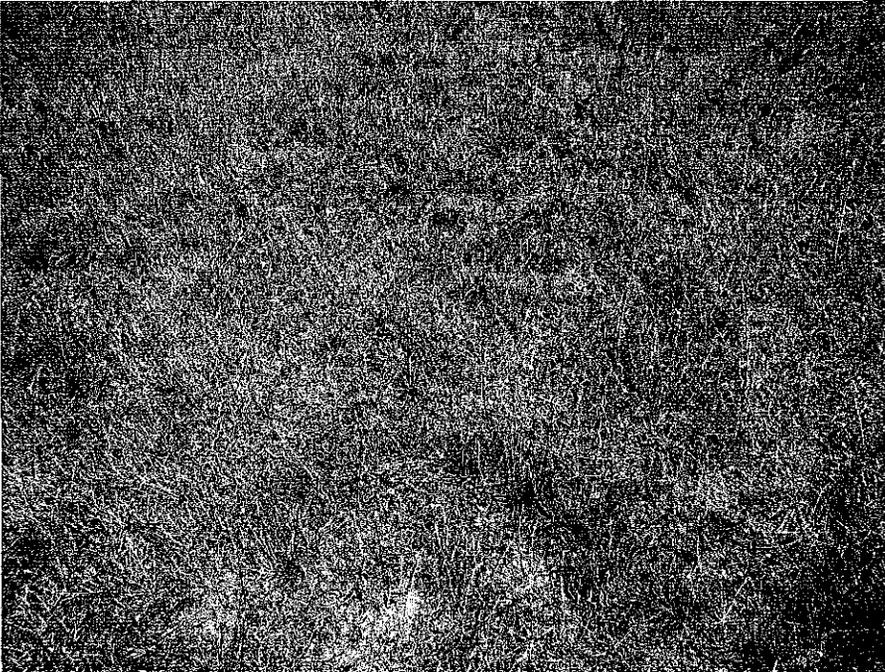
**Transect 1. Vegetation Documentation Photo D**



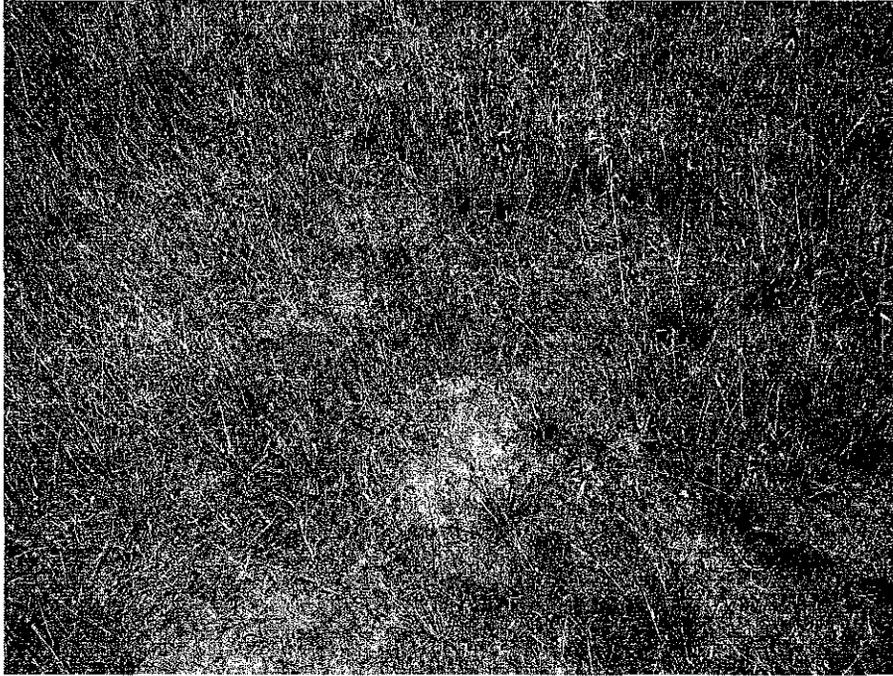
**Transect 2. Southeast View**



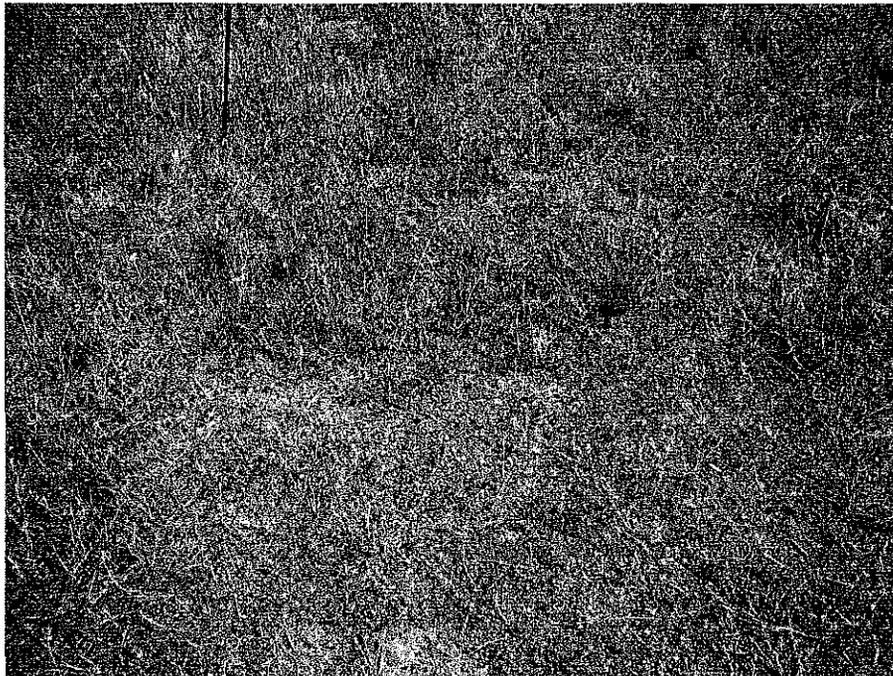
**Transect 2. Vegetation Documentation Photo A**



**Transect 2. Vegetation Documentation Photo B**



**Transect 2. Vegetation Documentation Photo C**



**Transect 2. Vegetation Documentation Photo D**



**Transect 3. Southeast View**



**Transect 3. Vegetation Documentation Photo A**



**Transect 3. Vegetation Documentation Photo B**



**Transect 3. Vegetation Documentation Photo C**



**Transect 3. Vegetation Documentation Photo D**

## **Attachment 5**

### **Forms**

## **MAINTENANCE MONITORING FIELD FORM**

## MAINTENANCE MONITORING FIELD FORM

**Site Name & Address:** POSE Grassland Restoration Site, 3 Buck Meadow Drive, Portola Valley, CA

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_ **Inspected By:** \_\_\_\_\_

Inspection Item	Status <sup>1</sup>	Location <sup>2</sup>	Describe Action To Be Taken Or Taken <sup>3</sup>
1. Sedimentation and Erosion Control Inspections			
2. Vegetation Management			
3. Other			

<sup>1</sup> No Corrective Action Needed (OK) or Corrective Action Needed (CAN); <sup>2</sup> Attach location map and photo; <sup>3</sup> Attach separate sheets with additional information, if necessary.

Page \_\_\_\_ of \_\_\_\_

## DATA SHEET FOR ASSESSING PLANT COVER

**DATA SHEET FOR ASSESSING PLANT COVER**

<b>Project #</b>	<b>Mitigation Site #</b>	<b>Recorder</b>
<b>Date</b>	<b>Monitoring Year</b>	<b>Technical Reviewer</b>
<p><b>Regulatory Requirement:</b> Determine for each year of required compliance monitoring the overall abundance of the various plant species found within the Mitigation Site.</p>		

No.	Species	NWI Status <sup>1</sup>	California Native or introduced	Noxious Plant?	Strata <sup>2</sup>	Percent Cover										Percent Cover
						1	2	3	4	5	6	7	8	9	10	
1																
2																
3																
4																
5																
6																
7																
8																
9																
10																
11																
<sup>1</sup> National Wetland Indicator Status <sup>2</sup> H-herbaceous, S-shrub, T-tree						Notes/Comments:										

**Carol Borck**

---

**From:** Alexandra Von Feldt <alex\_vonfeldt@yahoo.com>  
**Sent:** Friday, July 10, 2015 4:48 PM  
**To:** Carol Borck  
**Cc:** Paul Heiple; Margaret DeStaebler  
**Subject:** Re: 3 Buck Meadow  
**Attachments:** Grassland Restoration Plan - July 2015.pdf; ATT00001.htm

Hi Carol,

I'm sorry that I haven't had a chance to review this yet. It's too bad that they have to make such a long restoration plan when just a few pages would suffice. I'm sure they spent more money on the plan than they will on the restoration.

That being said, I am okay with either the blue oaks mix or the one that they have chosen. It probably makes more sense to go with what they spec'd since it is very specific to that site, whereas the blue oaks mix covers the various habitats that are found at blue oaks.

I do have an issue with the use of pre emergent herbicide. If they can identify which plant is a weed, then I would prefer that they hand pull it rather than apply an herbicide into a drainage area. Also, we have had bad experiences with contractors spraying herbicide on the wrong plants and also problems with it drifting onto adjacent areas. If they complain about it costing more to hand pull than using a spray, then I would say that we don't need all of the reports listed in their cost table. I'm copying Paul and Marge from conservation, although I do believe that Paul is on vacation until next week.

I would also suggest than rather spend the money writing a lengthy final report, that the applicant just schedule a meeting with a designated member of conservation committee in the spring after the seeding has taken place to get acceptance. We really won't know if it worked until the rains have brought up the seeds and the weeds. If they seed in summer, then 90 days later we won't see anything. Also, I really don't care about a written report - I care what we see in the field.

Although it seems a bit like overkill, I'm happy that they have a 5 year plan to monitor for the possible introduction of weeds. I would be fine without all of the maintenance monitoring field data forms, photomonitoring and mapping. Again, it would just be cheaper to have the person looking at the site bring a shovel and remove the weeds as they see them. And, do we actually enforce long range maintenance plans like this?

I hope this is helpful. LMK if you have any follow up questions.

Thanks,  
Alex

On Jul 10, 2015, at 1:49 PM, Carol Borck <[cborck@portolavalley.net](mailto:cborck@portolavalley.net)> wrote:

AMASI - ROSS RESIDENCE  
3 BUCK MEADOW

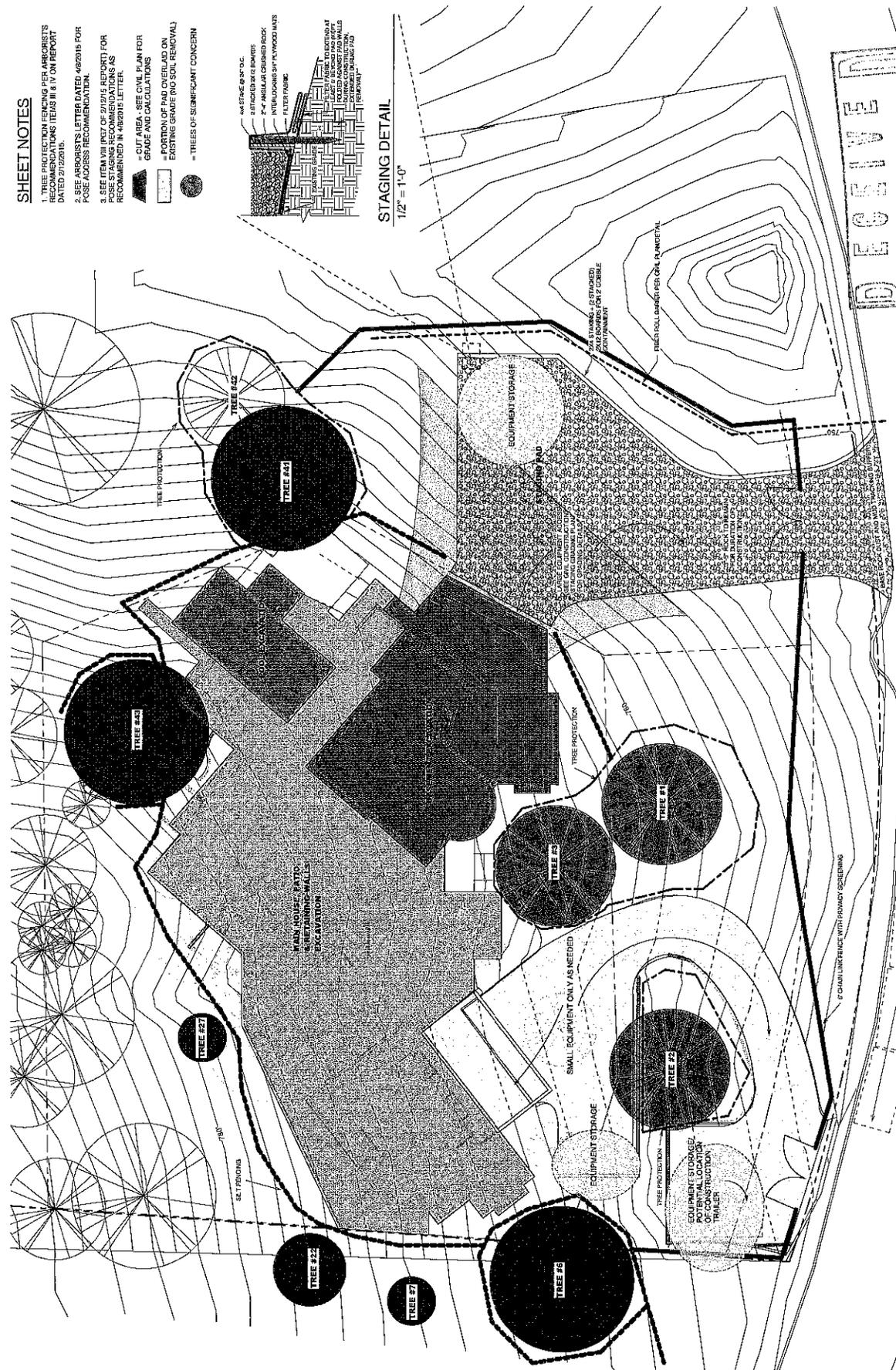
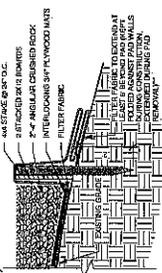
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1000 WEST 10TH AVENUE  
DENVER, CO 80202  
WWW.KASTONARCHITECT.COM

#	Rev.	Date

**SHEET NOTES**

- 1. TREE PROTECTION FENCING PER ARBORISTS DATED 2/10/2015.
- 2. SEE ARBORISTS LETTER DATED 4/26/2015 FOR POSE ADDRESS RECOMMENDATION.
- 3. SEE ITEM #11 OF 2/10/15 REPORT FOR POSE STAGING RECOMMENDATIONS AS RECOMMENDED IN ARBORISTS LETTER.
- 4. CUT AREA - SEE CIVIL PLAN FOR GRADE AND CALCULATIONS.
- 5. PORTION OF PAD CIRCLED IN EXISTING GRADE (NO SOIL REMOVAL).
- 6. TREES OF SIGNIFICANT CONCERN.



**PROTECTIVE**  
JUL 02 2015  
KASTON ARCHITECT & ASSOCIATES  
1000 WEST 10TH AVENUE  
DENVER, CO 80202

BUCK MEADOW DRIVE

POSE CONSTRUCTION STAGING PLAN  
1" = 10'-0"



#10

There are no written materials for Council Liaison Committee and Regional Agencies Reports.

## **TOWN COUNCIL WEEKLY DIGEST**

**Friday – June 26, 2015**

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1. Agenda (Action) – Town Council – Wednesday, June 24, 2015
2. Agenda (Cancellation) – Bicycle, Pedestrian & Traffic Safety Committee – Wednesday, July 1, 2015
3. Agenda – Water Conservation Committee – Wednesday, July 1, 2015
4. Agenda (Cancellation) – Planning Commission – Wednesday, July 1, 2015
5. Monthly Meeting Schedule – July 2015
6. Report from San Mateo County Sheriff's Office – Incident Log for 06/15/15 – 06/19/15
7. Peninsula Humane Society & SPCA re: Shelter Services Report for 05/01/15 – 05/31/15
8. Notice of Public Hearing for LAFCo meeting – Wednesday, July 15, 2015
9. Invitation to view a recent seminar at USGS re: Using Earthquake Science to make better Resilience Decisions in the San Francisco Bay Area
10. Notice: Assemblyman Rich Gordon's New District Director – Andrew Berthelsen
11. Notice of Closure for Town Hall in Observance of Independence Day – Friday, July 3, 2015
12. CASA (Court Appointed Special Advocates) of San Mateo County re: Invitation to Advertise in Event Program Book at its Annual Auxiliary's Garden Party – August 30, 2015
13. [San Francisco Estuary News – June 2015 Vol. 24, No. 2](#)
14. Memo from Town Manager, Nick Pegueros re: Weekly Update – Friday, June 26, 2015

### **Attached Separates (Council Only)**

*(placed in your town hall mailbox)*

1. None



# TOWN OF PORTOLA VALLEY

7:30 PM – Regular Meeting of the Town Council

Wednesday, June 24, 2015

Historic Schoolhouse

765 Portola Road, Portola Valley, CA 94028

## ACTION AGENDA

### CALL TO ORDER AND ROLL CALL – 7:30 PM

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

*Councilmember Hughes 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.

### 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 Warrant List** – June 24, 2015
2. **Recommendation by Town Attorney** – Adoption of an Ordinance Adopting Revisions to Title 2 [Administration and Personnel] of the Portola Valley Municipal Code
  - (a) Second Reading of Title, Waive Further Reading, and Adopt an Ordinance Amending Title 2 [Administration and Personnel] of the Portola Valley Municipal Code (Ordinance No.2015-406)
3. **Recommendation by Town Planner** – Adoption of an Ordinance Amending Title 18 [Zoning], Chapter 18.64 [Architectural and Site Plan Review] of the Portola Valley Municipal Code
  - (a) Second Reading of Title, Waive Further Reading, and Adopt an Ordinance Amending Section 18.64.010 [Applicability-Purpose] of the Portola Valley Municipal Code (Ordinance No. 2015-407)
4. **Recommendation by Administrative Services Manager** - Approval of 2015-2016 Appropriations Limit
  - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Determining and Establishing the Appropriations Limit for 2015-2016 (Resolution No.2662-2015)
5. **Recommendation by Administrative Services Manager** - Approval of Investment Policy
  - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting Town Investment Policy (Resolution No. 2663-2015)

*Following clarification by staff item #5 approved 4-0*

6. **Recommendation by Administrative Services Manager** – 2015/2016 Woodside Highlands and Wayside II Road Maintenance District Tax Assessments
  - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing the San Mateo County Controller to Apply the Special Tax for the Woodside Highlands Road Maintenance District to the 2015-2016 Tax Roll and to Collect the Tax at the same time as General County Taxes (Resolution No. 2664-2015)
  - (b) Adoption of a Resolution of the Town Council of the Town of Portola Valley Authorizing the San Mateo County Controller to Apply the Special Tax for the Wayside II Road Maintenance District to the 2015-2016 Tax Roll and to Collect the Tax at the same time as General County Taxes (Resolution No. 2665-2015)
7. **Appointment by Mayor** – Request for Appointment of Delle Maxwell to the Water Conservation Committee

*Items 1, 2, 3, 4, 6, & 7 approved 4-0*

**REGULAR AGENDA****8. PRESENTATIONS – None****COMMITTEE REPORTS & REQUESTS****9. Cultural Arts Committee – Request for Acceptance and Placement of an Art Donation to the Town of Portola Valley**

***Linda Olson, Cultural Arts Committee Chair and donor Mike Green presented the proposed art donation to the Council. Council directed staff to follow the process and convene a panel as outlined in the Town Council's approved policy for acceptance of donations of art.***

**10. Update on Drought Emergency - *There are no written materials for this agenda item***

***1. The water use analysis tool is currently being beta tested by the Water Conservation Committee, Conservation Committee and Sustainability Committee. We are on target for a soft launch on Monday, July 1<sup>st</sup> and a full launch on July 6<sup>th</sup> 7<sup>th</sup> (after the 4<sup>th</sup> of July holiday) in time for the first billing cycle with surcharges in mid-July.***

***2. On June 12<sup>th</sup>, the state released the first draft of the update to the Water Efficiency Landscape Ordinance. It will be considered by the California Water Commission at their meeting on July 15<sup>th</sup> and is expected to be under consideration for approval at their August 19<sup>th</sup> meeting. At that point, staff will formulate a plan of action for updating the Town's ordinance.***

***3. In aggregate, the Town met the reduction goals for the billing period ended in June. The appeals for Ford Field and the Town Center domestic water account were submitted to CalWater this week and they indicated in their response email that they will respond to appeals within 30 days.***

**STAFF REPORTS AND RECOMMENDATIONS****11. PUBLIC HEARING - Adoption of the Fiscal Year 2015-2016 Budget**

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Adopting the Operating and Capital Budgets for Fiscal Year 2015-2016 (Resolution No. 2666-2015)

***2015-2016 Fiscal Year Budget, Approved 4-0*****12. Recommendation by Town Clerk – Calling of the 2015 Election and Giving Notice of an Election to Elect Two Members to the Town Council and Direct the San Mateo County Chief Elections Officer to Conduct the November 3, 2015 Election for the Town of Portola Valley and a Resolution Approving the November 3, 2015 Election be Conducted Wholly By Mail Pursuant to the Pilot Program Authorized by Assembly Bill 2028**

- (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Calling and Giving Notice of the Holding of a General Municipal Election to be Held on November 3, 2015, for the Purpose of Electing Two Members to the Town Council (Resolution No. 2667-2015)

***Approved 4-0***

- (b) Adoption of a Resolution of the Town Council of the Town of Portola Valley Directing the San Mateo County Chief Elections Officer to Conduct the November 3, 2015 Election for the Town of Portola Valley Wholly by Mail (Resolution No. 2668-2015)

***Approved 4-0*****13. Discussion and Council Action – Posting Committee Meeting Minutes to the Town Website**

***Council approved option “B” (Action minutes) 4-0. Staff will circulate the action minutes to the Committee Chairs for input and bring back a revised Advisory Committee Handbook to the Council in August.***

**COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS - *There are no written materials for this agenda item******Councilmember Wengert – None to Report******Councilmember Richards –***

***San Mateo County Emergency Services Council JPA continued discussion of the antenna located on Skyline Blvd, received drought update, rolled out a new emergency mass notification system, and received a declined invitation from the San Francisco Airport to join the Emergency Services JPA.***

***Conservation Committee discussed site permits, backyard habitat awards and the creation of a site map for Town Center.***

***Vice Mayor Derwin –***

***C/CAG received a presentation on the draft revised Municipal Regional Stormwater Permit, a report from Smart Corridors Project who partnered with Caltrans, Update from PG&E and California Public Retirements System (CalPERS).***

***Mayor Aalfs – None to Report***

#### **WRITTEN COMMUNICATIONS**

14. **Town Council Digest** – June 12, 2015

15. **Town Council Digest** – June 19, 2015

#### **ADJOURNMENT: 9:45 pm**

#### **ASSISTANCE FOR PEOPLE WITH DISABILITIES**

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

#### **AVAILABILITY OF INFORMATION**

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

#### **SUBMITTAL OF AGENDA ITEMS**

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

#### **PUBLIC HEARINGS**

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



**TOWN OF PORTOLA VALLEY**  
**Bicycle, Pedestrian and Traffic Safety**  
**Committee**  
**Wednesday, July 1, 2015 – 8:15 AM**  
**Historic Schoolhouse**  
**765 Portola Road, Portola Valley, CA**

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## **BICYCLE, PEDESTRIAN AND TRAFFIC SAFETY COMMITTEE**

### **NOTICE OF MEETING CANCELLATION**

**Wednesday, July 1, 2015**

The Bicycle, Pedestrian and Traffic Safety Committee regularly scheduled meeting of Wednesday, July 1, 2015 has been cancelled. A special meeting has been scheduled for Thursday, July 9, 2015.



**TOWN OF PORTOLA VALLEY**  
**Water Conservation Committee Meeting**  
**Wednesday, July 1, 2015 3:00 PM to 5:00 PM**  
**Town Hall, Conference Room**  
**765 Portola Road, Portola Valley, CA 94028**

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## **AGENDA**

- 1. Call To Order**
- 2. Oral Communications**
- 3. Approval of minutes – June 3, 2015 and June 17, 2015**
- 4. Review status of survey**
- 5. Review feedback from beta testing of survey**
- 6. Discuss remaining activities required to roll out survey**
- 7. Review Mia's Water Savvy document**
- 8. Announcements**
- 9. Topics for next meeting**
- 10. Adjournment**

*Mia to act as Secretary for this meeting*



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

---

**TO:** Planning Commission

**FROM:** CheyAnne Brown, Planning Technician

**DATE:** June 18, 2015

**RE:** Cancellation of Planning Commission Meeting

The regular meeting of the Planning Commission scheduled for Wednesday, July 1, 2015 has been canceled. The next regular meeting of the Planning Commission is scheduled for Wednesday, July 15, 2015 at 7:30 p.m.

cc: Town Manager  
Town Council  
Town Planner  
The Almanac

---

This Notice is posted in compliance with Section 54955 of the Government Code of the State of California.

Date: June 18, 2015

CheyAnne Brown  
Planning Technician

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# Town of Portola Valley

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

## JULY 2015 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 2<sup>nd</sup> & 4<sup>th</sup> Wednesdays)

Wednesday, July 8, 2015 - **CANCELLED**

Wednesday, July 22, 2015

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

Council Liaison – Maryann Derwin (for months July, August, September)

Wednesday, July 1, 2015 - **CANCELLED**

Wednesday, July 15, 2015

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

Council Liaison – John Richards (for months July, August, September)

Monday, July 13, 2015

Monday, July 27, 2015

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

Council Liaison – Craig Hughes

Wednesday, July 1, 2015 – **CANCELLED**

Thursday, July 9, 2015 – **SPECIAL MEETING**

CABLE & UTILITIES UNDERGROUNDING COMMITTEE – 8:15 AM (Meets 2<sup>nd</sup> Thursday) alternate odd numbered months

Council Liaison – Craig Hughes

Thursday, July 9, 2015

CONSERVATION COMMITTEE – 7:45 PM (Meets 4<sup>th</sup> Tuesday)

Council Liaison – John Richards

Tuesday, July 28, 2015

CULTURAL ARTS COMMITTEE – (Meets 2<sup>nd</sup> Thursday of every month)

Council Liaison – John Richards

Thursday, July 9, 2015

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

Conference Room at Town Hall

Council Liaison – John Richards

Thursday, July 9, 2015

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 2<sup>nd</sup> Thursday) alternate even numbered months

Council Liaison – Craig Hughes

OPEN SPACE ACQUISITION ADVISORY COMMITTEE

Council Liaison – Craig Hughes

As announced

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

Council Liaison – Craig Hughes

Monday, July 6, 2015

PUBLIC WORKS COMMITTEE

Council Liaison – Jeff Aalfs

As announced

SUSTAINABILITY COMMITTEE – 3:30 PM (Meets 3<sup>rd</sup> Monday)

Council Liaison – Ann Wengert

As announced

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

Council Liaison – Ann Wengert

Tuesday, July 14, 2015 – 8:15 AM

WATER CONSERVATION COMMITTEE – 3:00 PM (first Wednesday of each month)

Council Liaison – Maryann Derwin

Wednesday, July 1, 2015



# 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 06/15/15 to Friday 06/19/15

Greg Munks  
Sheriff

CASE NUMBER	DATE & TIME Reported	LOCATION	DESCRIPTION	FACTUAL CIRCUMSTANCES
15-5487	06/16/15 8:15AM	Eleanor Dr. / Stockbridge Ave. Woodside	Drive w/ Suspended License	Deputy was monitoring stop sign violations. Driver of a white GMC Sierra pick up failed to make a complete stop behind the limit line. When stopped, the driver of the pick up advised deputy that his license was suspended. A DMV/records check confirmed that the driver's license was suspended. Driver was issued a citation for failure to stop at stop sign limit line and driving on a suspended license. His truck was parked at the scene.
15-5508	06/16/15 11:50 PM	2900 Blk. Middlefield Rd. North Fair Oaks	Robbery from Person / Fear or Force	Three unknown, armed suspects entered El Grullense II (taqueria). Two of the suspects were armed one with a silver revolver and the other with a black automatic handgun with laser sights. Unknown if the third suspect was armed. They stole two wallets and one purse from restaurant patrons and took approximately \$300.00 from the cash register. The suspects fled the area. The area was searched by vehicle





12 Airport Blvd  
San Mateo, CA 94401  
650/340.7022

## Shelter Services Report

Jurisdiction: PORTOLA VALLEY for the period of 5/1/2015 to 5/31/2015.

Dogs	0	0.00%	The numbers to the left are the number of animals outcomed for this jurisdiction.
Cats	0	0.00%	
Other	0	0.00%	The percentages to the left are percentages of the total number of animals outcomed from all jurisdictions combined.
Wildlife	8	0.95%	
<b>Total</b>	<b>8</b>	<b>0.55%</b>	

	Dogs		Cats		Other		Wildlife		Total	
Stray	0	0.00%	0	0.00%	0	0.00%	7	87.50%	7	87.50%
Owned	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Other Agency	0	0.00%	0	0.00%	0	0.00%	1	12.50%	1	12.50%

Adopted	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
RTO - Release - Transfer	0	0.00%	0	0.00%	0	0.00%	1	14.29%	1	14.29%
Euth: Healthy	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Euth: Treatable	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Euth: Untreatable	0	0.00%	0	0.00%	0	0.00%	6	85.71%	6	85.71%

DOA - Died	0	0.00%	0	0.00%	0	0.00%	1	100.00%	1	100.00%
Owner Requested Euthanasia	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



12 Airport Blvd  
San Mateo, CA 94401  
650/340.7022

## Field Services Report

Jurisdiction: **PORTOLA VALLEY** for the period of **5/1/2015 to 5/31/2015**.

The percentages listed show the percentage of PHS's work in **PORTOLA VALLEY** that call type represents.

### Total Activities for jurisdiction PORTOLA VALLEY

7

Quarantines of Dogs/Cats/Other Domestic Animals	42.86%	3
Sick/Injured Animal Calls	28.57%	2
Stray Animal Calls	14.29%	1
Traffic Hazard Animal Calls	14.29%	1
Aggressive Animal Calls	0.00%	0
Aggressive Animal Complaint	0.00%	0
Animal Rescue Calls (e.g. Large Animals/Drain/Fireplace/Etc.)	0.00%	0
Assist Police/Fire	0.00%	0
Assist Public	0.00%	0
Confined Dogs/Cats/Other Domestic Animals	0.00%	0
Dead Animal Calls	0.00%	0
Field Euthanasias	0.00%	0
Field Returns of Domestic Animals	0.00%	0
Misc. Service (e.g. Health Dept Rabies Testing/Fuel)	0.00%	0
Municipal Code Complaint	0.00%	0
Owner Surrender Calls of Live/Dead Animals	0.00%	0
Property Inspections	0.00%	0
Protective Custody	0.00%	0
Transport Animal/Trap/Other	0.00%	0

\* As a reminder, the county contract excludes welfare checks and animal cruelty investigations, which are paid for by donations.



12 Airport Blvd  
San Mateo, CA 94401  
650/340.7022

## Shelter Services Report

Jurisdiction: ALL JURISDICTIONS for the period of 5/1/2015 to 5/31/2015.

Dogs	276	100.00%	The numbers to the left are the number of animals outcomed for this jurisdiction.
Cats	268	100.00%	
Other	77	100.00%	The percentages to the left are percentages of the total number of animals outcomed from all jurisdictions combined.
Wildlife	841	100.00%	
<b>Total</b>	<b>1,462</b>	<b>100.00%</b>	

	Dogs		Cats		Other		Wildlife		Total	
Stray	183	66.30%	195	72.76%	35	45.45%	671	79.79%	1,084	74.15%
Owned	87	31.52%	70	26.12%	33	42.86%	0	0.00%	190	13.00%
Other Agency	6	2.17%	3	1.12%	9	11.69%	170	20.21%	188	12.86%

Adopted	109	50.00%	115	71.43%	54	90.00%	0	0.00%	278	27.36%
RTO - Release - Transfer	86	39.45%	11	6.83%	4	6.67%	239	41.42%	340	33.46%
Euth: Healthy	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Euth: Treatable	1	0.46%	0	0.00%	0	0.00%	0	0.00%	1	0.10%
Euth: Untreatable	22	10.09%	35	21.74%	2	3.33%	338	58.58%	397	39.07%

DOA - Died	16	27.59%	86	80.37%	13	76.47%	264	100.00%	379	84.98%
Owner Requested Euthanasia	42	72.41%	21	19.63%	4	23.53%	0	0.00%	67	15.02%



12 Airport Blvd  
San Mateo, CA 94401  
650/340.7022

## Field Services Report

Jurisdiction: **ALL JURISDICTIONS** for the period of 5/1/2015 to 5/31/2015.

The percentages listed show the percentage of PHS's work in **ALL JURISDICTIONS** that call type represents.

Total Activities for jurisdiction ALL JURISDICTIONS		1,352
Sick/Injured Animal Calls	26.55%	359
Dead Animal Calls	15.38%	208
Quarantines of Dogs/Cats/Other Domestic Animals	11.24%	152
Stray Animal Calls	9.91%	134
Confined Dogs/Cats/Other Domestic Animals	8.88%	120
Misc. Service (e.g. Health Dept Rabies Testing/Fuel)	7.99%	108
Aggressive Animal Complaint	5.84%	79
Animal Rescue Calls (e.g. Large Animals/Drain/Fireplace/Etc.)	2.88%	39
Field Euthanasias	2.74%	37
Municipal Code Complaint	2.29%	31
Aggressive Animal Calls	1.33%	18
Traffic Hazard Animal Calls	1.26%	17
Protective Custody	1.18%	16
Property Inspections	0.74%	10
Field Returns of Domestic Animals	0.59%	8
Assist Police/Fire	0.37%	5
Assist Public	0.37%	5
Owner Surrender Calls of Live/Dead Animals	0.22%	3
Transport Animal/Trap/Other	0.22%	3

\* As a reminder, the county contract excludes welfare checks and animal cruelty investigations, which are paid for by donations.

# Breakdown Report – San Mateo Co, CA

Activity from 5/1/15 through 5/31/15

Zip/Jurisdiction	Total Revenue	Dog		Cat		No Fee	License Total	Replacement & Transfer	Late Fees	Misc Revenue	Except
		1-Year	3-Year	1-Year	3-Year						
ATHERTON	\$1,014.00	32 \$547.00	6 \$266.00	2 \$14.00	0 \$0.00	0 \$0.00	40 \$827.00	0 \$0.00	6 \$120.00	0 \$0.00	5 \$67.00
BELMONT	\$4,035.00	103 \$1,736.00	17 \$705.00	45 \$283.00	0 \$0.00	1 \$0.00	166 \$2,724.00	0 \$0.00	52 \$728.00	1 \$5.00	43 \$578.00
BRISBANE	\$961.50	25 \$506.00	2 \$86.00	4 \$24.00	1 \$17.50	0 \$0.00	32 \$633.50	0 \$0.00	12 \$240.00	1 \$10.00	4 \$78.00
BURLINGAME	\$4,024.00	125 \$2,463.00	17 \$702.00	3 \$19.00	0 \$0.00	0 \$0.00	145 \$3,184.00	0 \$0.00	26 \$520.00	4 \$18.00	14 \$302.00
COLMA	\$199.00	5 \$160.00	0 \$0.00	0 \$0.00	0 \$0.00	0 \$0.00	5 \$160.00	0 \$0.00	1 \$20.00	1 \$10.00	1 \$9.00
COUNTY	\$7,596.50	217 \$4,149.00	29 \$1,156.00	37 \$246.00	3 \$52.50	1 \$0.00	287 \$5,603.50	0 \$0.00	68 \$1,178.00	4 \$32.00	40 \$783.00
DALY CITY	\$6,491.00	187 \$3,828.00	25 \$1,060.00	5 \$33.00	0 \$0.00	0 \$0.00	217 \$4,921.00	0 \$0.00	37 \$740.00	5 \$41.00	32 \$789.00
EAST PALO ALTO	\$769.00	18 \$380.00	2 \$110.00	0 \$0.00	0 \$0.00	0 \$0.00	20 \$490.00	0 \$0.00	8 \$160.00	0 \$0.00	5 \$119.00
FOSTER CITY	\$3,870.75	108 \$2,101.00	25 \$863.75	5 \$35.00	0 \$0.00	0 \$0.00	138 \$2,999.75	0 \$0.00	24 \$480.00	2 \$23.00	17 \$368.00
HALF MOON BAY	\$2,545.00	70 \$1,367.00	14 \$468.00	3 \$10.00	0 \$0.00	0 \$0.00	87 \$1,845.00	0 \$0.00	22 \$440.00	0 \$0.00	10 \$260.00
HILLSBOROUGH	\$2,487.25	75 \$1,310.00	10 \$341.00	8 \$38.00	4 \$0.00	0 \$0.00	97 \$1,689.00	1 \$8.00	22 \$427.00	2 \$31.00	21 \$332.25
MENLO PARK	\$2,511.00	92 \$1,560.00	10 \$431.00	3 \$14.00	0 \$0.00	0 \$0.00	105 \$2,005.00	0 \$0.00	19 \$380.00	2 \$10.00	7 \$116.00
MILLBRAE	\$1,999.25	51 \$986.00	12 \$517.00	12 \$68.00	3 \$11.25	0 \$0.00	78 \$1,582.25	0 \$0.00	16 \$268.00	3 \$20.00	12 \$129.00
OTHER	\$211.00	3 \$90.00	3 \$101.00	0 \$0.00	0 \$0.00	0 \$0.00	6 \$191.00	0 \$0.00	1 \$20.00	0 \$0.00	0 \$0.00
PACIFICA	\$7,161.00	215 \$3,938.00	29 \$1,215.00	13 \$85.00	0 \$0.00	0 \$0.00	257 \$5,238.00	0 \$0.00	49 \$967.00	10 \$76.00	43 \$880.00
PORTOLA VALLEY	\$1,125.00	35 \$579.00	1 \$55.00	3 \$19.00	0 \$0.00	0 \$0.00	39 \$653.00	0 \$0.00	8 \$160.00	4 \$20.00	13 \$292.00

# Breakdown Report – San Mateo Co, CA

Activity from 5/1/15 through 5/31/15

Zip/Jurisdiction	Total Revenue	Dog		Cat		No Fee	License Total	Replacement & Transfer	Late Fees	Misc Revenue	Except
		1-Year	3-Year	1-Year	3-Year						
REDWOOD CITY	\$10,832.00	308	35	44	3	1	391	2	94	9	57
		\$6,327.00	\$1,593.00	\$261.00	\$28.50	\$0.00	\$8,209.50	\$16.00	\$1,568.00	\$101.00	\$937.50
SAN BRUNO	\$4,161.00	119	12	1	0	0	132	0	23	6	34
		\$2,442.00	\$531.00	\$7.00	\$0.00	\$0.00	\$2,980.00	\$0.00	\$460.00	\$27.00	\$694.00
SAN CARLOS	\$4,005.25	116	18	7	1	0	142	0	24	5	15
		\$2,129.00	\$937.00	\$38.00	\$11.25	\$0.00	\$3,115.25	\$0.00	\$480.00	\$68.00	\$342.00
SAN MATEO	\$12,731.75	349	48	123	15	0	535	0	113	14	90
		\$6,359.00	\$2,275.00	\$728.00	\$175.50	\$0.00	\$9,537.50	\$0.00	\$1,753.00	\$82.00	\$1,359.25
SOUTH SAN FRAN	\$5,975.00	161	24	4	0	3	192	1	44	4	31
		\$3,522.00	\$1,050.00	\$14.00	\$0.00	\$0.00	\$4,586.00	\$8.00	\$880.00	\$17.00	\$484.00
WOODSIDE	\$1,278.00	48	2	2	0	0	52	1	11	0	4
		\$892.00	\$78.00	\$14.00	\$0.00	\$0.00	\$984.00	\$8.00	\$220.00	\$0.00	\$66.00
<b>TOTAL REGISTRATIONS</b>		2,462	341	324	30	6	3,163	5	680	77	498
		\$47,371.00	\$14,540.75	\$1,950.00	\$296.50	\$0.00	\$64,158.25	\$40.00	12,209.00	\$591.00	\$8,985.00
<b>TOTAL REVENUE</b>										<b>\$85,983.25</b>	

Sharon Hanlon

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Subject:

**From:** Jean Brook <[jbrook@smcgov.org](mailto:jbrook@smcgov.org)>  
**Date:** June 24, 2015 at 9:26:17 AM PDT  
**Subject:** LAFCo Notice of Public Hearing

Hello City and Special District Managers,

Please find attached a notice of public hearing for the upcoming LAFCo meeting on Wednesday, July 15, 2015. **The meeting will begin one hour earlier than usual at 1:30 pm.**

Thanks,

*Jean Brook*

Commission Clerk  
San Mateo LAFCo  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
650/363-1863 (voice)  
650/363-4849 (fax)

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

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

## NOTICE OF PUBLIC HEARING BY THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION

NOTICE IS HEREBY GIVEN that the San Mateo Local Agency Formation Commission will hold a public hearing on July 15, 2015 at a meeting scheduled to begin at **1:30 p.m.** in the Board of Supervisors Chambers, Hall of Justice and Records, 400 County Center, Redwood City, to consider the following items:

Consideration of the Municipal Service Review and Sphere of Influence Update for North County Cities and Special Districts (Daly City, Pacifica, Colma, Brisbane, North Coast County Water District, North San Mateo County Sanitation District, Bayshore Sanitary District, Broadmoor Police Protection District, Colma Fire Protection District and Guadalupe Valley Municipal Improvement District)

Consideration of the Municipal Service Review and Sphere of Influence Update for the San Mateo County Harbor District

LAFCo File No. 14-14--Proposed annexation of assessor's parcel (APN 079-103-010) on Vista Verde Way, unincorporated San Mateo County, to West Bay Sanitary District

LAFCo File No. 15-4--Proposed Dissolution of Los Trancos County Water District Conditioned upon the Formation of a County Maintenance District and Certain Other Conditions

At the hearing, the Commission will hear and consider oral and written testimony by any affected agency or interested person and the report of the Executive Officer. For more information, contact the LAFCo office, 455 County Center, Redwood City, California, 94063, (650) 363-4224 or [mpoyatos@smcgov.org](mailto:mpoyatos@smcgov.org).

Dated: June 24, 2015

Martha Poyatos  
Executive Officer

**From:** JohnRichards-DG <[jrichards@portolavalley.net](mailto:jrichards@portolavalley.net)>  
**Date:** June 22, 2015 at 2:34:47 PM PDT  
**To:** "McCrorry, Patricia" <[pmccrory@usgs.gov](mailto:pmccrory@usgs.gov)>, Nick Pegueros <[npegueros@portolavalley.net](mailto:npegueros@portolavalley.net)>  
**Subject: Re: Earthquake seminar of interest to PV?**

Hi Pat,

Thank you so much for the link.

As an architect living and working in the fault zone, I find this very interesting. I'm also the Council liaison to the town's Emergency Preparedness Committee, and I will pass it on to that group and to our Town Manager Nick Pegueros (copied). Our Geologic Safety Committee might also like to see it.

It is always great to have people take an interest in the town's well-being! Incidentally, you are more than welcome to join or just sit in with any of these groups. You can see meetings, events and dates on the town's website at [Portolavalley.net](http://Portolavalley.net). Thanks again,  
-John

On Mon, Jun 22, 2015 at 2:13 PM, McCrorry, Patricia <[pmccrory@usgs.gov](mailto:pmccrory@usgs.gov)> wrote:  
Hello John,

I am sending this note to you in your role as a PV Town Council member, since I'm not sure who in the town system would be most likely to pay attention to earthquake hazard issues...

In addition to being a neighbor (Corte Madera/Crescent), I'm an earthquake scientist at the USGS, and wanted to bring your attention to a recent seminar here that might be of interest to those PV staff who focus on earthquake scenarios as a means to better plan earthquake response efforts.

In any case, here is a link to the seminar entitled:

[Going HayWired: Using earthquake science to make better resilience decisions in the San Francisco Bay area](#)

Best Regards,  
Pat  
Dr Patricia McCrorry  
US Geological Survey  
Menlo Park, California

**Sharon Hanlon**

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**From:** "Dennis, Jeremy" <[Jeremy.Dennis@asm.ca.gov](mailto:Jeremy.Dennis@asm.ca.gov)>  
**Date:** June 23, 2015 at 11:28:35 AM PDT  
**To:** "Dennis, Jeremy" <[Jeremy.Dennis@asm.ca.gov](mailto:Jeremy.Dennis@asm.ca.gov)>  
**Cc:** "Berthelsen, Andrew" <[Andrew.Berthelsen@asm.ca.gov](mailto:Andrew.Berthelsen@asm.ca.gov)>  
**Subject:** **Assemblyman Gordon's New District Director**

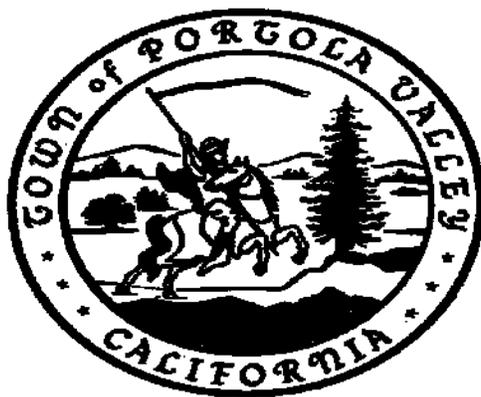
Hello all – I wanted to introduce you to Andrew Berthelsen, who will be replacing me as District Director for Assemblyman Gordon. Andrew comes to the district from the Assemblyman’s capitol office, where he has served as his Senior Assistant on banking, budget, economic development, government accountability, local government and transportation issues. Prior to this role, he worked with then-Supervisor Gordon for four years at the County of San Mateo.

Andrew is a dedicated public servant, one of the sharpest people you’ll ever meet, and a good friend. He will provide a seamless transition for the Assemblyman, his staff, and all of you. I encourage you to reach out to him when you have a moment (he is cc’d on this email).

He is aiming to start in the district on July 20<sup>th</sup>.

Thanks -

Jeremy Dennis  
Office of Assemblyman Rich Gordon  
650-691-2121



# PORTOLA VALLEY TOWN HALL WILL BE CLOSED

Friday, July 3rd, 2015  
In observance of Independence Day



In Case of Emergency: Sheriff's Office: 911

6/9/15

Council Member  
Portola Valley Town Council  
756 Portola Road  
Portola Valley, CA 94028

Dear Council Member

As members of the Auxiliary's Event Program Committee, we are inviting you to advertise in the Event Program Book that will be given out to 300 guests at our Auxiliary's Garden Party this year. This annual fundraising event will be held on Sunday, August 30, 2015 from 3:30 to 6 pm in a lovely garden setting at a private home in Hillsborough.

You **will receive extensive visibility** through our Event Program Book. Most importantly, you will be providing critical funds needed to continue our work with abused and neglected children in the San Mateo County foster care system. Our children need the support of the entire community, and this is a great way to show them you care.

Please fill out the attached advertisement form and send it to CASA of San Mateo County along with your payment. **We hope you will decide to join us in providing a brighter future for our community's most vulnerable children.** Thank you for your consideration, and we will follow up with you by phone in the near future.

Sincerely,



Pat Miljanich, Prue Rieflin, Dena Zwingle and Brigitte Greenstone

CASA Auxiliary's Event Program Committee

*Your support would be so helpful - we're trying to serve every foster child in our county who needs a CASA volunteer. Take care.*

Sobrato Center for Nonprofits - Redwood Shores • 330 Twin Dolphin Drive • Suite 139 • Redwood City, CA 94065  
650.517.5840 T • 650.517.5841 F • [www.CASAOofSanMateo.org](http://www.CASAOofSanMateo.org) • Tax ID 04-3849393

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Because Every Child Needs Someone Who Cares



## Event Program Artwork Guidelines & Print Deadlines

The quality of your advertisement in the Event Program Book depends on the quality of the artwork you provide to our designer. Please read the guidelines carefully.

**Formats Accepted:** *Please provide high-resolution digital images to ensure a quality result.*

- **Minimum of 300dpi or HIGH QUALITY PDF**
- Ads are Black & White. Any ads submitted in color will be converted to B&W.
- Formats accepted include:
  - .tif, .ai, .jpg, .pdf

**AD Sizes:** *Please submit artwork in the following sizes: PLEASE CHECK DIMENSIONS!*

- Full Page = 7.5" High x 4.25" Wide
- Half Page = 3.25" High x 4.25" Wide
- Biz Card = 2" High x 3.5" Wide

**I don't have an ad**, please create a message for me with the following text:

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**File Submission:** Please send all files to Yvonne Kerno.

[CASA@Enaria.com](mailto:CASA@Enaria.com)

If files are too large for email, you may upload them to Yvonne's Hightail account:

<https://www.hightail.com/u/enaria>

**All AD/Special Message files must be received by August 5, 2015**

You may call Yvonne with any questions 650-867-7631

Thank you for your support of  
this year's Garden Party!

# GARDEN PARTY 2015

*August 30, 2015*

## Event Program Advertisement Form

***YES! I would like to advertise in the Event Program Book and promote my business to more than 300 community and business leaders.***

Please select one of the following advertisement size options:

SIZE	RATE
Full Page	\$1,000
Half Page	\$500
Business Card	\$250

Contact Name \_\_\_\_\_

Organization/Company \_\_\_\_\_

Specify how you would like to be listed in the program: \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Email \_\_\_\_\_

Check is enclosed made out to **CASA of San Mateo County** \_\_\_\_\_

Please charge my Visa / MasterCard / Discover \_\_\_\_\_ Exp: \_\_\_\_\_

\_\_\_\_\_  
*Signature*

***Ad Specifications:*** Please see following page.

**If you don't have an ad and wish to create a special message: Please see the following page.**

Please send this reply form with payment in the enclosed envelope.

If you have questions, please contact Brigitte at (650) 517-5846 or [Brigitte@CASAofSanMateo.org](mailto:Brigitte@CASAofSanMateo.org).



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

---

TO: Mayor and Members of the Town Council  
FROM: Nick Pegueros, Town Manager  
DATE: June 26, 2015  
RE: Weekly Update

Here is the weekly update for the week ended June 26, 2015.

1. Backup Power for Community Hall – Howard and his team are on track to have the Community Hall tied into the generator for use in the event of a disaster. Howard's work has saved the town a costly replacement of the current generator and will suffice to serve both Town Hall and Community Hall during a prolonged outage.
2. ABAG-PLAN Board Meeting – The JPA that provides the Town with liability and property insurance (ABAG-PLAN or PLAN) held its annual board meeting this week. PLAN is in very good health with full funding to cover 90% of estimated claims, based on past history, and an additional \$10 million reserve to cover extraordinary claims. The PLAN Board took proactive measures this year to reduce its exposure to claims between \$2.5 million and \$5 million by opting to purchase insurance for this risk layer rather than self-fund. The other good news was an update on the action taken by the PLAN Board last year to outsource claims management, which has saved PLAN members \$1.26 million over two years. This was initiated by the PLAN Board's finance committee, a committee I have chaired since 2012.

## **TOWN COUNCIL WEEKLY DIGEST**

**Thursday – July 2, 2015**

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1. Agenda (Cancellation) – Parks & Recreation Committee – Monday, July 6, 2015
2. Agenda (Cancellation) – Town Council – Wednesday, July 8, 2015
3. Agenda – Emergency Preparedness Committee – Thursday, July 9, 2015
4. Agenda – Cable and Utilities Undergrounding Committee – Thursday, July 9, 2015
5. Agenda – Cultural Arts Committee – Thursday, July 9, 2015
6. Agenda (Special) – Bicycle, Pedestrian & Traffic Safety Committee – Thursday, July 9, 2015
7. Memo from Public Works Director Howard Young re: Street Resurfacing Scheduling
8. Memo from Town Manager Nick Pegueros re: Compilation of Community Choice Aggregation (CCA) Documents
9. Invitation to Council of Cities Dinner Meeting – Friday, July 24, 2015
10. Western City Magazine – July 2015

**Attached Separates (Council Only)**  
*(placed in your town hall mailbox)*

1. None



Parks & Recreation Committee  
Notice of Cancellation  
Monday, July 6, 2015

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# **PARKS AND RECREATION COMMITTEE MEETING**

## **NOTICE OF CANCELLATION**

**Monday, July 6, 2015**

The regular meeting of the Parks & Recreation Committee, scheduled for Monday, July 6, 2015 has been cancelled. The next regular meeting of the Parks & Recreation Committee is scheduled for Monday, August 3, 2015.



**TOWN OF PORTOLA VALLEY**  
**7:30 PM – Regular Town Council Meeting**  
**Wednesday, July 8, 2015**  
**Historic Schoolhouse**  
**765 Portola Road, Portola Valley, CA 94028**

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## **NOTICE OF MEETING CANCELLATION**

### **PORTOLA VALLEY TOWN COUNCIL MEETING REGULARLY SCHEDULED FOR Wednesday, July 8, 2015**

Notice is hereby given that the Portola Valley Town Council meeting regularly scheduled for Wednesday, July 8, 2015 has been cancelled.

The next special meeting of the Portola Valley Town Council is scheduled for Wednesday, July 22, 2015 at 6:00 PM, in the Redwood Grove adjacent to the Historic Schoolhouse, located at 765 Portola Road, Portola Valley, CA.



**TOWN OF PORTOLA VALLEY**  
**Regular Meeting of the**  
**Emergency Preparedness Committee**  
**Thursday, July 9, 2015 - 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/Chair, Chris Raanes, Ray Rothrock, Craig Taylor, Bud Trapp,  
 Tamara Turner, and Stuart Young  
  
 Guests: Nick Pegueros/Town Manager, John Richards/Town Council, Dan  
 Ghorso and Selena Brown WFPD, Mark Kuykendall/Sheriff's Office, Gary  
 Nielsen, Police Commissioner  
  
 Absent:
2. 8:01 Oral Communications
3. 8:04 Review and approval of minutes
  - Motion: Accept the Minutes of June 11, 2015
4. 8:05 CERPP/WFPD Report (Brown/Ghiorso)
5. 8:20 Town Report (Nick/Marsha)
  - Cross-Training with EPC Members
6. 8:35 Medical Subcommittee Report (Young)
  - MOU status with Stanford
  - Sequoia supplies update
7. 8:40 Communications Subcommittee Report (Rothrock)
  - AM Radio Web-streaming community education
  - EOC Frequency monitoring plan – based on staffing
8. 8:45 Community Outreach Subcommittee Report (Turner)
9. 8:55 Other Business
  - Joint meeting with Woodside EPC
10. 9:00 Adjourn. Next meeting is August 13, 2015



**TOWN OF PORTOLA VALLEY**  
***Cable & Undergrounding Committee Meeting***  
**Thursday, July 9, 2015 – 8:15 AM**  
**Historic School House**  
**765 Portola Road, Portola Valley, CA**

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**AGENDA**

1. Call meeting to order
2. Minutes: Approval of March minutes (no quorum at May meeting)
3. Communications from Members of the Public
4. Old Business
  - PG&E status on Rule 20A undergrounding project
  - Design online survey (SurveyMonkey) to determine voters' interest in undergrounding utilities
  - 2015/2016 budget results
5. New Business
6. Adjournment:

Next meeting on September 10, 2015 at 8:15 am



**TOWN OF PORTOLA VALLEY**  
**Cultural Arts Committee**  
**Thursday, July 9, 2015 - 1:00 PM**  
**Historic Schoolhouse**  
**765 Portola Road, Portola Valley, CA**

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**AGENDA**

1. Call to Order
2. Oral Communications
3. Approval of Minutes – June 11, 2015
4. Old Business:
  - CAC survey results discussion
  - 2015-2016 Budget
  - Summer Concerts – CAC table at concerts
  - Food trucks for summer concerts
  - Signage/disposal & storage
5. New Business:
  - Art donation
  - CAC annual report
  - Co-Sponsor teen project with Friends of Library
  - Piano purchase report
6. Adjournment



**TOWN OF PORTOLA VALLEY**  
**Special Bicycle, Pedestrian and Traffic**  
**Safety Committee Meeting**  
**Thursday, July 9, 2015 – 7:00 PM**  
**Historic Schoolhouse**  
**765 Portola Road, Portola Valley, CA**

## **MEETING AGENDA**

1. Roll Call
2. Oral Communications
3. Approve Minutes of the June 3, 2015 meeting
4. Sheriff's Report –
  - 1) Accidents and Citations –
  - 2) Updated requests for Law enforcement presence, as required  
Portola Rd & Alpine Rd stop sign violations
5. Public Works Report:
  - 1) Resurfacing and restriping – Adoption of widened lanes in line with BPTS recommendation
  - 2) Brief update on Public Works items (email attached)
6. General Items:
  - 1) Update on Windy Hill parking situation
  - 2) Approval of expense claim reimbursement for Pat Baenen – Help with “Bike to Work Day” event.
  - 3) BPTS budget assigned for 2015
  - 4) Two forwarded messages from Town Center:
    - 1) Request to remove the large tree at Arastradero Road and Alpine Road intersection. Joyce Schefren
    - 2) A complaint regarding the quality of the slurry seal surface for bicycle traffic. Henry Albert, Sebastopol Queen, Victoria Crun
7. Update on Outreach, events & teaching programs:
8. Other Business
  - Sphere of influence issue: Page Mill Road Expressway planning study by Santa Clara County  
<http://www.sccgov.org/sites/rda/plans/PageMill280/pages/pagemill280.aspx>
  - Outreach to prospective new BPTS membership
9. Time and Date for August 2015 meeting
10. Adjournment



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

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**TO:** Mayor and Members of the Town Council

**FROM:** Howard Young, Public Works Director

**DATE:** July 1, 2015

**RE:** Clarifying question concerning street resurfacing scheduling

The Town Manager indicated that the following clarifying question was asked by the Town Council at its June 24, 2015 meeting. Staff has provided the response below.

**Clarifying question concerning street resurfacing scheduling:**

“Is there a difference in paving schedule for Portola and Alpine Roads vs other Town arterial roads since traffic volume is so different on these two primary arterials roads?”

**Response:**

Yes. The Town utilizes a Pavement Management System Software developed by the MTC and utilized by all 109 cities in the Bay Area. The software system does prioritize and assign weighing factors between the functional roadway classifications: arterials, collectors, and residential. The software models that the arterials are degrading faster while also considering the entire road network. There is a general schedule and recommended treatments based on the Pavement Management software which also takes into account each road’s maintenance and repair history and an analysis of the current surface conditions. Current conditions are obtained by bi-annual road inspections and ranking. The Pavement Management System is used as general guideline. Actual road surface surveys are performed again prior to final consideration by staff for the Towns annual resurfacing project.

Please contact me if there are any further questions concerning this.



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

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DATE: July 2, 2015

TO: Jeff Aalfs, Mayor  
Craig Hughes, Councilmember

FROM: Nick Pegueros, Town Manager  
Brandi de Garmeaux, Sustainability & Special Projects Manager

CC: Leigh Prince, Town Attorney

RE: Compilation of Community Choice Aggregation (CCA) Documents

Over the past several weeks, the Town has received of a significant amount of information regarding the formation of a Community Choice Aggregation (CCA) program either as part of a San Mateo Countywide effort (Community Choice Energy or CCE) or in coordination with a private-sector partner (California Clean Power or CCP). To make an attempt at organizing the information, staff has assembled this document for the benefit of this subcommittee.

*Community Choice Energy (CCE).* CCE is an initiative led by the San Mateo County Office of Sustainability to explore the feasibility of establishing a CCA program in the county similar to those already in existence in Marin and Sonoma counties. The Marin and Sonoma CCA programs have been in existence for several years and serve as a proof of concept that CCA law provides greater local control over certain aspects of electricity procurement. In February, the Town Council authorized the participation in CCE's feasibility and technical study by releasing the electricity load data for all customers in the Town's boundaries. CCE has established an advisory committee that is made up representatives from all 20 cities, the county and 15 other non-profits and advocacy groups. Information regarding the advisory committee's membership, meetings, as well as the audio recordings of the meetings, are available on their [webpage](#).

*CCE Technical Analysis and Feasibility Study.* On April 2<sup>nd</sup>, the County issued a [request for proposals](#) for a technical study on community choice aggregation. The RFP was sent to 17 consultants and 3 responses were received. At their May 19<sup>th</sup> meeting, the County Board of Supervisors authorized an award of contract for the feasibility study to Pacific Energy Advisors (PEA) in the amount of \$150,000 plus a contingency of \$25,000. PEA expects to complete the CCE feasibility study within 60 days of PEA's receipt of load data from PG&E. To staff's knowledge the load data has yet to be provided by PG&E to the County. In the meantime, however, PEA produced a report for the County that assesses the fully outsourced service model, a model that the Town is exploring in greater depth as a potential alternative to CCE. The [report is accessible online](#) or as Attachment 1 to this document.

*Meeting with Sierra Club Representatives.* On June 23<sup>rd</sup>, Vice Mayor Derwin and Councilmember Hughes met with representatives of the Sierra Club and were provided the information included as Attachment 2.

*California Clean Power (CCP)*. Following the May Town Council meeting, CCP provided two documents to help address concerns expressed by the Council at that meeting. The first document is a draft feasibility report (Attachment 3). The second is a response to questions drafted by Councilmember Hughes and sent to CCP by Town staff (Attachment 4). Staff has advised CCP that the Town's due diligence and public outreach process is not anticipated to wrap up until Spring 2016.

#### **ATTACHMENTS**

1. Community Choice Aggregation Fully Outsourced Service Model Assessment
2. Analysis of California Clean Power's Presentation to Arcata from Sierra Club
3. Draft Feasibility Report
4. California Clean Power Responses to Portola Valley Inquiries

**Community Choice Aggregation  
Fully Outsourced Service Model Assessment  
June 24, 2015**

**Prepared For  
County of San Mateo  
Office of Sustainability**



## **Executive Summary**

At the request of San Mateo County, Pacific Energy Advisors, Inc. (PEA) completed an assessment of the fully outsourced Community Choice Aggregation (CCA) service model, which has been recently promoted by an organization known as California Clean Power (CCP). In general terms, the “fully outsourced model” purports to minimize risks and guarantee benefits typically associated with CCA implementation and operation. This approach differs from the approach taken by California’s operating CCAs, which have established internal organizations with the intent of providing CCA as a locally focused/locally situated public service organization for the long term. The existing CCAs have opted for more traditional supplier/service arrangements with longer-standing, highly experienced organizations and/or through the development of internal staff, who have been assigned responsibility for certain operational functions. Based on PEA’s research and evaluation, there are numerous risks associated with CCP’s proposed approach that have not been disclosed nor adequately addressed in the proposed contract terms that were made available for our review. In particular, PEA identified the following key concerns/risks during its assessment of the fully outsourced CCA business model. This list is non-exhaustive; these items, as well as several others, are discussed further within the body of this summary report:

- Diminished community benefits: The community benefits represented by CCP appear to be much smaller than the CCA could otherwise achieve under a self-administered model, bearing in mind current market conditions.<sup>1</sup> In particular, CCP appears to be retaining a disproportionate share of the financial benefits that could otherwise accrue to the CCA under a self-administered model.
- Diminished public involvement and general transparency: Some of the fundamental benefits of CCA formation are increased public involvement, transparency and local accountability with regard to energy planning and supply, service offerings, rate setting, program development and CCA administration among many other concerns. These benefits appear to be minimized under the fully outsourced CCA model. Based on PEA’s assessment, it is unclear whether or not the CCA would have any input with regard to CCA rate setting, for example, or if there would be any transparency with regard to the CCP’s resource planning and procurement efforts, general financial performance, credit profile, cost of service or various other concerns.
- Viability of long-term rate savings commitment: PEA observes that long-term retail rate guarantees (relative to a specified benchmark) are highly uncommon, if not entirely unavailable, due to expected volatility/uncertainty within domestic power markets. PEA is not aware of an analogous 10-year rate savings commitment, such as the commitment which appears to be made by CCP, elsewhere in the California retail market, including retail service offerings supported by California’s largest, most experienced energy suppliers. Over a ten-year planning horizon, it is literally impossible to know what utility rates and/or wholesale power prices may be, so offering a comparative rate guarantee is highly speculative. Regulatory and legislative uncertainties with California’s power markets only serve to exacerbate such speculation.

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<sup>1</sup> Wholesale energy prices are subject to change without notice; utility generation rates may also periodically change. Such changes will directly impact the CCA-utility rate comparison and potential cost of service for the CCA enterprise (to the extent that power supply requirements are not addressed via fixed-price power supply commitments).

- Potential conflict of interests: PEA observes that CCP appears to serve as both the CCA evaluator and services provider under its business model, eliminating objectivity and potentially introducing a conflict of interest that should be carefully evaluated by the aspiring CCA. None of California’s operating CCAs currently receive energy products/services from entities that contributed to the development of their respective feasibility/technical assessments. Separating these two functions seems necessary and appropriate to promote objectivity during implementation and operation of the CCA enterprise.
- Non-competitive procurement process: PEA observes that the sales approach employed by CCP appears to run counter to the competitive procurement processes typically observed by public entities, eliminating the potential to evaluate CCP’s proposal alongside similar offers from other qualified suppliers.

In the summary report that follows, PEA discusses several concerns/risks along with an evaluation of prospective benefits related to the fully outsourced model. PEA recommends that any community considering the fully outsourced model complete a thorough due diligence effort, including the evaluation of other qualified suppliers and service providers as well as a thorough review of proposed contract terms by qualified legal counsel, before engaging in any contractual commitments.

## **Background**

With an operational track record spanning just over five years, the CCA business model is still relatively new within the state of California, yet the documented benefits of this energy service model – competitive electric generation rates, increased renewable energy supply, reduced attributed greenhouse gas emissions within the electric power sector, economic development and job creation, among other benefits – have been significant. Despite this success, various critics and skeptics continue to search for flaws in an attempt to interrupt the proliferation of new CCA initiatives throughout the state. These attempts have included proposed legislation and regulations to undermine the economics of CCA and/or impose burdensome costs on CCAs, often justified under the guise of protecting other ratepayers from the cost of a potential CCA failure. This realization makes it critically important for all CCA initiatives to exercise discipline and prudence when making key decisions related to implementation and operation.

To date, California’s operating CCAs, including Marin Clean Energy (MCE), Sonoma Clean Power (SCP), and Lancaster Choice Energy (LCE) have chosen to implement their respective programs under one of two organizational structures: 1) Joint Powers Agency, as is the case with the MCE and SCP programs, the members of which include multiple municipal jurisdictions generally located within proximity to one another; or 2) Single Municipality, as is the case with LCE, which currently has a service territory that is limited to the City of Lancaster and operates the program as an Enterprise Fund.

During initial operations, the primary energy supply required to serve the customers of California’s existing CCAs was secured through direct contractual relationships with experienced Energy Services Providers (ESPs), which were independently selected through publicly administered, competitive solicitation processes. These processes included rigorous evaluative efforts through which the CCA entity carefully and deliberately assessed the capabilities and suitability of prospective suppliers to meet some or all of each CCA’s near- and longer-term needs for various energy products, including conventional electric energy, renewable energy, reserve capacity and related services (such as scheduling coordinator services, which must be addressed prior to participating in the California energy market). The competitively administered selection process was critical to identifying the supplier best

suited for this important role. Beyond consideration of the ESP's experience and other capabilities, a key consideration in selecting a primary energy supplier was the financial strength of the ESP and its ability to follow-through on its contractual commitments to the CCA. Each operational CCA selected an entity with an investment grade credit rating, and some required posting of collateral by the ESP to act as performance assurance for the ESP's obligations. Through each competitive solicitation process, there was a great deal of learning that occurred, which allowed each CCA to make an informed decision regarding its preferred supplier(s) in consideration of a wide range of options. Interestingly, each CCA selected a different ESP through its respective solicitation process, which seems to reinforce the importance of such competitive processes when matching unique CCA buyers and suppliers, particularly when the CCA enterprise has limited experience with regard to power procurement. In practice there has been no "one size fits all" solution with regard to necessary energy supply, indicating the importance for aspiring CCAs to consider a broad spectrum of options to best meet their uniquely defined goals and objectives.

While each of the existing CCA's contracted with a primary ESP for purposes of starting service, care was taken to avoid long term dependence upon a single ESP and to ensure the CCA retained ultimate control over its power supply, finances, and compliance with regulatory requirements. An important objective in forming the existing CCA programs has been development of new renewable generation to serve the community and ensuing reductions in greenhouse gas emissions. The ESP contracts have been used as a bridge during the CCA start-up period, while internal capabilities are developed, revenue surpluses are generated and long-term investments in resources and customer programs are made for purposes of providing sustainable value to the community. In short, the CCA programs represent a strategic asset for the community. The long-term approach utilized by existing California CCAs contrasts with the short-term approaches used in some other states, which have tended to rely on outsourcing CCA operation to an ESP under relatively short-term contracts. These programs have been primarily focused on near-term ratepayer savings and have not aspired to increase renewable generation development. Customers in these programs may periodically be served by a different ESP or return to the incumbent utility in accordance with the regulations and market rules existing in those states.

The success of California's CCAs, which has been bolstered in recent years by utility rate increases and prolonged price troughs within wholesale energy markets, has prompted increased interest from aspiring CCA initiatives as well as new market entrants and general opportunism with regard to the CCA business model. Numerous communities are evaluating the feasibility of CCA formation, and new business entities are coming forward in an attempt to capitalize on such interest, including the provision of energy products and related services to CCA enterprises. Certain of these new market entrants aspire to compete with California's most experienced ESPs by promising reduced risk/increased certainty and minimized up-front financial commitments relative to their more "traditional" ESP counterparts.

Selecting a qualified supplier, or multiple qualified suppliers, is one of the most important factors in ensuring the near-term success, particularly with regard to risk mitigation, for aspiring CCAs. The balance of this assessment focuses on the supplier selection process as it relates to a relatively new fully outsourced model, which is being marketed by CCP.

### **Assessment of the Fully Outsourced Model**

As understood by PEA, CCP organized itself in late 2014. Since that time, CCP has assembled a consortium of management, staff and consultants. Certain key personnel represent varying levels of experience within the electric utility industry generally, but appear to have limited direct experience in the areas of CCA evaluation (e.g., technical feasibility assessment), organization, implementation, administration and operation.

Key benefits of the fully outsourced business model are purported to be: expedited implementation, zero up-front costs (including a complimentary technical feasibility study), guaranteed rate savings, increased renewable energy supply and generally reduced risks to participating communities. It is noteworthy that certain of these guarantees are highly atypical within the electric utility industry as a whole. For example, direct access service providers, many of which are large, long-standing, highly experienced companies with robust risk management practices, rarely offer rate certainty beyond a 36-month planning horizon, and none offer comparative rate savings (relative to an investor-owned utility, for example) over such an extended period of time, primarily due to the uncontrollable risk exposure such a commitment entails. Additionally, the investor-owned utilities do not provide commitments with regard to rate stability, regularly changing rates throughout each calendar based on a variety of factors. To date, PEA is not aware of any attempt to implement the fully outsourced CCA model within California, so there is no tangible evidence, nor example substantiating the ability to achieve the benefits represented by proponents of this approach, particularly over a longer-term operating horizon. With this in mind, it is important for all aspiring CCAs to carefully consider the viability and durability of purported benefits as well as the significance of associated risks before agreeing to proceed with CCA implementation under this approach.

Based on PEA's independent assessment, there are a variety of prospective benefits and risks associated with the fully outsourced model, and it is important to consider potential outcomes under a variety of planning horizons: near-, medium- and longer-term. In the near-term, PEA expects that current wholesale market conditions within the electric utility will generally allow for certain cost advantages for CCAs. As a result, near-term rate savings for participating customers also seems to be a reasonably assumed outcome. However, the durability of stated benefits over the medium- and longer-term planning horizons seems highly questionable in light of inevitable uncertainties related to wholesale electricity pricing and future utility electric rates as well as the inexperienced nature of the service provider itself, which has yet to successfully implement its proposed approach. Furthermore, because the underlying contractual commitments (with regard to electric power supply) are apparently not disclosed by CCP, there is a great deal of uncertainty with regard to the ability of this new market entrant to honor the longer-term supply commitments contemplated in its service agreement. With regard to the prospective benefits and risks associated with the fully outsourced CCA model, as promoted by CCP, PEA has identified the following non-exhaustive list:

#### ***Potential Benefits (and related concerns)***

- **Minimized start-up costs:** As represented by CCP, the fully outsourced model appears to require no up-front financial commitments by the aspiring municipality CCA. Based on prior experience, start-up costs may range from \$1.5 to \$2.0 million plus variable working capital requirements and are typically recovered through near-term operating surpluses accrued by the CCA. Securing such startup funding may be challenging for certain communities, depending on unique financial circumstances. Under the CCP business model, this potential barrier to CCA implementation appears to be removed.

- Revenue stream: Under the CCP fully outsourced business model, CCP has pledged to make an annual “Public Benefit Payment” of \$2 million to Lake County.<sup>2</sup> Presumably, CCP’s proposed Public Benefit Payment would vary based on the unique characteristics, particularly expected annual energy requirements and customer composition, within each municipality to be served by CCP. To date, PEA has not reviewed other CCP services agreements, so it is unclear how the unique characteristics associated with each municipality may impact the expected Public Benefit Payment. Subject to any legal restrictions on the use of electric rate revenues, these funds could be used for energy-related or other public purposes. Conversely, the revenue stream could be substantially higher under a scenario where the CCA has direct control over operating costs and revenues.
- Administrative simplicity: This generalized benefit suggests that outsourcing necessary services/responsibilities typically undertaken by CCAs will require a reduced level of “hands-on” involvement by the participating community/communities. Conversely, hiring staff and/or consultants to perform such activities under direct oversight by the CCA’s management will increase administrative rigor but will also contribute to the development of internal competency/expertise (and associated local jobs), which will allow the CCA to represent itself in the event of CCP failure or a future transition to an alternative supply arrangement. The decision to fully outsource CCA operational support will also lead to reduced oversight and transparency with regard to the work activities completed by the third party. Furthermore, under the CCP business model, certain activities associated with the ongoing administration of complimentary programs, such as energy efficiency, demand response and feed-in tariffs, seem to require additional staff/consultants and funding, as the ongoing administration of such programs does not appear to be addressed in CCP’s anticipated scope of service.
- Reduced overhead/staffing costs: The benefit of reduced overhead and staffing costs is directly related to the previous bullet – to the extent that the CCA does not hire (or minimally hires) direct staff and/or consultants to support CCA operations, associated costs will be eliminated. It is important to be aware that the decision to forgo hiring or developing staff creates an ongoing dependency between the CCA and CCP. If the CCA chooses to forgo hiring staff, internal technical competency and general self-sufficiency will be diminished, which would not allow continuation of the program in the event that CCP discontinues business operations.
- Rate savings: In consideration of current wholesale energy prices and prevailing utility generation rates, CCP recently represented that participating customers within Lake County will “receive an average of 2% off total electric bills” (with the comparative savings based on utility rates in effect as of January 1<sup>st</sup> of each year) and also noted that customers of the CCA shall receive rate options similar to those offered by the incumbent utility.<sup>3</sup> It is noteworthy that most customers of California’s operating CCAs enjoy cost savings well in excess of the 2% commitment reflected in CCP’s service agreement. For example, average rate savings for SCP customers exceeds 5 percent with certain customer classes receiving rate savings in excess of 10 percent. However, under the term of agreement proposed by CCP, which exceeds ten years in duration, it is unclear whether or not CCP will be able to deliver on this commitment in light of the fact that future utility rates and supply costs are unknown. In the near-term, which includes the next 12-to-24 months, prevailing wholesale electricity prices, including prices associated with in-state renewable energy, will likely allow for comparative cost advantages for new CCAs,

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<sup>2</sup> Draft Agreement for Community Choice Aggregation Services between the County of Lake and California Clean Power Corporation.

<sup>3</sup> *Ibid.*

which should translate into highly competitive electric rates. Over the medium- and longer-term, however, this prospect becomes far less certain. For instance, PG&E’s recent Energy Resource Recovery Account filing suggests that retail generation rates will likely decline and CCA surcharges will likely increase in calendar year 2016, highlighting the unpredictability of utility rates and the potential pressure that could be imposed on CCP’s ability to deliver rate savings.

- Increased renewable energy supply (relative to the incumbent utility): CCP recently represented that participating CCA customers within Lake County would receive 33 percent renewable energy, which shall be entirely sourced from Category 1 resources (the Portfolio Content Category, or “PCC,” which generally refers to renewable generating resources physically located and/or interconnected to the state of California).<sup>4</sup> It is noteworthy that California-based retail sellers are under no obligation to source renewable energy supply in this manner, using more costly PCC 1 resources in place of other eligible renewable energy options, including PCC2 (typically, out-of-state renewable energy products, which are not delivered contemporaneously with the associated electric energy; the PCC2 product is often referred to as a “firmed/shaped” product) and PCC 3 (generally referred to as “unbundled” renewable energy products, which are sold separately from the electric power produced by the associated renewable generator). Current renewables portfolio standard (RPS) procurement rules allow for retail sellers to procure a mix of PCC1, PCC2 and PCC3 resources – under the currently effective RPS program, the proportion of renewable energy that must be sourced from PCC1 products increases over time; the proportion of renewable energy that may be procured from PCC3 products decreases.

Based on current market conditions, the premium charged for PCC1 renewable energy products typically ranges from 10- to 20-times the premium amount associated with PCC3 resources. Despite these cost tradeoffs, many retail sellers are opting to displace PCC2 and PCC3 resources with additional PCC1 purchases (in excess of RPS mandates). Certain proponents of this approach appear to be interested in avoiding potential criticisms focused on the imputed environmental benefits associated with unbundled and/or out-of-state renewable energy products. At this point in time, there is not uniform guidance with regard to attributed GHG emissions accounting, but strong philosophical opposition to the use of unbundled renewable energy products has been building within many communities currently operating or evaluating CCA programs. Identification of this opposition seems to be shifting resource planning efforts towards bundled renewable energy alternatives.

Despite material cost differences between bundled and unbundled renewable energy products, recent pricing downturns for PCC1 renewable energy, particularly California-based, utility-scale solar, have enabled CCA initiatives to plan for increased amounts of bundled renewable energy without significantly impacting associated customer generation rates. However, the specific supply sources, including whether such sources are new or existing, are not identified in the CCP services agreement. There are also no specific commitments made by CCP with regard to longer-term contracts typically required to support the development of new, in-state renewable generating resources. Based on CCP’s specified timelines for service commencement, it seems likely that existing renewable generators would be producing/delivering all near-term renewable energy supply, which is not likely to be regional or local. Use of locally situated renewable resources would be merely coincidental with the existence of previously operating renewable resources in the County. Furthermore, in the event that a participating CCA determined to increase/decrease renewable energy content and/or incorporate other resources

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<sup>4</sup> *Ibid.*

preferences in its supply portfolio, it appears as though this would not be accommodated under the CCP business model.

- Reduced GHG emissions (relative to PG&E) associated with CCA power supply: CCP commits to delivering a supply portfolio that has a lower GHG emission factor than the incumbent utility. Because annual utility emissions factors are typically reported on a lagged basis (12-14 months following the conclusion of each operating year), CCP will need to be conservative with regard to procuring requisite GHG-free energy supplies to ensure that this commitment can be fulfilled. For example, sufficient quantities of hydroelectric generation will need to be delivered to ensure that the CCA's GHG-free supply portfolio exceeds PG&E's GHG-free content, which approximated 56% in 2014 (comprised of renewable energy – 27%, nuclear energy – 21%, and large hydroelectric generation – 8%, based on PG&E's recently submitted Power Source Disclosure Report for the 2014 calendar year). The methodology, including attributed emissions factors for certain conventional generating sources and/or market purchases, that will be used to complete this comparison is not described by CCP.

### **Key Risks**

- Supplier/service provider experience: When evaluating, implementing and operating a new CCA, direct experience is critically important to promote the achievement of successful outcomes. Based on PEA's understanding, the CCP organization has only limited direct experience with CCA operation and virtually no prior experience with CCA evaluation and implementation (other than what has been learned since CCP's formation approximately six months ago). CCP may have professional relationships and/or associations with organizations representing increased levels of direct CCA experience, but this is not described in the CCP materials that PEA has reviewed. The identity of third parties that will be providing key functions related to interfacing with the grid operator and the distribution utility has not been disclosed. With no proven track record and the lack of complete information regarding this organization, there is a high degree of uncertainty with respect to CCP's ability to effectively implement and manage a CCA program.
- Conflict of interest: Based on PEA's understanding, CCP appears to serve as both the CCA evaluator and sole services provider, introducing the potential for a conflict of interest. To date, none of California's operating CCAs have received delivery of energy products/services from organizations which have contributed to the development of their respective CCA feasibility studies. The separation of responsibilities associated with feasibility assessment and energy product delivery seems particularly important, as there is the potential for significant financial benefit once the CCA determines to pursue CCA implementation and begins executing related supply agreements. To the extent that the feasibility analyst is also the intended services provider, it is impossible to ignore the potential conflict that exists. If the feasibility analyst suggests that benefits can be achieved through CCA implementation, the same business stands to financially benefit once supply agreements are consummated. Even if current market conditions and prevailing utility rates clearly point to potential benefits for a prospective CCA, it seems inappropriate to eliminate all objectivity through an exclusive business relationship. At a minimum, aspiring CCAs should seek independent evaluation of anticipated CCA operations prior to selecting a power services provider.
- Supplier non-performance or failure: One of the key risks associated with any power supply agreement is non-performance – a scenario under which the supplier of contracted energy products is not able to fulfill its contractual responsibilities, leaving the buyer (the CCA in this example) exposed to potentially volatile market prices and related financial consequences, regulatory non-compliance (including financial penalties), general planning uncertainty and

other concerns. Once a California community registers with the California Public Utilities Commission as a CCA, certain obligations are created, including compliance with applicable laws (such as California's RPS) and regulations (including the procurement and demonstration of sufficient reserve capacity). The CCP services agreement clearly states that CCP is responsible for "strict ongoing compliance with California and federal laws and regulations applicable to CCA and retail electric commodity service." Further, CCP agrees to indemnify the municipality for any penalties. However, under the CCP business model, the municipality retains ultimate responsibility for shortcomings and deficiencies with regard to these requirements in the event of a default by CCP.

PEA would recommend that adequate performance security in the form of cash, letter of credit or other acceptable instrument should be provided by CCP for the benefit of the municipality to mitigate the risk of a CCP default. This performance security should be separate and apart from the collateral that might be posted by CCP to back its wholesale power purchases and should be appropriately distinguished from the collateral and/or performance security associated with other communities that may be served by CCP.

PEA also recommends that any aspiring CCA retain the services of qualified legal counsel prior to executing any long-term services agreement. Such legal counsel should represent the aspiring CCA member(s) during contract negotiation to ensure that member interests, including specified responsibilities and liabilities, are appropriately reflected in the contract document and that all pertinent terms and conditions are clearly and completely understood prior to contract negotiation.

Further, in the event of supplier failure, the CCA might find itself unprepared to address the necessary customer transition. In a recent memo from CCP to Lake County in which certain responses and clarifications were issued in relation to questions focused on the CCP services agreement and business model, CCP indicated the following: "If CCP is rendered incapable of performing under the contract due to complete dissolution of CCP as a going concern, the County can join another CCA, administer the CCA in house, or forfeit the CCA bond and seamlessly return customers to PG&E service. Because CCP covers the cost of the bond for the return to PG&E service, the return to PG&E service would occur at no expense to the County."

The implications of this response are highly concerning. In particular, CCP seems to suggest that the CCA could readily join another CCA or administer the CCA in house, but neither of these opportunities can be taken for granted, particularly when there is only one operating CCA, MCE, which has a standing policy/protocol for evaluating new members. MCE's new membership process has typically occurred over a period of several months, including a detailed quantitative analysis and multiple publicly-noticed meetings during which prospective membership is discussed and ultimately voted upon by MCE's governing Board. CCP seems to imply that the failed CCA could simply and quickly complete this process without a disruption of service to customers of the failed CCA. In practical terms, this is not feasible.

CCP also suggests that the municipality (Lake County, in this case) could proceed to administer the CCA in house, but this is also practically infeasible due to the fact that participation in the fully outsourced model likely left the municipality with little to no internal technical competence, as such functions were expressly outsourced to CCP. Stated somewhat differently, the CCP business model creates a dependency between the CCA and CCP by virtue of the CCA not needing to develop internal competency/capabilities/expertise. Again, this outcome is practically infeasible due to reasonable timelines required to identify qualified (and available)

technical consultants and/or develop internal technical expertise within the affected community.

The final option noted by CCP is the most concerning: “forfeit the CCA bond and seamlessly return customers to PG&E service.” This sounds simple enough, but the potential impacts to California’s remaining CCAs could be disastrous: diminished credibility amongst regulators, the California legislature and prospective suppliers; potential increases to the CCA bond amount, which could irreparably harm existing and future CCA initiatives; customer fear and distrust; and a variety of other adverse consequences. The progress of CCAs has been filled with hard-fought successes but has also been obstructed by various critics, skeptics and antagonists, who continue to search for flaws and shortcomings in the CCA business model. To the extent that any new CCA enterprise fails, it may also compromise the ground gained by California’s other CCAs. To be perfectly clear, there would be nothing “seamless” about this transition for CCAs at large. The fully outsourced business model appears to leave associated CCAs entirely unprepared to deal with the transitional responsibilities that would be required in the event of CCP failure. Without a certain level of internal expertise and technical competence, CCAs are woefully disadvantaged in such a situation. The fully outsourced business model unfortunately exacerbates this risk.

- **Disproportionate allocation of financial benefits and lack of transparency:** One of the most intriguing prospects of CCA formation is the ability of a CCA to generate customer savings and/or operating surpluses, which can be directed towards the development of locally focused energy programs or projects as well as other needs of the participating community/communities. Currently, MCE and SCP both offer customer rate savings while having accrued significant financial reserves. Over time, it is expected that the City of Lancaster will fare similarly. Under these examples, the CCA’s participating customers and the communities in which the CCA offers electric service will be the primary beneficiaries of this financial success – there is no sharing of financial benefits with investors, shareholders or other third parties. Under the CCP business model, it appears as though CCP is passing through a disproportionately small benefit to the CCA while keeping for itself the lion’s share of surpluses generated through CCA operations. PEA completed an independent, high-level financial analysis to demonstrate the potential inequities embodied in this business model, which are summarized in the table below.

<b>2015 Community Choice Profit Margin Worksheet</b>		
<b>Community Inputs</b>		
Community Retail Sales (MWh/Yr.)		350,000
Renewable Energy Content (%)		33%
Discount to PG&E Electric Bill (%)		2%
Community Payment (\$/Yr.)	\$	2,000,000
<b>Revenues and Profits</b>		
Revenue @ PG&E Generation Rate (\$/Yr.)	\$	33,803,000
Less CCA Surcharges (\$/Yr.)	\$	(3,570,000)
Less Discount (\$/Yr.)	\$	(1,202,320)
Less Community Payment (\$/Yr.)	\$	(2,000,000)
Less Power Supply Costs (\$/Yr.)	\$	(19,376,000)
<b>Gross Profit Available to Operator (\$/Yr.)</b>	<b>\$</b>	<b>7,654,680</b>

The structure of this analysis is quite simple but reasonably represents the expected surpluses that could be generated given current market pricing by a relatively small CCA enterprise similar to Lake County (serving annual customer energy requirements of 350,000 MWh/year; by comparison, the annual energy requirements of MCE are expected to be approximately 1,800,000 MWh, roughly five times the aforementioned volume)<sup>5</sup> PEA's analysis assumes, for the sake of simplicity, that this hypothetical CCA enterprise generally represents the customer composition and usage characteristics observed throughout PG&E's entire service territory. Based on this assumption, PEA applied PG&E's system average generation rate as the utility proxy against which CCA rate savings would be evaluated under the CCP services agreement. PEA also assumed that 33 percent of the CCA's total anticipated retail electricity sales would be sourced from Bucket 1-eligible renewable energy products; an appropriate cost premium, based on recently observed wholesale renewable energy transactions. PEA's financial analysis also accounts for other operational expenses such as scheduling fees, electric grid operator costs, and energy losses resulting from the transportation of electricity on the grid.

The results of this prospective scenario are staggering, suggesting that the hypothetical CCA enterprise would forgo more than \$7.6 million in additional benefits, as represented by gross profits, under the CCP business model. As specified in CCP's services agreement, the CCA would receive \$2 million per year in the form of a "Public Benefit Payment," but CCP would retain more than \$7.6 million in gross profits. Admittedly, CCP would reasonably require a certain portion of this amount to cover its staffing, overhead, collateral requirements and other operating expenses, but the anticipated net profits still appear to be much higher than the Public Benefit Payment issued to the CCA.<sup>6</sup> In effect, this scenario appears to demonstrate that under the CCP business model, near-term financial surpluses generated by CCA formation disproportionately benefit CCP as opposed to CCA customers or the participating community.

In substantial part, this analytical exercise highlights the lack of transparency associated with CCP finances. This practice cuts across the grain of typical public processes, which tend to readily disclose information in an effort to ensure that nothing is hidden or obscured, particularly when public finances are in play. PEA recommends that any community pursuing the CCP business model request and receive detailed financial projections prior to executing any contract documents to ensure a thorough understanding of the prospective allocation of financial benefits. Following contract execution, PEA recommends that the participating CCA receive a periodic accounting of CCP operations in support of the CCA enterprise, including a detailed breakout of financial benefits accruing to CCP relative to the CCA.

CCA's are public entities and are required by law to disclose almost all information related to CCA operations. Accordingly, it is critical that local government officials and staff responsible for the CCA have all the information necessary to respond accurately to such inquiries. Due to the lack of transparency in the fully outsourced business model, the ability to respond timely and accurately is a significant risk to the CCA, especially without any checks and balances to validate any information provided by CCP. Even more concerning is that there doesn't seem to be any liability on CCP in the case that inaccurate information is provided to the CCA and subsequently released to the public. Without access to all data and information related to CCA operations, it will be difficult for the CCA to confidently provide accurate information to the public in general.

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<sup>5</sup> As previously noted, wholesale energy prices are subject to considerable volatility. To the extent that wholesale energy prices change, projected operating results may be materially affected.

<sup>6</sup> The May 2015 feasibility study prepared by CCP for Lake County (Page 26) indicates that these other expenses represent less than 10% of the total costs.

- Supplier creditworthiness: In the aforementioned memo from CCP to Lake County, CCP indicated that it “demonstrates creditworthiness with \$15 million in funding to secure power purchases for up to 200,000 people.” Presumably, the noted \$15 million is held in the form of a letter of credit or cash collateral to enable these power purchases. However, nothing in the CCP services agreement specifically addresses this amount nor the maintenance thereof. Instead, the services agreement vaguely addresses requisite credit as follow: “At all times CCP shall maintain collateral or capitalization sufficient to ensure performance under this Agreement. The amount of collateral or capitalization deemed sufficient shall be determined using industry standard electric commodity procurement practices.” Again, this vague language provides no specific metrics to assure collateral sufficiency nor any process for ensuring that CCP maintains itself as a creditworthy entity throughout the term of the agreement. If CCP were to be on the verge of bankruptcy, there doesn’t appear to be any obligation for it to disclose such information nor does there appear to be any provision addressing the periodic sharing of information substantiating or evaluating CCP’s financial health. This lack of credit protection for the municipality stands in stark contrast to standard power supply contract credit terms. In the event that such a situation existed, there is no performance security (posted by CCP) against which the CCA could draw nor are there specific remedies identified. If an aspiring CCA is to reasonably consider such a long-term services agreement, including the delivery of requisite energy products, clearly defined credit provisions protecting both parties are recommended.
- Rate setting: Under the CCP business model, the proposed rate setting process appears to be quite different compared to California’s successfully operating CCAs. In particular, the CCP business model lacks detail about the mechanisms for consumer protections, customer disclosure, due process and general customer input during the rate setting process, all of which are fundamental features of currently operating California CCAs. According to the CCP services agreement, the rate setting process seems to be a forgone conclusion, tying directly to PG&E’s annual rate changes. This approach generally renders customer input useless, as CCP’s prescribed approach will result in a predetermined outcome, regardless of customer input. In addition, it is unclear to PEA how CCP will assure the equitable treatment of customer classes during the rate setting process. There also appears to be no consideration of cost of service for particular rate classes relative to retail electric rates. Finally, the forgone nature of CCP’s rate setting process substantially minimizes the potential for customized economic development rates and/or other rate schedules that could be designed to attract particular customer groups, incentivize/disincentivize certain customer behaviors and/or promote the achievement of local policy objectives. CCP’s rate setting process also ignores the importance and value in rate stability, which is currently provided through the annual rate setting process of California’s three operational CCA’s.
- Durability of rate savings commitment: In practical terms, it is impossible to know what PG&E’s rates may be next year, let alone five or ten years from now. Even if CCP were to secure long-term, low-cost supply commitments from viable sources, inevitable uncertainties regarding PG&E’s future generation rates and related exit fees make the prospect of honoring CCP’s stated rate savings commitment highly speculative, particularly over a ten-year contract term. In fact, the duration of the CCP rate savings commitment heightens the risk of contract default (with regard to the rate savings commitment) or an eventual attempt to pass through costs to CCA customers.
- Economic development and job creation: Under the fully outsourced business model, there are no incentives to promote the development of innovative, locally focused energy projects and

programs, which have been a huge success for California's existing CCA's. The ability to invest and build within a CCA's actual jurisdictional footprint also leads to the creation of jobs and general economic development. Furthermore, adopting the fully outsourced business model eliminates the addition of long-term jobs in order to internally administer the CCA program. As MCE, SCP, and LCE continue to grow in size, adding new product and program offerings, permanent, long-term jobs become necessary and are created in turn. The fully outsourced model inevitably reduces local input and control over resource decisions and energy programs.

- Lack of complimentary energy program administration: Under the CCP business model, certain activities associated with the ongoing administration of complimentary programs, such as energy efficiency, demand response and feed-in tariffs, seem to require additional staff/consultants, as the ongoing administration of such programs does not appear to be addressed in CCP's anticipated scope of service. Further, no revenues would be available to support these programs apart from the public benefit payment made by CCP, since all customer revenues would be assigned to CCP. As clarified in the aforementioned memo from CCP to Lake County, CCP appears to be willing to provide no-cost support in developing various complimentary energy programs that may be of interest to the participating CCA. However, the CCA is independently responsible for the ongoing administration of such programs, including staff and related costs. In light of the relatively modest revenue sharing that is being offered by CCP, participating communities may find it challenging to cover such administrative costs over time.

General observations related to the CCP services agreement: Based on PEA's review, much of the language included in CCP's proposed services agreement, particularly language describing CCP's obligations and commitments, is vague and lacking sufficient detail to fully understand and/or verify the commitments being made by CCP. Typical agreements addressing the relatively complex relationship between CCAs and suppliers/service providers are lengthier as well as more detailed and carefully worded to minimize the potential for misunderstanding and misinterpretation between the parties. Examples of areas within the CCP contract that could be further developed in an effort to improve clarity include: CCP's rates savings commitment; the commitment to local renewable utilization; and the scope of the change in law provision. As to the change in law provision, the contract should address changes in: utility rates and departing load charges, RPS and resource adequacy requirements, storage obligations, integration costs, congestion costs, and bond requirements.

## **Conclusion**

CCA formation is not without risk. Regardless of the chosen implementation approach, there will be inevitable uncertainties. How many customers will opt-out? What will PG&E's rates be next year? What price will I pay for wholesale energy after my current contracts expire? What proportion of my supply portfolio should I secure under fixed-price contract arrangements? These questions, as well as many others, are involved with the process of CCA evaluation, implementation and operation. California communities can minimize the variables surrounding the CCA service model by employing proven practices and experienced teams. In particular, the recent successes of MCE, SCP and LCE are the result of a common formula that relies on California's most experienced service providers, minimizing risk while maximizing potential rate savings and community benefits.

New implementation strategies, such as the fully outsourced business model promoted by CCP, should be carefully evaluated to ensure that risks and benefits are fully understood. Based on information provided to date, PEA's assessment indicates that the risks associated with such an approach

substantially outweigh prospective benefits. In particular, CCP's approach all but removes the elements of transparency, community involvement and local accountability that are fundamental features of the CCA business model. Further, the municipality would be insufficiently protected from risks associated with non-performance by CCP. In many ways, the fully outsourced business model retains elements of the investor-owned utility business model in which the customer has limited operational insight, limited influence with regard to rate setting and limited access to the individuals who are directly involved in day-to-day utility operations and decision making. Certain benefits are conferred to the customer by CCP, but the benefits are disproportionately shared. Ultimately, many communities will fare far better, minimizing risk while maximizing benefits, under the proven implementation approach that balances the development of internal technical competencies with strategic support from experienced service providers. Such an approach preserves operational flexibility and transparency while promoting long-term success of the CCA enterprise.

**Sources**

- “Draft Agreement for Community Choice Aggregation Services between the County of Lake and California Clean Power Corporation”
- “Lake County Community Choice Program Feasibility Report”, prepared by California Clean Power Corporation, May 2015
- County of Lake, an Ordinance Authorizing the Implementation of a Community Choice Aggregation Program
- “Overview of Community Choice Aggregation and a Turnkey Contract with California Clean Power”
- Memorandum, “Request for Response to Community Choice Questions,” California Clean Power Corporation to County of Lake

## Analysis of California Clean Power's Presentation to Arcata: by Jed Holtzman

350.013

[http://arcata.granicus.com/MediaPlayer.php?view\\_id=8&clip\\_id=1733](http://arcata.granicus.com/MediaPlayer.php?view_id=8&clip_id=1733)

As has been discussed here previously, the California Clean Power model, where the community pretty much licenses the community choice program to a private company in exchange for a payment, is a major departure from the models Marin, Sonoma, and San Francisco (and some other communities) have taken/are taking. I finally had time to look deeper into this player, and I believe questions about not only their model but their business practices are legitimate.

I watched California Clean Power's presentation to the Arcata City Council and heard things that didn't pass the smell test for me (to use a synesthetic metaphor)--so I asked various subject-matter experts for information about their claims, and it appears that the company may in fact be providing misinformation to the uninformed local governments whom they are targeting for their services. They are currently providing the same presentation to towns, small cities, and counties all over the state.

Below are some notated statements, with observations in green. It would be great for those more expert than I to take a look at the video as well and see for themselves what they think about the claims and statements made. If you are going to reply, and I hope you will, probably best to do so at <discussion@calenergychoice.org>. Thanks!

### Statements around risks, mitigations and JPAs:

01:05:00: "We eliminate any points of risk... why that's important is if you were acting alone, **you'd have to have significant collateral to go out and buy power, either through a loan or your general fund. Now if it turns out to be a difficult market, if the market goes south in the future, and its not right now - its a fantastic market, that would come back to the general fund so you're essentially guaranteeing the power purchase.** Under our model we put up all the collateral and take all the market risk; so if the market goes south, that doesn't come back to the city at all."

- This statement implies that the general fund would be liable for the power collateral loan. In reality, Sonoma's loan only required a lien on future program revenues, not a requirement that the general fund pay it back. You'd think they would know this, since they claim to be "the people who got Sonoma up and running"..... (This statement also does not seem to be explicitly true.)

01:06:10: [graph slide comparing Agency vs. CA Clean Power retailer model - one line says "Community 100% of Financial Risk" vs. "Private Investors 100% of Financial Risk".] ..."This is highlighting those essentially differences... there are uncertain benefits if you're acting alone, or even multi-jurisdictional - there are uncertain benefits and you take risks on the market again... we've covered the financial risks."

- This statement implies that "multi-jurisdictional" Community Choice programs (i.e., JPAs) take on "risks on the market" that could cripple the (apparently usually modest, so far) cities to whom they are pitching.

1:07:58: **"The JPA structure is fantastic in that you are able to collaborate with your partners. There are relationships there.** But it also limits to a degree how much choice you have over the program. We've seen multiple jurisdictions participating in Sonoma... if Arcata were to go it alone, the choice would be completely yours. What you want to do with that revenue. If its investing in local generation projects, marsh cleanup, those are available to you."

- There's no mention of the financial protection that a JPA offers, which is one of the main benefits of launching a Community Choice program through a JPA.

1:09:04: ..."We've talked about barriers... Financing being the most significant. Doug [Doug Bosco of First Community Bank] could tell you we moved down the road with SCP until the time we actually realized we needed to buy power and **nobody had tens of millions of dollars just sitting around, and it was quite an effort to find a bank willing to finance that.** We mitigate these challenges both in time and expertise, again in financing because we handle those costs."

- There were at least two banks willing to lend the funds to SCP, and a well designed program launches with very little market exposure because it contracts with a large, creditworthy energy retailer for power at fixed prices, which beats PG&E's rates--so again, there's little risk of defaulting on debt repayment and, consequently, arranging financing is not a significant barrier to launching a Community Choice program.

1:26:55: Talking about SCP's launch experience: "There were also conversations around risk, and how much risk each participant city was willing to take on. **Again, remember that all of that risk is borne by the finances of the JPA and ultimately the participants in the JPA. So there is a strong conversation to be had, absent the financing of power, of just how much of the public's dollars are we willing to risk?"**

- This statement implies that the JPA doesn't protect the constituent government's general funds from the JPA's financial liabilities, which is the direct opposite of the truth: the central purpose of a JPA is to insulate participating governments from the financial liabilities of the other governments and the JPA agency itself.

#### Statements around developing local RE:

1:29:05: In response to the Mayor talking about the CCA developing large-scale resources: "What do you want to do with the revenue that comes in? ...Under the high revenue scenario...you'd have \$12 million - and frankly, you'd still need more money. That money could be leveraged on day 1 under a contract, because we know how much money is coming back to the community. ... The point I want to make is ...if you want to use this to invest in a local generation project we'll be happy to support you anyway we can. If you want us to collateralize that revenue stream so you can have that money up front, great. If that's making a connection with First Community Bank to finance that project, that's great. **If the size and scope of the project is significant enough, we can extend that contract period to be 10, 15, 20 years - and I know that's hard to swallow but conceptually, we would then be able to take long position in that new project and then sell it back to you - it would essentially be your community's project."**

[Mayor Winkler asks about who would own it]

"Just depends on how you structure it. If it's your revenue stream, it's your project. If it's a partnership where we're putting in money and you're putting in revenue, then we would share that and we would negotiate that. But absolutely, if it's your revenue then it's your project."

- This exchange suggests giving California Clean Power essentially an unregulated monopoly contract over the program in exchange for assisting in the development of local renewables...

1:33:10 - "We see the ability not to earn a big buck on our part but to really drive renewable energy, resiliency and sustainability within local communities statewide."

- If it's not about the money for them, why did they just push the idea that a 20 year monopoly over procurement and project development would be necessary?

1:35:50: Talking about whether they would integrate local renewables into procurement: "The day we sign a contract, we're legally obligated to provide the benefits. So we want to procure literally the hour we sign the contract, because the market is so volatile. So if we know in advance, we can absolutely do that."

- This statement seems to indicate that California Clean Power's business model doesn't allow for the integration of local renewables unless the exact project and power volumes are known before they sign their contract. This is taking a big step backwards for Community Choice--Shell and Constellation allowed more flexibility than this for existing programs.

For background on JPAs, see ["A Citizen's Guide to Joint Powers Agreements."](#)

- **Page 12: "Joint powers agreements usually protect their member agencies from a JPA's debts or other liabilities."**
- Here's more context: Government code Section 6508.1 specifies JPA law, and this was later interpreted by *Tucker Land Co. v. California*, 94 Cal. App. 4th 1191 (2001) as allowing member governments to allocate "contractual" risks and debt obligations to the JPA alone and not to the constituent member governments; the constituent member governments remain liable for gross negligence, criminal conduct, etc. - just like officers in a corporation - but not for contractual debt obligations.
- Also this is important for the local buildout: Page 13: "JPAs differ from other local governments in another important way. Before counties, cities, and special districts can issue revenue bonds, they

need majority-voter approval...**However, a JPA can issue revenue bonds without holding an**

**election.** State law allows a JPA to issue revenue bonds without voter approval, provided that each of the JPA's member agencies adopts a separate local ordinance."

- And on page 15: "JPAs use the Revenue Bond Act of 1941 and the Marks-Roos Local Bond

**Pooling Act of 1985 to generate public capital. Public officials use JPAs to finance the construction of public works..."**

## AGREEMENT FOR COMMUNITY CHOICE AGGREGATION SERVICES

*This Agreement for Community Choice Aggregation Services (Agreement) is between the County of Lake, a county formed under the laws of California (Community) and California Clean Power Corporation, a corporation formed under the laws of California (CCP). Collectively, Community and CCP may be referred to as "Parties" or individually as a "Party."*

This Agreement is made pursuant to, and all the terms and conditions of this Agreement are governed by, applicable California and federal law. The term Community Choice Aggregation (CCA) is specifically defined by the applicable sections of the California Public Utilities Code, Division 1, Part 1, Chapters 1 through 2.3, and Chapter 4, Article 1, Section 707, or its successors.

This Agreement shall commence the \_\_\_\_\_ day of \_\_\_\_\_, 2015, and terminate under the provisions of Exhibit A to this Agreement.

### **OBLIGATIONS OF CCP**

- 1.0 Pursuant to the provisions of Exhibit A to this Agreement, CCP shall provide Community with the following turnkey CCA services (CCA Services):
  - 1.1 Power Procurement: procurement of all products and services required to reliably serve the electric commodity needs of Community's CCA customers.
  - 1.2 Legal, Regulatory and Compliance: all actions required to implement a CCA program and to ensure strict ongoing compliance with California and federal laws and regulations applicable to CCA and retail electric commodity service.
  - 1.3 Customer Service and Communications: website, call center and assistance with outreach and communication.
  - 1.4 Reporting and Communication with Community Governing Body and Staff: reports detailing and updating CCA performance and progress, presentations before Community's governing body and interaction and communication with assigned Community staff.

- 2.0 Except as otherwise provided in this Agreement, CCP shall cover any and all financial obligations associated with the provision of CCA Services.
- 3.0 CCP shall indemnify and defend Community against any actions arising from CCP's performance under this agreement, provided that such actions do not arise from the negligent or willful misconduct of the Community.
- 4.0 At all times CCP shall maintain collateral or capitalization sufficient to ensure performance under this Agreement. The amount of collateral or capitalization deemed sufficient shall be determined using industry standard electric commodity procurement practices.
- 5.0 CCP shall at all times maintain the confidentiality of Community CCA customer information. For any release of Community CCA customer information, CCP shall obtain written authorization from Community and the affected Community CCA customer or customers.

#### **OBLIGATIONS OF COMMUNITY**

- 6.0 Pursuant to California Public Utilities Code Section 366.2(c)(12) or its successors, Community shall have adopted an ordinance to implement a CCA program (Ordinance) within its jurisdiction. The Ordinance shall have included a determination of California Environmental Quality Act (CEQA) exemption and direction to Community staff to immediately file a CEQA Notice of Exemption. Any material change to, or repeal of, the Ordinance by Community shall constitute a complete default by Community under this Agreement. In the event of such a default, at its sole discretion CCP may immediately terminate this Agreement and pursue all available legal remedies.
- 7.0 Community expressly authorizes CCP to act on its behalf and as its sole agent in performing and providing CCA Services.
- 8.0 Community assigns to CCP all CCA related revenues, including but not limited to CCA customer payments, California Independent System Operator (CAISO) credits, and refunds of compliance related deposits. Upon termination of this Agreement, all deposits or similar funds posted by CCP on behalf of Community shall be returned to CCP.

- 9.0 Community shall designate a representative or representatives to interact with CCP to ensure efficient and effective implementation and operation of the Community CCA program.
- 10.0 At CCP's request, Community agrees to take all necessary actions to secure and transfer to CCP CAISO Congestion Revenue Rights (or a successor product) associated with the Community's CCA electric load, provided the Community does not incur any expenditures, or CCP reimburses Community for any expenditures, related to securing and transferring the CAISO Congestion Revenue Rights.

**GENERAL PROVISIONS**

- 11.0 The laws of the State of California, and federal law as applicable, shall govern this Agreement.
- 12.0 This Agreement, including all the exhibits attached hereto, represents the entire and integrated agreement between Community and CCP and supersedes all prior negotiations, representations, or agreements, either written or oral. The Parties may amend this Agreement only by a writing signed by both Parties. All exhibits attached hereto are incorporated by reference herein.
- 13.0 All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between Community and CCP shall survive the termination of this Agreement.
- 14.0 Any written notice in connection with this Agreement shall be sent by U.S. Mail or by nationally recognized overnight carrier.

Any written notice to Community shall be sent to:

Mr. Matt Perry  
County Administrative Officer  
County of Lake  
255 North Forbes St  
Lakeport, CA 95453

Any written notice to CCP shall be sent to:

Mr. Peter Rumble  
Chief Executive Officer

California Clean Power  
9238 Old Redwood Hwy  
Suite 200  
Windsor, CA 95492

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- 15.0 Due to the unique nature of CCA, Community may not assign this Agreement. With 90 days' notice to Community, CCP may assign this Agreement in part or in whole to a subsidiary or parent company wholly owned and operated by CCP's owners. With the written consent of Community, CCP may assign this Agreement in part or in whole to a third party or parties, provided that Community may not unreasonably withhold such consent.
- 16.0 If, due to changes in laws or regulations, either Party is rendered substantially unable to perform under this Agreement, the Parties agree to endeavor in good faith to amend this Agreement to accommodate the changes in laws or regulations. If the Parties are unable to reach an acceptable accommodation, the performance of the affected Party or Parties shall be excused and either Party shall have the option to terminate this Agreement.
- 17.0 If either Party is prevented in the performance of any act required hereunder by reason of act of God, fire, flood, or other natural disaster, malicious injury, strikes, lock-outs, or other labor troubles, riots, insurrection, war or other reasonably unforeseeable occurrence of like nature not the fault of, and not within the reasonable control of, the Party in performing under this Agreement, then performance of such act shall be excused for the period of the delay and the period of the performance of any such act shall be extended for a period equivalent to the period of such delay, except that if any delay exceeds six months, then the Party entitled to such performance shall have the option to terminate this Agreement.
- 18.0 If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

- 19.0 The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.
- 20.0 Should an entity of competent jurisdiction invalidate any element of this Agreement, Parties agree to endeavor in good faith to amend this Agreement to accommodate the invalidation.
- 21.0 The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the Parties.
- 22.0 This Agreement is made solely for the benefit of the parties hereto, with no intent to benefit any non-signatory third parties.
- 23.0 This Agreement may be executed by counterparts, each of which shall be an original and all of which together shall constitute one agreement.

COUNTY OF LAKE

CALIFORNIA CLEAN POWER

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
CHAIR, Board of Supervisors

\_\_\_\_\_  
PETER RUMBLE, Chief Executive Officer

Attest: MATT PERRY  
Clerk to the Board of Supervisors

By: \_\_\_\_\_

APPROVED AS TO FORM:

ANITA GRANT  
County Counsel

By: \_\_\_\_\_

# AGREEMENT FOR COMMUNITY CHOICE AGGREGATION SERVICES

## EXHIBIT A

### 1. Term of Agreement

*This Agreement shall terminate December 31, 2026.*

### 2. Launch Date for Electric Service

*CCP shall launch electric service to Community no earlier than December 1, 2015 and no later than April 1, 2016. Determination of the exact launch date within this range shall be at the sole discretion of CCP.*

### 3. Electric Energy Portfolio

*On an annual basis and as defined under California laws and regulations, Community shall receive no less than 33% Category 1 Renewable Energy and shall achieve an annual greenhouse gas emissions factor related to CCA electric procurement at or below Pacific Gas and Electric Company. On an annual basis, Community's CCA electric portfolio shall include renewable energy resources located within Community's jurisdictional boundaries.*

### 4. Rates

*Community CCA customers shall receive an average of 2% off of total electric bills, calculated based on Pacific Gas and Electric Company (PG&E) electric rates in effect on January 1 of each year. No later than March of each year, CCP shall provide to Community an update of rates based on the PG&E January 1 rates (Annual Rate Update). CCA customers shall be offered electric rate schedules consistent with the electric rate schedules offered by PG&E. To the extent PG&E changes these rate schedules, CCP shall update the rate schedules during the Annual Rate Update.*

### 5. Public Benefit Payment to Community

*Separate from any rates charged to Community CCA customers, CCP shall make Public Benefit Payments to Community totaling \$2,000,000 annually. The first \$500,000 payment shall be paid to Community immediately following the effective date of the Ordinance and the execution of this Agreement. The second \$500,000 payment shall be paid to the Community on or before April 1, 2016. Thereafter, beginning the first day following the second calendar quarter following the launch of electric service to the Community, the Community shall be paid in equal installments every first day following each calendar quarter.*

Email from Susan Gorin, Sonoma Supervisor.

I am attending the CSAC Legislative Conference and talking with supervisors from Mendocino, Humboldt and Lake Counties.

It came to my attention just last weekend, thank you Mark Landman, about rapid action on the part of California Clean Power. They have been talking with those three counties about their version of a CCA - my name for their proposal is "take the money and run" - but this may be somewhat uncharitable.

But here is a brief summary about what they are offering these Counties:  
Customers would receive 2% lower rates  
Same renewable mix as PG&E  
Some \$\$ to the Counties general fund - really attractive to those cash-strapped Counties  
CCP would provide Expertise and work to set up a CCA with those three Counties

And presumably CCP would reap all of the profits above the 2% and contribution to the GF.

I have many concerns about this, but to offer this to these three Counties without the staff expertise to really think this through, I believe is predatory. They are offering these terms for 30 days - take it or leave it.

I know that environmental community may continue to have concerns about SCP, but I would encourage you to outreach to environmental organizations in these three Counties and have them start to talk with their supervisors immediately. This proposal is a huge disservice to those ratepayers, and I suspect they will be furious when they find out about this backroom conversation - with little or no conversations with the communities.

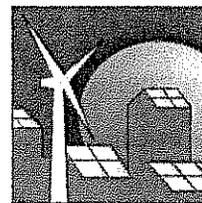
Humboldt Board just gave the go-ahead for them to finalize a deal with CCP yesterday. I believe Lake County may have done the same. This item is coming before Mendocino June 9th or 16th.

I've talked with Carrie Brown of Mendocino, and I believe that Mark Landman may have talked with Dan Hamburg.

Is there something we can do to slow this down, renegotiate with CCP or at least talk with the Counties about alternative models.

# Taking Community Out of Community Choice

**Why California Clean Power Might Not Be  
the Right Choice for Your Community**



**LOCAL  
CLEAN  
ENERGY  
ALLIANCE**

June 2015

## Introduction

California Clean Power (CCP) is a new company that offers cities and counties a “QuickStart” solution to establishing and managing a Community Choice energy program. CCP’s purported “turnkey” solutions include regulatory filings, financing, energy procurement, and customer relations, among others.

CCP’s efforts to secure contracts with municipalities and some counties have garnered a great deal of concern among Community Choice advocates. This memo summarizes those concerns and is intended to be used by local Community Choice activists who want to educate their communities and local elected officials about potential downsides of retaining CCP’s services.

The memo is based on information from the following sources:

- \* The presentation by CCP on its [website](#)
- \* An April 1, 2014 [presentation to the Arcata City Council](#) (Item IX.A)
- \* A written [presentation](#) to Lake County Board of Supervisors
- \* A [draft contract](#) between CCP and Lake County
- \* Information provided by concerned citizens and Community Choice advocates

Since its formation in late 2014, CCP has, as of this writing, approached at least 13 municipalities and counties with its turnkey Community Choice solution, in some cases, pressuring them with a “take it or leave it” deal that must be consummated within 30 days. CCP has generally approached jurisdictions that have barely begun to consider Community Choice and know relatively little about it. CCP offers them what the company claims is a “no-risk,” comprehensive Community Choice management package with guaranteed revenue for their general funds, a value proposition that is very attractive to cash-starved jurisdictions.

CCP’s promotional presentations to these jurisdictions have put forth a number of questionable or misleading claims intended to entice, intimidate, and/or rush them into retaining CCP without appropriate due diligence or competitive bidding. Examples of these misrepresentations can be found below, but most involve hyping the risk of Community Choice programs, disparaging the competence and credit-worthiness of local governments, and promising windfalls to their general funds.

Beyond these dubious practices, however, CCP represents the outsourcing of Community Choice program management to a for-profit company. Many find this undermines the basic premise of Community Choice as a not-for-profit, democratically-run program that provides communities with clean energy, electricity demand reduction, and local economic benefits and job development. Hiring a for-profit private company to manage the program effectively takes the “community” out of Community Choice and essentially re-privatizes the electricity sector just when Community Choice has been shown to be a viable public alternative to the corporate utilities’ century-long stranglehold.

## Concerns Regarding California Clean Power

### 1. CCP takes the “community” out of Community Choice.

California’s Community Choice Aggregation law, AB117, allows for municipalities and other jurisdictions to offer residents and businesses a public, not-for-profit alternative to the private monopoly utilities. Community Choice energy programs open the way for public participation in the design of the program and oversight of decisions made. Community members have input into the objectives of the program, sources of electricity, rates, and program design for local renewable energy.

As a public service program, Community Choice can prioritize the public good, utilizing energy wealth for local economic benefits. Outsourcing control of a Community Choice energy program to a private, for-profit company undermines that fundamental premise.

Though CCP claims that communities can still make all the decisions, these decisions will be constrained by contractual terms, which reflect the financial interests of CCP.

### 2. CCP presents a conflict of interest with the community.

One of the main benefits of Community Choice is that net electricity revenues can be reinvested in the program to provide benefits to the community rather than siphoned off into corporate coffers. CCP’s business model provides for CCP to prioritize its company interests and return only a percentage of net revenue to the Community Choice program.

In this way CCP’s financial interests as a marketer of electric power are in conflict with the community’s interest in low rates, quality energy efficiency services, and a renewable energy portfolio that prioritizes local energy resource development. The more electricity CCP sells and the higher the rate, the more CCP profits; it has little incentive to promote energy efficiency or incentivize local “behind-the-meter” rooftop solar.

It’s worth noting that, whereas CCP has been promising communities a rate savings of 2-3% over the incumbent utility, Sonoma Clean Power’s customers enjoy rates that are 6-9% below PG&E’s. The discrepancy is attributable to the fact that Sonoma Clean Power serves public interests, whereas CCP is profit-driven.

Another conflict of interest arises from CCP’s interest in structuring the program so as to front-load profits during the early years of a Community Choice program (that is, for the duration of CCP’s contract), while the community has an interest in the program’s long-term viability, which favors investment in the development of local renewable energy resources that pay off in the long term.

### 3. CCP is not “zero cost”

CCP tells municipalities and other jurisdictions that they “don’t have to spend a dime,” that they can avoid the up-front costs of establishing a Community Choice program. However, these recoverable one-time costs shouldn’t be confused with the much larger ongoing costs of paying a for-profit company to run the program. Outsourcing program management to a private entity for as much as ten years represents the potential for ongoing lost revenue for the Community Choice program, dwarfing any start-up costs that are avoided.

#### **4. CCP's business model is unproven and risky.**

CCP is attempting to sign three, five and ten year contracts to manage Community Choice programs, including electricity procurement, with no track record of successfully providing this kind of service. By contracting with CCP, a municipality would open itself up to several risks, including the risk of CCP failing to deliver or folding. For example, should CCP fail to procure power at costs sufficiently below the Community Choice contracted retail price, and as a result go bankrupt—a distinct possibility in the highly volatile energy market—then ratepayers would be left holding the bag, paying these higher market rates for the six month delay in reverting back to the incumbent investor-owned utility.

Based on such possibilities, San Mateo County is wisely conducting a risk analysis concerning the prospect of outsourcing program management.

None of the three existing California Community Choice programs have outsourced all program management. However, they do contract out certain functions where expertise is an issue; for example, parts of electricity procurement. CCP itself contracts with electricity retailer Noble Americas Energy Solutions. A Community Choice program can directly contract with Noble or another energy supplier and cut out the middleman (CCP).

The boards of directors and agency staff of Sonoma Clean Power and Marin Clean Energy, by hiring qualified public servants, have proven to be extremely capable of managing these programs, maintaining high customer participation rates, and achieving significant environmental and economic benefits for their communities while keeping rates below PG&E's.

#### **5. CCP is not committed to reducing electricity demand.**

One of the big advantages of Community Choice programs is their potential to decrease electricity consumption through a combination of load-shaping, peak pricing, demand reduction technologies, and energy efficiency products and retrofits. However, demand reduction does not seem to be on CCP's radar, nor does it appear to have in-house expertise to carry out what should be the cornerstone of any sensible Community Choice program. As mentioned earlier, reducing demand is not in CCP's interest as a marketer of electric power.

#### **6. CCP would likely purchase unbundled RECs to claim renewable energy content.**

CCP is principally a marketer of electric power. Its leadership team shows no significant experience in the development of clean energy-generating projects, neither local nor remote, and it has barely mentioned this essential component of Community Choice in its presentations to local elected officials. Rather, its energy supply will be purchased on the market and sold to Community Choice program customers.

CCP promises to deliver 33% clean energy at the launch of a Community Choice program, five years ahead of the 2020 state Renewable Portfolio Standard (RPS) mandate. Since CCP makes no promise of developing local or remote renewable generation capacity and its profit margins will depend on keeping the cost of purchased electricity low, it is likely that any renewable energy they claim above the current RPS requirements will consist of a high percentage of unbundled Renewable Energy Certificates (RECs). In other words, that extra "renewable" energy will actually consist of fossil fuel derived electricity that has been green-washed with unbundled RECs (For an explanation of unbundled RECs and their relevance to Community Choice procurement, see *What the Heck is a REC?*).

## 7. CCP makes questionable or misleading claims.

Municipalities should conduct due diligence to verify CCP's claims which lack detail and can even be contradictory.

For instance, CCP presentations to Arcata and Lake County have emphasized the ability of municipalities or counties to make decisions regarding energy supplies and programs after contracting with CCP, but the draft contract for Lake County makes no mention of this decision-making role. Rather, the contract includes the following clause, "Community expressly authorizes CCP to act on its behalf and as its sole agent in performing and providing CCA Services."

CCP "guarantees" rates 2-3% below PG&E's rates and specifies payments to the general funds of the contracting jurisdictions. But those guarantees and payments to general funds would clearly depend on choices that CCP claims municipalities are free to make. For instance, CCP does not mention how varying renewable energy portfolios might affect such "guarantees."

CCP claims that the money they pay to the participating city or county "can be a new source of revenue for funding community programs or enhancing critical service budgets," implying that such payments would go into the jurisdiction's general fund. However, there are legal, ethical, and political questions about whether such a kickback to the general fund is advisable.

Transferring surplus utility revenues to a municipality's general fund has been challenged by ratepayers in court. Aside from the legality, such a maneuver is likely to raise the ire of local ratepayers who don't want their electricity payments subsidizing their jurisdiction's general fund. This could engender hostility toward a Community Choice program even before it launches.

CCP emphasizes the risk to municipalities or counties of establishing Community Choice programs. However, MCE Clean Energy has been in operation for five years and Sonoma Clean Power for one year, and both programs are solvent. Neither program co-mingles the finances of the Community Choice program with the general funds of participating jurisdictions.

CCP material emphasizes the benefits of municipalities going it alone in the formation of Community Choice programs rather than forming a Joint Powers Authority (JPA) with other jurisdictions. In their presentation to the Arcata City Council, CCP made the false claim that if a JPA fails the burden falls on the participating municipalities. In fact, formation of a JPA to administer a Community Choice program provides a firewall between the financial operations of the Community Choice program and the general funds of the participating jurisdictions.

Though CCP claims that it takes on all the risk of a Community Choice program, it is not clear that the general fund of a participating city or county would be protected if CCP went bankrupt, not to mention the potential impact on ratepayers.

CCP also claims that finding financing to cover the cost of electricity before rate-payer revenues come in can be very difficult. However, Sonoma Clean Power, only the second Community Choice program to form in California, had multiple lenders competing to cover this cost, and the agency is paying off the loan in roughly a year's timeframe.

## 8. Sound too good to be true? Ask some questions.

Here are some questions that any community should ask in considering a contract with CCP.

- What profit margin does CCP expect to make, and what margin would be required for CCP to stay in business?
- What is the detailed budget? Can CCP provide a pro forma?
- CCP makes 10 year projections on energy costs, but the energy market is notoriously volatile. How can CCP guarantee benefits for a 10 year contract period, when market conditions might render that agreement unprofitable?
- Why is there no mention of a reserve fund or other hedges against market volatility?
- What happens to the municipality or county—and to ratepayers—if CCP is forced to declare bankruptcy?
- What kind of public oversight is there over CCP's handling of program finances?
- How do decisions about renewable portfolio content affect electricity rates?
- How does CCP plan to engage in energy efficiency work?
- How does CCP plan to develop local renewable energy resources?

## 9. The process for selecting a company to manage all or parts of the program should be competitive and unhurried and should include community input.

A contract to provide electricity services to a municipality or other jurisdiction should be entered into only after consideration of multiple bids submitted pursuant to a Request for Proposal (RFP). In fact, many cities and counties are required by local ordinance to solicit bids through a RFP before entering a contract. (See eg. Alameda County).

CCP has been pressuring local elected officials to make a hurried decision to engage CCP, in at least one instance threatening to withdraw its offer within 30 days. Municipalities should take time for thorough due diligence concerning CCP's promises and expertise.

CCP's offer of a free feasibility study presents yet another opportunity for promoting its self-interest. It would violate good management practices, and therefore the public trust, for any jurisdiction to retain as managers of a Community Choice program the same firm that conducted the feasibility study for that program.

Finally, municipalities should engage local stakeholders, including businesses, organized labor, residents, campuses, and community and environmental groups in the process of defining program goals, deciding whether or not to outsource program management and, if deemed desirable, selecting the appropriate firm to manage the program.

TOWN OF PORTOLA VALLEY

COMMUNITY CHOICE PROGRAM

**FEASIBILITY REPORT**

JUNE 2015

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# 1. INTRODUCTION

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Community Choice Aggregation (CCA) is feasible. Community Choice programs are operating successfully in California and in other states. Feasibility reports were done for many of these programs prior to launching; now, existing programs have proven out the benefits of Community Choice for residents and businesses, the environment, and the economy.

Because of this, the analysis of CCA feasibility is different today. In the next generation of Community Choice programs, communities must decide how their program should function, not whether it can function. Successful Community Choice programs have spurred innovation in how to approach program operations and program services. By law, all Community Choice programs in California must be government programs, without exception, but each community may choose how to staff and support its program, along with the suite of services the program will provide for its residents.

Because of the collective experience with Community Choice in California, the intent of this feasibility report is to provide an overall context and support for Community Choice. This document will also provide foundational information on Community Choice, an analysis of recent electrical load data of Portola Valley in relation to current markets and future projected markets, and will provide different approaches to establishing a Community Choice program in Portola Valley. When structured appropriately, with thoughtful risk management strategies and skilled expertise responsible for daily operations, the operational risks and financial risks of a Community Choice program can be mitigated significantly, and the benefits are real.

## 2. COMMUNITY CHOICE - HISTORY & BACKGROUND

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### 2.1. History of Public Power in California

California has a long and robust tradition of publicly owned electric utilities (“POUs”). Some California POUs have been in operation since as early as 1887, and currently approximately 46 POUs<sup>1</sup> serve close to 25%<sup>2</sup> of all of California’s electric consumption. These public entities

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<sup>1</sup> Information excerpted from: California Energy Commission

represent the entire spectrum of California communities, ranging from the largest provider, Los Angeles Department of Water and Power (LADWP), which is California's third largest electric utility, to the City of Biggs Electric Utility, which serves a population of approximately 1,700 citizens.

The benefits of a government run enterprise, such as access to tax exempt financing, exemption from federal taxation and no need for a profit margin, give most California POUs a considerable advantage over investor owned electric utilities ("IOUs") such as Pacific Gas and Electric Company (PG&E), Southern California Edison (SCE) and San Diego Gas & Electric (SDG&E).

Investor owned utilities have substantially increased their electricity rates in recent times. In 2014, SCE raised its residential rates by 8%; in 2015, PG&E raised its electricity rates by 5.9% and SDG&E is planning to increase its rates by 7.5% in 2016. POUs as a group have a comparatively excellent record of providing lower and more stable prices to their communities, making them a highly attractive alternative to IOUs.

Around the beginning of the 20th century, there were over 4,000 individual electric utilities, each operating in isolation. Almost all of them used low-voltage, direct current (DC) connections from nearby generating power plants to the distribution lines serving their local customers. The power industry soon began to favor the adoption of alternating current (AC) technology, which can transmit electricity over longer distances than direct current. The more widespread use of AC electricity allowed the industry to build larger power plants that did not need to be located close to the utilities' customers.

As the demand for electricity grew, particularly in the post-World War II era, electric utilities found it more efficient to interconnect their transmission systems. This enabled utilities to share the benefits of building larger and often jointly owned generating units to serve their combined electricity demand at the lowest possible cost. Interconnection also reduced the amount of extra capacity that each utility had to hold to ensure reliable service. Over time, three large

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[www.energy.ca.gov/sb1/pou\\_reports/Publicly\\_Owned\\_Utility\\_Company\\_Programs.pdf](http://www.energy.ca.gov/sb1/pou_reports/Publicly_Owned_Utility_Company_Programs.pdf)

2 The Clean Energy Race. Wisland, Laura and Haya, Barbara. Union of Concerned Scientists (2012). [www.ucsusa.org/sites/default/files/legacy/assets/documents/clean\\_energy/The-Clean-Energy-Race-Full-Report.pdf](http://www.ucsusa.org/sites/default/files/legacy/assets/documents/clean_energy/The-Clean-Energy-Race-Full-Report.pdf)

interconnected systems evolved in the United States because growing demand and the accompanying need for new power plants provided an increasing need for higher voltage interconnections to transport the additional power longer distances. Today, these three large interconnected systems separately serve the eastern and western halves of the United States and Texas.<sup>3</sup>

Most POU, however, were established many years ago and the emergence of new POU or the expansion of existing territory has been virtually non-existent in recent times. The inability to expand POU service is largely due to the difficult process of municipalization, which includes incurring the cost of either building or acquiring electric facilities that include miles of transmission and distribution wires, substations, generation facilities, metering equipment for every customer, and vast amounts of other infrastructure such as computer systems, service trucks, and call centers.

## 2.2. California Energy Crisis

In 1998, California deregulated the electricity industry through AB 1890, giving all electric consumers served by the IOUs the ability to purchase electric generation from any supplier. The act was hailed as a historic reform that would reward consumers with lower prices, reinvigorate California's then-flagging economy, and provide a model for other states.<sup>4</sup> Referred to as Direct Access (DA), the law required the IOUs to allow third party electric generation suppliers to use all of the existing IOU equipment to deliver, meter and bill for their alternative electricity supply. In many ways, DA is similar to how the telecommunications industry was deregulated, allowing third party providers to use the wires of the telephone companies. Most of the customers who opted for DA paid significantly less for alternative electricity supply, and some opted for energy that had more renewable content.

While the causes and contributing factors to the energy crisis in California in 2000-2001 are manifold and complex, virtually all observers saw the State's deregulation plan as a failure and a

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3 Information excerpted from: The US Energy Information Administration [www.eia.gov/energy\\_in\\_brief/article/power\\_grid.cfm](http://www.eia.gov/energy_in_brief/article/power_grid.cfm)

4 The California Electricity Crisis: Causes and Policy Options. Weare, Christopher. Public Policy Institute of California. (2003).

major reason for the crisis.<sup>5</sup> Following the California energy crisis in 2000, existing Direct Access customers were allowed to continue service from alternative providers, but, with the exception of small annual increments over the previous four years, no new Direct Access is currently permitted.

In the aftermath of the energy crisis, California passed the Community Choice Aggregation law Assembly Bill (AB) 117, recognizing both that the suspension of Direct Access removed a valuable alternative to the very difficult process of municipalizing and that POUs weathered the energy crisis better than the IOUs.

### 2.3. Community Choice Aggregation (CCA), Assembly Bill 117

In 2002, Community Choice Aggregation (AB 117) was signed into law. Community Choice Aggregation (CCA, sometimes referred to as Community Choice Energy – CCE – or simply Community Choice) enables California’s cities and counties, together under a Joint Powers Authority (JPA) or individually, to supply electricity to customers within their borders. A defining feature of AB 117 is that the IOU continues to own and operate the electric distribution system and provide metering, billing, credit and collection, call center and other customer service functions. In addition, AB 117 and subsequent legislation (SB 790), also established structures to encourage cooperation and to strictly regulate IOU opposition to communities attempting to establish, or already operating, a Community Choice program.

Unlike DA under AB 1890, which required each customer to specifically choose non-IOU service (“opt-in” to Direct Access), AB 117 gave communities in California the right to procure their own electric energy as an essential governmental function – like water, sewer, or garbage service. In this way, California established Community Choice as the “default” service. This means all utility customers within the established boundaries are automatically customers of the local government’s Community Choice program unless they “opt-out” of the program.

While Community Choice has similarities to local power through POUs, a fundamental difference exists in ownership of critical energy grid and other infrastructure, as explained above. Unlike a POU, such as the LADWP or the Sacramento Municipal Utility District (SMUD),

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<sup>5</sup> Causes and Lessons of the California Electricity Crisis. Congressional Budget Office (2001).

a Community Choice program does not own the transmission and delivery systems (i.e., the poles and wires). Instead, a Community Choice program is responsible for providing the energy commodity (i.e., the electric energy itself) to its participants, which may or may not entail ownership of electric generating resources.

## **3. COMMUNITY CHOICE - OVERVIEW & LANDSCAPE**

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### **3.1. Proven Benefits**

The benefits of Community Choice have been discussed at the conceptual level and proven out in practical terms by existing programs. At the most basic level, these benefits can be organized into the three categories of environmental, economic, and local control.

#### **3.1.1. Environmental Impact**

In the category of environmental impact, particularly within California, Community Choice can increase the use of renewable energy, increase the market demand for new renewable energy projects within the state, and provide a new avenue for smaller-scale local renewable projects. Because of this, in part or in combination, Community Choice can be one of the most significant strategies to meet a community's greenhouse gas (GHG) reduction goals. Collectively, therefore, Community Choice can also help to meet the State's GHG reduction goals.<sup>6</sup>

The increase in renewable energy use arises from the community's ability to establish a renewable portfolio as a baseline service level or premium level that exceeds that of the IOU. Although subject to market price realities, existing Community Choice programs, along with analysis of potential Community Choice programs, bares out this point.

While sufficient renewable power currently exists to meet market demand within the State, over the long-run, an increasing market demand for renewable power through Community Choice programs will necessarily encourage the development of additional large-scale projects and clean energy jobs to meet the growing demand. In addition, communities interested in local

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<sup>6</sup> California Governor Jerry Brown issued an executive order to reduce GHG levels by 40 percent below the 1990 levels by year 2030. (April 29, 2015) <http://gov.ca.gov/news.php?id=18938>

generation projects can leverage Community Choice program revenue to create new projects or provide a stimulus to expand existing community projects in the short run.

### **3.1.2. Economic Impact**

In the category of economic benefits, a fundamental characteristic of Community Choice is that revenue paid by ratepayers for energy generation stays within the community rather than going to the IOU. Numerous studies have demonstrated that keeping revenue local, for example, shopping at locally owned markets, has a profound economic impact on the community. Further, if program revenues are leveraged to invest in local projects, as noted above, those investments can have a positive job-creation impact.

Because Community Choice can lower electricity rates as well as potentially stabilize those rates for years, the economic benefits extend to daily savings for individuals, businesses, and governments as well. Depending on energy use and specific rate reduction, these bill savings can be minimal to significant. Moreover, Community Choice programs have the ability to target rate reductions to attract business growth in their community or provide larger reductions to low-income residents.

### **3.1.3. Local Control**

In the category of local control, regardless of how the program is structured or operated, Community Choice delivers a level of public participation and control that is not currently available through an IOU. Implicit to this control is the introduction of consumer choice, providing residents and businesses with a choice to support the locally constructed program or remain with the IOU's service – a choice that does not exist without the formation of a Community Choice program.

Community Choice programs are required to have a governing board, with all of the public decision making processes and assurances required of government agencies. Because of this, no matter how the community staffs or provides for daily operations of the Community Choice program, key policy decisions are necessarily within the public domain.

## **3.2. Existing Community Choice Programs**

As of the date of this report, there are two successfully operating Community Choice programs in California, Marin Clean Energy (MCE) and Sonoma Clean Power (SCP). The City of

Lancaster is nearing an official launch date.<sup>7</sup> As the benefits of Community Choice are proven through successful operation of MCE and SCP, a growing number of jurisdictions in California are evaluating in concept or taking active steps in pursuing Community Choice. Indeed, when considering the individual participating jurisdictions just within MCE and SCP, there are over 20 local communities enjoying the benefits of Community Choice in California.

Founded in 2010, MCE, operated by the Marin Energy Authority, a Joint Powers Authority (JPA), is the first operational Community Choice program in the State. MCE was introduced in phases. The first phase included about 8,000 Marin accounts made up of residential, commercial, and municipal customers. In August 2011, MCE enrolled another 5,500 Marin accounts, the majority of which are residential, with a small number of commercial accounts. MCE completed Marin customer enrollments in July 2012 and began offering electric service to Richmond customers in July 2013, then to unincorporated Napa County, and the cities of Benicia, El Cerrito, and San Pablo, in 2015.

Currently, MCE provides three options of renewable power at varying rates. The baseline service level includes 50% renewable power. Two optional service levels are also available: 100% renewable (called “Deep Green”), and 100% local solar (called “Local Sol”) at premium rates above baseline. Currently, SCP provides two options of renewable power for varying rates. The baseline service includes 33% renewable power (“Clean Start”), with an optional 100% renewable power (“Evergreen”) available at a premium rate.

Like MCE, SCP is a government agency, independently run by a JPA comprised of Sonoma County and all cities within the County, excluding the City of Healdsburg, which operates a municipal power provider.<sup>8</sup> Unlike MCE, SCP has focused its service area within the jurisdictional boundaries of Sonoma County.

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<sup>7</sup> For additional information on services, program documents, financial information, and organization see: Marin Clean Energy [www.mcecleanenergy.org](http://www.mcecleanenergy.org); Sonoma Clean Power [www.sonomacleanpower.org](http://www.sonomacleanpower.org); and Lancaster Choice Energy [www.lancasterchoiceenergy.com/index.php](http://www.lancasterchoiceenergy.com/index.php). The Kings River Conservation District on behalf of San Joaquin Valley Power Authority (SJVPA), also explored establishing a Community Choice program.

<sup>8</sup> Participating cities include Cloverdale, Cotati, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, and the Town of Windsor.

Both MCE and SCP have set the current baseline service rate below that of the IOU, PG&E. In addition, both have offered energy efficiency programs to customers. Reflecting the rates and program offerings, both MCE and SCP have strong support within their respective service areas with differing, but low “opt-out” rates.

Over the prior two years, the City of Lancaster has examined Community Choice, leading to the development of a stand-alone program, Lancaster Choice Energy. Currently, the City anticipates launching the program in a phased approach starting with municipal buildings in May 2015, moving to commercial accounts in late 2015, and then residential service in late 2016. Based on its approved implementation plan, Lancaster Choice Energy will target 35% renewable power as its baseline service.

### 3.3. Community Choice Programs in Other States

In addition to California, five other states have state law authorizing Community Choice, also referred to as Municipal Electricity Aggregation in other states. These states are: Illinois, Massachusetts, Ohio, Rhode Island, and New Jersey. Illinois is leading the nation with more than 700<sup>9</sup> communities setting up Municipal Aggregation programs. At the date of this report, there is pending legislation advocating for Community Choice in a limited number of other states.

While Community Choice in California has embraced a distinct goal to increase renewable power generation and use, the goals of some of other programs are not necessarily in alignment with those of California’s efforts, and are instead primarily focused on decreasing rates.<sup>10</sup> However, despite the different goals, the successful operation of programs in other states further demonstrates the feasibility of Community Choice.

Each of the existing Community Choice programs in other states offers illumination of California's efforts. Illinois has focused its efforts on decreasing rates and has experienced wide adoption by local governments, including the City of Chicago, suggesting that participation is

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9 Information excerpted from Plug In Illinois: [www.pluginillinois.org/MunicipalAggregationList.aspx](http://www.pluginillinois.org/MunicipalAggregationList.aspx)

10 Some Community Choice programs in other states have advanced significant renewable energy projects.

highly influenced by rate setting. Programs in Massachusetts have spurred local generation projects, providing for new solar projects throughout Cape Code and Martha's Vineyard.<sup>11</sup>

## 4. FORMATION PROCESS

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### 4.1. PROGRAM REQUIREMENTS

There are specific legal requirements for establishing Community Choice, as well as operational considerations that will take on varying importance depending on community priorities. The legal requirements for establishing a Community Choice program are detailed in California Public Utilities Code (CPUC), primarily Section 366.2<sup>12</sup> but also in other California statutes and CPUC decisions and guidance.

#### 4.1.1. Discretionary Steps

Existing programs have undertaken a range of public engagement efforts, some extending multiple years. Some of these additional activities have included resolutions of support from city councils, holding public forums and town hall style educational forums, conducting feasibility studies, and establishing community advisory boards. Much of this work is intended to educate and inform residents and businesses as Community Choice programs had not yet been or had only recently been established.

Aside from the straightforward requirements listed below, a community's desire to take these discretionary pre-formation steps will depend greatly on local community expectations and conditions, as well as the community's budget as these activities can require significant resources. While good government practice includes measures of public engagement, Community Choice is growing in familiarity within California and provides direct benefits to the government and the community.

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<sup>11</sup> For a brief summary of Community Choice programs by State, see The National Conference of State Legislatures <http://www.ncsl.org/research/energy/community-choice-aggregation.aspx> and LEAN Energy US <http://www.leanenergyus.org/cc-by-state/>

<sup>12</sup> Public Utilities Code (PUC Section 360-380.5): <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=puc&group=00001-01000&file=360-380.5>

#### 4.1.2. Required Steps

Below is a description of the essential requirements for establishing a Community Choice program:

1. Under nearly all circumstances, once a governing board – such as a City Council or a Board of Supervisors – is prepared to move forward with establishing a Community Choice program, the first step is to pass an ordinance consistent with the PUC Section 366.2(c)(12).
2. After the ordinance is passed, the next step is the preparation of a Community Choice Implementation Plan and a Statement of Intent for submission to the CPUC.<sup>13</sup> Pursuant to PUC Section 366.2(c)(3), the Implementation Plan must ultimately be considered and adopted at a duly noticed public hearing of the Community governing body and shall contain all of the following:
  - An organizational structure of the program, its operations, and its funding.
  - Rate setting and other costs to participants.
  - Provisions for disclosure and due process in setting rates and allocating costs among participants.
  - The methods for entering and terminating agreements with other entities.
  - The rights and responsibilities of program participants, including, but not limited to, consumer protection procedures, credit issues, and shutoff procedures.
  - Termination of the program.
  - A description of the third parties that will be supplying electricity under the program, including, but not limited to, information about financial, technical, and operational capabilities.
3. Pursuant to PUC Section 366.2(c)(4), the Statement of Intent must state that the Community Choice program will provide for the following:
  - Universal Access.
  - Reliability.

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<sup>13</sup> For information related to Implementation Plans and Statements of Intent, see:

[http://www.cpuc.ca.gov/PUC/energy/Retail+Electric+Markets+and+Finance/070430\\_ccaggregation.htm](http://www.cpuc.ca.gov/PUC/energy/Retail+Electric+Markets+and+Finance/070430_ccaggregation.htm) as well as MCE <http://www.mcecleanenergy.org>; Sonoma Clean Power <https://sonomacleanpower.org>; and Lancaster Choice Energy [www.lancasterchoicenergy.com/index.php](http://www.lancasterchoicenergy.com/index.php)

- Equitable treatment of all classes of customers.
  - Any requirements established by state law or by the commission concerning aggregated service, including those rules adopted by the commission [CPUC] pursuant to paragraph (3) of subdivision (b) of Section 8341 for the application of greenhouse gases emission performance standard to community choice aggregators.
4. Concurrent with the preparation of the CPUC submissions, a Community Choice service agreement is executed with the IOU, and a bond or collateral is posted in accord with the IOU service agreement. As indicated in PUC Section 394.25(e), a “re-entry” bond, which is currently set at \$100,000, must be posted with the CPUC to cover costs related to the involuntary return of a community from Community Choice service to utility service.
  5. Executing the IOU service agreement concurrently with work on the Implementation Plan and Statement of Intent is advised because the service agreement must also be submitted to the CPUC. Following the adoption of the Implementation Plan and Statement of Intent, the execution of the utility service agreement along with posting of a bond or collateral with the utility, and the posting of the re-entry bond with the CPUC, the Community Choice program must also formally register with the CPUC.
  6. After all the submissions are deemed complete and sufficient, pursuant to PUC Section 366.2(c)(7), the CPUC has 90 days to certify the receipt of all needed Community Choice submissions, thereby allowing the program to begin service to customers. Consistent with CPUC Decision 05-12-041, the CPUC does not “approve” or “reject” the Implementation Plan, but rather assures that the Community Choice plans and program elements are consistent with law, regulations and CPUC rules designed to protect customers. The CPUC also determines the appropriate costs, known as the Power Charge Indifference Adjustment (PCIA), to be assessed Community Choice customers. Because electric energy is frequently secured through long-term commitments, the essential purpose of the PCIA is to ensure that customers that continue to receive utility electric energy do not pay over market costs that would otherwise be paid by the departing Community Choice customers.

Completion of all of the above requirements officially establishes the Community Choice program. However, any Community Choice program must also consider the necessary day-to-day activities that are needed to operate a successful program. Broadly categorized, these activities include power procurement and scheduling; financing; regulatory and compliance; customer service and billing; policy and advocacy; and general administration.

## 4.2. Procurement and Scheduling

Related to power procurement and scheduling, prior to launching service, a number of operational functions must be established. Power procurement and scheduling are inextricably linked in that they reference the act of securing power for customers, and that the electric usage of customers is matched with scheduled power.

From both a cost and core service perspective, procurement and scheduling as functions of a Community Choice program hold perhaps the greatest magnitude. For example, power procurement and scheduling related costs could represent 90% of total Community Choice expenses. Considerable cash, collateral or equivalent are needed to securitize power purchasing, and highly experienced professionals should oversee power procurement and scheduling. Depending on the size of the community, the security can range from the low millions of dollars to many millions of dollars. A relationship must also be established with the California Independent System Operator to deliver power to customers (CAISO).<sup>14</sup>

Implicit in the discussion of power procurement is the need for sufficient financing to purchase power as well as sufficient resources to fund the infrastructure needed to operate the Community Choice program itself. The precise amount of financing needed will depend greatly on several variables, such as the size of community and amount of power needed, collateral requirements of power sellers, desired size of program staff and infrastructure. The experience of existing programs has shown this initial capital need to be in the multiple millions of dollars, which can eventually be recovered through successful operation of the program over time.

Related to regulatory and compliance activities, PUC Section 366.2(c) provides for noticing

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<sup>14</sup> The CAISO is an independent organization overseen by the Federal Energy Regulatory Commission (FERC) that serves as the impartial grid operator for the bulk of the state's power grid, and opens access to the wholesale power market that is designed to diversify resources and lower prices

requirements. Specifically, prior to launching service, a Community Choice program must provide written notices to all customers twice in the two months prior to the actual start of service and twice in the two months following the start of service. The notices must inform the customer of automatic enrollment in the Community Choice program, the terms and conditions of the services offered, and a mechanism for opting out of the Community Choice program.

A number of other ongoing regulatory and compliance requirements related to procurement (e.g. Resource Adequacy and Renewable Portfolio Standard), customer service (e.g. new and departing customers), and Community Choice in general (e.g. joint rate mailers) also apply. Assistance from highly experienced professionals is also needed in these areas, either as staff of the Community Choice program or via a contractual relationship to ensure the Community Choice program remains in compliance.

### 4.3. Billing

Another central operation to running a Community Choice program is to manage customer service and billing. On behalf of the Community Choice program, the IOU sends a standard bill to Community Choice customers for the electric energy portion of the total utility bill, and then remits the payments to the Community Choice program. The Community Choice program must collect the electric usage data from the IOU, compute the amount of the bill, and relay the billing information back to the utility for inclusion on the utility bill.<sup>15</sup>

### 4.4. Customer Service

While not required by law or regulation, Community Choice programs are well served by providing a customer service phone number and a website to assist customers in easily finding information about the program, choosing among the services provided by their community, or opting out of the program. The utility continues to process the vast majority of electric service related customer service inquiries since few functions are entirely within the domain of the Community Choice program. For this reason, providing easily accessible information via telephone and online resources in order to address topics that are strictly within the Community

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<sup>15</sup> The Community Choice program pays the IOU a per-account fee for the billing and related account services. An alternative option is to pay the utility an additional amount per account to compute the bills on behalf of the Community Choice program

Choice program's purview promotes good will and best customer service practices.

## 5. RISKS & CONSIDERATIONS

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### 5.1. Policy Support and Advocacy

While not absolutely critical, policy support and advocacy regarding issues of importance to Community Choice programs is highly advisable. Due to the considerable Community Choice regulatory and compliance requirements, understanding, tracking and responding to changes in these areas is important to the long-term wellbeing of Community Choice programs.

Prior efforts to establish Community Choice provide a view of the legislative and advocacy landscape in California. Indeed, networks of community activists, non-profit organizations, local governments along with Marin Clean Energy and Sonoma Clean Power, engaged in a number of advocacy efforts to help establish and protect Community Choice as a successful and viable model for local electricity services. Just as it has been important to early success, strong coordination and participation in this area is important to the long-term success of Community Choice.

Community Choice programs should also establish daily administrative and operational oversight of procurement and scheduling, regulatory and compliance, and customer service and billing. This function should include the typical administrative functions needed in most enterprises such as accounting, finance, clerical and information technology support.

### 5.2. Additional Programs and Services

Community Choice programs are not required to offer services in addition to the provision of electric energy. However, many communities may find additional programming and services desirable. Examples of additional programming and services include energy efficiency programs such as audits or rebates, feed in tariffs and Net Energy Metering (NEM) solar incentives, or leveraging the Community Choice program to encourage the development of small-scale generation projects within the jurisdiction. Administering these programs typically require staff support and coordination in addition to leveraging the Community Choice program's financial resources.

Each of these programs – those listed above or others – can be structured to meet community needs and priorities. There is growing innovation in this area within existing Community Choice programs as well as non-profit and entrepreneurial companies that are seeking opportunities to test new ideas and meet a demand for existing services.

### 5.3. Operational and Other Risks

There are several reports and studies that provide a discussion of operational risks associated with Community Choice.<sup>16</sup> While there is always some level of risk in establishing a Community Choice program – just as there is risk with any endeavor in the public or private sector – these reports call out key strategies to either eliminate or mitigate risks. Although there are various permutations of pre-launch, operational, and other risks, two primary themes arise in financial or market risk and regulatory or legislative risk.

The single greatest risk to any Community Choice program is financial, which is driven primarily by the volatility of the energy market. If energy prices exceed forecasts, leaving a Community Choice program with a revenue shortage, the program will likely need to raise customer rates to cover the shortage. Similar price risks can occur with scheduling that result in over or underestimation of the amount of electric energy needed to serve customers. If the estimate is significantly inaccurate, the Community Choice program can incur expenses related to the cost of buying or selling electric energy in Real-Time. These risks can also lead to unexpected migration of customers from the Community Choice program back to the utility (thereby decreasing the amount of forecasted revenue from customers).

Proper and prudent risk management strategies along with best management practices help to mitigate these risks. In addition, through Community Choice, local communities can help to further mitigate these risks by creating locally controlled generation projects. It should also be noted, as highlighted at the outset of this report, POU's, have generally been able to manage financial and market risks as successfully – if not more successfully by some measures – than

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<sup>16</sup> Report of the Feasibility of Community Choice Aggregation in Sonoma County, Dalessi Management Consulting/MRW Associates, October 2011; The City of Hermosa Beach: Assessing Community Choice Aggregation, UCLA, June 2014; Community Choice Aggregation Base Case Feasibility Evaluation, Navigant Consulting, May 2005; Community Choice Aggregation: The Viability of AB 117 and Its Role in California Energy Markets, UC Berkeley, June 2005; Community Choice Aggregation, Local Government Commission

the IOUs in California.

Changes to laws and regulations that impose additional burdens on the Community Choice may present a significant risk. In 2014, AB2145 proposed key changes, one of which was to remove the automatic opt-in status that would have dramatically impacted the viability of starting new Community Choice programs. AB2145 died on the California Senate floor, in no small part due to community advocacy that raised awareness of the bill's potential grave impact on the viability of Community Choice Aggregation. While it is impossible to determine what future regulation and legislation might be, the uncertainty is precisely why this remains an ongoing risk. Active and coordinated engagement with State policy makers and regulators, therefore, is an important mitigation strategy.

## **6. JURISDICTION LOAD ANALYSIS – PORTOLA VALLEY**

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Portola Valley has approximately 2,135 customer accounts across all customer classes and annual energy sales of approximately 26,199 MWh<sup>17</sup>. Town load patterns are influenced by two primary factors: customer class make-up and climate. As the table below shows, Portola Valley has significantly higher residential load as a percentage of total load than that of PG&E's territory overall. Peak demand, which is an important metric used for reliability planning purposes as well as for allocating responsibility to procure Resource Adequacy (a compliance obligation of all CPUC-jurisdictional load serving entities), is approximately 5.5 MW.

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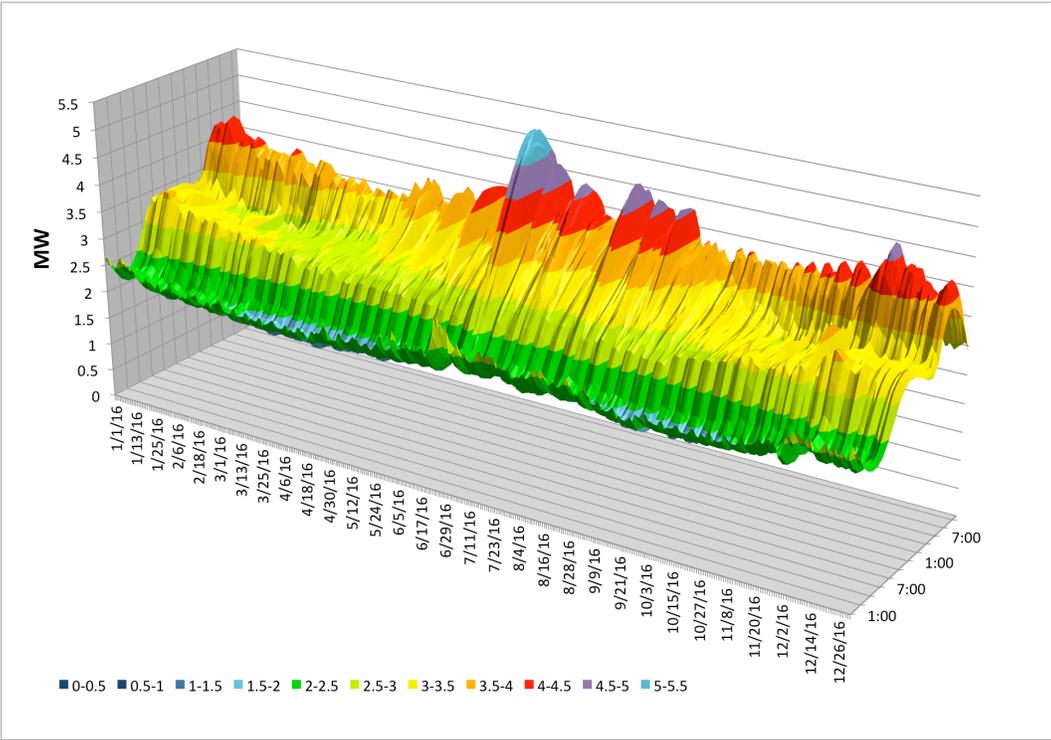
<sup>17</sup> The load analysis in this section is based on publicly available information, using load profiles of the PG&E service territory retrieved from PG&E's website and accounting for the specific make-up of residential and non-residential loads in Portola Valley retrieved from the San Mateo County Energy Watch website. This was necessary because Portola Valley specific load data was not received from PG&E before this report was prepared. Therefore, the analysis in this section should be considered to be based on preliminary projections.

**Table 1. Portola Valley Electric Load by Class, 2016 Projections**

<b>Customer Class</b>	<b>Number of Accounts</b>	<b>Energy Consumption (MWh)</b>	<b>% of Total Energy Consumption</b>	<b>% PG&amp;E Territory-Wide</b>
<b>Residential</b>	1,960	18,740	71.5%	40.1%
<b>Non-Residential, including: Commercial Industrial Agricultural Traffic and Street Lighting</b>	175	7,459	28.4%	59.9%
<b>Total</b>	2,135	26,199	100%	100%
<b>Peak Demand (MW)</b>		5.5		
<b>Average Demand (MW)</b>		3.0		
<b>Minimum Demand (MW)</b>		1.8		

Figure 1 below shows Portola Valley's hourly projected load profile for 2016. Generally, peak demand occurs in the summer, due largely to air conditioning load. Accurate and granular load forecasting is a critical function for procurement planning, compliance and risk management purposes. In addition to forecasting peak load, understanding minimum, or base-load, consumption supports procurement planning. Minimum load in Portola Valley is approximately 1.8 MW and generally occurs in early autumn during the overnight period from 2:00 a.m.-5:00 a.m.

Figure 1. Portola Valley Forecast Hourly Load, 2016



Daily load profiles in Portola Valley largely mirror those of the rest of Northern California, with a double peak in the winter season with a late-morning partial peak from commercial and residential daytime loads and an evening peak attributable primarily to lighting load. In the summer season, load grows steadily throughout the day with a single peak in the mid-afternoon due to heating, ventilation and air conditioning (HVAC) cooling load. Approximately the same amount of total energy is consumed in both the winter and in the summer, as shown in Table 2 below, but peak load occurs in summer months, with the lowest peaks in the springtime months.

Table 2. Portola Valley Total Energy and Peak Load, By Month

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
<b>Total Energy (GWh)</b>	2.28	1.99	2.05	1.97	2.11	2.30	2.37	2.35	2.11	2.14	2.16	2.36
<b>Peak Demand (MW)</b>	4.47	4.12	3.99	4.04	4.02	5.47	4.93	4.93	4.64	4.13	4.37	4.75

## 7. Procurement Requirements & Market Analysis

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This section will cover both the retail and wholesale electric power markets, in order to provide market context for a potential Portola Valley Community Choice program.

Evaluation of the retail rates of the incumbent utility is important for two primary reasons: First, to understand the feasibility of a Community Choice program, it is critical to consider the rates customers will pay if they choose to take service from the program's retail competition, the utility. Experience has demonstrated that relative retail rates are the largest drivers of customer decision-making on whether to participate in a Community Choice program. Rates that compare favorably will tend to drive high participation, allowing for greater confidence in load forecasting scenarios, reducing per-customer program costs and program risk. The second reason to evaluate retail rates, both historically and forward-looking, is to understand what options the community has for allocating program revenue among competing objectives (rate savings, targeted energy profiles, and funding streams for community benefit and programs).<sup>18</sup>

The second part of this Market Analysis section will cover wholesale market conditions for various electric power products (system energy, renewable energy, capacity, power grid operating costs, etc.) as well as regulatory and legal constraints in which all Community Choice programs operate, to help illuminate retail rate trends and the profile of Portola Valley.

### 7.1. Retail Rates

Portola Valley residents and businesses are presently served by Pacific Gas and Electric Company (PG&E). PG&E's rates<sup>19</sup> are set through a series of regulatory processes in which the California Public Utilities Commission (CPUC) considers and approves a revenue requirement to be collected through rates from PG&E's customers. Much of the revenue requirement is cost-

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<sup>18</sup> Having program revenue presumes the margin between wholesale power costs, program operating costs, and retail revenue forecasts is sufficient to support the program

<sup>19</sup> Data in this section on PG&E's historical rates and rate projections are available in the Annual Electric True-Up Advice Letters (ELEC\_2570-E, ELEC\_2706-E, ELEC\_2895-E, ELEC\_3115-E, ELEC\_3349-E, ELEC\_3518-E, ELEC\_3727-E, ELEC\_3896-E, ELEC\_4096-E, ELEC\_4278-E-B, ELEC\_4484-E-A and ELEC\_4026-E-B) and the Bi-Annual Bundled Procurement Plan (ELEC\_4026-E-B).

based,<sup>20</sup> though the utility also receives an approved rate-of-return on their historical investments in tangible assets, such as power lines, generation plants, sub-stations, real estate, customer meters, and many more categories.

While PG&E’s rates may be changed several times per year, Figure 2 below shows the utility’s revenue requirement and blended retail rates for the past ten years, along with the most recent public projections provided by the utility in their bi-annual procurement plan<sup>21</sup>. Importantly, PG&E created several scenarios in the procurement plan from which the projected data were taken, and the projected values shown are from the “Low Gas Price” scenario. Figure 2 clearly indicates an ongoing trend for increased rates through the year 2020.

**Figure 2. PG&E Annual Revenue Requirement and Bundled Retail Rates**

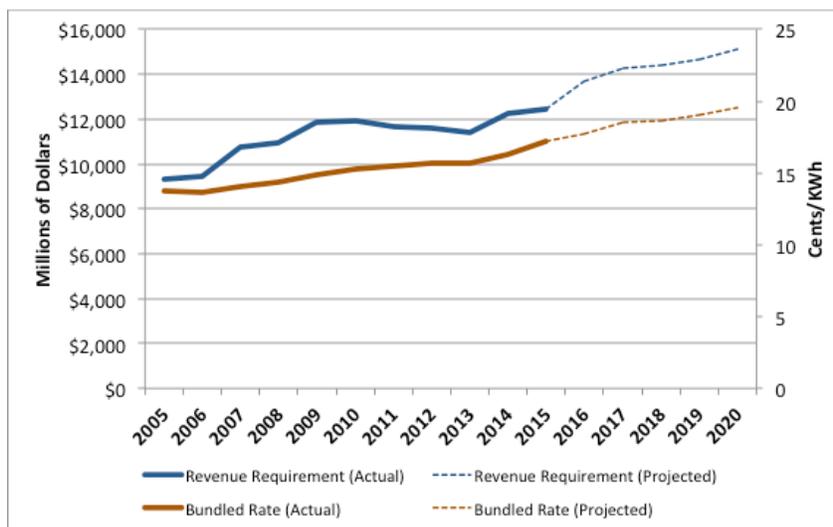


Table 3 below shows factors which comprise PG&E’s blended generation, non-generation and total rates, along with an estimate of this breakdown based on PG&E’s rates projections covering the same period of time as shown in Figure 2 above.

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20 Cost-based is also called “pass through”, in which PG&E has received prior approval to engage in procurement activities for gas and electric commodity products.

21 See PG&E’s rate projection scenarios beginning on page 121 of [http://www.pge.com/nots/rates/tariffs/tm2/pdf/ELEC\\_4026-E-B.pdf](http://www.pge.com/nots/rates/tariffs/tm2/pdf/ELEC_4026-E-B.pdf).

**Table 3. Historical and Projected Retail Rates of PG&E, 2005 through 2020 (shaded rows are projections)**

Year	PG&E Revenue Req. (\$Billions)	Bundled Rate (Cents/kWh)	Actual Gen. Rate (Cents/kWh)	Non-Gen. Rate (Cents/kWh)	PCIA* (Cents/kWh)	Non-Gen % of Bundled Rate	Rate-To-Beat (Cents/kWh)
2005	\$9,306	13.7	6.0	7.7	1.5	56.4%	4.4
2006	\$9,477	13.6	7.1	6.5	1.5	47.7%	5.6
2007	\$10,781	14.0	7.4	6.6	2.0	47.1%	5.4
2008	\$10,928	14.3	7.7	6.6	1.6	46.2%	6.1
2009	\$11,843	14.9	8.9	6.0	1.7	40.5%	7.2
2010	\$11,955	15.2	7.7	7.6	1.4	49.7%	6.2
2011	\$11,678	15.4	7.2	8.3	1.9	53.7%	5.2
2012	\$11,568	15.6	7.3	8.3	1.9	53.2%	5.4
2013	\$11,431	15.7	7.9	7.8	0.6	49.4%	7.3
2014	\$12,231	16.3	8.6	7.7	1.1	47.0%	7.5
2015	\$12,423	17.2	9.7	7.5	1.2	43.8%	8.5
2016	\$13,679	17.7	8.6	9.1	1.3	48.6%	7.3
2017	\$14,257	18.5	9.0	9.5	1.3	48.6%	7.7
2018	\$14,373	18.6	9.0	9.6	1.3	48.6%	7.7
2019	\$14,678	19.0	9.2	9.8	1.3	48.6%	7.9
2020	\$15,120	19.5	9.5	10.0	1.3	48.6%	8.2

\*In 2005 and 2006 the PCIA did not exist; the analogous charge was called the DWR power charge; for 2016 and beyond, the PCIA may change significantly. This is one of the charges most subject to change from regulatory activities.

Per Table 3, if a CCA's rates are set to match those of PG&E, the program is feasible<sup>22</sup> if all-in costs can meet or beat 7.3 cents/kWh in 2016 growing to 8.2 cents/kWh in 2020; wholesale costs are frequently discussed in \$/MWh units, so the corresponding costs would be \$73/MWh and \$82/MWh. It is important to note that PG&E's projections included in this report are the "Low Gas Price" scenario. As we will see later, although power prices are hovering around the 4 cents/kWh, or \$40/MWh, as of May-June 2015, gas and power prices can be very volatile. Market conditions will impact both PG&E and the Community Choice program, depending on the procurement risk management practices used. Because PG&E is already significantly hedged against market price movements (through market positions and an existing utility-owned-generation fleet), a large jump in gas and power prices before a Community Choice program begins procurement could increase PG&E's generation rate by perhaps 20%<sup>23</sup>, while

22 In this case, feasibility assumes a program must only meet or be better than the IOU rate.

23 See PG&E's rate projection scenarios beginning on page 121 of [http://www.pge.com/notes/rates/tariffs/tm2/pdf/ELEC\\_4026-E-B.pdf](http://www.pge.com/notes/rates/tariffs/tm2/pdf/ELEC_4026-E-B.pdf).

the cost basis of the CCA could increase by 50% or more, depending entirely on portfolio composition.

Additional factors on the retail side, included in Table 3 are departing load and non-generation charges. So-called “departing load” charges are assessed by PG&E to customers who depart from taking bundled utility service. The technical term for this is the Power Charge Indifference Adjustment (PCIA), and historically has ranged from about 0.6 cents/kWh to 1.9 cents/kWh (while the amount can be changed each year and differs among customer classes, for those leaving PG&E service in 2015, the PCIA is 1.16 cents/kWh). Non-generation charges (transmission, distribution, and other categories) are paid by all PG&E customers, both bundled and unbundled (i.e. CCA customers). These vary somewhat by customer class, but historically have comprised between 45% and 60% of the total bundled rate, averaging 49% over the last ten years.

To provide a robust assessment of CCA feasibility, however, it is important to identify the factors that will impact wholesale procurement, regulatory-related and operational costs that form the CCA’s cost basis in addition to retail rates. This is covered in the next section.<sup>24</sup>

## 7.2. Market Analysis

Wholesale procurement activities (and related costs) for a Portola Valley Community Choice program fall into several major categories: System Power, Resource Adequacy (RA), and Renewable Portfolio Standard (RPS).

Renewable and low carbon power resources often cost more than system power. To the extent any Community Choice program wants to exceed California’s RPS targets and use the program to meet local climate goals, the incremental costs of these resources must be balanced against other program goals.

The rest of this section covers details of CCA operations in greater detail, and will provide the

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<sup>24</sup> Portola Valley’s electric energy retail base has significantly higher residential load in proportion to total load than PG&E’s territory as a whole. The next section on market analysis assumes that the residential and non-residential load profiles in Portola Valley largely mirror those of PG&E’s territory generally. While this preliminary study indicates that Community Choice is feasible, an analysis of actual Portola Valley specific load data will be necessary to design a procurement plan for the CCA program.

necessary context to evaluate the options of how to structure the procurement profile of the CCA. These considerations are very important, as energy and related product costs can represent 90% or more of a CCA's total costs.

### **7.2.1. System Power**

As the default service provider for the territory, the CCA is responsible for procuring energy and capacity (Resource Adequacy, explained below) to meet the projected energy needs of its customers at all times. In practice, this means interacting with the California Independent System Operator's (CAISO) wholesale power markets to schedule and settle hourly energy load in both the Day-Ahead and Real-Time markets. To the extent the CCA has procured energy sources well in advance of the service day, the settlement dollar amounts in the CAISO markets are generally due to imbalances (the first kind is due to difference between the forward procurement and the day ahead forecast either because the forward procurement plan did not require 100% forward procurement or due to portfolio changes (either supply or demand) between when the forward energy was procured and the day before the energy is delivered to customers from the CAISO grid; the second kind is errors between what is scheduled Day-Ahead and what the CCA's customers actually use in Real-Time). By participating in the CAISO wholesale market to purchase energy, Load Serving Entities (LSE) such as CCAs are also subject to a number of miscellaneous charges by the CAISO to ensure proper functioning of the market.

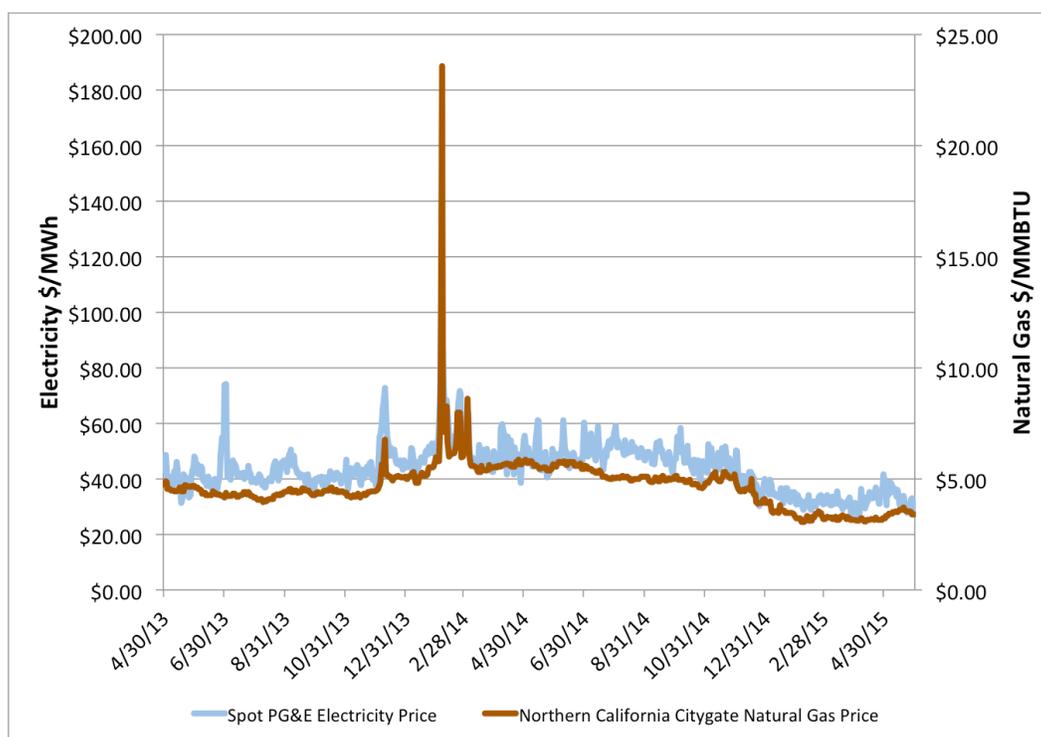
As an LSE, the CCA will need to bid and schedule its load and generation resources into the CAISO's wholesale energy market either by becoming its own Scheduling Coordinator or by outsourcing this function. Load is currently only scheduled in the day-ahead timeframe by hour with any differences between the day-ahead scheduled load and the Settlement Quality Meter Data (SQMD) settled in the real-time market as uninstructed imbalance energy (UIE). While there is no requirement that a CCA purchase power outside of the CAISO market (aside from the RPS and Storage requirements discussed below), it is prudent from a risk management perspective to hedge price risks associated with the CAISO wholesale market.

Fixed price renewable supply provides a natural hedge against the CAISO wholesale market price. There will also be time periods where renewable generation may not match load and other power will be needed to balance load. A community can procure residual needs with

system power in advance to fix a portion of their costs. The standard products traded on commodity exchanges (such as the Intercontinental Exchange, the Chicago Mercantile Exchange and others) are Peak (7AM-10PM Monday through Saturday excluding certain holidays) and Off-Peak (all other hours). Furthermore, within California, the two most commonly traded locations are known as the NP15 Trading Hub (Northern California) and the SP15 Trading Hub (Southern California), with SP15 the more active of the two. For CCAs that are located in Northern California and settle load at the PG&E Default Load Aggregation Point (DLAP), NP15 generally provides a better hedge against CAISO costs but at times SP15 will be the preferred product because there are more sellers.

While trading standard products can significantly reduce risk to the CAISO wholesale market, there will always be some mismatch between load and supply that will be exposed to the CAISO market price risk. Because of this, it is important for the CCA to have appropriate risk policies and tools to effectively monitor exposure to market price movements.

In the CAISO market, the hourly price is set according to marginal cost to serve the next increment of demand. The typical marginal unit is a natural gas fired power plant and as such, the wholesale market price is highly and positively correlated with natural gas price movements. Figure 3 below shows daily average wholesale CAISO electricity prices and daily natural gas prices at the Northern California Citygate delivery point over the last year.

**Figure 3. Northern California Wholesale Electricity and Natural Gas Prices, Daily**

Two things are immediately clear from this graphic: Gas and power prices move very closely together (are highly correlated), and both are highly variable. Indeed, as Table 4 below shows, it is not unusual for power prices to rise or fall 10% or 20% or more from one calendar quarter to the next.

**Table 4. Quarterly Power and Gas Prices, 2013-2015**

Quarter	Average of Spot PG&E Electricity Price (\$/MWh)	% Change from Previous Quarter	Average of PG&E Citygate Natural Gas Price (\$/MMBTU)	% Change from Previous Quarter
Q2 2013	\$41.02	--	\$4.48	--
Q3 2013	\$42.54	3.71%	\$4.29	-4.33%
Q4 2013	\$44.39	4.35%	\$4.62	7.66%
Q1 2014	\$53.16	19.75%	\$6.09	31.79%
Q2 2014	\$48.53	-8.70%	\$5.63	-7.51%
Q3 2014	\$49.99	3.00%	\$5.09	-9.53%
Q4 2014	\$44.17	-11.64%	\$4.74	-6.92%
Q1 2015	\$32.67	-26.03%	\$3.36	-29.19%
Q2 2015	\$33.23	1.71%	\$3.33	-0.75%

Because generators that use natural gas as an input to production face a compliance obligation under the Air Resource Board's Cap and Trade Program, wholesale power prices are also correlated with carbon allowance prices.

Given the penetration of solar generation in California, the operation of conventional power plants is shifting and the marginal unit and consequently market pricing is shifting from traditional patterns. The "duck curve"<sup>25</sup> as it is sometimes called highlights potential challenges that the grid will face with over-generation when supply exceeds demand in the middle of the day, "the belly of the duck" and the need for significant ramping capability in the evening when solar production phases out, "the neck of the duck." Careful portfolio planning should consider the impact of changing hourly prices on evaluation of long-term contracts, benefits of technology diversification and the market risks for the procurement of residual system power.

### **7.2.2.Resource Adequacy**

In addition to meeting the energy needs of its customers, the CCA is also responsible for meeting Resource Adequacy compliance obligations set by the CPUC. Resource Adequacy is a complex topic, and requirements even change year to year.

As an LSE, the CCA will need to comply with the CPUC Resource Adequacy (RA) program. The objectives of the Resource Adequacy program are to ensure safe and reliable operation of the grid by the California Independent System Operator (CAISO) and to provide incentives for the development of new resources needed for reliability in the future.

There are currently three requirements that each LSE must meet with respect to RA.

1. The LSE must secure sufficient System RA to cover 115% of its forecasted peak demand for each month.<sup>26</sup> With respect to this requirement, each LSE must make an annual filing on or before October 31<sup>st</sup> to show that it has obtained at least 90% of the System requirements for the summer months (May through September). Subsequently,

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<sup>25</sup> Information Excerpted from CAISO: [www.caiso.com/Documents/FlexibleResourcesHelpRenewables\\_FastFacts.pdf](http://www.caiso.com/Documents/FlexibleResourcesHelpRenewables_FastFacts.pdf)

<sup>26</sup> The actual requirement may be less due to coincident peak adjustments, allocations for demand response, energy efficiency, distributed generation, cost allocation mechanism (CAM), and reliability must run (RMR) contracts

the LSE must submit a filing for each month 45 days ahead of the start of the month that demonstrates that it has met its full requirement for that month.

2. The LSE must secure sufficient Local RA to ensure there is sufficient capacity in the local area for a 1 in 10 load. There are currently two local requirements in the PG&E service territory, Bay Area and Other PG&E areas. Roughly speaking, the Local RA requirements are typically about half of the August System RA requirements in the PG&E service territory.<sup>27</sup> With respect to the Local RA requirement, the LSE must demonstrate it has met 100% of its requirement in the annual filing.
3. The LSE must secure sufficient Flexible RA that is based on the maximum 3-hour ramp analysis performed by the CAISO for each month. The CPUC determines each LSE's responsibility based on the CAISO study. Similar to the System RA requirement, the LSE need only show 90% of their monthly requirement in the year ahead filing, but for all months, not just the summer months. The full requirement must be met in the 45 day ahead filing. The Flexible RA requirement currently peaks in December.<sup>28</sup>

Since RA is traded bilaterally, there is limited transparency into current pricing. However, the CPUC publishes an excellent report each year that includes aggregated pricing information.<sup>29</sup>

The most recent report discusses RA pricing during 2012. Based on the report, during 2012, 2016 RA products traded at a weighted average price of \$2.95/kW-month, the lowest of the years discussed in the report. In contrast, 2014 RA products had the highest weighted average price of \$3.46/kW-month.

Some notable changes in market conditions since 2012 include the retirement of San Onofre Nuclear Generating Station (SONGS) and the installation of significant solar capacity driven by Renewable Portfolio Standard requirements. On balance, the CAISO has larger supply to meet System needs than it has in the past. According to the CAISO's 2014 summer assessment, the

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<sup>27</sup> Information Excerpted from CAISO: [www.caiso.com/Documents/Draft2016LocalCapacityTechnicalAnalysis.pdf](http://www.caiso.com/Documents/Draft2016LocalCapacityTechnicalAnalysis.pdf)

<sup>28</sup> Information Excerpted from CAISO: [www.caiso.com/Documents/Apr8\\_2015\\_Draft2016\\_FlexCapacityNeedsAssessment\\_R14-10-010.pdf](http://www.caiso.com/Documents/Apr8_2015_Draft2016_FlexCapacityNeedsAssessment_R14-10-010.pdf)

<sup>29</sup> Information Excerpted from CPUC: [www.cpuc.ca.gov/NR/rdonlyres/94E0D083-C122-4C43-A2D2-B122D7D48DDD/0/2012RARReportFinal.pdf](http://www.cpuc.ca.gov/NR/rdonlyres/94E0D083-C122-4C43-A2D2-B122D7D48DDD/0/2012RARReportFinal.pdf)

planning reserve margin for the ISO system is 34.4% and an even higher 36.3% for the Northern part of the state indicating ample supply to meet System RA requirements.<sup>30</sup>

Another key change is that since 2015, the Flexible RA requirement has been introduced. It is widely accepted that the system has sufficient flexible capacity currently but will need additional flexibility with larger penetration of variable energy resources (both utility scale and distributed generation) and with upcoming Once Through Cooling (OTC) retirements. The additional flexibility needs will likely be met through upgrades to existing facilities, construction of new conventional generators and storage. In order to incent such investments, resources able to provide Flexible RA will charge a premium over generic System RA. Future CPUC reports on RA Pricing may provide insight on how much of a premium these resources receive.

### **7.2.3. Renewable Portfolio Standard**

The Portola Valley CCA, as an LSE subject to CPUC jurisdiction, must meet the California Renewable Portfolio Standards. Generally, RPS-qualified energy is procured from resources on a medium- or long-term basis (1-3 years and as many as 25 or 30 years). Depending on the specifics of the contract, either the CCA or the supplier will be responsible for scheduling the renewable generation into the CAISO markets on a daily basis in the same way that load is scheduled.

Established in 2002 under Senate Bill 1078, accelerated in 2006 under Senate Bill 107 and expanded in 2011 under Senate Bill 2, California's Renewables Portfolio Standard (RPS) is one of the most ambitious renewable energy standards in the country. The RPS program requires IOUs, electric service providers (ESPs), and CCAs to increase procurement from eligible renewable energy resources to 33% of total procurement by year 2020. The California Public Utilities Commission (CPUC) and the California Energy Commission (CEC) jointly implement the RPS program.<sup>31</sup> As of June 3, 2015, the California State Senate passed Senate Bill 350, which

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30 Information Excerpted from CAISO: [www.caiso.com/Documents/2014SummerAssessment.pdf](http://www.caiso.com/Documents/2014SummerAssessment.pdf)

31 For more information, the California Energy Commission's RPS Guidebook is available at:  
<http://www.energy.ca.gov/2013publications/CEC-300-2013-005/CEC-300-2013-005-ED7-CMF-REV.pdf>

includes a provision to increase the RPS target further, to 50% by the year 2030.<sup>32</sup>

The CPUC's responsibilities include: Determining annual procurement targets and enforcing compliance; Reviewing and approving each IOU's renewable energy procurement plan; Reviewing IOU contracts for RPS-eligible energy; Establishing the standard terms and conditions used by IOUs in their contracts for eligible renewable energy.

The CEC's responsibilities include: Certify renewable facilities as eligible for the RPS; Design and implement a tracking and verification system to ensure that renewable energy output is counted only once for the purpose of the RPS and for verifying retail product claims in California or other states.

Senate Bill X1-2 increased CEC's role with responsibilities specific to POUs: Direct the Energy Commission to adopt regulations specifying procedures for enforcement of the RPS for publicly owned utilities; Requires the Energy Commission to certify and verify eligible renewable energy resources procured by publicly owned utilities and to monitor their compliance with the RPS.<sup>33</sup>

In addition to the Resource Adequacy (RA) requirements, the CCA will need to comply with the CPUC's Renewable Portfolio Standard (RPS) requirements. 2016 marks the final year of Compliance Period 2 where LSEs are required to have on average 21.7% of 2014, 23.3% of 2015 and 25% of 2016 retail sales delivered by eligible renewable resources.<sup>34</sup> By year 2020, the CCA will need to procure 33% of its retail sales from renewable resources year by year, and if Senate Bill 350 is signed into law, CCAs will need to procure 50% of their retail sales from renewable resources by the year 2030.

In order to meet these requirements, a Load Serving Entity can procure from three Categories of Renewable Energy Certificates (RECs) with certain volume restrictions.

**Category 1 RECs** are often referred to as bundled RECs because they include both the energy

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32 <http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml;jsessionid=0ae59146283b140c33e33e73eaec>.

33 Information taken from California Public Utilities Commission and California Energy Commission websites: <http://www.cpuc.ca.gov/PUC/energy/Renewables/overview.htm> and <http://www.energy.ca.gov/portfolio/index.html>

34 Information Excerpted from CPUC: [www.cpuc.ca.gov/PUC/energy/Renewables/hot/33RPSProcurementRules.htm](http://www.cpuc.ca.gov/PUC/energy/Renewables/hot/33RPSProcurementRules.htm)

and the environmental attributes associated with the energy produced by the facility. Additionally, the energy must be contracted for prior to delivery and be delivered to California without substitution by another resource. For Compliance Period 2, at least 65% of the RPS used for compliance must be Category 1. Beginning in 2017, at least 75% of RPS procurement used for compliance must be Category 1.

**Category 2 RECs** are often referred to as firmed and shaped renewable energy. In this case, the LSE signs a contract for delivery with an eligible facility that is not directly connected to a California Balancing Authority (CBA) and may at times require substitution from another resource. The energy used for substitution must be incremental to the LSE's existing portfolio. Category 2 has no minimum requirement but is capped at the residual of the compliance requirement and the minimum amount of Category 1.

**Category 3 RECs** are often referred to as unbundled RECs. A contract for Category 3 RECs does not include the energy or if it does include the energy may not be eligible for Category 1 or 2. An example would be certain distributed generation resources that produce RECs but are ineligible for Category 1 status. Category 3 is limited to 15% for Compliance Period 2 and beginning in Compliance Period 3 (2017-2020) will be capped at 10% of retail sales.

California has experienced a significant boom in solar development resulting from and due to declining prices for solar photovoltaic panels, and an Investment Tax Credit (ITC) of up to 30% of the cost of developing the project that is completed and operational by December 31, 2016. Absent a change in law, the current solar ITC would be reduced from 30% to 10% for utility scale solar. Given this landscape, the projects that are awaiting a power purchase agreement (PPA) to move forward with construction may generate competitively priced solar for years to come. In order to benefit from such an opportunity, developers with "shovel ready" projects will want to secure a buyer within 12-18 months lead time depending on the size of the project. This timing suggests that a CCA seeking to benefit from current market conditions from solar will need to move quickly to have a reasonable chance to secure solar supply at current prices or partner with an entity willing to procure on their behalf given some commitment on behalf of the community.

There have been numerous articles about the pricing for solar with the levelized cost of energy ranging from \$50-\$75/MWh, with those on the lower end of the spectrum typically located

outside of California in areas such as Texas. The decrease in ITC credit from 30% to 10% could increase the costs by \$10-\$15/MWh for solar energy after 2016.

California Governor Jerry Brown has announced a push to increase the level of renewables in California to 50% by the year 2030. Depending on if such a legislation passes and how it is structured, that may place continued upward pressure on renewable energy pricing reinforcing that there is a great opportunity for a community to take advantage of market conditions at this time.

#### **7.2.4. Additional Renewable and Low Carbon Considerations**

Pursuant to AB 2514, CCAs are to procure storage equal to 1% of their 2020 annual peak load with installation no later than 2024. Furthermore, starting January 1, 2016, and every two years after that, CCAs must file a Tier 2 Advice Letter demonstrating their efforts to comply with the target including a discussion of the cost-effectiveness methodology used to evaluate projects. For Portola Valley, it is estimated that procuring or developing a 55 kW storage facility will fulfill this requirement.

One of the motivating factors for the existing CCA programs has been to increase renewables and reduce the carbon footprint for the customers it serves related to purchased electricity. Portola Valley has indicated a strong interest in creating a 100% renewable portfolio standard (RPS), but for context, we introduce four carbon impact scenarios: Operating a CCA with a 33% RPS, a 50% RPS and a 100% RPS, and remaining with PG&E.

PG&E is among the cleanest utilities in the country resulting from its RPS procurement as well as carbon free nuclear and large hydro. According to its 2013 Power Source Disclosure Report, PG&E sources 22% of its power from eligible renewable, 22% from Diablo Canyon Nuclear Power Plant and 10% from large hydroelectric for a total of 54% from carbon free sources. The remaining 46% is comprised of natural gas (28%) or unspecified sources (18%). In the future, PG&E is expected to have an even cleaner portfolio. According to their own estimation, PG&E will have a carbon intensity of 0.168 metric ton / MWh in 2016 declining to 0.131 metric ton / MWh in 2020.<sup>35</sup>

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<sup>35</sup> PG&E estimated emissions factor for 2016 and 2020 based on document found at:

For the customers of Portola Valley that consume 26,199 MWh annually the associated emissions for purchased electricity through PG&E would be 4,401 MT of CO<sub>2</sub>e in 2016 declining to 3,432 MT of CO<sub>2</sub>e in 2020. Eliminating these emissions is equivalent to removing 927 and 723 passenger cars from the road, respectively<sup>36</sup>.

Assuming that RPS eligible facilities are carbon free and that the remaining System Power or Unspecified Sources have a carbon emission rate of 0.428 MT/MWh<sup>37</sup>, Portola Valley would have the following carbon emissions for the four scenarios (see Table 5).

**Table 5. Annual Carbon Emissions**

Scenario	Annual Carbon Emissions (MT CO <sub>2</sub> e)
33% RPS	7,513
50% RPS	5,606
100% RPS	0
PG&E Service (2016)	4,401

It is worth noting that a 50% RPS scenario would still not match PG&E's emission rate for 2016, unless the non-RPS portion of the portfolio came from resources that were carbon free, though not RPS-qualified (such as large hydro and nuclear). PG&E's 2016 emission estimate is low by national standards, due both to renewable procurement and a significant portion of PG&E's portfolio comprised of large hydro and the Diablo Canyon Nuclear Power Plant, the only remaining operating nuclear facility in California. Unit One is licensed to operate until November 2, 2024 and Unit Two is licensed to operate until August 20, 2025. It is uncertain whether the licenses will be extended.

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[http://www.pge.com/includes/docs/pdfs/shared/environment/calculator/pge\\_ghg\\_emission\\_factor\\_info\\_sheet.pdf](http://www.pge.com/includes/docs/pdfs/shared/environment/calculator/pge_ghg_emission_factor_info_sheet.pdf)

36 Conversion of metric tons to automobiles based on the following EPA calculator: <http://www.epa.gov/cleanenergy/energy-resources/calculator.html#results>

37 Assumed emissions factor for unspecified power based on ARB Guidance Document: <http://www.arb.ca.gov/cc/capandtrade/guidance/chapter7.pdf>

### 7.3. High-Level Comparison, Retail & Wholesale Market Assessment

While precise estimates of program costs and utility rates are challenging to make, we can build scenarios for considerations knowing what we have learned in the previous two sections on load analysis, procurement requirements and market analysis.

Table 6 below shows a projection of procurement costs, based on a 100% renewable portfolio and current market price intelligence for power products. The table uses PG&E's "Low Gas Price" scenario for comparison, showing extremely thin margins, due to the expense of meeting 100% of demand with the highest quality "Category 1" renewable energy, as Portola Valley has expressed interest in. Keep in mind that the procurement costs below do not include operating costs such as staff, billing, call center, etc.

**Table 6. Procurement Costs Scenario, Low Gas Prices (100% RPS)**

Year	Retail Rate-to-Beat (\$/MWh)	Forward Energy Prices (\$/MWh)	Projected Energy Costs (\$ millions)	Resource Adequacy Costs (\$ millions)	Compliance RPS Costs (\$ millions)	Projected Portola Valley Energy Load (MWh)	Implied Procurement Cost-per-MWh
2016	\$73.00	\$41.10	\$1.08M	\$0.20M	\$0.66M	26,330	\$73.79
2017	\$77.00	\$42.34	\$1.12M	\$0.20M	\$0.66M	26,462	\$75.03
2018	\$77.00	\$43.80	\$1.16M	\$0.20M	\$0.66M	26,594	\$76.48
2019	\$79.00	\$44.94	\$1.20M	\$0.21M	\$0.67M	26,727	\$77.62
2020	\$82.00	\$45.98	\$1.24M	\$0.21M	\$0.67M	26,861	\$78.67
2021	*	\$47.26	\$1.28M	\$0.21M	\$0.67M	26,995	\$79.94
2022	*	\$48.63	\$1.32M	\$0.21M	\$0.68M	27,130	\$81.32
2023	*	\$49.94	\$1.36M	\$0.21M	\$0.68M	27,265	\$82.63
2024	*	\$51.24	\$1.40M	\$0.21M	\$0.69M	27,402	\$83.92
2025	*	\$51.93	\$1.43M	\$0.21M	\$0.69M	27,539	\$84.62

\* PG&E has not provided retail rate forecasts beyond 2020.

## 8. Community Choice Program Structure

AB 117 delimits who is eligible to form Community Choice programs. All programs must be government agencies, which includes a single city or county, or a combination of cities and/or counties. When multiple cities and/or counties are combined, they may form under what is known as a Joint Powers Authority, or a JPA. The rules governing JPAs are found in the California Government Code. Based on experiences of existing Community Choice programs,

communities will need some level of professional services and consulting expertise to establish and operate a Community Choice program on their own.

The role of professional or consulting services has been crucial to the success of early programs, and is expanding within the field of Community Choice. There are many private firms that provide a fee-for-service for specific Community Choice functions, and now an emerging area of innovation providing complete, or turnkey, services for governments.

### 8.1. Single City or County

While many cities in the State are contemplating Community Choice, the City of Lancaster is likely to be the first single city to launch program operations on its own. By acting alone, the City of Lancaster is able to enjoy complete and autonomous control over its program decisions.

As previously noted, a significant hurdle to overcome for any jurisdiction is identifying funding to seed program start up and operation costs, including power purchases. However, the City of Lancaster, like all single cities that launch a program, will be able to use revenue generated from the electricity rates to both repay this initial financing as well as fund and operate the program on an ongoing basis.

Based on the City's approved implementation plan, the program will require a limited number of staff with support for more technical services provided by private contractors.

A single county may form a Community Choice program as well. Although this would only include the unincorporated area of the county, it could expand to include the county's incorporated cities. The expansion could occur with or without a JPA. Alternatively, a county program could operate seamlessly alongside similar, but separately governed, Community Choice programs of its local cities.

### 8.2. Joint Powers Authority (JPA)

Marin Clean Energy (CME) and Sonoma Clean Power (SCP) operate as a Joint Powers Authority, and other feasibility analysis suggest a JPA has operational advantages. These advantages come primarily from the protection a Joint Powers Authority provides to its participating members. Specifically, a JPA provides a firewall preventing financial risk from extending to the participating agencies.

Just like a single city program, local communities retain complete control over program decisions. In contrast to a single city program, a JPA can generally create a larger Community Choice program. By aggregating several populations, a JPA provides the necessary scale to support a more robust staff infrastructure as well as the creation of increased revenue to develop associated programs. Because a JPA governing board typically includes representatives from each participating agency, there is a potential drawback in that an individual community's unique goals may be diluted by the need to establish cooperative goals for the program.

Experience for both MCE and SCP, just as for the City of Lancaster, demonstrated funding as a critical challenge for program initiation. For MCE, a significant amount of funding came from an anonymous donor; for SCP the majority of funding came from First Community Bank, a Sonoma County based financial institution. However, successful operation of MCE and SCP has generated the necessary revenue to substantially repay debt and become cash-positive.

### 8.3. Public-Private Partnership

All existing Community Choice programs use some level of service from private companies. Private companies within the utilities field, including Community Choice, typically bring a level of expertise and experience not customarily present in existing government staff and leveraging these strengths provides a benefit to the program. With the success of MCE and SCP, there is a growing private sector field to provide service to Community Choice programs.

There are a number of consulting firms and other professional services firms that provide discrete or a full range of fee-for-service support. Currently, there is one firm, California Clean Power, which provides a full service option for Community Choice programs. California Clean Power, a benefit corporation, provides many of the benefits of the approaches described above, such as providing a financial firewall for the government, because of its unique full-service approach while alleviating some of the critical challenges to launching a program, such as developing the expertise and funding needed.

Based on the load and market analysis provided in this report, a public-private partnership with California Clean Power could provide a range of rate, revenue, and renewable portfolio benefits.

## 9. Appendix

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### 9.1. Related Legislation

State legislation is dynamic in its evolution from original proposed language to final language. Information presented in this report reflects the most current public information as of the date of the report; amendments and actions that have happened after the date of this report related to the proposed legislation summarized below could significantly alter the information included below.

Perhaps the most prominent piece of legislation currently is SB 350 (D-De Leon), which was introduced following Governor Jerry Brown's State of the State address given in January of 2015. During his inaugural address, Governor Brown called upon legislators to take bold action on climate change by drafting ambitious legislation to meet his target goals. Shortly thereafter, Senate President Kevin De Leon introduced SB 350, which is one of four pieces of climate change legislation introduced by Senate Democrats. A companion piece of legislation, SB 32 (Pavley), sets an overarching climate pollution reduction target of 80 percent below 1990 levels by 2050.

There are three parts to the SB 350 bill:

- First, the bill would require California to reduce petroleum use by 50%.
- Second, this legislation would require existing buildings to increase their energy efficiency by 50% to reduce electricity consumption.
- Third, SB 350 will require both IOUs and POUs, (Community Choice programs included), to increase renewable energy generation and/or procurement to at least 50% by the year 2030.

Although raising the minimum amount of renewables generated in California will increase the demand for renewable energy, many renewable energy projects and initiatives are expected to launch in the next few years that are expected to keep pace with the rising demand and keep prices stable. One such example is the Stateline Solar Farm Project in San Bernardino County

that is expected to generate 300 megawatts of renewable energy.<sup>38</sup> Moreover, establishing Community Choice could help safeguard communities from potential price increases through direct control over procurement of renewable and other energy.

Both SB 350 and SB 32 passed the Senate Floor in early June. The Senate's climate bill package also includes other climate and clean air-related bills, some of which have yet to be taken up for a vote

Bill ID/Topic	Location	Summary
<b>AB33</b> <b>Quirk D</b>  California Global Warming Solutions Act of 2006: Energy Integration Advisory Council.	SENATE RLS. 6/3/2015 - In Senate. Read first time. To Com. on RLS. for assignment.	The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions. The California Renewables Portfolio Standard Program requires the Public Utilities Commission to implement annual procurement targets for the procurement of eligible renewable energy resources for all retail sellers to achieve the targets and goals of the program. This bill would establish the Energy Integration Advisory Council in state government and would require the council to develop recommendations for inclusion in the scoping plan prepared by the state board, including, among others, an analysis of the various strategies necessary for the energy grid to integrate specified annual procurement targets as part of the California Renewables Portfolio Standard Program. <b>Last Amended on 6/1/2015</b>
<b>AB175</b> <b>Mathis R</b>  Electricity.	ASSEMBLY 2 YEAR 5/15/2015 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 1/26/2015)	The Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission and requires it to certify sufficient sites and related facilities that are required to provide a supply of electricity sufficient to accommodate projected demand for electricity in that commission's most recent forecast of statewide and service area electricity demand. This bill would make nonsubstantive revisions to the State Energy Resources Conservation and Development Commission's certification requirements. This bill contains other related provisions and other existing laws.
<b>AB197</b> <b>Garcia,</b> <b>Eduardo D</b>  Public utilities:	SENATE RLS. 6/2/2015 - In Senate. Read first time. To Com. on RLS. for	The Public Utilities Act requires the Public Utilities Commission (PUC), in consultation with the Independent System Operator, to establish resource adequacy requirements for all load-serving entities, including electrical corporations, in accordance with specified objectives. The act further requires each load-serving entity to maintain physical generating capacity adequate to meet its load requirements, including

38 Stateline Solar Farm Project. U.S. Bureau of Land Management. web. 04/29/2015 April 29,

2015. [http://www.blm.gov/pgdata/etc/medialib/blm/wo/MINERALS\\_\\_REALTY\\_\\_AND\\_RESOURCE\\_PROTECTION\\_/energy/priority\\_projects.Par.51088.File.dat/Stateline%20Solar%20Farm%20Project%20fact%20sheet.pdf](http://www.blm.gov/pgdata/etc/medialib/blm/wo/MINERALS__REALTY__AND_RESOURCE_PROTECTION_/energy/priority_projects.Par.51088.File.dat/Stateline%20Solar%20Farm%20Project%20fact%20sheet.pdf)

renewable resources.	assignment.	peak demand and planning and operating reserves, deliverable to locations and at times as may be necessary to provide reliable electric service. This bill would require the PUC, in adopting the process, to include consideration of any statewide greenhouse gas emissions limit established pursuant to the California Global Warming Solutions Act of 2006 and consideration of capacity and essential reliability services of the eligible renewable energy resource to ensure grid reliability. The bill would require the PUC to require a retail seller of electricity, in soliciting and procuring eligible renewable energy resources, to consider the best-fit attributes of resources types that ensure a balanced resource mix to maintain the reliability of the electrical grid. The bill would revise the authority of an electrical corporation to refrain from entering into new contracts or constructing facilities beyond the quantity that can be procured within the electrical corporation's cost limitation, as specified. This bill contains other related provisions and other existing laws. <b>Last Amended on 4/29/2015</b>
<b>AB577</b> <b>Bonilla D</b>  Biomethane: grant program.	SENATE RLS. 6/2/2015 - In Senate. Read first time. To Com. on RLS. for assignment.	Existing law establishes the State Energy Resources Conservation and Development Commission and requires the commission to administer various programs to award grants and other financial assistance for energy-related projects. The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. This bill would require the commission to develop and implement a grant program to award grants for projects that build or develop collection and purification technology, infrastructure, and projects that upgrade existing biomethane facilities to meet certain requirements. The bill would, upon appropriation, authorize moneys in the fund to be used to fund grants awarded pursuant to the program. <b>Last Amended on 5/28/2015</b>
<b>AB645</b> <b>Williams D</b>  Electricity: California Renewables Portfolio Standard.	SENATE RLS. 6/3/2015 - In Senate. Read first time. To Com. on RLS. for assignment.	Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, as defined, while local publicly owned electric utilities, as defined, are under the direction of their governing boards. This bill would additionally express the intent of the Legislature for the purposes of the RPS program that the amount of electricity generated per year from eligible renewable energy resources be increased to an amount equal to at least 50% by December 31, 2030, and would require the PUC, by January 1, 2017, to establish the quantity of electricity products from eligible renewable energy resources to be procured by each retail seller for specified compliance periods sufficient to ensure that the procurement of electricity products from eligible renewable energy resources achieves 50% of retail sales by December 31, 2030, and that retail sellers procure not less than 50% of retail sales in all subsequent years. The bill would require the governing boards of local publicly owned electric utilities to ensure that specified quantities of electricity products from eligible renewable energy resources to be procured for specified compliance periods to

		ensure that the procurement of electricity products from eligible renewable energy resources achieve 50% of retail sales by December 31, 2030, and that the local publicly owned electric utilities procure not less than 50% of retail sales in all subsequent years. This bill contains other related provisions and other existing laws.
<b>AB674</b> <b>Mullin D</b>  Electricity: distributed generation.	ASSEMBLY 2 YEAR 5/29/2015 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/27/2015)	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, as defined. Existing law authorizes the Public Utilities Commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. Existing law requires the Public Utilities Commission to require each electrical corporation under the operational control of the Independent System Operator as of January 1, 2001, to modify tariffs so that all customers that install new distributed energy resources, as defined, in accordance with specified criteria are served under rates, rules, and requirements identical to those of a customer within the same rate schedule that does not use distributed energy resources, and to withdraw any provisions in otherwise applicable tariffs that activate other tariffs, rates, or rules if a customer uses distributed energy resources. Existing law provides, notwithstanding these requirements, that a customer that installs new distributed energy resources not be exempted from (1) reasonable interconnection charges, (2) charges imposed pursuant to the Reliable Electric Service Investment Act, and (3) charges imposed to repay the Department of Water Resources for electricity procurement expenses incurred in response to the electricity crisis of 2000-01. Existing law requires the Public Utilities Commission, in establishing the rates applicable to customers that install new distributed energy resources, to create a firewall that segregates distribution cost recovery so that any net costs, taking into account the actual costs and benefits of distributed energy resources, proportional to each customer class, as determined by the Public Utilities Commission, resulting from the tariff modifications granted to members of each customer class may be recovered only from that class. This bill would, to the extent authorized by federal law, require the Public Utilities Commission, by July 1, 2016, to do both of the following for those electrical corporation customers that install clean distributed energy resources, as defined, after January 1, 2016: (1) require each electrical corporation to collect all applicable nonbypassable charges fixed, implemented, administered, or imposed by the Public Utilities Commission based only on the actual metered consumption of electricity delivered to the customer through the electrical corporation's transmission or distribution system, which charges are to be at the same rate per kilowatthour as paid by other customers that do not employ a clean distributed energy resource, and (2) calculate a reserve capacity for standby service, if applicable, based on the capacity needed by an electrical corporation to serve a customer's electrical demand during an outage of the clean distributed energy resource providing electric service for that customer. The bill would require each electrical corporation to identify the total amount of nonbypassable charges that would be collected each year from customers served by clean distributed energy resources installed after January 1, 2016, based on gross consumption without any adjustment for the generation of the clean distributed energy resources. The bill would require that this total amount be fully recovered from customers in the same customer class as those customers served by clean distributed energy resources installed after January 1, 2016, and would

		prohibit any amount from being shifted to any other customer class. The bill would require a customer served by a clean distributed energy resource, upon request, to provide relevant data to the Public Utilities Commission and the State Air Resources Board and the facility be subject to onsite inspection, to verify equipment operation and performance, including capacity, thermal output, and usage to verify criteria air pollutant and greenhouse gases emissions performance. The bill would require the State Energy Resources Conservation and Development Commission to report to the Legislature and the relevant policy committees of the Legislature on the impact of its provisions on specified issues by July 1, 2021. This bill contains other related provisions and other existing laws. <b>Last Amended on 5/5/2015</b>
<b>AB693</b> <b>Eggman D</b>  Health studio services: cancellation.	SENATE B., P. & E.D. 5/21/2015 - Referred to Coms. on B., P. & E.D. and JUD.  6/15/2015 1 p.m. and upon adjournment of Floor Session - Room 3191 SENATE BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT, HILL, Chair	Existing law authorizes a consumer to cancel a contract for health studio services within specified timeframes after the contract is executed, if the health studio fails to provide the specific facilities advertised or offered, or if the health studio eliminates or reduces the scope of the facilities, as specified. The bill would specify that a contract for health studio services may be canceled by the buyer in person, via first-class mail or from an email address. The bill would make other conforming changes. <b>Last Amended on 4/30/2015</b>
<b>AB793</b> <b>Quirk D</b>  Energy efficiency.	SENATE E. U., & C. 5/21/2015 - Referred to Com. on E., U., & C.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and gas corporations, as defined. Existing law requires the commission to require an electrical or gas corporation to perform home weatherization services for low-income customers if the commission determines that a significant need for those services exists in the corporation's service territory. For these purposes, existing law authorizes weatherization, where feasible, to include certain measures for a dwelling unit. Existing law also authorizes weatherization, for these purposes, to include other measures determined by the commission to be feasible, taking into consideration the cost-effectiveness of the measures as a whole and the policy of reducing energy-related hardships facing low-income households. This bill would require weatherization, for the above-specified purposes, to include energy management technology, as defined, determined by the commission to be feasible, taking into consideration the above-described factors. This bill contains other related provisions and other existing laws. <b>Last Amended on 4/16/2015</b>
<b>AB895</b> <b>Rendon D</b>  Utility rate	SENATE RLS. 6/1/2015 - In Senate. Read first time. To Com. on RLS. for	Under existing law, the Public Utilities Commission has regulatory authority over public utilities. Existing law authorizes the commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. When the commission orders rate refunds to be distributed, existing law requires the

refunds: energy crisis litigation.	assignment.	commission to require the public utility to pay refunds to all current utility customers, and, when practicable, to prior customers, on an equitable pro rata basis without regard as to whether or not the customer is classifiable as a residential or commercial tenant, landlord, homeowner, business, industrial, educational, governmental, nonprofit, agricultural, or any other type of entity. This bill would prohibit the Public Utilities Commission from distributing or expending the proceeds of claims in any litigation or settlement to obtain ratepayer recovery for the effects of the 2000-02 energy crisis and would require that the proceeds be deposited into the Ratepayer Relief Fund. This bill contains other existing laws.
<b>AB1022</b> <b>Obernolte R</b>  Solar Water Heating and Efficiency Act of 2007.	ASSEMBLY 2 YEAR 5/1/2015 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was U. & C. on 4/6/2015)	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations. The Solar Water Heating and Efficiency Act of 2007 requires the commission, if it determines that a solar water heating program is cost effective for ratepayers and in the public interest, to design and implement a program applicable to the service territories of a gas corporation to achieve the goal of the Legislature to promote the installation of 200,000 solar water heating systems, as defined, in homes, businesses, and buildings or facilities of eligible customer classes, as specified, receiving natural gas service throughout the state by 2017. The act prohibits funding from exceeding \$250,000,000 for the collective service territories of all gas corporations over the 10-year life of the program and requires that the cost of the program be paid through a usage-based surcharge annually established for each class of gas customers, with specified exceptions. The act requires the governing body of each publicly owned utility providing gas service to retail end-use customers to adopt, implement, and finance a solar water heating system incentive program that meets certain requirements. Existing law repeals these requirements on August 1, 2018. This bill would repeal the substantive requirements of the act and would prohibit any additional moneys from being collected from ratepayers to fund the act after December 31, 2015. The bill would require that any loans that are outstanding as of January 1, 2016, that were made pursuant to the act, continue to be repaid in a manner that is consistent with the terms and conditions of the loan agreements, until repaid in full. The bill would authorize moneys to be dispersed after January 1, 2016, that were encumbered on or before December 31, 2015, pursuant to the act and would require that all moneys not encumbered on or before December 31, 2015, that were collected from ratepayers pursuant to the act and all loan repayments be refunded to the ratepayers in proportion to the ratepayer classes from which they were collected. This bill contains other related provisions and other existing laws. <b>Last Amended on 3/26/2015</b>
<b>AB1094</b> <b>Williams D</b>  Energy usage: plug-in equipment.	ASSEMBLY 2 YEAR 5/29/2015 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/28/2015)	Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission), on a biennial basis, to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery, and distribution. Existing law requires the Energy Commission, beginning November 1, 2003, and biennially thereafter, to adopt an integrated energy policy report containing an overview of major energy trends and issues facing the state. This bill would require the Energy Commission, in collaboration with the Public Utilities Commission, to conduct an analysis of plug-in equipment electricity consumption, as specified, and set statewide, long-term energy efficiency targets to reduce the amount of electricity

		consumed by plug-in equipment. The bill would require the Energy Commission, in collaboration with the Public Utilities Commission, to develop, track the progress of, revise, and update an implementation plan to achieve those targets, as specified. The bill would require the Public Utilities Commission, in collaboration with the Energy Commission, to work with stakeholders to address challenges to the achievement of those targets. This bill contains other existing laws. <b>Last Amended on 5/12/2015</b>
<b>AB1144</b> <b>Rendon D</b>  California Renewables Portfolio Standard Program: unbundled renewable energy credits.	SENATE RLS. 5/22/2015 - In Senate. Read first time. To Com. on RLS. for assignment.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The existing definition of an electrical corporation excludes from that definition a corporation or person employing landfill gas technology or digester gas technology for the generation of electricity for (1) its own use or the use of not more than 2 of its tenants located on the real property on which the electricity is generated, (2) the use of or sale to not more than 2 other corporations or persons solely for use on the real property on which the electricity is generated, or (3) the sale or transmission to an electrical corporation or state or local public agency, if the sale or transmission of the electricity service to a retail customer is provided through the transmission system of the existing local publicly owned electric utility or electrical corporation of that retail customer. This bill would provide that unbundled renewable energy credits may be used to meet the first category of the portfolio content requirements if (1) the credits are earned by electricity that is generated by an entity that, if it were a person or corporation, would be excluded from the definition of an electrical corporation by operation of the exclusions for a corporation or person employing landfill gas technology or digester gas technology, (2) the entity employing the landfill gas technology or digester gas technology has a first point of interconnection with a California balancing authority, a first point of interconnection with distribution facilities used to serve end users within a California balancing authority area, or are scheduled from the eligible renewable energy resource into a California balancing authority without substituting electricity from another source, and (3) where the electricity generated that earned the credit is used at a wastewater treatment facility that is owned by a public entity and first put into service on or after January 1, 2016. This bill contains other existing laws. <b>Last Amended on 4/14/2015</b>
<b>AB1266</b> <b>Gonzalez D</b>  Electrical and gas corporations: excess compensation.	SENATE RLS. 6/3/2015 - In Senate. Read first time. To Com. on RLS. for assignment.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and gas corporations. Existing law authorizes the commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. Existing law requires that any expense resulting from a bonus paid to an executive officer, as defined, of a public utility that has ceased to pay its debts in the ordinary course of business, be borne by the shareholders of the public utility and prohibits any expense from being recovered in rates. This bill would prohibit an electrical corporation or gas corporation from recovering from ratepayers expenses for excess compensation, as defined, paid to an officer of the utility following a triggering event, as defined, unless the utility obtains the approval of the commission. Following a triggering event and prior to paying or seeking recovery of excess compensation, the electrical corporation or gas corporation would be required to file a Tier 3 advice letter with the commission containing specified information. If the electrical corporation or gas

		corporation sought or received authorization prior to the triggering event to recover excess compensation in rates, the commission would be required to open a proceeding or expand the scope of an existing proceeding to evaluate the advice letter and, following a duly notice public hearing in the proceeding, to issue a written decision determining whether any expenses for excess compensation that the corporation was authorized to recover in rates should be refunded to ratepayers. This bill contains other related provisions and other existing laws. <b>Last Amended on 5/4/2015</b>
<b>AB1330</b> <b>Bloom D</b>  Energy Efficiency Resource Standard Act.	ASSEMBLY THIRD READING 6/3/2015 - Read second time. Ordered to third reading.  6/4/2015 #40 ASSEMBLY ASSEMBLY THIRD READING FILE	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and gas corporations, as defined, while local publicly owned electric utilities, as defined, and local publicly owned gas utilities are under the direction of their governing boards. The Public Utilities Act requires the Public Utilities Commission to review and accept, modify, or reject a procurement plan for each electrical corporation in accordance with specified elements, incentive mechanisms, and objectives, including a showing that the electrical corporation will first meet its unmet needs through all available energy efficiency and demand reduction resources that are cost effective, reliable, and feasible. The act requires the Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, to identify all potentially achievable cost-effective electricity efficiency savings and to establish efficiency targets for electrical corporations to achieve pursuant to their procurement plan. The act requires the Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, to identify all potentially achievable cost-effective natural gas efficiency savings and to establish efficiency targets for gas corporations to achieve and requires that a gas corporation first meet its unmet resource needs through all available gas efficiency and demand reduction resources that are cost effective, reliable, and feasible. This bill would enact the Energy Efficiency Resource Standard Act. The Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, would be responsible for supervising the implementation of the act by community choice aggregators, electric service providers, electrical corporations, and gas corporations. The governing board of each local publicly owned electric utility and local publicly owned gas utility, in consultation with the State Energy Resources Conservation and Development Commission, would be responsible for the implementation of the act by the utility. The bill would require the State Energy Resources Conservation and Development Commission, in a public stakeholder engagement process, to determine how the energy savings goals of the act are measured and reported. The act would require each retail seller of electricity and gas utility, as defined, to establish an energy efficiency resource standard that shall increase the amount of energy efficiency resources of the utility so that the minimum amount of incremental energy savings achieved in any given year amounts to not less than specified amounts. The bill would require the State Energy Resources Conservation and Development Commission, in consultation with the Public Utilities Commission, to adopt a cost limitation, as necessary, for each retail seller of electricity for meeting the energy efficiency resource standard. The bill would require the Public Utilities Commission to establish an annual percentage of peak

		demand reductions that shall be achieved through event-based demand response and would require that annual percentage to be achieved by retail sellers of electricity. The bill would require that the energy savings of a retail seller of electricity or gas utility first come from disadvantaged communities identified by the California Environmental Protection Agency, as specified. The bill would require each retail seller of electricity and gas utility to annually file with the State Energy Resources Conservation and Development Commission, a report that analyzes the energy savings achieved by the utility during the prior year, divided by the energy retail sales in the immediately preceding year. This bill contains other related provisions and other existing laws. <b>Last Amended on 6/2/2015</b>
<b><u>AB1332</u></b> <b><u>Quirk D</u></b>  California Global Warming Solutions Act of 2006: offsets.	ASSEMBLY 2 YEAR 5/1/2015 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/23/2015)	The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. The act authorizes the state board to include the use of market-based compliance mechanisms. This bill would require the state board, as part of a market-based compliance mechanism, to create an offset protocol for renewable energy projects that are able to ramp up or down during peak energy demands.
<b><u>AB1333</u></b> <b><u>Quirk D</u></b>  Energy efficiency programs.	ASSEMBLY 2 YEAR 5/1/2015 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was U. & C. on 4/7/2015)	Existing law requires the Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, to identify all potential cost-effective energy efficiency savings and establish efficiency targets for an electrical or gas corporation. Existing law requires a local publicly owned electric utility, in procuring energy, to acquire all cost-effective energy efficiency and demand response resources that are cost-effective, reliable, and feasible. This bill would require electric and gas corporations and local publicly owned electric and gas utilities to require recipients of rebates or incentives from their residential or commercial energy efficiency or weatherization programs to install demand response infrastructure on the property for which the rebates or incentives are provided. <b>Last Amended on 4/6/2015</b>
<b><u>AB1334</u></b> <b><u>Quirk D</u></b>  Public utilities: research and development projects.	ASSEMBLY 2 YEAR 5/1/2015 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was U. & C. on 3/23/2015)	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, gas corporations, heat corporations, and telephone corporations, as defined. Existing law authorizes the commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. Existing law authorizes the commission to allow inclusion of expenses for research and development in rates. Existing law requires the commission to consider specified guidelines in evaluating the research, development, and demonstration programs proposed by electrical and gas corporations. This bill would require findings supporting a decision to approve the inclusion of expenses incurred for research and development projects or programs in electricity rates be informed by independent expert review.
<b><u>AB1453</u></b> <b><u>Rendon D</u></b>	SENATE RLS. 6/1/2015 - In	The Public Utilities Act authorizes the Public Utilities Commission to require public utilities, including electrical corporations, to construct,

<p>Electrical corporations: underground electrical facilities: worker safety.</p>	<p>Senate. Read first time. To Com. on RLS. for assignment.</p>	<p>maintain, and operate their facilities and equipment to promote and safeguard the health and safety of its employees. A violation of the Public Utilities Act, or any decision, rule, direction, demand, or requirement of the commission is a crime. This bill would require the commission, by January 1, 2017, to adopt a rule regulating work performed in underground electrical facilities by, or on behalf of, an electrical corporation that is consistent with certain worker safety protections. Because a violation of the rule would be a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. <b>Last Amended on 4/20/2015</b></p>
<p><b>SB180</b> <b>Jackson D</b></p> <p>Electricity: emissions of greenhouse gases.</p>	<p>SENATE 2 YEAR - 5/29/2015 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was on APPR. on 5/28/2015)</p>	<p>Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing board. Existing law prohibits any load-serving entity and any local publicly owned electric utility from entering into a long-term financial commitment for baseload generation unless that baseload generation complies with a greenhouse gases emission performance standard. Existing law requires the Public Utilities Commission, by February 1, 2007, through a rulemaking proceeding and in consultation with the State Energy Resources Conservation and Development Commission and the State Air Resources Board, to establish a greenhouse gases emission performance standard for all baseload generation of load-serving entities. Existing law requires the State Energy Resources Conservation and Development Commission, by June 30, 2007, at a duly noticed public hearing and in consultation with the Public Utilities Commission and the State Air Resources Board, to establish a greenhouse gases emission performance standard for all baseload generation of local publicly owned electric utilities. This bill would, on July 1, 2017, replace the greenhouse gases emission performance standards for baseload generation with greenhouse gases emission performance standards for nonpeaking generation and peaking generation. The bill would require the Public Utilities Commission, by June 30, 2017, through a rulemaking proceeding and in consultation with the State Energy Resources Conservation and Development Commission and the State Air Resources Board, to establish a greenhouse gases emission performance standard for all nonpeaking generation of load-serving entities, and a separate standard for peaking generation. The bill would require the State Energy Resources Conservation and Development Commission, by June 30, 2017, at a duly noticed public hearing and in consultation with the Public Utilities Commission and the State Air Resources Board, to establish a greenhouse gases emission performance standard for all nonpeaking generation of local publicly owned electric utilities, and a separate standard for peaking generation. The bill would require that, taking into consideration siting factors such as altitude, regional climate, and operating capacity, the greenhouse gases emission performance standard for nonpeaking generation and peaking generation be established at the lowest level that the respective commissions determine to be technologically feasible without putting reliability of the electrical grid and of electric service at risk and without hampering further deployment of renewable generation resources or reductions of greenhouse gases emissions. The bill would require that the commissions update their respective greenhouse gases emission performance standards every 5 years based on new technology. This</p>

		bill contains other related provisions and other existing laws. <b>Last Amended on 5/5/2015</b>
<p><b>SB189</b> <b>Hueso D</b></p> <p>Clean Energy and Low-Carbon Economic and Jobs Growth Blue Ribbon Committee.</p>	<p>ASSEMBLY ASSEMBLY 6/3/2015 - Read third time. Passed. (Ayes 26. Noes 14.) Ordered to the Assembly.</p>	<p>Existing law requires specified state agencies to prepare and submit to the Secretary for Environmental Protection specified information relating to the state agency's greenhouse gas (GHG) emissions, including a list of measures adopted and implemented by the agency to meet GHG emission reduction targets, as defined, and a status report on GHG emissions reduced as a result of these measures. Existing law further requires the California Environmental Protection Agency to provide that information on its Internet Web site in the form of a state agency GHG emission reduction report card. This bill would create the Clean Energy and Low-Carbon Economic and Jobs Growth Blue Ribbon Committee in the California Environmental Protection Agency, comprised of 7 members appointed by the Governor, the Speaker of the Assembly, and the Senate Committee on Rules, as provided. The bill would prescribe the terms and qualifications of committee members and would require the committee to advise state agencies on the most effective ways to expend clean energy and GHG-related funds and implement policies in order to maximize California's economic and employment benefits, and to take specified actions in that regard. The bill would also require the committee to provide an annual update to the Governor and the appropriate policy and fiscal committees of the Legislature on its activities, as provided. The bill would require each state agency responsible for implementing clean energy and low-carbon policies and programs to submit an annual progress report to the Governor and the appropriate policy and fiscal committees of the Legislature describing how it implemented or responded to the advice, guidance, and recommendations of the committee. <b>Last Amended on 6/1/2015</b></p>
<p><b>SB286</b> <b>Hertzberg D</b></p> <p>Electricity: direct transactions.</p>	<p>ASSEMBLY ASSEMBLY 6/3/2015 - Read third time. Passed. (Ayes 34. Noes 2.) Ordered to the Assembly.</p>	<p>The Public Utilities Act requires the Public Utilities Commission, pursuant to electrical restructuring, to authorize and facilitate direct transactions between electricity suppliers and retail end-use customers. Existing law, enacted during the energy crisis of 2000-01, authorized the Department of Water Resources, until January 1, 2003, to enter into contracts for the purchase of electricity, and to sell electricity to retail end-use customers at not more than the department's acquisition costs and to recover those costs through the issuance of bonds to be repaid by ratepayers. That law suspended the right of retail end-use customers, other than community choice aggregators and a qualifying direct transaction customer, as defined, to acquire service through a direct transaction until the Department of Water Resources no longer supplies electricity under that law. Existing law continues the suspension of direct transactions except as expressly authorized, until the Legislature, by statute, repeals the suspension or otherwise authorizes direct transactions. Existing law requires the commission to authorize direct transactions for nonresidential end-use customers subject to a reopening schedule that will phase in over a period of not less than 3 years and not more than 5 years, and is subject to an annual maximum allowable total kilowatt-hour limit established, as specified, for each electrical corporation. This bill would require the commission to adopt and implement a schedule that implements a 2nd phase-in period for expanding direct transactions for individual retail nonresidential end-use customers over a period of not more than 3 years, raising the allowable limit of kilowatt-hours that can be supplied by other providers</p>

		in each electrical corporation's distribution service territory by that electrical corporation's share of an aggregate of 8,000 gigawatthours, apportioned as specified. The bill would require that all of an electric service provider's retail sales associated with each 2nd phase direct transaction be procured from eligible renewable energy resources and would require the commission to enforce the bill's renewables procurement requirements as part of the California Renewables Portfolio Standard Program. The bill would require that an electrical corporation continue to provide direct access customers with support functions, as specified, through its own employees, except that construction of distribution system equipment and line clearance tree trimming may be performed under contract with the electrical corporation. The bill would prohibit an electric service provider from offering consolidated billing beginning January 1, 2016. This bill contains other related provisions and other existing laws. <b>Last Amended on 6/2/2015</b>
<b>SB350</b> <b>De León D</b>  Clean Energy and Pollution Reduction Act of 2015.	ASSEMBLY ASSEMBLY 6/3/2015 - Read third time. Passed. (Ayes 24. Noes 14.) Ordered to the Assembly.	Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, as defined, while local publicly owned electric utilities, as defined, are under the direction of their governing boards. This bill would additionally express the intent of the Legislature for the purposes of the RPS program that the amount of electricity generated per year from eligible renewable energy resources be increased to an amount equal to at least 50% by December 31, 2030, and would require the PUC, by January 1, 2017, to establish the quantity of electricity products from eligible renewable energy resources be procured by each retail seller for specified compliance periods sufficient to ensure that the procurement of electricity products from eligible renewable energy resources achieves 50% of retail sales by December 31, 2030. The bill would require the governing boards of local publicly owned electric utilities to ensure that specified quantities of electricity products from eligible renewable energy resources to be procured for specified compliance periods to ensure that the procurement of electricity products from eligible renewable energy resources achieve 50% of retail sales by December 31, 2030. The bill would exclude all facilities engaged in the combustion of municipal solid waste from being eligible renewable energy resources. The bill would require community choice aggregators and electric service providers to prepare and submit renewable energy procurement plans. The bill would revise other aspects of the RPS program, including, among other things, the enforcement provisions and would require penalties collected for noncompliance to be deposited in the Electric Program Investment Charge Fund. The bill would require the PUC to direct electrical corporations to include in their proposed procurement plans a strategy for procuring a diverse portfolio of resources that provide a reliable electricity supply. The bill would require the PUC and the Energy Commission to take certain actions in furtherance of meeting the state's clean energy and pollution reduction objectives. This bill contains other related provisions and other existing laws.
<b>SB427</b> <b>Fuller R</b>  Renewable energy	SENATE 2 YEAR 5/15/2015 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, as defined, while local publicly owned electric utilities, as defined, are under the direction of their governing board. The existing Renewables Portfolio Standard Program (RPS program) requires a retail seller of electricity, as defined, and local publicly owned electric utilities to

resources.	RLS. on 3/5/2015)	purchase specified minimum quantities of electricity products from eligible renewable energy resources, as defined, for specified compliance periods. The specified minimum quantities of electricity products are based upon a percentage of the utility's total retail sales of electricity in California. The RPS program authorizes an electrical corporation to apply to the commission for approval to construct, own, and operate an eligible renewable energy resource, and requires the commission to approve the application if certain conditions are met. This bill would make technical, nonsubstantive changes to the RPS program authorization for electrical corporations to apply to the commission for approval to construct, own, and operate an eligible renewable energy resource.
<b>SB506</b> <b>Fuller R</b>  Economic development: military and aerospace.	SENATE 2 YEAR 5/29/2015 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/28/2015)	Existing law establishes the Governor's Office of Business and Economic Development, which is administered by a director appointed by the Governor. The office serves the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. Existing law, the Military Base Reuse Authority Act, authorizes the creation of a military base reuse authority to plan, finance, and manage the transition of a military base from military to civilian use, as specified. This bill would establish the Military and Aerospace Program in the Governor's Office of Business and Economic Development, and set forth the program's duties and authority with respect to state and local defense retention, conversion, and base reuse activities, including developing and recommending to the Governor and the Legislature a strategic plan for state and local defense retention and conversion efforts. The bill would authorize the office to establish a Military Advisory Council with a specified membership to provide input, information, technical advice, or other comments to the program on military related matters. This bill also would authorize the office to apply for grants and seek private funds for the operations of the office. The bill would establish the Military and Aerospace Account in the Special Deposit Fund in the State Treasury and require that any private funds the office accepts be deposited into that account. The bill would authorize the office to expend moneys in the account, upon appropriation by the Legislature, for specified purposes of the office. This bill contains other related provisions and other existing laws. <b>Last Amended on 4/14/2015</b>
<b>SB539</b> <b>Hueso D</b>  Renewable energy resources: geothermal.	ASSEMBLY U. & C. 5/22/2015 - Referred to Com. on U. & C.	Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The Public Utilities Act authorizes the Public Utilities Commission, upon a complaint by a geothermal energy producer, to prohibit any electrical corporation from curtailing the generation, production, or transmission of electricity from a geothermal powerplant operated by the corporation, if the commission deems that the curtailment is not in the public interest. This bill would repeal the above-described geothermal generation, production, or transmission curtailment authorization. <b>Last Amended on 4/27/2015</b>
<b>SB697</b> <b>Hertzberg D</b>  Charter-party carriers of	ASSEMBLY U. & C. 6/1/2015 - Referred to Com. on U. & C.	The Passenger Charter-party Carriers' Act places charter-party carriers of passengers, as defined, under the jurisdiction of the Public Utilities Commission. Under existing law, no charter party carrier of passengers may operate a motor vehicle on a public highway unless there is displayed on the vehicle a distinctive identifying symbol, in the form prescribed by the commission, showing the classification to which

passengers.		the carrier belongs. For motor vehicles designed to carry not more than 8 passengers, the commission is required to issue a suitable decal with an identifying symbol and of a specified size for that purpose. This bill would repeal that provision requiring the issuance of the decal. <b>Last Amended on 4/9/2015</b>
<p><b>SB765</b> <b>Wolk D</b></p> <p>Energy: California Market Transformation Administrator.</p>	<p>ASSEMBLY ASSEMBLY 6/3/2015 - Read third time. Passed. (Ayes 23. Noes 17.) Ordered to the Assembly.</p>	<p>The Reliable Electric Service Investments Act requires the Public Utilities Commission (PUC), in evaluating energy efficiency investments, to ensure that local and regional interests, multifamily dwellings, and energy service industry capabilities are incorporated into program portfolio design and that local governments, community-based organizations, and energy efficiency service providers are encouraged to participate in program implementation where appropriate. This bill would require the PUC, in ensuring that prudent investments in energy efficiency are made and produce cost-effective energy savings, reduce customer demand, and support the state's greenhouse gas emissions reduction goals, to contract with an independent entity to serve as the California Market Transformation Administrator (CalMTA). The bill would require the PUC to require the CalMTA to take certain actions, including, among other actions, working in concert with other energy efficiency administrators that are carrying out energy efficiency activities under the PUC's oversight to incorporate long-term market transformation strategies into the state's energy efficiency portfolio and to work with the State Energy Resources Conservation and Development Commission to encourage local publicly owned electric utilities to participate in the CalMTA's planning efforts and provide funding for and support the market transformation initiatives administered by the CalMTA to ensure statewide consistency and full market deployment. Because a violation of these requirements would be a crime, this bill would impose a state-mandated local program. The bill would require the PUC to consult with the CalMTA regarding demand-side energy management programs. This bill contains other related provisions and other existing laws. <b>Last Amended on 6/2/2015</b></p>
<p><b>SB793</b> <b>Wolk D</b></p> <p>Green Tariff Shared Renewables Program.</p>	<p>ASSEMBLY DESK 5/18/2015 - In Assembly. Read first time. Held at Desk.</p>	<p>Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law authorizes the commission to fix the rates and charges for every public utility, and requires that those rates and charges be just and reasonable. The Green Tariff Shared Renewables Program requires a participating utility, defined as being an electrical corporation with 100,000 or more customers in California, to file with the commission an application requesting approval of a tariff to implement a program enabling ratepayers to participate in electrical generation facilities that use eligible renewable energy resources, consistent with certain legislative findings and statements of intent. Existing law requires the commission, by July 1, 2014, to issue a decision concerning the participating utility's application, determining whether to approve or disapprove the application, with or without modifications. Existing law requires the commission, after notice and opportunity for public comment, to approve the application if the commission determines that the proposed program is reasonable and consistent with the legislative findings and statements of intent and requires the commission to require that a participating utility's green tariff shared renewables program be administered in accordance with specified provisions. Existing law repeals the program on January 1, 2019. This bill would require the commission to additionally require that</p>

		a participating utility's green tariff shared renewables program permit a participating customer to subscribe to the program and receive a reasonably estimated bill credit and bill charge, as determined by the commission, for a period of up to 20 years. This bill contains other related provisions and other existing laws. <b>Last Amended on 5/5/2015</b>
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## 10. GLOSSARY OF TERMS

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<b>AB</b>	Assembly Bill
<b>ARB</b>	Air Resources Board
<b>CAISO</b>	California Independent System Operator
<b>CBA</b>	California Balancing Authority
<b>CCA</b>	Community Choice Aggregation
<b>CEC</b>	California Energy Commission
<b>CPUC</b>	California Public Utilities Commission
<b>DLAP</b>	Default Load Aggregation Point
<b>EPA</b>	Environmental Protection Agency
<b>IOU</b>	Investor Owned Utility
<b>ITC</b>	Investment Tax Credit
<b>kW</b>	Kilowatt
<b>kWh</b>	Kilowatt hour
<b>LSE</b>	Load Serving Entity
<b>MCE</b>	Marin Clean Energy
<b>MT</b>	Metric Ton
<b>MW</b>	Megawatt
<b>MWh</b>	Megawatt hour
<b>NP15</b>	North of Path 15
<b>OTC</b>	Once Through Cooling
<b>PG&amp;E</b>	Pacific Gas & Electric Company
<b>PCIA</b>	Power Charge Indifference Adjustment
<b>POU</b>	Publicly Owned Utility
<b>PPA</b>	Power Purchase Agreement

<b>PUC</b>	Public Utilities Code
<b>RA</b>	Resource Adequacy
<b>RECs</b>	Renewable Energy Certificates
<b>RPS</b>	Renewable Portfolio Standard
<b>SB</b>	Senate Bill
<b>SCE</b>	Southern California Edison
<b>SCP</b>	Sonoma Clean Power
<b>SDG&amp;E</b>	San Diego Gas & Electric
<b>SONGS</b>	San Onofre Nuclear Generating Station
<b>SP15</b>	South of Path 15
<b>SQMD</b>	Settlement Quality Meter Data
<b>UIE</b>	Uninstructed Imbalance Energy

# California Clean Power Responses to Portola Valley Inquiries

June 8, 2015

## Rate setting

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**Do we need to mirror all of PG&E's rates? (including ones that no consumer in PV would hit?)**

*CCA's do not necessarily need to mirror IOU rate design, but this practice is advised because decoupling transmission and distribution rate design from generation rate design can prove to be very confusing for customers. Nevertheless, if a CCA seeks to design new and innovative rates, this is entirely possible but needs to be undertaken with great thoughtfulness and consideration. Also, the CCA should be mindful that because generation is only a portion of the total electric rate, the impact of a generation-only rate design will be diluted with respect to the overall electric rate design. Exclusion of PG&E rates that are not utilized in PV is not a problem, although, to avoid alienating future potential customers, only those that PV is absolutely certain will never be requested should be omitted.*

**Can we structure rates differently for policy purposes to encourage/discourage certain behaviors?**

*Yes; with the understanding that only the energy supply component is controlled by the CCA.*

**How does the San Juan Capistrano recent court decision on Prop 218 affect our ability to set rates?**

*Proposition 218, Section 3(b) specifically states that "fees for the provision of electrical or gas service shall not be deemed charges or fees imposed as an incident of property ownership," thereby exempting electric service from the water rate issues in the San Juan Capistrano decision.*

## What are the most comparable POU's to a proposed PV CCA?

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While some aspects of the Marin/Sonoma CCAs are similar to what PV would face, the relatively tiny scale of the PV CCA would cause some significant differences. Are there any small-town (say 2-8k residents) POU's in California, whether CCAs or not?

*The Cities of Biggs and Gridley are, in terms of load, comparable to PV's load. Biggs's load is about 2/3 the size of PV's load while Gridley's load is about 1/3 larger than PV's load. Both Cities operate fully functional municipal electric utilities including ownership and responsibility for the electric distribution systems, metering and billing. Both Cities also belong to the Northern California Power Agency (NCPA), which allows the two Cities to join with other municipal electric utilities to pool resources to own, operate and procure power under economies of scale.*

*Because the sole focus of CCA is power procurement while Biggs and Gridley, similar to PG&E, must focus on all of the other aspects of electric service, CCA is more similar to what NCPA provides to its members than CCA is similar to the Biggs and Gridley municipal electric utilities. Notably, however, while California Clean Power, serves a function similar to NCPA by procuring power for CCAs, California Clean Power also provides all other needed CCA services, such as financing, customer service, regulatory and interface with PG&E.*

**Are there [other small POU's and CCAs] in other states?**

*Yes, small POU's and small CCAs exist in many other states. The list of POU's is too numerous to list, but Illinois, Massachusetts, New Jersey, Ohio and Rhode Island all have CCA in various forms. Some states, like Ohio, have very robust CCA participation that includes hundreds of communities.*

## CCP as a public benefit corporation

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**Who is the governing board of CCP?**

*The Board of CCP is made up of Bill Gallaher (Chair), Douglas Bosco (Vice Chair), Komron Shahosseini, Jonathan Kathrein, Peter Rumble and Kelly Foley.*

**Who are the members of the corporation?**

*The Board and several members of the executive/management team are owners of the Company.*

## **What are the board & members looking for from CCP?**

*The mission of the Company is shared by the Board - to empower local communities, particularly those that could not otherwise due to size or resources, take advantage of the benefits of CCA. There is no set rate of return or exit strategy. We are building a company that will have a lasting positive impact on communities and the State.*

## **Is there any way to bypass PG&E's PCIA?**

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**Is the PCIA charged to new accounts, or only continuing accounts that depart from bundled service? Can all existing account be automatically closed and re-opened without impact or with minimal impact to consumers?**

*No, there is no way to bypass PG&E's PCIA. It is charged to both departing load and new customers who begin service after the CCA has already been established.*

## **How does unbundling affect things like Rule 20A funds**

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**Do 20A funds from the non-generation rates, or from generation, or both?**

*Rule 20A is funded through distribution rates or, in some cases, transmission rates. All CCA customers continue to be utility distribution and transmission customers, and therefore eligible for the same Rule 20A benefits as existed prior to forming a CCA.*

**How will a CCA affect PV's ability to underground power lines over time?**

*There will be no effect.*

**Is there any way to use CCA formation to actually help with undergrounding?**

*Yes. A community can opt for Public Benefit Payments that can be applied to undergrounding costs that exceed Rule 20A funding. Also, CCP provides in-kind assistance on all electric industry matters within CCP staff's areas of expertise, including Rule20A. Accordingly, CCP will provide PV with technical assistance, including interfacing with PG&E, to complete a 20A request.*

## **Public Benefit Payments**

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**[What should] Portola Valley [do if it has] any interest in public benefit payments [, lower rates, and/or more renewable energy] from CCP as part of the contract or lower rates?**

*CCP has, based on various inputs from PV, modeled PV's assumed mix of benefits at 100% renewable/zero carbon Category 1 electricity with .5% decrease off of total PG&E rates. Previously, CCP was able to also provide a small annual Public Benefit Payment of \$60,000, although renewable prices have recently increased, thus a refresh will need to be calculated to determine any impacts from the price increase.*

*The main driver behind renewable energy pricing volatility is the impending Federal Investment Tax Credit (ITC) "cliff." The ITC provides a critical 30% tax credit to renewable energy developers, which helps drive favorable pricing. Known as the "ITC Cliff," the ITC drops to 10% December 31, 2016. Post-Cliff, pricing of renewables could increase significantly. Because of this, new renewable projects hoping to qualify for the ITC need executed power purchase agreements (PPAs) by, at the latest, the end of Summer 2015. Without executed PPAs, renewable developers can not secure financing to complete projects prior to the ITC Cliff.*

*Accordingly, if PV seeks 100% or a very high level of renewable content, to capture favorable ITC pricing, moving forward with CCA within four to six weeks is highly recommended. Also, a 20 year PV-CCP contract will greatly assist in bringing down prices. If, on the other hand, PV prefers a different combination of renewables, rate reduction and Public Benefit Payments, CCP can calculate an estimated package based on market conditions at the time of calculation. In any event, until or unless PV is ready to move forward with a binding offer, which CCP hold open for 30 days, all proposals, due to market volatility, are for information only. Should CCP make a 30 day binding offer, if PV does not pass CCA ordinance and approve the CCP contract within that window, CCP will need to refresh the offer based on then current market conditions.*

## **Portfolio blend options**

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**Assuming Portola Valley would be primarily interested in the "most green" portfolio options we could procure, what would those be? In particular, there might be resistance in PV to hydro power.**

*When choosing particular energy sources for a portfolio, trade-offs are always a consideration. While hydro is well known for affecting hydrologic systems and ecosystems, wind power has come under criticism for impacts on bird populations and solar for usurping agricultural land (and in the case of solar thermal, also affecting birds and other species). Additionally, while ecological impacts are lower with solar panels co-located with load, there are significant cost and aesthetic considerations, as well as the fact that local solar is usually not plentiful enough to meet all energy needs. The California Public Utilities Commission has recognized certain energy sources as renewable, and importantly has made the distinction between large and small hydro*

*sources. Because these standards are widely recognized, CCP is able to construct a green portfolio that aligns with our values, based on market prices and supply availability. PV can always specify power source restrictions, but procurement costs will be higher as a result.*

## CCP as only bidder

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**Are there any other providers who offer competitive products, even if not identical to what CCP is proposing? How much is PV obligated to look for alternative partners, and have we done what is required to find any such alternatives?**

*Prior to concluding that PV will execute a contract with California Clean Power, PV should make a finding that a sole source contract is appropriate. A sole source contract is appropriate because no other provider offers turn-key CCA services comparable to those offered by California Clean Power.*

*CCP is aware of a number of firms who offer services competitive with sub-components of CCP's public-private turnkey partnership, but none offer comparable CCP financial guarantees and require no direct expenditures by the CCA. We are confident that by privatizing the financial risk and seamlessly integrating all of the critical components of CCA operation we bring a new and unique CCA model to the market.*

## Importance of PV to CCP

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**Will CCP provide adequate focus to Portola Valley, even though we will likely be its smallest partner by a large margin?**

*Yes for three reasons: We are contractually obligated; we are a benefit corporation; we want to make history with PV; all of our customers are equally important -- size doesn't matter -- a customer is a customer.*

**Are there aspects of a Portola Valley partnership that would be attractive to CCP?**

*Yes, CCP is interested in making history together with PV, making PV the first California town to go 100% Category 1 Renewable/Zero GHG.*

**Is there anything Portola Valley could do to make it more important to CCP?**

*100% Category 1 Renewable/Zero GHG with PV is one of our highest priorities. We want to establish a positive and long-lasting relationship based on our common desire to establish PV as the first and best in class in California sustainability. Note, too, that if PV decides not to pursue 100% renewable, CCP remains prepared to implement a different mix of benefits, but deeply hopes that PV will take a leadership position instead.*

## Resource requirements from PV

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What are the requirements from PV staff to:

**Establish the partnership with CCP, including contract negotiation, council/public education, involvement of any interested committees (sustainability committee?) Work with CCP to establish the CCA including formation, public interaction/education/etc., educating council about the process & issues, etc. through CCA launch?**

*To review CCP's service contract, CCP forecasts no more than 10 hours of legal review. Town Council due diligence is forecasted at about 3-5 hours per Council Member. Sustainability Committee review and public education can be accomplished in one meeting. CCP staff is always available to assist in these processes.*

*If/when PV is prepared to move forward with CCP, the Council first adopts a CCA Ordinance. Depending on PV's specific municipal code, the CCP contract can be approved following adoption of the Ordinance – even on the same agenda. Following the adoption of the CCA Ordinance and approval of the CCP contract, CCP staff handles all of the remaining launch requirements. Per the CCP contract, the Council must appoint a PV staff contact as the PV CCA Representative. The Representative will be needed on no more than a quarter time basis.*

**Post-launch requirements -- supervision of CCP; any CCA meetings/reports; inevitable front-line support for residents?**

*Post launch CCP continues to provide CCA turnkey service to PV, with the no more than quarter time assistance of the PV CCA Representative. The Town Council must also meet at least once per year to review rates and an annual performance report. CCP will, however, at PV's request, provide performance reports on as often as monthly basis, and provide in-kind CCP Staff assistance on any aspect of CCA and electric industry issues.*

**Any other areas that will require PV staff time?**

*Required staff time is limited to the coordination discussed above, and to delegating agency to CCP for compliance obligations, or being available to timely review and sign filings if delegation isn't desired or allowed by governing body or otherwise prohibited. This work should not exceed more than a quarter time commitment. Additional projects, such as Rule20A undergrounding, will require additional time commitments from PV Staff.*

## Impact on Portola Valley if the CCA fails

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### **[What if] the CCA fails between years 5-20? If the CCA fails after 20+ years?**

*As mentioned previously, if PV seeks to take a leadership role and be the first California community to be served by 100% Category 1 Renewables/zero GHG electricity, CCP recommends a 20 year contract. Under a 20 year contract, and the presumptions that PV would not run a CCA in house nor any other service provider would step in, the PV CCA will only fail if CCP fails. If CCP fails, the \$100,000 bond that CCP pays on behalf of PV's CCA would be forfeited and all PV CCA customers would, as described below, seamlessly revert to PG&E electric procurement service. PV would not be responsible for any of CCP's liabilities.*

*For 20+ year timelines, CCP provides five year contract renewal options. If PV opted for the renewals, the above 5-20 year scenario applies. If PV did not renew after 20 years, PV would need to find an alternative CCA provider, bring CCA services in house, or wind up the CCA.*

### **How [does] reversion to PG&E would work?**

*Even if a CCA abruptly and unexpectedly fails, provided the CCA does not represent an overly large portion of PG&E's total load, in the worst case scenario procurement for CCA customers ceases but electric service continues. That is, PG&E does not visit every CCA customer location and shut off service. Instead, CCA customer load is temporarily served by "market" power until the California Public Utilities Commission and PG&E reassign the customers to PG&E procurement service. After this short transition period, PG&E will rationalize the transfer and resume service to the former CCA customers.*

### **Would rates be affected by reversion?**

*CPUC regulations could allow for a higher or lower rate to be charged to reverting customers for a limited period of time until the reverted customers are normalized back into PG&E's load. The conditions of the market would determine if the rates would be higher or lower. Also, because PV's load is very small, the impact on PG&E's overall load is trivial, and therefore highly unlikely to trigger a differentiated reversion rate.*

### **If PG&E had not been expecting demand of the CCA's customers, it will not have purchased power to supply them, so how will it deliver power to them it wasn't anticipating that it would need, without having to buy power in the very short term?**

*Most of the answer to this question depends on scale; PG&E (and every other utility) is constantly managing its portfolio by purchasing energy or building power plants to match what it projects will be the total load of its customers. Because forecasts are, by nature, always wrong (the important consideration is just by how much), PG&E is well accustomed to handling imbalances between their supply and demand. If there is a*

*massive volume of load returning to PG&E, then yes, they will have to buy power to meet this load in the very short-term. However, keep in mind that the CCA had bought energy, and so will have to sell it in the very short-term as well. Furthermore, as mentioned previously, PV's load is quite small relative to PG&E's overall load and thus would likely have a de minimis impact.*

**What happens to any residual assets of the CCA under reversion, such as any power purchasing contracts?**

*The PPAs CCP has signed are between CCP and the counterparty. If the assets are liquidated, or the contracts unwound, and losses are realized, the responsibility for the costs would depend on the cause of the termination of the CCA's existence. If the cause were a breach by PV, CCP would seek damages. If CCP fails as a company, PV is shielded from any liability.*

**Are those available to PG&E to mitigate the unanticipated spike in demand that it will see?**

*Due to an increase in PG&E demand from returning CCA customers, PG&E could opt to buy the power purchase agreements from CCP or buy other supply from other parties.*

**Reversion would take care of things smoothly if the CCA's rate plans, etc. are the same as PG&E's, but what happens if [PV moves] to rate plans that do not map to PG&E's?**

*Reverted customers would need to go back to standard PG&E rate designs. As mentioned above, CCP advises structuring rates to mirror those of PG&E for several reasons, including preventing customer confusion. Reducing confusion in the scenario of reversion to PG&E rates is another reason for using standard PG&E rate design, but again, this must be weighed by PV against the benefits of pursuing alternative CCA rate designs.*

**What happens to any other CCA activities other than supplying power to customers under reversion? For example, any incentive plans, etc. that the CCA might set up?**

*Because customer reversion to PG&E presumes a winding down of the CCA, all CCA programs would presumably wind down too.*

## **Threats to viability of CCA**

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**[Could CCA] do a substantially worse job than PG&E of pricing contracts and becomes uncompetitive?**

*CCAs in general, and a PV CCA in particular, are certainly at risk of becoming uncompetitive relative to PG&E pricing. Nevertheless, CCP contractually guarantees*

*long term pricing, and CCP personnel have extensive procurement and regulatory experience. CCP's market changing public-private turnkey partnership ensures that the PV CCA remains competitive, distilling the CCA risk down to CCP's overall business viability.*

**CCA could under-forecast/over-forecast demand and need to buy expensive power to cover the shortfall or be stuck with purchased excess energy that it can't sell?**

*Yes, as in the previous response, many risks inherent in energy markets will always likewise exist for CCAs. Nevertheless, as also stated in the previous response, CCP's model contractually protects a PV CCA against these risks.*

**How does CCP structure its contracts to reduce the risks of mis-forecasting?**

*CCP is fully responsible for costs associated with forecast error and other related liabilities.*

**How does CCP model future energy demand, including elements like weather, technology changes, etc.?**

*CCP uses utility industry standard techniques for near-term energy demand forecasting. On a daily basis (more accurately a Day-Ahead basis), CCP creates a load forecast from a database of historical similar days (day of the week, holiday, seasonality) and adjusts the data based on weather forecasts. A forecast error of up to 6% or so is normal and expected. CCP expects to have forecast errors of approximately the same magnitude as the California Independent System Operator – the State's major grid operator.*

**Is accurate forecasting harder because of the small size of the customer base over which any bumps/troughs in demand get smoothed?**

*Yes, the load of a smaller population will more affected by energy usage deviations by individual customers; but CCP manages its portfolio across all of its customers, and therefore imbalance risk is mitigated by this larger population.*

## **Un-anticipated market conditions**

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**What happens when the next Enron-like market spikes occur, whatever the cause?**

*Market price spikes occur all the time; the possibility of prolonged elevated spot prices is a serious consideration in CCP's risk strategies. For this reason, we expect to hedge a large percentage of our open position well in advance of the service day. Additionally, by attempting to closely match PG&E's procurement portfolio, we can increase the likelihood that PG&E is equally as affected by price movements as CCP.*

**What cash reserves does CCP hold to weather any short-term market liquidity/price problems?**

*CCP has a cash position of approximately \$10.5M, with additional access to a line of credit up to \$5M. Liquidity and market price risks are two of the most significant risks CCP has exposure to and manages these risks through good utility practice.*

**Are any such reserves pooled across all CCP agreements, or would they be dedicated to the PV CCA?**

*They would be pooled across CCP's entire portfolio. CCP's practices of risk mitigation are the same for the portfolio serving all CCP's client communities, separated or aggregated. By aggregating, we can minimize operational costs and manage the entire portfolio. For the initial \$15M, CCP is limiting service to a population of 200,000.*

**[What happens in the case of a] CCA supplier default?**

*All supply contracts CCP will enter into have clauses for damages and provisions for suppliers to post security. From an operational perspective, because of the way the electricity grid and markets are operated in California, the risk of default is a financial one and not a physical one (shortfalls, even ones for relatively large individual supply contracts), are settled as imbalances in the liquid spot markets. PV customers would not be subject to physical shortages of energy any more than customers of PG&E. In the case of supplier defaults, CCP would pursue damages from our counterparties.*

**How would the CCA deal with potential short-term cash flow issues?**

*PV is the CCA. CCP is the service provider. CCP's public-private turnkey partnership privatizes CCA financial risk, resulting in a PV CCA having no cash flow issues. For CCP as the provider, because payment rates for essential services such as electricity are extremely high, cash flow is generally not an issue. Nevertheless, as part of CCP's risk management practices, CCP keeps sufficient cash reserves to ensure uninterrupted service even in the [very rare] event of revenue disruptions.*

**[Can PG&E intentionally cause problems for CCAs?]**

*PG&E is prohibited under California law from marketing against CCA programs without notifying the CPUC and with the use of ratepayer funds. Other more subtle forms of cost shifting could certainly occur, but PG&E must receive CPUC approval for nearly all actions. CCP as well as many other interested entities closely monitor CPUC requests by utilities assuring a transparent process and the CPUC generally disfavors cost shifting, making a utility attempt to disadvantage CCAs in this way very difficult for the utility.*

**CCP expansion risk -- What happens as CCP grows if it needs, and has trouble raising additional capital?**

*Simply put, CCP will not expand beyond what we have capital to cover. However, even if we wanted to expand beyond what we could afford to, our suppliers have diligent and strict risk mitigation functions themselves, to monitor their counterparties (us). As stated earlier, CCP is limiting our first tranche of customers to a population of 200,000. This ratio of \$15M:200,000 is considerably more robust than either the Sonoma Clean Power or Marin Clean Energy CCAs, which are both at about \$9M;400,000.*

**If CCP fails, will the CCA be able to continue, or does it depend on CCP's continuation?**

*CCP is merely a CCA service provider. All CCAs exist independently of their service providers. Nevertheless, due to the highly technical and specialized nature CCA, all existing and all, if not nearly all, future CCAs will need to rely on private consultants, vendors and/or companies. In the case of CCP, we have brought all of the key functions in house, streamlined our overhead, and privatized the financing, thereby considerably minimizing the risk we will fail, which means our CCA clients are likewise protected.*

## CCP successor entities/mergers

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**[Can a non-benefit corporation purchase CCP, a benefit corporation?]**

*A non-benefit corporation could purchase CCP, but it would have to do so subject to CCP's existing contracts and commitments, thus retaining all of the benefits of CCP's structure for existing customers.*

*CCP is a benefit corporation, not a non-profit public benefit corporation.*

**What happens if CCP is sold, etc.? Does the continuing entity have to continue supporting the CCA?**

*Yes; see answer above.*

## Change in CCP's business plans/goals

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**What happens if CCP no longer is interested in partnering with PV on the CCA?**

*As reference earlier, particularly if PV will take a leadership position with 100% Category 1 Renewables/zero GHG, CCP strongly recommends a 20 year contract. The contract will also include standard 5 year renewal options. Under these contract terms, PV could be contractually covered for as long as 30 years.*

## **What if CCP enters Chapter 14 bankruptcy? How would the CCA be affected?**

*Even if in bankruptcy, CCP can continue to serve PV. If, however, CCP completely dissolved, the previous comments on reversion and the results of CCP failure apply.*

## **Contract questions**

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### **What are CAISO Congestion Revenue Rights (section 10.0)?**

*Congestion revenue rights (CRRs) are products used by investor-owned utilities, publicly-owned utilities, CCAs, power generators and other market actors to manage their exposure to congestion on the transmission system. Congestion occurs when more energy is used in an area of high load than can be met by importing the energy across the grid. When this happens, the wholesale electricity price in the importing region increases and that in the exporting region decreases (congestion is a financial concept; the energy demand continues to be supplied, although this is done by turning on more expensive local power plants rather than using the energy available remotely, but unable to reach the load “pocket”). CRRs are allocated to load-serving entities in order to offset the risk of high prices where your customers are using energy. The term congestion revenue right is (unlike many terms in the utility industry) pretty straightforward, in that it gives you, the CCA, or us, CCP as your service provider, the right to the price difference (the congestion revenue) between where we’ve contracted to buy power (for example at the substation where a generator injects energy onto the grid) and where our customers are using this energy. By assigning CCP the CRRs, you allow us to better manage our risks and offer you a better deal.*

### **In what example circumstances might CCP want to assign the agreement to a parent/subsidiary, or to any other third party? (section 15.0)**

*There are no foreseeable or eminent examples, however, there may come a time that CCP does merge, and to protect the smooth operation of PV's program, we want to be able to make that transition seamlessly. Currently, CCP has no plans to exercise these rights. Nevertheless, resiliency is key to the survival of any company, thus retaining the ability to merge, be acquired, etc. is standard prudent business practice.*

### **Lake County contract term is 10 years; there do not appear to be any provisions in the contract for termination by either party, even if both agree?**

*There is no early termination clause due to the need to procure energy many years in advance. Because energy costs make up the vast majority of CCA-related costs, this protection is necessary for CCP to remain in business and manage its risks. Nevertheless, both parties to a contract can always mutually agree to any change, including termination.*

## Exhibit A

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### **Rates - need the discount rate be specified here?**

*The discount rate to be used in rate setting must be specified in the contract, as it is an essential component. CCP includes it in the Exhibit, along with other contract variables, for convenience; i.e. the boiler plate/less likely to change language is in the body of the contract while the terms and conditions that vary from CCA to CCA are captured in one Exhibit. The main body of the contract and Exhibit A are co-equal elements of the overall Agreement.*

### **Rates are tied to PG&E's winter rate plans? Or are they tied to the year-round rates in effect as of Jan 1st each year?**

*CCP contractually adjusts CCA customer rates once per year, based on PG&E's January Annual Electric True (AET). The AET contains different rates for winter and summer, thus the CCA rates will reflect the different winter and summer rates.*

### **Must/should rates be tied to PG&E rates? Are there alternatives that might go here?**

*Please see previous discussions.*



## Dinner/Meeting Announcement

**Date: Friday, July 24, 2015 at 6:00 P.M.**

*All council members are welcome to come and meet their colleagues at these dinner meetings. This is a wonderful opportunity to discuss issues facing cities within San Mateo County and share ideas with others.*

### Location

#### **Crowne Plaza Hotel, Marco Polo Room**

1221 Chess Drive  
Foster City, CA 94404  
\*On-site parking available

### Schedule

6:00 pm	Social, <i>no host bar</i>
6:30 pm	Business meeting
6:45 pm	Dinner
7:30 pm	Program
8:30 pm	Adjournment

Please contact Chair Elizabeth Lewis at [lizlew08@gmail.com](mailto:lizlew08@gmail.com) if you wish to bring up an item for group discussion or give a committee report.

## Buffet Dinner

**\$45 per person**

No host bar

RSVP by noon on Friday, July 17, 2015  
Julie Paping at (650) 286-3223 or [jpaping@fostercity.org](mailto:jpaping@fostercity.org)

Checks payable to: City of Foster City  
Send the payment to this address:  
City Manager's Office, c/o Julie Paping  
610 Foster City Blvd.  
Foster City, CA 94044

## Directions and Parking Instructions

**Crowne Plaza Hotel  
1221 Chess Drive  
Foster City, CA 94404  
650-570-5700**

### **From 101:**

- Hwy 101 to 92 east
- Exit Foster City Blvd.
- Right onto Metro Center Blvd.
- Right onto Vintage Park Dr.
- Right onto Chess Dr.

On-site parking is available at no cost.

## **TOWN COUNCIL WEEKLY DIGEST**

**Thursday – July 10, 2015**

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1. Agenda – ASCC – Monday, July 13, 2015
2. Agenda – Trails & Paths Committee – Tuesday, July 14, 2015
3. Agenda – Planning Commission – Wednesday, July 15, 2015
4. Letter from resident Sue Chaput re: Historic Schoolhouse
5. San Mateo County Sheriff's Office – re: new Radar Trailer in Portola Valley
6. Report from San Mateo County Sheriff's Office – Incident Log for 06/20/15 – 06/30/15
7. San Mateo County Mosquito & Vector Control District re: June 2015 District Report
8. Bay Area Air Quality Management District – 2014 Annual Report

### **Attached Separates (Council Only)** *(placed in your town hall mailbox)*

1. None



**TOWN OF PORTOLA VALLEY  
ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)  
Monday, July 13, 2015  
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 and Site Development Permit for a New Residence and Swimming Pool, File #: 01-2015 and X9H-688, 20 Minoca Road, Unger Residence (Staff: C. Borck)
  - b. Modifications to Previous Approval for an Expanded Riding Arena and Grading for New Lunging Area, File #'s: 41-2014 and X9H-683, 15 Los Charros Lane, Sabel Residence (Staff: C. Borck)
5. New Business:
  - a. Architectural Review for New Automatic Driveway Entry Gate and Columns, File #'s: 36-2014, 33 Grove Drive, Jernick Residence (Staff: C. Borck)
  - b. Architectural Review for Addition and Remodel, File # 08-2015, 393 Golden Hills Drive, Munks Residence (Staff: C. Borck)
6. Commission and Staff Reports:
7. Approval of Minutes: June 8, 2015
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.

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### **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).

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

Date: July 10, 2015

CheyAnne Brown  
Planning Technician

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**TOWN OF PORTOLA VALLEY**  
***Trails and Paths Committee***  
**Tuesday, July 14, 2015 - 8:15 AM**  
**Historic Schoolhouse**  
**765 Portola Road, Portola Valley, CA**

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**AGENDA**

1. Call to Order
2. Oral Communications
3. Approval of Minutes –
  - a) Regular meeting of June 9, 2015
  - b) Special meeting of June 15, 2015
4. Financial Review and Trail Work – June 2015
5. Conservation Committee Update
6. Old Business
  - (a) Celebration of the Horse and Horse Fair - Debrief
  - (b) Community Hike Planning – November Saturday (11/7, 11/21, or 11/28)
  - (c) Larry Lane Trail – Scenic Overlook, Potential Trail Work
7. New Business
  - (a) Shady Trail – Potential Signage
  - (b) Committee minutes – New “Action” Minutes to be Available Online
8. Other Business
9. Adjournment

**Enclosures:**

Minutes from April 14, 2015 meeting  
Financial Review  
Trail Work Map and Memo – June 2015



**TOWN OF PORTOLA VALLEY  
REGULAR PLANNING COMMISSION MEETING  
Wednesday, July 15, 2015 – 7:30 p.m.  
Council Chambers (Historic Schoolhouse)  
765 Portola Road, Portola Valley, CA 94028**

**REGULAR AGENDA**

Call to Order, Roll Call

Chairperson Targ, Vice-Chairperson Hasko, Commissioners Gilbert, 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*: Site Development Permit for a New Residence and Swimming Pool, File #'s: 01-2015 and X9H-688, 20 Minoca Road, Unger Residence (Staff: C. Borck)

Commission, Staff, Committee Reports and Recommendations

Approval of Minutes: June 17, 2015

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).

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

Date: July 10, 2015

CheyAnne Brown  
Planning Technician

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**Fwd: idea for the Masterplan Update**

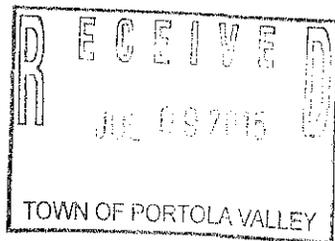
Thursda

Page 343 #4

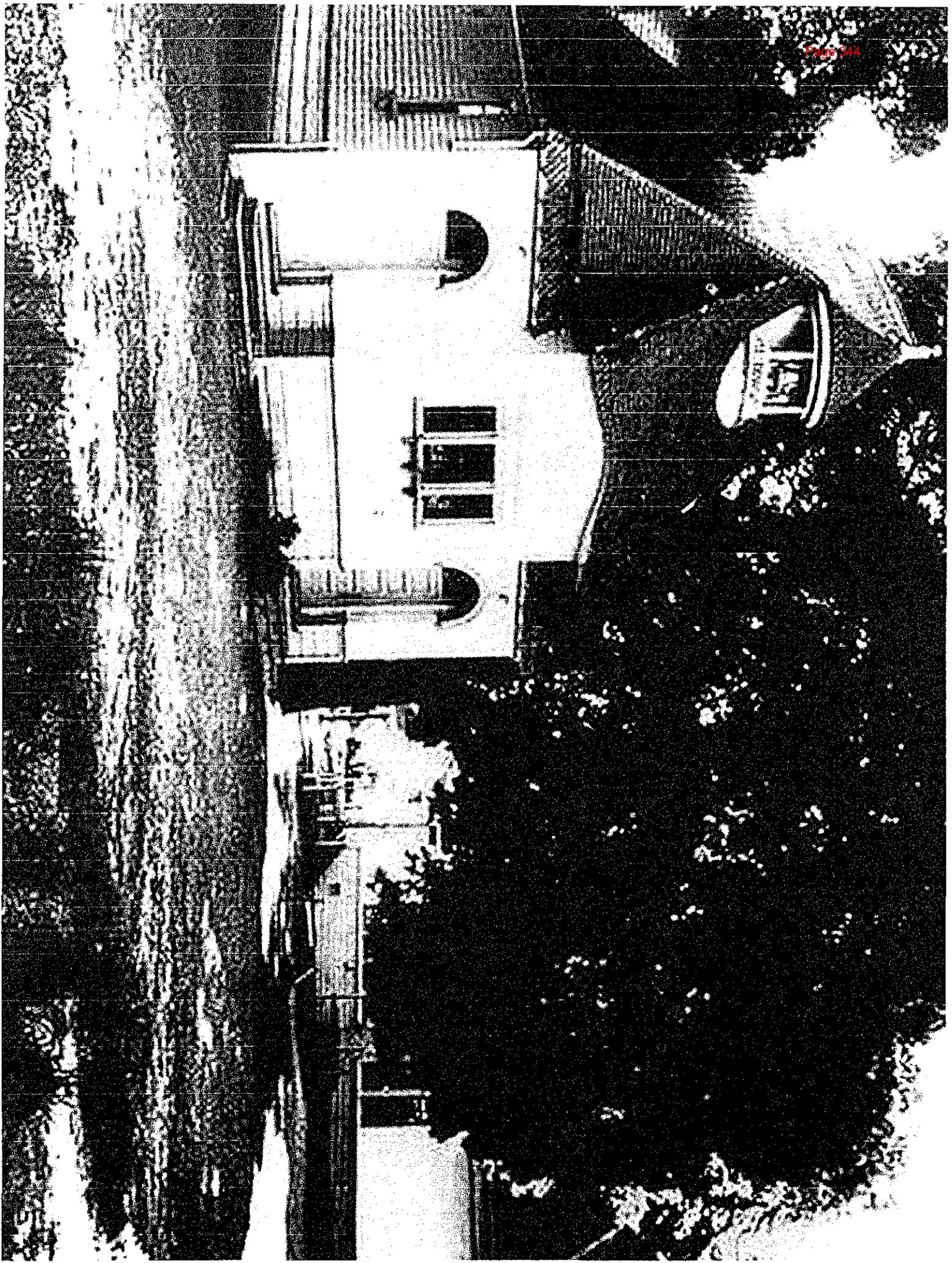
From: "Sue Chaput" <suechaput@yahoo.com>

To: "Sue Chaput" <suechaput@yahoo.com>

- > A few years ago,
- > While sitting in a council meeting. I saw this photo on the wall.
- > I said in passing, let's replicate this other school building. Maybe modi
- > With the MAster plan update in sight
- > the time is right
- > We need space.
- > Let's build the place!
- >
- > This could be purpose -built for a History and nature/science center,
- > And Surely shared and well used by Cultural Arts .It could also be used a
- > And meeting room
- > If the olde style doesn't suit you. A center could easily match the existing
- > We are all running out of room. This addition would free up a room ir
- > desperately needed )
- > Thank you for considering this idea. And I am always happy to help!
- > Sue Chaput
- P.s. Or we could build a beautiful barn\*\*!\*
- > Sent from my iPad
- > "What BEAUTIFUL THING are you doing today?"



b/message?sMid=1&fid=Inbox&sort=date&order=dow... 7/9/2015



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3:58 PM

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Page



## San Mateo County Sheriff's Office

Posted by Rebecca Rosenblatt

Just now · 

Deputies learn about the new radar trailer that can be seen in and about Portola Valley, the design of which is to keep speeders honest and help make streets safer for the vehicles, bicyclists, & foot traffic who traverse throughout the town of Portola Valley on a daily basis!





# 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.

**Saturday 06/20/15 to Tuesday 06/30/15**

Greg Munks  
Sheriff

CASE NUMBER	DATE & TIME Reported	LOCATION	DESCRIPTION	FACTUAL CIRCUMSTANCES
15-5620	06/20/15 3:09PM	100 Blk. 10 <sup>th</sup> Ave. / Edison Way North Fair Oaks	-Violation of Parole -False ID to Police Officers -Altering Markings on Imitation Firearm -Commit Felon While on Bail	Consensual contact was conducted on Fair Oaks Avenue, between Ninth and Tenth Avenues. The suspect gave a false name to deputies with the intent to avoid identification in the event an active warrant was present. The suspect was found to be on CDC Parole and in possession of a replica firearm with the orange tip removed. The suspect was in possession of an Apple Powerbook G4 which was later determined to have belonged to an individual who donated it to Goodwill. The suspect gave conflicting statements as to how he obtained the laptop computer. The suspect was in possession of a CDCR ID card with his name, photograph and DOB on it. It was learned that the suspect was on active CDCR parole. A parole hold was issued for the suspect based on the aforementioned circumstances. The suspect, Jaime Alberto Godinez from East Palo Alto was subsequently booked into San Mateo County

				Jail.
15-5644	06/21/15 6:40PM	900 Blk. 8th Ave. North Fair Oaks	Grand Theft	Unknown suspects entered the victim's unlocked vehicle and stole an Ipod Touch and 10 collector toy cars. There were no witnesses at the time of this report. The estimated loss is \$1,120.00
15-5682	06/23/15 10:59AM	3000 Blk. Edison Way North Fair Oaks	Vandalism	An unknown suspect(s) spray painted the rear of a building on the 3000 Blk of Edison Way. The suspect(s) spray painted the words "Slum," "Smash," and "Sack." Based on prior vandalism cases at this location, the damage will be approximately \$2000.00.
15-5726	06/24/15 11:17AM	100 Blk. Gabarda Way Ladera	Burglary	Unknown suspect(s) entered a residence that was under construction. The residence was locked with the exception of one side window. The suspect(s) took \$2,899.00 worth of tools from locked storage containers.
15-5778	06/25/15 10:14AM	4000 Blk. Fair Oaks Ave. North Fair Oaks	Arson of Inhabited Structure	A deputy responded to the 4000 Blk of Fair Oaks Avenue for a structure fire. County Communications updated the information that an RV was on fire and had started a residence on fire as well. The deputy arrived on scene and assisted Menlo Park Fire Department in interviewing several residents and witnesses. Later, additional information had developed that the fire was arson and had been set intentionally. This case is still under investigation.
15-5828	06/27/15 12:58AM	Alameda De Las Pulgas / Greenways Dr. Woodside	-Non Injury Traffic Accident -Under 21 / Driver with.05 Alcohol	Driver #1 was driving Vehicle #1 northbound on Alameda de Las Pulgas. Driver #1 attempted to make a left turn onto Greenways Drive. Due to his speed, Driver #1 allowed his vehicle to veer and collide with a brick wall. Driver #1 crashed Vehicle #1 into the brick wall with the front side as he attempted to make a left turn.

15-5858	06/28/15 4:07AM	5 <sup>th</sup> Ave. / Middlefield Rd. North Fair Oaks	-Under the Influence of Alcohol/Drugs -Resist or Obstruct Officer -DUI Turnover	During a traffic vehicle stop, the passenger, Juan Santizo-Guzman from Redwood City became belligerent and failed to follow lawful orders. When he was detained, he challenged to fight the deputy and he was physically resisting. Santizo-Guzman was placed under arrest for being drunk in public, resisting an officer and using a false Social Security Card in his name. Santizo-Guzman was booked into the San Mateo County Jail. The driver of the vehicle, Edgar Lopez-De Leon from Redwood City was turned over to the California Highway Patrol and ultimately placed under arrest for driving under the influence.
15-5881	06/29/15 9:11AM	100 Blk. Glenwood Ave. Woodside	Petty Theft	Unknown suspect(s) entered the victim's unlocked vehicle and stole the remote control to her garage door without permission. Prior to fleeing the scene the suspect(s) opened the garage door with the remote. The garage was not ransacked nor was anything missing from the garage. The deputy gave the victim his business card and advised her to contact the San Mateo Sheriff's Office if she were to discover any more stolen items related to this case. The estimated loss is \$100.00 for the garage door opener.
15-5902	06/29/15 5:06PM	1000 Blk. Orange Ave. West Menlo Park	Burglary	Unknown suspect(s) broke into the victim's residence and broke a glass panel to the back door. No items were reported missing.
15-5903	06/29/15 7:15PM	100 Blk. Glenwood Ave. Woodside	Petty Theft	Unknown suspect(s) stole multiple items from the victim's unlocked vehicle. The approximate value of the stolen items was \$250.00. There are no suspect or evidence leads in this case.
15-5915	06/30/15 12:33AM	Alamos Rd./Westridge Drive Portola Valley	-Possession of Controlled Substance	An enforcement stop was conducted on a vehicle for a vehicle code violation. While speaking to the driver of the vehicle, the

			<p>-Possession of Marijuana w/ driving.</p>	<p>deputy could smell the distinct odor of marijuana emanating from the interior of the vehicle. The driver confirmed there was marijuana in the vehicle and handed it to the deputy. The driver stated she did not have a medical marijuana card. The driver was cited for vehicle code violations and possession of marijuana while driving. The driver was released from the scene after signing the promise to appear. While packaging the evidence, a clear capsule containing methamphetamine was located underneath the marijuana buds. An additional charge of possession of a controlled substance was recommended.</p>
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## **TOWN COUNCIL WEEKLY DIGEST**

**Friday – July 17, 2015**

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1. Agenda (Special) – Water Conservation Committee – Monday, July 13, 2015
2. Memo from Public Works Director Howard Young re: Bid Results for the Alpine Road Shoulder Widening Project #2015-PW02
3. Report from San Mateo County Sheriff’s Office – Incident Log for 07/01/15 – 07/09/15
4. Letter from Fran David City Manager, City of Hayward re: Restoration of PG&E Rule 20A Allocations
5. Letter from Supervisor Adrienne Tissier re: Request for Consideration to Adopt an Ordinance to Eradicate Illegal Massage Parlors in San Mateo County
6. Letter from Laura Fanucchi, Associate Executive Director for HIP Housing re: Thanking the Town for its support and Summary of Activities achieved for FY 2014 – 2015

**Attached Separates (Council Only)**  
*(placed in your town hall mailbox)*

1. Comcast Community Investment Report – June 2015
2. Catalyst Magazine (Microsoft publication) – “Coding and Computer Science Education”



**TOWN OF PORTOLA VALLEY**  
**Special Water Conservation Committee Meeting**  
**Wednesday, July 22, 2015 2:00 PM to 4:00 PM**  
**Town Hall, Conference Room**  
**765 Portola Road, Portola Valley, CA 94028**

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## **AGENDA**

- 1. Call To Order**
- 2. Oral Communications**
- 3. Approval of minutes – July 1, 2015**
- 4. Review status of water survey tool (including initial response from residents and remaining activities to promote the tool)**
- 5. Discuss setup and staffing for sessions to assist residents in using the water survey tool**
- 6. Review PV June aggregate water consumption results**
- 7. Discuss next areas of focus (lawn watering reduction, smart controllers)**
- 8. Announcements**
- 9. Set Date and Topics for next meeting**
- 10. Adjournment**

*Delle to act as Secretary for this meeting*



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

**TO:** Mayor and Members of the Town Council  
**FROM:** Howard Young, Public Works Director  
**DATE:** July 17, 2015  
**RE:** **Alpine Road Shoulder Widening Project #2015-PW02**  
**Bid Results**

Bids for the above referenced project were properly advertised then opened at 11:00 A.M. on June 24, 2015 by the Town Clerk.

	<u>Base Bid</u>
1. RGW Construction	\$365,734.00
2. Granite Rock Company	\$251,414.00
3. Engineered Soil Repairs	\$217,258.50
4. TKO General Engineering & Construction	\$157,791.84 Low bidder

Original Engineers Estimate without 10% contingency: \$245,000.00

Due to the low bid price, Town staff, Geologist, and Public Works Inspector held a meeting with the low bidder TKO to review the project scope, construction methods, materials, schedule, ability, and expectations. TKO appeared cooperative and knowledgeable of the project and answered all questions. They are a small family local contractor located off La Honda Road that owns and operates all their own equipment. Additional oversight and inspection time will be assigned as required. Town staff also consulted with the office of the Town Attorney.

Based on the information above, Town staff is in the process of verifying contractor certifications, references, and intends to award the project to the lowest bidder "TKO General Engineering & Construction, Inc." for a base bid of \$157,791.84.

At its May 27, 2015 meeting, it was indicated to the Town Council that the estimated cost for construction included in the San Mateo Transportation Authority Grant application and budgeted was \$245,000 not including a 10% construction contingency. The contingency fund would be established once bids are opened and reported to the Council as necessary by the Town Manager. Due to the low bid amount, the remaining available budgeted funds for this project will be used as contingency if needed for construction and oversight or reallocated to the Towns second pinch point project as indicated in the May 27, 2015 staff report. The Town Council has authorized the Town Manager to award the project to the lowest responsible bidder. Construction is scheduled to begin August 2015 and completed by middle of October 2015.



# SHERIFF'S OFFICE

A TRADITION OF SERVICE SINCE 1856

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

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

Wednesday 07/01/15 to Thursday 07/09/15

Greg Munks  
Sheriff

CASE NUMBER	DATE & TIME Reported	LOCATION	DESCRIPTION	FACTUAL CIRCUMSTANCES
15-5957	07/01/15 8:11AM	1900 Blk. Camino A Los Cerros West Menlo Park	Burglary	Unknown suspect(s) entered a garage on Camino A Los Cerros. The garage door was left open and the vehicles in the garage were unlocked. The unknown suspect(s) stole a Mac Book Air laptop, misc clothing, and approximately \$110-130 in US currency along with credit cards. The estimated loss is approximately \$3,180.00.
15-5966	07/01/15 11:56AM	200 Blk. Golden Oak Dr. Portola Valley	Attempted Burglary	Homeowners on Golden Oak Drive came home from the store to find a subject walking between their house and garage. They confronted the subject and asked what he was doing. The subject said "he was looking for Johnny." The subject walked towards the street as he was talking on his cell phone. The homeowners tried to follow the subject as he exited the driveway and walked north towards Granada Ct. A Gray colored vehicle, possibly a Honda, that was traveling south on

				Golden Oak stopped and the subject got in the front passenger seat and drove north on Golden Oak. The victims were unable to see the license plate or driver as they left the area. The victims checked their residence and found the screen on the kitchen window was partially removed. No access was gained by the subject and there was no known loss. Deputies arrived on scene within two minutes of the dispatched call. Several units saturated the area in an attempt to locate the suspect vehicle but were unsuccessful.
15-5967	07/01/15 12:04PM	2900 Blk. Calvin Ave. North Fair Oaks	Attempted Burglary	3 unknown suspect(s) attempted to enter a residence on Calvin Avenue. They tried to open the sliding glass door on the balcony. The neighbor saw the three males and recognized them from the neighborhood. Nothing was taken or damaged.
15-5978	07/01/15 4:16PM	400 Blk. Summit Springs Woodside	-Traffic Accident – Minor Injury – -DUI	Deputies were dispatched to a solo vehicle rollover accident with a truck on its roof. The sole occupant and driver of the truck was trapped inside. Woodside Fire personnel used the jaws of life to extract the driver. Upon contacting the driver, Woodside Fire personnel smelled a distinct odor of an alcoholic beverage emanating from his person. The driver was treated by Woodside medical personnel and transported to Stanford Hospital for his injuries. During the investigation, it was determined that Dean Seki from Redwood City was driving under the influence of alcohol. He was placed under arrest at the hospital.
15-5980	07/01/15 4:50PM	2700 Blk. Woodside Rd. Woodside	Obtain/Use Personal ID w/o Authorization	The victim received a letter from the I.R.S. requiring him to mail necessary information in order to receive his tax return. The victim had not yet filed his taxes due to an extension. No suspect information was given at this time.
15-5998	07/02/15	300 Blk. Stanford Ave.	Petty Theft	The victim was the victim of petty theft from his Volkswagon.

	8:35AM	West Menlo Park		The vehicle was parked in his driveway, however not locked during the above time frame. The loss in this theft was approximately \$10-\$15 in various small bills. At this time, this investigation is for informational purposes only.
15-6054	07/03/15 1:46PM	100 Blk. Haciendas Dr. Woodside	Petty Theft	The victim discovered his iPad2 was missing. The victim believes an unknown suspect had taken the iPad from his house without permission. When the victim went to buy a new iPad, he could not find his driver's license. The victim thinks the unknown suspect also took his driver's license. There were no signs of forced entry to the house. While writing this report the victim notified the deputy he had found his iPad in the house, but was still missing his driver's license.
15-6082	07/04/15 4:47PM	2700 Blk. Fair Oaks Ave. North Fair Oaks	Robbery from Person / Fear of Force	The victim was the victim of a robbery by his son (Suspect #1). The incident occurred at the victim's place of business, located on Fair Oaks Ave. The total loss was \$400.00 cash. The suspect fled the scene in a white 4 door Honda Accord and remains at large. The victim did not claim any injuries as a result of this incident.
15-6099	07/05/15 6:03PM	2000 Blk. Greenways Dr. Woodside	General Information Case	A deputy was dispatched to a dispersal in an empty lot on Greensway Drive. Upon arrival three subjects began to run. After ordering the subjects to stop, one subject continued to jump a fence and the other two stopped and came back to the deputy. After identifying the 2 subjects the deputy quickly searched the area. The deputy found two \$20.00 bills and a baggie of marijuana. Neither party claimed the money or marijuana. Both subjects were found to be juveniles and released to their parents. Both parties claimed the property belonged to the unknown subject who fled. The marijuana and money were booked into property.

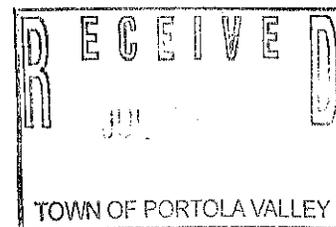
15-6115	07/06/15 10:24AM	2200 Blk. Spring Street North Fair Oaks	Forge/Alter/Counterfeit Check	The victim was the victim of fraud via a fraudulent check. This took place at a Towing Company on Spring Street. The suspect and persons of interest gave the towing company a forged cashier's check for the amount of \$3,000.00. The suspect is not in custody.
15-6145	07/07/15 1:34AM	Cinnabar Rd. / Crest Rd. Portola Valley	Possession of Marijuana	Upon contacting subjects in a vehicle, the deputy immediately smelled the strong, distinct odor of marijuana emanating from the vehicle. The deputy cited and released one of the subjects for being in possession of marijuana.
15-6166	0/07/15 2:40PM	500 Blk. Manzanita Way Woodside	Animal Bite	County Communications dispatched the Sheriff's Office to send deputies to Robert's Market to meet with the victim of a dog bite. Upon arrival the victim reported being bit by an unleashed dog while riding his bicycle near the intersection of Sandhill Road and Manzanita Way. The victim's leg (between his calf and ankle) was visibly red and appeared to have two small punctures near his shin. The victim refused medical attention when it was offered, but did request Peninsula Humane Society attempt to locate the dog to determine if it was current on vaccinations. Deputies and PHS were unable to locate the dog.
15-6206	07/08/15 3:06PM	3000 Blk. Alpine Rd. Ladera	Forge/Alter Vehicle Registration	Laura Ann Watts from Sunnyvale was contacted as the driver of a motor vehicle stopped for a vehicle code violation. Watts was found to have a small traffic warrant out of Santa Clara County and also to have false registration tabs on the vehicle's license plate. Watts was advised on the out of county warrant and was cited and released for the false registration.



CITY OF  
**HAYWARD**  
 HEART OF THE BAY

July 10, 2015

Mr. Nick Pegueros  
 City Manager  
 City of Portola Valley  
 765 Portola Road  
 Portola Valley, CA 94028



Mr. Nick Pegueros:

As you will recall, PG&E has slashed cities' Rule 20A allocations by almost 50% since 2011. This precipitous loss of funding for vital projects has created an extraordinary burden on many cities that are now unable to carry out identified infrastructure improvements.

The City of Hayward is launching an effort to reverse these decisions and restore the allocations. We request your partnership in this initiative involving the California Public Utilities Commission (CPUC) and PG&E. The City of Hayward has entered into an agreement with Mikkelsen & Associates to spearhead this effort, which will request that the CPUC reverse their previous decisions in PG&E's 2011 and 2014 General Rate Cases following a review and public hearing on the subject. Sindy Mikkelsen, (M&A's principle) retired last year as the Rule 20A Subject Matter Expert for PG&E in both rate cases. In fact, Mikkelsen wrote the testimony that PG&E submitted to the CPUC. Hayward staff believes that she has key arguments that will result in the reversal of the decision, restoring our allocations to the previous fair and appropriate higher amounts.

The City of Hayward is prepared to cover all costs related to the work necessary to move us forward toward a positive outcome in this case. Other cities and counties will also realize a tremendous benefit from any positive decisions resulting from our challenge, and that this case will require the support of many key communities for the effort to be successful. This is why we are contacting you and would like to request your support for this cause. Hayward is not requesting any financial contribution toward the effort at this time, and is willing to assume all of the risk and cost associated with this initial work, which could result in your community's Rule 20A allocations nearly doubling.

However, after we win this case, in recognition of our efforts and initiative, we request that your community express its appreciation by granting Hayward a portion of your new allocation equal to 10% of just the first two year's increased allocation amount: truly a small price for the long term benefits that your community can expect to receive through on-going increased Rule 20A allocations.

Please contact me at your earliest convenience with your comments and thoughts about participation. We will host a Q&A meeting on the subject on Thursday, July 23, 2015 at 11:00 a.m. The meeting will be held in Conference Room 2A at Hayward City Hall, located at 777 B Street in Hayward.

We hope to have you or your representative in attendance. If you are unable to attend, you may contact our Public Works Director, Morad Fakhrai, at (510) 583-4740 to discuss the details of our action with PG&E.

Thank you,

A handwritten signature in black ink, appearing to be 'FD' or similar initials, written in a cursive style.

Fran David  
City Manager  
ICMA-CM

## Adrienne J. Tissier

Member • Board of Supervisors • San Mateo County

July 16, 2015

Mr. Nick Pegueros  
Town Manager  
Town of Portola Valley  
765 Portola Road  
Portola Valley, CA 94028

Dear Mr. Pegueros:

Hope this letter finds you well and enjoying your summer. I wanted to follow up with you regarding a letter I sent to you (see attached on January 22<sup>nd</sup>, 2015).

Since then approximately five cities as well as the County have adopted the massage ordinance (also attached) in the hope of removing illegal massage parlors from our County.

In the next week or so I will be calling to see if you and your Council would be willing to agendize this item.

Thank you for your consideration.

Sincerely,

  
Supervisor Adrienne J. Tissier

400 County Center, Redwood City, California 94063

Direct Line (650) 363-4572 • Fax (650) 701-0564

# Adrienne J. Tissier

Member • Board of Supervisors • San Mateo County

January 22, 2015

Mr. Nick Pegueros  
Town Manager  
Town of Portola Valley  
765 Portola Road  
Portola Valley, CA 94028

Dear Mr. Pegueros:

Thank you for the opportunity to speak at the City Manager's meeting to present you with the proposal for each city's adoption of an ordinance aimed to eradicate all illegal massage parlors in San Mateo County, based on the ordinance previously adopted by the county. The potential for collaboration between our cities and the County on this important issue is timely.

San Mateo County is known for being the leader on important issues, and our collaboration between law enforcement, county departments and our cities is something that we can take great pride in. We have the opportunity to make immense strides in the fight against human trafficking by working together to make this happen.

I have attached a copy of the San Mateo County Ordinance on Illegal Massage Parlors that has been instrumental in eradicating those located in the unincorporated portion of our county. As discussed last week, our hope is that you will be bringing this back to your city council for consideration and adoption. Please keep me posted on the progress and when we may look forward to seeing this on your city's agenda.

Let's continue to be the leader in our state on important issues and get out in front of this one by removing illegal massage parlors from our county entirely. We are looking forward to a long and successful partnership with you on this important first step in the battle against human trafficking.

Sincerely,



Supervisor Adrienne J. Tissier

ORDINANCE NO. \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,  
STATE OF CALIFORNIA

\* \* \* \* \*

**ORDINANCE AMENDING SECTIONS 5.44.040, 5.44.050, 5.44.070, 5.44.080,  
5.44.100 and 5.44.110 of CHAPTER 5.44 (MESSAGE BUSINESSES) OF TITLE 5  
(BUSINESS REGULATIONS) OF THE SAN MATEO COUNTY ORDINANCE CODE,  
RELATING TO THE REGULATION OF MESSAGE BUSINESSES**

The Board of Supervisors of the County of San Mateo, State of California,  
ORDAINS as follows:

SECTION 1. Section 5.44.040 is hereby amended to read as follows:

5.44.040 MESSAGE BUSINESS REGISTRATION

(a) Application. The registration application for a County Registration

Certificate shall include all of the following:

- (1) Legal name of the massage business.
- (2) Address and telephone number of the massage business.
- (3) Legal names of all owners of the massage business.
- (4) A list of all of the massage business's employees and independent contractors who are performing massage and their CAMTC certification.
- (5) Residence address and telephone number of all owners of the massage business.
- (6) Business address and telephone number of all owners of the massage business.
- (7) The form of business under which the massage business will be

operating (i.e., corporation, general or limited partnership, limited liability company, or other form).

(8) Each owner or operator of the massage business who is not a CAMTC-certified massage practitioner shall submit an application for a background check, including the following: the individual's business, occupation, and employment history for the five (5) years preceding the date of the application; the inclusive dates of such employment history; the name and address of any massage business or similar business owned or operated by the individual whether inside or outside the County.

(9) For all owners, a valid and current driver's license and/or identification issued by a state or federal governmental agency or other photographic identification bearing a bona fide seal by a foreign government.

(10) For all owners, a signed statement that all of the information contained in the application is true and correct; that all owners shall be responsible for the conduct of the business's employees or independent contractors providing massage services; and acknowledging that failure to comply with the California Business and Professions Code sections 4600 *et seq.*, any local, state, or federal law, or the provisions of this Chapter may result in revocation of the business's County registration certificate.

(b) Issuance. Upon provision by the massage business of the foregoing documentation, the Director of Environmental Health shall issue the massage business a County Registration Certificate, which shall be valid for two (2) years from the date of issuance. No reapplication will be accepted within one (1) year after an application or renewal is denied or a certificate is revoked. County Registration Certificates may not

be issued to a Massage Business seeking to operate at a particular location if:

(1) another Massage Business is or was operating at that particular location and that Massage Business is currently serving a suspension or revocation pursuant to Section 5.44.110, during the pendency of the suspension or one year following revocation;

(2) another Massage Business is or was operating at that particular location and that Massage Business has received a Notice of Suspension, Revocation or fine issued pursuant to Sections 5.44.100 and 5.44.110, during the ten day period following receipt of the Notice or while any appeal of a suspension, revocation or fine is pending.

(3) another Massage Business is or was operating at that particular location and that Massage Business has outstanding fines issued pursuant to Section 5.44.100 that have not been paid.

(c) Amendment. A massage business shall apply to the County to amend its County Registration Certificate within thirty (30) days after any change in the registration information, including, but not limited to, the hiring or termination of certified massage practitioners, the change of the business's address, or changes in the owner's addresses and/or telephone numbers.

(d) Renewal. A massage business shall apply to the County to renew its County registration certificate at least thirty (30) days prior to the expiration of said County Registration Certificate. If an application for renewal of a County Registration Certificate and all required information is not timely received and the certificate expires, no right or privilege to provide massage shall exist.

(e) Fees. There shall be no fee for the registration application or certificate, or any amendment or renewal thereof. The provisions of this section shall not prevent the County from establishing fees for health and safety inspections as may be conducted from time to time by the Director of Environmental Health, and for the background checks, fingerprinting, and subsequent arrest notification for owners of a massage business who are not CAMTC-certified and who are subject to such background checks pursuant to this Chapter.

(f) Transfer. A County Registration Certificate shall not be transferred except with the prior written approval of the Director of Environmental Health. A written request for such transfer shall contain the same information for the new ownership as is required for applications for registration pursuant to this section. In the event of denial, notification of the denial and reasons therefore shall be provided in writing and shall be provided to the applicant by personal delivery or by registered or certified mail. A County Registration Certificate may not be transferred during any period of suspension or one year following revocation pursuant to Section 5.44.110, during the ten day period following a Massage Businesses' receipt of a Notice of Suspension, Revocation or fine issued pursuant to Sections 5.44.100 and 5.44.110 or while any appeal of a suspension, revocation or fine is pending. Further, a County Registration Certificate may not be transferred until all outstanding fines issued pursuant to Section 5.44.100 have been paid.

SECTION 2. Section 5.44.050 is hereby amended to read as follows:

5.44.050 OPERATING REQUIREMENTS.

On or after July 1, 2012, no person shall engage in, conduct, carry on, or permit any

massage within the unincorporated areas of the County of San Mateo unless all of the following requirements are met:

(a) CAMTC-certification shall be worn by and clearly visible on the massage practitioner's person during working hours and at all times when the massage practitioner is inside a massage business or providing outcall massage.

(b) Massage shall be provided or given only between the hours of 7:00 a.m. and 9:00 p.m. No massage business shall be open and no massage shall be provided between 9:00 p.m. and 7:00 a.m. A massage commenced prior to 9:00 p.m. shall nevertheless terminate at 9:00 p.m., and, in the case of a massage business, all clients shall exit the premises at that time. It is the obligation of the massage business, to inform clients of the requirement that services must cease at 9:00 p.m.

(c) A list of the services available and the cost of such services shall be posted in the reception area within the massage premises, and shall be described in readily understandable language. Outcall service providers shall provide such a list to clients in advance of performing any service. No owner, manager, operator, or responsible managing employee shall permit, and no massage practitioner shall offer or perform, any service other than those posted or listed as required herein, nor shall an operator or a massage practitioner request or charge a fee for any service other than those on the list of services available and posted in the reception area or provided to the client in advance of any outcall services.

(d) A copy of the CAMTC certificate of each and every massage practitioner employed in the business shall be displayed in the reception area or similar open public place on the premises. CAMTC certificates of former employees and/or contractors

shall be removed as soon as those massage practitioners are no longer employed by or offering services through the massage business.

(e) For each massage service provided, every massage business shall keep a complete and legible written record of the following information: the date and hour that service was provided; the service received; the name or initials of the employee entering the information; and the name of the massage practitioner administering the service. Such records shall be open to inspection and copying by the Sheriff, or other County officials charged with enforcement of this chapter. These records may not be used by any massage practitioner or operator for any purpose other than as records of service provided and may not be provided to other parties by the massage practitioner or operator unless otherwise required by law. Such records shall be retained on the premises of the massage business for a period of two (2) years and be immediately available for inspection during business hours.

(f) Massage businesses shall at all times be equipped with an adequate supply of clean sanitary towels, coverings, and linens. Clean towels, coverings, and linens shall be stored in enclosed cabinets. Towels and linens shall not be used on more than one (1) client, unless they have first been laundered and disinfected. Disposable towels and coverings shall not be used on more than one (1) client. Soiled linens and paper towels shall be deposited in separate, approved receptacles.

(g) Wet and dry heat rooms, steam or vapor rooms or cabinets, toilet rooms, shower and bath rooms, tanning booths, whirlpool baths and pools shall be thoroughly cleaned and disinfected as needed, and at least once each day the premises are open, with a disinfectant approved by the Health Officer. Bathtubs shall be thoroughly

cleaned after each use with a disinfectant approved by the Health Officer of the County of San Mateo. All walls, ceilings, floors, and other physical facilities for the business must be in good repair, and maintained in a clean and sanitary condition.

(h) Instruments utilized in performing massage shall not be used on more than one (1) client unless they have been sterilized, using approved sterilization methods.

(i) All massage business operators and their employees, including massage practitioners, shall wear clean, non-transparent outer garments. Said garments shall not expose their genitals, pubic areas, buttocks, or chest, and shall not be worn in such manner as to expose the genitals, pubic areas, buttocks, or chest. For the purposes of this section, outer-garments means a garment worn over other garments and does not include garments like underwear, bras, lingerie or swimsuits.

(j) No person shall enter, be, or remain in any part of a massage business while in possession of an open container of alcohol, or consuming or using any alcoholic beverage or drugs except pursuant to a prescription for such drugs. The owner, operator, responsible managing employee, or manager shall not permit any such person to enter or remain upon such premises.

(k) No massage business shall operate as a school of massage, or use the same facilities as that of a school of massage.

(l) No massage business shall place, publish or distribute, or cause to be placed, published or distributed any advertising matter that depicts any portion of the human body that would reasonably suggest to prospective clients that any service is available other than those services listed as an available service pursuant to section

5.44.050(c), nor shall any massage business employ language in the text of such advertising that would reasonably suggest to a prospective client that any service is available other than those services as described in compliance with the provisions of this chapter.

(m) No massage shall be given unless the client's genitals are, at all times, fully covered. A practitioner shall not, in the course of administering any massage, make physical contact with the genitals or private parts of any other person regardless whether the contact is over or under the persons clothing.

(n) Where the business has staff available to assure security for clients and massage staff are behind closed doors, the entry to the reception area of the massage business shall remain unlocked during business hours when the business is open for business or when clients are present.

(o) No massage business located in a building or structure with exterior windows fronting a public street, highway, walkway, or parking area shall, during business hours, block visibility into the interior reception and waiting area through the use of curtains, closed blinds, tints, or any other material that obstructs, blurs, or unreasonably darkens the view into the premises. For the purpose of this sub-section, there is an irrebuttable presumption that the visibility is impermissibly blocked if more than 10 percent of the interior reception and waiting area is not visible from the exterior window.

(p) All signs shall be in conformance with the current ordinances of the County of San Mateo.

(q) Minimum lighting consisting of at least one (1) artificial light of not less

than forty (40) watts shall be provided and shall be operating in each room or enclosure where massage services are being performed on clients, and in all areas where clients are present.

(r) Ventilation shall be provided in accordance with applicable building codes and regulations.

(s) Hot and cold running water shall be provided at all times.

(t) Adequate dressing, locker and toilet facilities shall be provided for clients.

(u) A minimum of one (1) wash basin for employees shall be provided at all times. The basin shall be located within or as close as practicable to the area devoted to performing of massage services. Sanitary towels shall also be provided at each basin.

(v) Pads used on massage tables shall be covered with material acceptable to the Health Officer of the County of San Mateo.

(w) All massage businesses shall comply with all state and federal laws and regulations for handicapped clients.

(x) A massage practitioner shall operate only under the name specified in his or her CAMTC certificate. A massage business shall operate only under the name specified in its County Registration Certificate.

(y) No massage business shall allow any person to reside within the massage business or in attached structures owned, leased or controlled by the massage business.

(z) Other than custodial or maintenance staff, no persons shall be permitted within the premises of a massage business between the hours of 11:00 p.m. and 6:00

a.m.

SECTION 3. Section 5.44.070 is hereby amended to read as follows:

5.44.070 NOTIFICATIONS.

(a) A massage business shall notify the Director of Environmental Health, or his or her designee, of any changes described in Section 5.44.040 pursuant to the timelines specified therein.

(b) A registrant shall report to the Director of Environmental Health any of the following within 96 hours of the occurrence:

(1) arrests of any employees or owners of the registrant's massage business for an offense other than a misdemeanor traffic offense;

(2) resignations, terminations, or transfers of practitioners employed by the registrant's massage business;

(3) any event involving the registrant's massage business or the massage practitioners employed therein that constitutes a violation of this ordinance or state or federal law.

c) This provision requires reporting to the Director of Environmental Health even if the massage business believes that the Director of Environmental Health has or will receive the information from another source.

SECTION 4. Section 5.44.080 is hereby amended to read as follows:

5.44.080 EXEMPTIONS.

(a) The provisions of this chapter shall not apply to the following classes of individuals or businesses while engaged in the performance of their duties:

(1) Physicians, surgeons, chiropractors, osteopaths, nurses or any physical therapists who are duly licensed to practice their respective professions in the State of California and persons working directly under the supervision of or at the direction of such licensed persons, working at the same location as the licensed person, and administering massage services subject to review or oversight by the licensed person.

(2) Barbers and beauticians who are duly licensed under the laws of the State of California while engaging in practices within the scope of their licenses, except that this provision shall apply solely to the massaging of the neck, face and/or scalp, hands or feet of the clients.

(3) Hospitals, nursing homes, mental health facilities, or any other health facilities duly licensed by the State of California, and employees of these licensed institutions, while acting within the scope of their employment.

(4) Accredited high schools, junior colleges, and colleges or universities whose coaches and trainers are acting within the scope of their employment.

(5) Trainers of amateur, semi-professional or professional athletes or athletic teams while engaging in their training responsibilities for and with athletes; and trainers working in conjunction with a specific athletic event.

(6) Individuals administering massages or health treatment involving massage to persons participating in single-occurrence athletic, recreational or festival events, such as health fairs, road races, track meets, triathlons and other similar events; provided, that all of the following conditions are satisfied:

(A) The massage services are made equally available to all participants in the event;

(B) The event is open to participation by the general public or a significant segment of the public such as employees of sponsoring or participating corporations;

(C) The massage services are provided at the site of the event and either during, immediately preceding or immediately following the event;

(D) The sponsors of the event have been advised of and have approved the provisions of massage services;

(E) The persons providing the massage services are not the primary sponsors of the event.

(b) Massage Businesses operating on the premises of the San Francisco International Airport are exempt from the operating time limitations contained in Section 5.44.050(b). All other provisions of this chapter apply to such businesses.

SECTION 5. Section 5.44.100 is hereby amended to read as follows:

5.44.100 ADMINISTRATIVE FINES.

(a) Violations. Upon a finding by the Sheriff that a business has violated any provision of this chapter, the Sheriff may issue an administrative fine of up to five hundred dollars (\$500).

(b) Separate Violations. Each violation of any provision of this Chapter shall constitute a separate violation. Each client to whom massage is provided or offered in violation of this chapter shall also constitute a separate violation. Each day upon which a massage business remains open for business in violation of this chapter shall also constitute a separate violation.

(c) Fine Procedures. Notice of the fine shall be served by certified mail with the legal violation and supporting facts. The notice shall contain an advisement of the right to file an appeal with the Director of the Environmental Health Division or his or her designee contesting the imposition of the fine.

(d) Appeals. Appeals must be requested in writing, and shall provide facts disputing the violation and may be accompanied by declarations and exhibits. Appeals must be addressed to the Director of Environmental Health, and must be received within ten (10) days of the date appearing on the notice of the fine and a copy of the appeal and any supporting materials must be sent to the Sheriff's Office. The Sheriff's Office may respond to the appeal in writing within ten (10) days of receipt of the appeal and may provide additional evidence in support of the fine. The Director of Environmental Health may request, in writing, additional evidence from either the Appellant or the Sheriff's Office. The decision of the Director of Environmental Health shall be based solely on the materials submitted by the Appellant and the Sheriff's Office and be provided by certified mail. The Director of Environmental Health may sustain the fine, overrule the fine or decrease the amount of the fine. However the total fine shall not be reduced below \$500. The decision will constitute a final administrative order with no additional administrative right of appeal.

(e) Failure to Pay Fine. If said fine is not paid within thirty (30) days from the date appearing on the notice of the fine or of the notice of determination from the Director of Environmental Health after the decision, the fine may be referred to a collection agency within or external to the County. In addition, any outstanding fines must be paid prior to the

issuance or renewal of any registration.

SECTION 6. Section 5.44.110 is hereby amended to read as follows:

5.44.110 SUSPENSION AND REVOCATION OF COUNTY REGISTRATION  
CERTIFICATES

(a) Reasons. Certificates of registration may be suspended or revoked upon any of the following grounds:

(1) A practitioner is no longer in possession of current and valid CAMTC-certification. This subsection shall apply to a sole proprietor or a person employed or used by a massage business to provide massage.

(2) An owner or sole proprietor: is required to register under the provisions of California Penal Code section 290 (sex offender registration); is convicted of California Penal Code sections 266i (pandering), 315 (keeping or residing in a house of ill-fame), 316 (keeping disorderly house), 318 (prevailing upon person to visit a place for prostitution), 647(b) (engaging in or soliciting prostitution), 653.22 (loitering with intent to commit prostitution), 653.23 (supervision of prostitute); has a business permit or license denied, revoked, restricted, or suspended by any agency, board, city, county, territory, or state; is subject to an injunction for nuisance pursuant to California Penal Code sections 11225-11235 (red light abatement); is convicted of a felony offense involving the sale of a controlled substance; is convicted of any crime involving dishonesty, fraud, deceit, violence, or moral turpitude; or is convicted in any other state of an offense which, if committed in this state, would have been punishable as one or more referenced offenses in this subdivision.

(3) The county determines that a material misrepresentation was

included on the application for a certificate of registration or renewal.

(4) Violations of any of the following occurred on the premises of a massage business or were committed by a practitioner: California Business and Professions Code sections 4600 *et seq.*; any local, state, or federal law; or the provisions of this chapter.

(b) Procedures. Written notice of the suspension or revocation shall be served on the sole proprietor or owners by certified mail with the legal violation and supporting facts. The notice shall contain an advisement of the right to request an appeal hearing before the License Board.

(c) Time Period of Suspension of Permit. The Sheriff may suspend a registration for a period between five (5) days and the end of the license term, at his or her discretion.

(d) Effective Date of Suspension or Revocation. Suspension or revocation issued pursuant to subsection (b) will be effective ten (10) days from the date appearing on the order, unless a timely appeal is filed in accordance with subsection (e).

(e) Appeal.

(1) The decision of the Sheriff is appealable to the License Board.

(2) An appeal must be in writing, and be hand-delivered or mailed to the License Board.

(3) An appeal must be received by the License Board on or before the effective date of suspension or revocation provided by subsection (d).

(4) The filing of a timely appeal will stay a suspension or revocation pending a decision on the appeal by the License Board.

(5) A hearing shall be scheduled before the License Board within thirty (30) days. Either the Appellant or the Sheriff's Office may request, in writing directed to the Chair of the License Board, a continuance of the hearing. Such requests must be supported by good cause. The decision whether to grant a continuance is at the discretion of the Chair of the License Board, who shall consider whether granting the continuance poses a threat to public health or safety in light of the severity of the violations alleged.

(6) The decision of the License Board shall be a final administrative order, with no further administrative right of appeal or reconsideration. The License Board may sustain a suspension or revocation, overrule a suspension or revocation, reduce a revocation to a suspension and/or reduce the length of a suspension. However no revocation or suspension shall be reduced to a length of less than a five day suspension. Further the License Board may stay the effective date of any suspension for a reasonable time following a hearing.

(f) Reapplication. No reapplication will be accepted within one (1) year after a certificate is revoked.

(g) Evidence. The following rules shall apply to any hearing required by this section. All parties involved shall have the right to offer testimonial, documentary, and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross-examine witnesses. Any relevant evidence may be admitted if it is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. Formal rules of evidence and discovery do not apply to proceedings governed by this chapter. Unless otherwise specifically prohibited by law, the burden of

proof is on the registrant in any hearing or other matter under this chapter.

SECTION 7. SEVERABILITY. If any provision(s) of this ordinance is declared invalid by a court of competent jurisdiction, it is the intent of the Board of Supervisors that such invalid provision(s) be severed from the remaining provisions of the ordinance so that regulation and control of massage may remain in place.

SECTION 8. This ordinance shall be effective thirty (30) days from the date of passage thereof.

\* \* \* \* \*



HIP Housing

July 13, 2015

Mr. Nick Pegueros  
Town Manager  
Town of Portola Valley  
765 Portola Road  
Portola Valley, CA 94028

Dear Mr. Nick:

We thank the Town of Portola Valley for its on-going support of our housing programs and would like to provide a summary of the activities achieved during the fiscal year.

According to the San Mateo County Housing Indicators as of March 31, 2015, the average rent of a market rate 1 bedroom apartment was \$2,425, a 13% increase from 2014. HIP Housing saw a 21% increase in the number of calls about affordable housing resources. It was not uncommon for us to regularly hear from our clients that their rents were being unreasonably increased or increased multiple times during a one year period. It was also frequently heard that clients were living in properties that landlords decided to remodel and evict everyone in order to get more rent. During the year, shelters were full, waiting lists for subsidized housing were long or closed and people were using their vehicles as a means of housing. In order to afford a 1 bedroom apartment in the County, one would have to earn over \$87,000 a year in order to keep their housing costs at 30% of their income. The average rent HIP Housing Home Providers charged during the year was \$783. Home sharing is practical, affordable and one of the few solutions for persons with poverty, very low or low incomes.

#### **HOME SHARING PROGRAM:**

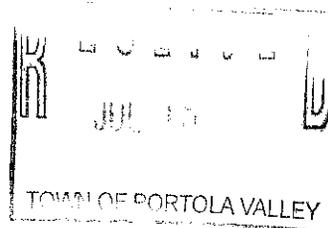
During Fiscal Year 14-15, a total of 1,669 households representing 2,038 persons applied to the home sharing program. A total of 240 applicants were placed in shared housing during the year. During FY 14-15, 697 persons were sharing housing through the program including those matched during the fiscal year and persons who have been sharing housing prior to 7/1/14. HIP Housing fielded 3,860 inquiry calls during the year which represents a 21% increase in calls from the prior year.

#### **Home Sharing Highlights:**

HIP Housing attended an internship fair at SJSU and obtained a bachelor's level social work student for the 2014-2015 academic year. Dania Delgadillo interned 16 hours a week at HIP Housing through May 2015 assisting the home sharing staff with case management and outreach activities. She has now been hired to work 20 hours a week through the end of October.

HIP Housing collaborated with Eastside Prep's summer internship program and obtained another summer intern who worked with HIP Housing's Home Sharing Program in July and August.

Sema Tosun, a long-time HIP Housing volunteer, created a new non-profit called Fund a Need. The mission of the organization is to provide grants to assist seniors with basic human needs. Fund a Need provided funding to a Home Sharing seeker who fell behind on his rent after he had to have a knee replacement surgery.



Peninsula Family Services Older Adult Worker Program provided an intern, Leola Graves, who worked at HIP Housing 15 hours a week assisting the Home Sharing Program Staff. Leola is retired from the County of San Mateo as well as Stanford University. Peninsula Family Services' program receives funding to place older workers in part-time jobs to gain skills while they look for full-time employment. Leola worked with HIP Housing for several months until she found a full-time job as a caregiver.

Information about the Half Moon Bay village waiting list opening was sent to home sharing clients who might be eligible to apply.

BBVA bank in San Carlos and Burlingame sent several of their staff to do volunteer projects for HIP Housing on September 11<sup>th</sup>. The BBVA staff helped with a large mailing and also disbursed home sharing outreach materials in downtown Burlingame and San Carlos to local businesses.

CID provided a sign language interpreter to assist with a client during their home sharing interview.

Met with local representatives of the County's Sheriff's department and the City of San Carlos to discuss conducting a more thorough criminal background check on clients.

In order to provide more housing leads to clients, HIP Housing's SJSU intern researched the waiting list openings of all the Housing Authorities in California and Nevada and compiled a current list of the information.

Met with the staff of the County's Housing Authority to discuss the process of referring Section 8 Moving to Work certificate holders to HIP Housing's Home Sharing Program.

Maintained contact with the jurisdictions in the County to ensure information about Home Sharing is included in Housing Elements.

Made contact with several of the cities in San Mateo County to insert a 1/3 flyer in water bills.

Met with Samaritan House staff to discuss their Housing Locator program.

Due to the medical leaves of two home sharing staff, the Associate Director filled in doing casework as well as trained an employee in the Self Sufficiency program to help out doing home sharing activities 5 hours a week.

Hired Laura Moya full-time. Laura was HIP Housing's first summer intern from Eastside Prep. She had been working at HIP Housing 10 hours a week and full-time at CORA however was hired full-time by HIP Housing to assist in the home sharing program.

Trained new volunteers, Sally Biles and Debra Deutsch, to help make follow up calls to senior home providers matched in the home sharing program.

Received a donation from one of HIP Housing's long-time donors which was designated to provide a monetary incentive to home providers who match with a HIP Housing seeker who stays at least 90 days. Due to the high demand of the home sharing program of persons seeking housing, HIP Housing is creating new ways to attract home providers to the program in order to help place more people in housing.

Participated in the County's Homeless Count event.

Due to the increased interest in starting home sharing programs in several Northern California Counties, The United Way of the Bay Area and Rise Together Bay Area convened over 50 individuals representing San Francisco, Marin, Napa, Santa Clara, Alameda, Contra Costa and Solano Counties to hear a presentation by HIP Housing's Associate and Executive Directors about HIP Housing's Home Sharing Program.

HIP Housing was approached by the City of Fremont to bring our home sharing program to the Fremont, Newark and Union City communities. HIP Housing submitted a funding proposal and is waiting to hear back from the City of Fremont to determine next steps.

SV2, a group of middle and high school youth who are interested in community events, volunteered at HIP Housing helping to distribute calendars and flyers about the home sharing program to downtown businesses as well as assembling an outreach mailing. HIP Housing was awarded a small grant through SV2 to be used to provide an incentive to a Home Provider who matches with a housemate.

HIP Housing was approached by Free At Last to discuss filling one of their East Palo Alto properties with home sharing clients.

Kevin Joyner, a freshman at Serra High School, volunteered his time assembling a mailing to homeowners with secondary units in Portola Valley.

**Ads/articles placed:**

San Mateo Times article about Transition to Independence fair whereby HIP Housing was mentioned; San Francisco Chronicle article on home sharing; Boys and Girls club newsletter; The Almanac; Housing Industry Foundation newsletter; The Patch; Redwood City Forum; Half Moon Bay review; Fil-Am Real Estate Professionals program; San Mateo County Times. Paula Stinson of HEART placed an ad in the agency's monthly newsletter about the home sharing program's need for more home providers. HEART also reached out to the homeowners they've assisted to provide information about the Home Sharing Program.

**Collaborations:**

Eastside Prep; SJSU; Rise Together Bay Area; Peninsula Family Service; BBVA; Able Works; CID; Central Coast Energy Services; Kids and Art.

Participation on the smchousingsearch.org workgroup. HIP Housing's shared housing listings are uploaded onto the website each week.

Presentations about home sharing are conducted at the shelters of InnVision/Shelter Network and Safe Harbor on a quarterly basis.

Information was provided to the homeowners selected for minor home repair projects through Rebuilding Together Peninsula

Star Vista's Transitional Age Youth program collaborated with HIP Housing to interview, screen and place foster youth in shared housing. Two emancipated foster youth were placed in home sharing during the year.

**Events attended:**

Daly City Health Fair; Realty One fundraising event for HIP Housing; San Mateo County New Employee Welcome; Latino Health Fair; BBVA Housing Resource Fair; Bacon and Brew fundraising activity in San Mateo; Transition to Independence Fair; North Fair Oaks Resource fair; Housing Authority Family Resource fair; InnVision/Shelter Network Breakfast; San Mateo County Employee Health Fair; Housing Leadership Day; Seniors on the Move; EPA Homeless Connect; Fair Oaks Community Center celebration and Town Hall meeting; African American Health Initiative fair; Coastside Living Fair; Assemblyman Kevin Mullin's Health Fair; Health Fairs in South San Francisco, Redwood City, San Carlos and Millbrae.

**Inservice trainings:**

Diversity training offered by Cherine Badwani; Communicating with Tact and Finesse; How to Remain Cool and Collected in Challenging Conversations; How to Negotiate with Customers; Recycle Works of San Mateo County.

**Mailings sent:**

Homeowners in Belmont, San Mateo and San Carlos; therapists in San Mateo County; City Clerks; medical professionals in San Mateo; downtown businesses in San Mateo, San Carlos and Burlingame; Businesses in Portola Valley; posted home sharing flyers in Belmont, San Carlos, and San Mateo; Sent HIP Housing calendars to all the churches and synagogues in San Mateo County; mailing to secondary unit owners in Portola Valley; Daly City homeowners who at one time had a rehab loan.

**Media:**

Home Sharing story on CBS evening news; Pen TV interview; two interviews held with Telemundo stations; research various social media websites and classified ads in various publications on a daily basis; San Mateo County's social media coordinator posted an ad on the Countywide nextdoor.com site about HIP Housing's needs for more home providers.

**On-line advertising of available housing through the Home Sharing Program:**

Smchousingsearch.org

HIP Housing's facebook page

HIP Housing's website

Monthly email sent to local churches, libraries, nonprofits, school districts, City and County personnel, Homeowner Associations, senior centers and community centers.

**Meetings attended:**

SMC Connect; RWC Interagency Forum; Coastside Collaborative; Thrive; San Mateo Congregational Church; One EPA; United Airlines; Portola Valley Planning Director; Housing Operations and Policy meeting; Belmont apartment complexes; Peninsula Food runners; Thrive; Institute on Aging; Security 1 Lending; Sequoia Village; Kids and Art; Met with the staff of Abilities United and Free at Last; attended the EPA General Plan meeting; met with staff of the Congregational Church in San Mateo; networked with staff from CID, St. Bruno's Catholic Church, Daly City HART, Brisbane Village, Catholic Charities; Met with City of SSF staff to discuss outreach opportunities (Leslie Arroyo); Home Sharing staff attended Mental Health First Aid training; Daly City HART; Ecumenical Hunger Program; Edgewood Center; Home and Hope; Institute on Aging; Sequoia Village; UCSF; VHRS Coastside

**Presentations conducted:**

YMCA Community Resource Center; Daly City HART; Half Moon Bay Rotary; Kapihan sa Lincoln/ Peninsula Family Services; National Retired Federal Employees; San Mateo Adult School; Various city councils throughout San Mateo County to present HIP Housing's 2015 calendar; First Step for Families; City of San Mateo Community Relations Committee; Beresford/Hillsdale Neighborhood Association; United Way home sharing presentation; Housing Operations and Policy's housing resource event; Hillsdale United Methodist Church Men's Group; Housing Operations and Policy Committee Housing presentation; San Mateo United Homeowners Association; Silicon Valley 2

**Regular networking meetings attended:**

Redwood City Interagency Forum; New Beginnings Coalition; Coastside Collaborative; Veterans Memorial Senior Center Board meetings; Daly City Peninsula Partnership; Food and Shelter workgroup; Thrive; African American Association Health Initiative

**Technical Assistance Provided:**

Amy Appleton's home sharing program in Petaluma; Home Share Ventura; New home sharing program in Boston; Episcopal Senior Communities in San Jose; City of Fremont; City of Milpitas; San Francisco's Mayor's office of housing; Napa Valley Community Housing; Community Action of Napa Valley; Albany Diverse Housing Group

**SELF SUFFICIENCY PROGRAM:**

The Self-Sufficiency Program for Families with Children provided housing and case-management services to 86 families, representing 238 adults and children, who are working toward career and educational goals. There were 12 Life Skills workshops conducted during the year including topics related to Parenting, Setting Financial Goals, Financial Literacy, Nutrition, Youth Mental Health First Aid training, Alumni graduate panel and an end of year evaluation on what workshops to offer in the future.

**During the year HIP Housing collaborated with:**

CORA (Community Overcoming Relationship Abuse) partnered with HIP Housing to have monthly workshops conducted at their office by HIP Housing staff. Topics on housing resources, budgeting, financial literacy, parenting skills and others are provided to the clients in CORA's programs.

Community Financial Resources (CFR) provided financial education curriculum, CFR pre-paid debit card and secured credit card products, and a monthly \$125 raffle prize as an incentive to HIP Housing clients for improving money management behaviors.

Able Works and HIP Housing are working together to help place single moms ages 18-45 from East Palo Alto in housing as well as providing them with support services from both organizations.

Received 56 backpacks filled with school supplies (paper, pens, pencils, erasers) for children ages 5-18 from the Children's Fund of San Mateo County.

35 turkey gift cards were donated from California Water

The Adopt-A-Family Program provided gifts to 70 families. Wilson Sonsini Goodrich & Rosati donated \$4000 towards this program.

South School in Hillsborough donated 30 coats to HIP Housing kids during the holiday months.

My New Red Shoes provided a pair of shoes and \$50 clothing gift card for each school-age child in the program, which were distributed in August for back-to-school.

HIP Housing continued its collaboration with Make a Birthday Wish, a privately-funded local philanthropic organization that provides a birthday gift and a monthly group birthday party for every child in the self-sufficiency program.

HIP Housing hosts informational nights for the WANDA program, a savings account with matching funds for single moms in San Mateo County administered by Opportunity Fund.

"Good and Cheap" cookbooks were ordered for each Self Sufficiency family.

Program Director attends the Housing Authority Program Coordinating Committee meetings.

#### **PROPERT DEVELOPMENT:**

HIP Housing owns and manages 239 affordable units of property in the Cities of Daly City, South San Francisco, San Mateo, San Carlos, Redwood City and Menlo Park. Several properties are also managed for the cities of Foster City, San Mateo and San Carlos. Over 420 adults and children are residing in HIP Housing's owned and managed properties in San Mateo County.

#### **THANK YOU:**

On behalf of the HIP Housing staff, Board of Directors, Volunteers and Clients, we thank you for the support of our housing programs. Through the Home Sharing and Self Sufficiency Program and through the properties owned and managed by HIP Housing, over 1400 persons were provided housing during FY 14-15. We cannot do this good without your support and thank you for your efforts. We look forward to another year of providing affordable housing resources.

Sincere regards,



Laura Fanucchi  
Associate Executive Director

