

**PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO. 917, SEPTEMBER 9, 2015**

**CALL TO ORDER AND ROLL CALL**

Mayor Aalfs called the Town Council's Regular meeting to order at 7:00 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: Debbie Pedro, Acting Town Manager  
Leigh Prince, Town Attorney  
Sharon Hanlon, Town Clerk

**ORAL COMMUNICATIONS** – None

**CONSENT AGENDA** [7:01 p.m.]

- (1) Approval of Minutes: Town Council Regular Meeting of August 26, 2015.
- (2) Approval of Warrant List: September 9, 2015, in the amount of \$62,277.98.
- (3) Recommendation by Acting Town Manager – Approval of Agreement with Tyler Technologies, Inc., for the Purchase and Implementation of EnerGov Software for Permit Management and Related Services. [*Pulled from Consent Agenda*]
  - a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving and Authorizing Execution of an Agreement Between the Town of Portola Valley and Tyler Technologies, Inc. (Resolution No. 2675-2015)
- (4) Recommendation by Acting Town Manager – Second Reading of an Ordinance Approving Amendments to the Second Unit Ordinance
  - a) Second Reading of Title, Waive Further Reading, and Adopt an Ordinance Amending Title 18 [Zoning] of the Portola Valley Municipal Code Relative to Second Units (Ordinance No. 2015-408)
- (5) Recommendation by Acting Town Manager – Second Reading of an Ordinance to Establish Expedited Permitting Procedures for Small Residential Rooftop Solar Systems
  - a) Second Reading of Title, Waive Further Reading, and Adopt an Ordinance of the Town of Council of the Town of Portola Valley Adding Chapter 15.21 to the Portola Valley Municipal Code to Establish Expedited Permitting Procedures for Small Residential Rooftop Solar Systems (Ordinance No. 2015-409)
- (6) Recommendation by Acting Town Manager – Parking Notice for Windy Hill Preserve Parking Lot.

Councilmember Hughes moved to approve Items 1, 2, 4, 5, and 6. Seconded by Vice Mayor Derwin, the motion carried 5-0 by roll call vote.

- (3) Recommendation by Acting Town Manager – Approval of Agreement with Tyler Technologies, Inc., for the Purchase and Implementation of EnerGov Software for Permit Management and Related Services.
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Councilmember Richards requested clarification regarding “optional hosted (cloud) subscription summary.” Ms. Pedro explained staff had elected to select the on-premise option versus the cloud option due to the cost of the web-based option. Councilmember Richards asked regarding the system requirements to run the software. Ms. Pedro said the Town’s IT consultant verified that the Town’s current system is able to accommodate the software. Councilmember Wengert asked regarding charges for maintenance. Ms. Pedro said the maintenance consists of training the staff to handle the maintenance in-house. Councilmember Wengert asked regarding compatibility with Windows 10. Ms. Pedro explained there are minor (free) upgrades and major upgrades, which may occur every 7 to 10 years. With a major upgrade, she said the Town has the option of upgrading to the newer version or stay with the older version with the Town’s current system.

Councilmember Richards moved to approve Item 3. Seconded by Vice Mayor Wengert, the motion carried 5-0.

**REGULAR AGENDA** [7:04 p.m.]

- (7) Presentations – San Mateo County Environmental Health Division, Update of County Onsite Wastewater Treatment System Ordinance.

Gregory J. Smith, PG, REHS, Supervisor of Water Protection and Land Use Programs for San Mateo County Environmental Health, presented a report with a slide show of the County’s proposed update to the County’s Septic Ordinance.

- 1) There are no changes to existing septic systems that are not failing. If the septic system is failing or an addition is planned, the septic system may require repair or extension.
- 2) In 2000 State Assembly Bill 885 required the State Water Resource Control Board adopt statewide setback standards, which were finally completed in 2013. The County’s current setback ordinance was outdated and required updating to meet the statewide requirements. Mr. Smith provided a summary explanation of septic systems and the terminology.

In response to Vice Mayor Derwin’s question, Mr. Smith said a black water system refers to septic wastewater. He said all septic systems are black water. He said gray water is limited to coming from a hand sink but toilets and kitchen sinks are black water. Mr. Smith said black water lagoons are not standard alternative systems.

Mayor Aalfs asked regarding determining the size of a leach field. Mr. Smith said the required size is determined by the number of bedrooms in the home and the measured soil percolation rate of the leach field.

- 3) The items clarified in the proposed ordinance include location of setbacks from cut slopes and steep slopes, use of alternative treatment technologies, and requirements for operating permits.

- 4) The proposed update does not make radical changes other than those required by the State, does not make changes that are growth inducing, and has been reviewed for CEQA compliance.
- 5) An element was added to the septic pumper program to require an above-ground visual inspection of the septic system by the septic pumper whenever the septic tank is pumped or serviced, to be reported on a form consistent with the requirements of neighboring counties.
- 6) A policy has been incorporated into the on-site systems manual that provides a comprehensive, consistent, and defensible strategy for sizing septic systems for second dwelling units. Mr. Smith said a second unit (attached or detached) of one or two bedrooms can be connected to the existing septic system as long as they can show there is adequate capacity. If not, the second system can now be limited in size for a one-bedroom or two-bedroom sized septic system. In response to Councilmember Wengert's question regarding local input regarding management and flexibility, for example, with a larger property with two second units. Mr. Smith said the on-site systems manual is still in development, but there is a potential to build flexibility into it for all the individual jurisdictions.
- 7) A clarification was added to the ordinance expanding the scope and content of the comprehensive geotechnical investigation.

Mr. Smith reported that the draft of the proposed updated ordinance is available on their website for public comment. The proposed updated ordinance will come to the San Mateo County Board of Supervisors at its December 8, 2015, meeting and then to the Town Council to adopt by reference in 2016.

#### **COMMITTEE REPORTS & REQUESTS** [*None to Report*]

##### (8) Council Liaison Committee and Regional Agencies Reports [7:30 p.m.]

Councilmember Wengert – Councilmember Wengert and Councilmember Richards attended the August Council of Cities dinner meeting with a presentation by the team monitoring crime in San Mateo County. They reported substantial increases in crime, which the team attributes to the dramatic reduction in consequences for crime and subsequent release of a large part of the prison population. She attended the Trails and Paths Committee meeting where the Public Works Director provided an update on current work being performed around Town. Bev Lipman, representing the Westridge Committee, proposed a sign for Shady Trail and was encouraged to work with the ASCC regarding the sign. They announced that this year's community hike at PV Vineyards is scheduled for November 7. The committee discussed and was not supportive of the proposed clearing on Larry Lane Trail.

Councilmember Richards – None to Report.

Councilmember Hughes – The Bicycle, Pedestrian & Traffic Safety Committee heard reports of speeding around Corte Madera School, possibly due to current construction in the area and school being back in session. The Committee reviewed the Sheriff's Report for August which indicated reduced speeding incidents. They also discussed the speed trailer, which has a built in speed monitor to record data for cars and bicycles. Of note was that near the Ranch there were five instances of someone driving 70+ miles per hour within a 15-minute period. The Committee theorized it was young people trying to see how high of a speed would be posted on the monitor. Councilmember Hughes said Mr. Young reported the current and future road work in Town is going well. It was reported the lighted crosswalk at The Priory is not working. Leslie Latham suggested a recruiting plan to encourage people to fill committee vacancies.

The Open Space Acquisition Committee did not meet; however, Councilmember Hughes had an email discussion with Gary Neilson regarding the possibility of buying the Kelly property. Councilmember Wengert asked Ms. Prince if the Town's open space acquisition property allowed the Town to look at something outside of the Town. Ms. Prince said that would need to be researched.

Vice Mayor Derwin – Vice Mayor Derwin and Sustainability & Special Projects Manager Brandi de Garmeaux attended the annual Sustainable San Mateo County Indicators Report luncheon that focused on saving water. There was a presentation by San Mateo County Resource Conservation District including construction and repair of ponds. The Water Conservation Committee discussed the H2Oknow Tool and hope to encourage more people to use it. They want to post a thermometer sign showing how much water the Town has saved. There is a BAWSCA Workshop on Water Conservation 101 being held at Town Center on Saturday, October 24, as well as a SOD Blitz. Cal Water will soon announce the top three water conservers for June and July, who will receive prizes from the Water Conservation Committee. The lawn watering reduction sign program will begin soon. She said that work continues on the WELO (Water Efficient Landscape Ordinance).

Mayor Aalfs – None to Report.

Mayor Aalfs reported that San Mateo Supervisor Carole Groom asked for a representative to serve on the newly formed "Closing the Gap," the San Mateo County Affordable Housing Taskforce. Vice Mayor Derwin volunteered to serve as representative and Councilmember Wengert will serve as an alternate.

Mayor Aalfs presented a draft letter in support of Senate Bill 350, "Clean Energy and Pollution Reduction Act of 2015," requested by the sponsor of the bill, Senator Kevin de León. Councilmember Wengert said the goals appeared to be lofty and aggressive and may have to be cut back. The Council was supportive of sending the proposed letter.

#### **STAFF REPORTS AND RECOMMENDATIONS** [7:55 p.m.]

- (9) Recommendation by Acting Town Manager – Formation of an Ad-Hoc Town Center Master Plan Committee and Proposed Charter and Membership.

Ted Driscoll, former Councilman and Town Center ADT member, presented the proposal for the formation of a new ad-hoc committee for the Town Center Master Plan Update project. The suggested member committee would include Mr. Driscoll; one Councilmember; one Planning Commissioner; one ASCC member; Planning Director/Acting Town Manager; Public Works Director; committee members from Parks and Recreation, Conservation, and Trails; and a professional consultant from Siegel & Strain Architects. He said the committee hopes to begin meeting within the next 30 to 45 days to initiate the planning process and set a timeline for future meetings, plan development, and public outreach.

Mayor Aalfs suggested the number of official Ad-Hoc Town Center Master Plan Committee members be somewhat reduced to avoid problems in reaching a quorum; however, still providing open invitations to representatives from all committees.

Vice Mayor Derwin suggested including representatives from Friends of the Library and the Water Conservation Committee.

In response to Councilmember Hughes question, Mr. Driscoll said he hoped they could present a plan within the next 12 months in time for inclusion in the next fiscal year budget.

Councilmember Wengert suggested not setting priorities at the outset. She supports the Committee being as inclusive as possible with all the other committees.

The Council was supportive of Mr. Driscoll's suggestion to put together a mission statement that provides the broad scope.

In response to Mayor Aalfs' question, Ms. Prince said the committee should be subject to the Brown Act.

The Council agreed to the formation of an Advisory Committee chaired by Mr. Driscoll with Councilmembers Wengert and Hughes, and Planning Commissioner Von Feldt assigned as members. The proposed Advisory Committee charter and roster will be presented at the October 28 Council meeting. The Council agreed that Town committees will participate, along with public input, by way of noticed meetings.

(10) Report by Acting Town Manager – Code Enforcement Activity Report

Acting Town Manager presented the report of code enforcement activities within the past 12 months.

In response to questions from the Council, Ms. Pedro said she would be supportive if the Council wished to more actively assess penalty fees for code violations, which could perhaps serve as a deterrent. The Council discussed examples of code violations, the appeal process, and associated costs and fees. Ms. Pedro said code enforcement activity is being tracked and staff can bring an update to the Council next year.

Vice Mayor Derwin pointed out that the ordinance needs to be corrected to change Town Administrator to Town Manager.

The Council agreed to maintain current code enforcement practices.

**WRITTEN COMMUNICATIONS** [8:28 p.m.]

(11) Town Council Digest – August 28, 2015

(12) Town Council Digest – September 4, 2015

#8 - Email from Jessica Stanfill Mullin, League of California Cities re: Peninsula Division 2015-16 Executive Committee Officers Elections and Candidates Biographies. Mayor Aalfs intends to attend on October 2, 2015.

**ADJOURN TO CLOSED SESSION** [8:32 p.m.]

Mayor Aalfs adjourned the meeting to the closed session.

**REPORT OUT OF CLOSED SESSION**

Selecting recruiter for Town Manager position.

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

Mayor Aalfs adjourned the meeting.

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Mayor

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Town Clerk