



# TOWN OF PORTOLA VALLEY

7:00 PM – Regular Meeting of the Town Council  
 Wednesday, January 27, 2016  
 Historic Schoolhouse  
 765 Portola Road, Portola Valley, CA 94028

## REGULAR MEETING AGENDA

### 7:00 PM - CALL TO ORDER AND ROLL CALL

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

### 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** – Town Council Meeting of January 13, 2016 (3)
2. **Approval of Warrant List** – January 27, 2016 (8)
3. **Recommendation by Interim Town Manager** – Adoption of Amendments to Chapter 15.32 of the Portola Valley (20) Municipal Code – Water Efficient Landscape Ordinance
  - (a) Second Reading of Title, Waive Further Reading, and Adopt an Ordinance of the Town Council of the Town of Portola Valley Amending Chapter 15.32 [Water Conservation in Landscaping] of the Portola Valley Municipal Code (Ordinance No. \_\_)
4. **Recommendation by Town Attorney** – Updating the Designated Positions and Disclosure Obligations in the (53) Town's Conflict of Interest Code
  - (a) A Resolution of the Town Council of the Town of Portola Valley Designating Public Officials and Employees and their Disclosure Categories for the Town's Conflict of Interest Code (Resolution No. \_\_)
5. **Recommendation by Interim Town Manager** – Resolution Adopting a Complete Streets Policy (57)
  - (a) A Resolution of the Town Council of the Town of Portola Valley Adopting a Complete Streets Policy (Resolution No. \_\_)
6. **Recommendation by Public Works Director** – Adoption of Resolution to Accept as Completed the Alpine Road (76) Shoulder Widening Project at Arastradero Road - No. 2015-PW02
  - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley to Accept as Completed Alpine Road Shoulder Widening Project in the Town of Portola Valley, CA #2015-PW02 and Authorizing Final Payment to "TKO General Engineering and Construction, Inc." Concerning Such Work and Directing the Town Clerk to File a Notice of Completion (Resolution No. \_\_)
7. **Recommendation from Cable and Utilities Undergrounding Committee** – Request Charter Amendment (82)
8. **Appointment by Mayor** – Member to the Trails & Paths Committee (83)
9. **Appointment by Mayor** – Member to the Water Conservation Committee (85)
10. **Appointment by Mayor** – Commissions and Committees Membership Appointments for 2016 (87)

### REGULAR AGENDA

### STAFF REPORTS AND RECOMMENDATIONS

11. **Recommendation by Interim Town Manager & Sustainability & Special Projects Manager** – Adoption of (91) Resolution to join the Joint Exercise of Power Agreement to establish the Peninsula Clean Energy Authority and

Appoint a Director and Alternate Director; and Introduction of an Ordinance to Authorize Implementation of a Community Choice Aggregation program in Portola Valley

- (a) Resolution of the Town Council of the Town of Portola Valley Authorizing and Directing the Mayor to Execute the Joint Exercise of Powers Agreement Establishing the Peninsula Clean Energy Authority and Appointing the Town's Director and Alternate Director (Resolution No. \_\_)
- (b) First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Authorizing the Implementation of a Community Choice Aggregation Program (Ordinance No. \_\_)

12. **Recommendation by Sustainability and Special Projects Manager** – H2OKnow/Home Energy Analytics Tool (118)

13. **Update on Drought Emergency** - *There are no written materials for this agenda item* (124)

14. **Appointment by Mayor** – Council Liaison Appointments for 2016 (125)

15. **COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS** (127)

**Report by Town Council Members** – Brief announcements or reports on items of significance for the entire Town Council arising out of 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.*

#### **WRITTEN COMMUNICATIONS**

16. **Town Council Digest** – January 15, 2016 (128)

17. **Town Council Digest** – January 22, 2016 (137)

#### **ADJOURN TO CLOSED SESSION**

18. **PUBLIC EMPLOYEE APPOINTMENT**

Government Code Section 54957 (b) (1)  
Consider Appointment of 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. 922, JANUARY 13, 2016**

**CALL TO ORDER AND ROLL CALL**

Mayor Derwin 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 Jeff Aalfs, John Richards; Ann Wengert; Vice Mayor Craig Hughes, Mayor Mary Ann Moise Derwin.

Absent: None

Others: Debbie Pedro, Interim Town Manager  
Leigh Prince, Town Attorney  
Sharon Hanlon, Town Clerk  
Brandi de Garmaux, Sustainability and Special Projects Manager

**ORAL COMMUNICATIONS** – Laura Fanucchi, Associate Director of HIP Housing presented Council with its 2016 calendar and thanked Council for their support.

**CONSENT AGENDA** [7:03 p.m.]

- (1) Approval of Minutes: Town Council Regular Meeting of December 9, 2015
- (2) Ratification of Warrant List: December 23, 2015, in the amount of \$85,485.23.
- (3) Approval of Warrant List: January 13, 2016, in the amount of \$309,659.03.
- (4) Recommendation by Parks & Recreation Committee – Request Approval of Parks & Recreation Committee Survey [*Pulled from Consent Agenda*]
- (5) Recommendation by Water Conservation Committee – Request for Amendment to Committee Charter
- (6) Recommendation by Public Works Director – Request Approval of a Resolution Authorizing a Professional Services Agreement with Nicholas Consulting Engineers and Approval of a Letter Agreement for the FY 2015/2016 Street Resurfacing Design Project.
  - (a) Resolution of the Town Council of the Town of Portola Valley Authorizing a Professional Services Agreement with Nicholas Consulting Engineers and Approval of a Letter Agreement for the FY 2015/2016 Street Resurfacing Design (Resolution No. 2679-2016)

Councilmember Richards moved to approve Items 1, 2, 3, 5, and 6. Seconded by Councilmember Aalfs, the motion carried 5-0.

- (4) Recommendation by Parks & Recreation Committee – Request Approval of Parks & Recreation Committee Survey

Councilmember Wengert said the survey should first ask if the survey taker is a user of the facility being commented on to provide a way to gauge usage numbers.

Councilmember Wengert will work with the Committee to enhance the survey. The revised survey will be brought back to the Council at a near future meeting.

**REGULAR AGENDA** [7:08 p.m.]

- (7) Recommendation by Interim Town Manager – First Reading of Ordinance Amending Chapter 15.32 of the Portola Valley Municipal Code – Water Efficient Landscape Ordinance
- (a) First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Amending Chapter 15.32 [Water Conservation in Landscaping] of the Portola Valley Municipal Code (Ordinance No. \_\_\_\_)

Interim Town Manager Debbie Pedro presented the staff report and slide show regarding the proposed ordinance amending Title 15, Chapter 15.32, of the Portola Valley Municipal Code. She explained the Drought Executive Order of April 2015 and described the key revisions to the State MWEL, as detailed in the staff report.

Ms. Pedro reported that the State has reduced the landscape size that triggers the ordinance for new projects from 1,000 to 2,000 square feet down to 500 square feet. For rehabilitative landscape projects, the size threshold remains at 2,500 square feet; however, the Town adopted an ordinance in 2010 that holds the threshold to 1,000 square feet and the proposal is to maintain that 1,000-square-foot threshold.

Ms. Pedro reported that the Evapotranspiration (ET<sub>o</sub>) number has gone from 70% to 50%, basically meaning the Maximum Applied Water Allowance (MAWA) formula has been reduced.

She said the incentive for smaller landscape projects of less than 2,500 square feet is qualification for the Prescriptive Compliance Option, which requires much less documentation, waiving the requirement for a soils report, a landscape plan, an irrigation plan, or a grading plan. If the smaller project is entirely irrigated by gray water, the only requirement is to ensure their project complies with the checklist items.

She said a dedicated landscape meter would be required for a residential landscape project of more than 5,000 square feet.

Ms. Pedro reported that the State is requiring a yearly update indicating the number and size of landscape projects approved. She said this is an effort by the State to quantify how much irrigated landscaped exists in California. The State has provided a standardized form for this report.

In response to Councilmember Aalfs question regarding the County's guidance regarding gray water, Ms. de Garmeaux said the County is developing a checklist that is not yet complete.

Ms. Pedro explained that the Town adopted the BAWSCA Model Ordinance in 2010, which was a regional effort. She said that last October BAWSCA formed a working group to update the regional ordinance. She said the State allows local agencies to create individual regional ordinances as long as they meet the minimum State requirements. She said a benefit of aligning with other BAWSCA members includes providing residents, designers, contractors, and landscapers with generally consistent requirements across regional boundaries.

Ms. Pedro said the proposed ordinance was presented to the Water Conservation Committee, the ASCC, and the Planning Commission, and have all reviewed it and unanimously recommended approval. She said there have been no public comments. She said the State deadline for the Town to adopt a regional ordinance is February 1, 2016. She said if the Council introduces the proposed ordinance this evening, it will return for adoption at the next Council meeting on January 27 and will take effect on February 22, 2016.

She said the BAWSCA regional ordinance incorporates all of the State updates as required. She said that for existing landscapes over one acre in size, an audit program can be developed with the local water agency. She said the Town has not yet ever implemented this aspect of the ordinance, but it is carried over and the Town may consider setting up a program for existing large landscape projects.

Ms. Pedro presented a chart comparing the 2009 BAWSCA ordinance, the 2010 (current) Portola Valley ordinance, the 2015 State WEL, and the 2015 BAWSCA ordinance, highlighting the key differences. Ms. Pedro said BAWSCA has tightened the incentives so that the landscape projects must have no turf

and 80% of the plantings must be low or native in order to bypass the water budget process. She said that the new proposed ordinance requires new pools and spas to have covers.

Councilmember Gilbert asked Water Conservation Committee Chair Al Sill regarding the Committee's views on the proposed ordinance. Mr. Sill said he and the Committee are pleased with the outcome.

Councilmember Aalfs asked if it was difficult to determine if a planting plan matches the actual plantings. Ms. Pedro said the ordinance has a compliance sign-off requirement by the landscape installer certifying that they have installed the plants per the plans.

Councilmember Richards said there had been some confusion regarding the triggers for the requirements of each of the categories. He clarified that the requirements are triggered by the issuance of a site development permit and not just landscaping by itself.

With no further questions, Mayor Derwin called for questions from the public. Hearing none, she brought the topic back to the Council for comments.

Councilmember Aalfs moved to approve the First Reading of Ordinance Amending Chapter 15.32 of the Portola Valley Municipal Code with Second Reading scheduled for the January 27, 2016, Council Meeting. Seconded by Councilmember Wengert, the motion carried 5-0.

(8) Recommendation by Interim Town Manager – Approval of Comment Letter on the FAA Initiative

Interim Town Manager Pedro presented the staff report regarding a document released by the Federal Aviation Administration (FAA) describing the actions to be taken to address noise concerns identified by community groups and elected officials in various Bay Area communities. She said that Congresswoman Eshoo has urged the Town to provide comments on the initiative as soon as possible. Town Consultant Williams Aviation reviewed the initiative, analyzed each proposed measure regarding its impact on the Town, and prepared a comment letter, with the assistance of Town Resident Tina Nguyen, with specific suggestions and recommendations as detailed in the staff report.

Mayor Derwin called for questions from the Council. Councilmember Aalfs asked Ms. Nguyen if she had any comments to add regarding the letter. Ms. Nguyen thought it was interesting that the request didn't include Los Altos or Los Altos Hills. In response to Mayor Derwin's question, Ms. Pedro said the Town plans to send the letter directly to the FAA with a copy to Congresswoman Eshoo's office, per her request. With no further questions from the Council and no further comments from the public, Mayor Derwin brought the topic back to the Council for discussion.

Councilmember Wengert thanked Ms. Nguyen and Ms. Pedro for their work on this comment letter. She said the question remains if there is an ability to impact what the FAA has already embarked on, despite the multiple efforts underway to ensure the FAA listens to the public input. She said having the consultant onboard was critical and there will be no hesitation to use them again as this process moves forward.

Councilmember Wengert moved to approve the proposed Comment Letter regarding the FAA Initiative. Seconded by Vice Mayor Hughes, the motion carried 5-0.

(9) Recommendation by Interim Town Manager – Resolution Supporting Congresswoman Eshoo's FAA Reform Legislations.

- (a) A Resolution of the Town Council of the Town of Portola Valley Supporting Congresswoman Eshoo's FAA Reform Package (Resolution No. 2680-2016)

Interim Town Manager Pedro presented the staff report regarding the Town's support of Congresswoman Eshoo's proposed legislation – the Quiet Communities Act of 2015 and the FAA Community Accountability Act of 2015 – intended to address the issues of increased aircraft noise and facilitate a long-term solution for the region.

Vice Mayor Hughes moved to approve the Resolution Supporting Congresswoman Eshoo's FAA Reform Legislations, as amended. Seconded by Councilmember Richards, the motion carried 5-0.

- (10) Recommendation by Town Attorney – Resolution Confirming a Ban on the Cultivation of Medical Marijuana Pursuant to the Town's Permissive Zoning Ordinance
- (a) A Resolution of the Town Council of the Town of Portola Valley Confirming a Ban on the Cultivation of Medical Marijuana Pursuant to the Town's Permissive Zoning Ordinance (Resolution No. 2681-2016)

Town Attorney Prince presented the staff report, pointing out that if the Town does not have a land use ordinance in place regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under the principles of permissive zoning, by March 1, 2016, the State Department of Food and Agriculture will be the sole licensing authority for medical marijuana cultivation applications. The proposed resolution is intended to retain local control over permitting relative to the cultivation of medical marijuana.

Mayor Derwin called for questions from the Council.

In response to Councilmember Aalfs question, Ms. Prince that the Permissive Zoning Ordinance does cover the issue and this proposed resolution provides retention of local control and an extra layer of confirmation of the Town's ban on cultivation of medical marijuana.

Councilmember Aalfs moved to approve the Resolution Confirming a Ban on the Cultivation of Medical Marijuana Pursuant to the Town's Permissive Zoning Ordinance. Seconded by Councilmember Wengert, the motion carried 5-0.

- (11) Council Liaison Committee and Regional Agencies Reports

Councilmember Aalfs – Attended the speech by Treasure Secretary Jack Lew at the Computer History Museum on January 4, 2016, along with Councilmember Wengert.

Councilmember Richards – Attended the January 6, 2016, Planning Commission meeting.

Councilmember Wengert – Attended the January 6, 2016, Water Conservation meeting where they discussed WELO, a change in the meeting date, Earth Day (April 23, 2016), and Focus for 2016.

Vice Mayor Hughes – Attended the Parks & Recreation Committee meeting. They finalized their survey, and discussed the start of sports season and the winter down time for fields. They reported that a horseshoe pit will be installed by the tennis courts in the spring. The Committee reviewed the current Town Center Master Plan. Vice Mayor Hughes also attended the Bicycle, Pedestrian & Traffic Safety Committee Meeting, where they reported that citations for December were light. He said the lighted crosswalk is out again and Public Works Director Young will replace it with a more reliable crosswalk. They reported that Cal Water's project on Portola Valley has been delayed due to rain, which will also delay some of the Town's road projects until spring of 2017. The retaining wall on Alpine Wall is reportedly holding up nicely.

Mayor Derwin – Attended the December Council of Cities dinner meeting in Colma, which held elections.

### **WRITTEN COMMUNICATIONS**

- (12) Town Council Digest – December 11, 2015

- (13) Town Council Digest – December 18, 2015

#17 – Request from University of California, Davis, re: Survey about Shale Drilling "Fracking." Councilmember Aalfs will complete the survey.

(14) Town Council Digest – December 23, 2015

(15) Town Council Digest – January 8, 2016

#10 – Notice from County of San Mateo re: Community Meeting on Alpine Road Traffic Corridor Study – Thursday, January 21, 2016. Public Works Director Young will attend.

#11 – Request for Survey from Menlo College Professor, Melissa Michelson, re: Evaluation of November 3, 2015, All-Mailed Ballot Election. Vice Mayor Hughes personally replied to the survey.

**ADJOURN TO CLOSED SESSION** [8:04 p.m.]

Mayor Derwin adjourned the meeting to the closed session.

(16) Public Employment – Government Code § 54957, Town Manager

**REPORT OUT OF CLOSED SESSION**

None to Report.

**ADJOURNMENT** [9:10 p.m.]

Mayor Derwin adjourned the meeting.

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Mayor

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Town Clerk

**INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST**

JANUARY 27, 2016

Date: 01/22/2016

Time: 10:00 am

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TOWN OF PORTOLA VALLEY

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

AT&T	12/6 to 1/5 StmtS CALNET 3	17124	01/27/2016	
			01/27/2016	
P.O. BOX 9011	441		01/27/2016	0.00
CAROL STREAM	BOA	50308	01/27/2016	0.00
IL 60197-9011	6531, 6532, 6533			799.50

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	799.50	0.00

AT&T	Remaining StmtS CALNET 2	17125	01/27/2016	
			01/27/2016	
P.O. BOX 9011	441		01/27/2016	0.00
CAROL STREAM	BOA	50308	01/27/2016	0.00
IL 60197-9011	933, 6461			647.74

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	647.74	0.00

Check No.	50308	Total:	1,447.24
Total for	AT&T		1,447.24

BALANCE HYDROLOGICS INC.	Spring Down Pond Enhancements	17172	01/27/2016	
	Thru 12/19/15		01/27/2016	
800 BANCROFT WAY	945		01/27/2016	0.00
BERKELEY	BOA	50309	01/27/2016	0.00
CA 94710-2227	210043-1215			1,368.75

GL Number	Description	Invoice Amount	Amount Relieved
15-68-4414	CIP Spring Down OpSpa Imp	1,368.75	0.00

Check No.	50309	Total:	1,368.75
Total for	BALANCE HYDROLOGICS INC.		1,368.75

BMI	2016 Music License Renewal	17127	01/27/2016	
			01/27/2016	
PO BOX 630893	1349		01/27/2016	0.00
CINCINNATI	BOA	50310	01/27/2016	0.00
OH 45263-0893	27430779			335.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	335.00	0.00

Check No.	50310	Total:	335.00
Total for	BMI		335.00

CALIF DEPT OF FISH & GAME	Spring Down Pond Restoration	17176	01/27/2016	
	Project		01/27/2016	
	371		01/27/2016	0.00
	BOA	50311	01/27/2016	0.00
				921.00

GL Number	Description	Invoice Amount	Amount Relieved
15-68-4414	CIP Spring Down OpSpa Imp	921.00	0.00

Check No.	50311	Total:	921.00
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**INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST**

JANUARY 27, 2016

Date: 01/22/2016

Time: 10:00 am

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TOWN OF PORTOLA VALLEY

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

<u>Total for</u>	CALIF DEPT OF FISH & GAME	921.00
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CALIFORNIA WATER SERVICE CO	11/11 to 12/11 Statements	17122	01/27/2016	
			01/27/2016	
3525 ALAMEDA DE LAS PULGAS	0011		01/27/2016	0.00
MENLO PARK	BOA	50312	01/27/2016	0.00
CA 94025844				1,157.36

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	1,157.36	0.00

CALIFORNIA WATER SERVICE CO	12/12 to 1/12 Statements	17123	01/27/2016	
			01/27/2016	
3525 ALAMEDA DE LAS PULGAS	0011		01/27/2016	0.00
MENLO PARK	BOA	50312	01/27/2016	0.00
CA 94025844				1,832.05

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4300	Codification	1,832.05	0.00

Check No.	50312	Total:	2,989.41
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<u>Total for</u>	CALIFORNIA WATER SERVICE CC	2,989.41
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CITY OF REDWOOD CITY (IT)	December IT Support	17128	01/27/2016	
			01/27/2016	
P.O. BOX 3629	586		01/27/2016	0.00
REDWOOD CITY	BOA	50313	01/27/2016	0.00
CA 94064	BR38242			2,111.08

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4216	IT & Website Consultants	2,111.08	0.00

Check No.	50313	Total:	2,111.08
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<u>Total for</u>	CITY OF REDWOOD CITY (IT)	2,111.08
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CLEANSTREET	November Litter/Street Clean	17164	01/27/2016	
			01/27/2016	
1937 W. 169TH STREET	0034		01/27/2016	0.00
GARDENA	BOA	50314	01/27/2016	0.00
CA 90247-5254	80599			1,603.62

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4342	Landscape Supplies & Services	74.00	0.00
20-60-4266	Litter Clean Up Program	659.52	0.00
22-60-4266	Litter Clean Up Program	870.10	0.00

CLEANSTREET	Dec Litter/Street Clean	17165	01/27/2016	
			01/27/2016	
1937 W. 169TH STREET	0034		01/27/2016	0.00
GARDENA	BOA	50314	01/27/2016	0.00
CA 90247-5254	80912			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	2,963.85	0.00
20-60-4266	Litter Clean Up Program	659.52	0.00
22-60-4266	Litter Clean Up Program	870.10	0.00

**INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST**

JANUARY 27, 2016

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TOWN OF PORTOLA VALLEY

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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

Check No.	50314	Total:	6,171.09
Total for	CLEANSTREET		6,171.09

COTTON SHIRES & ASSOC. INC.	October Applicant Charges	17129	01/27/2016	
			01/27/2016	
330 VILLAGE LANE	0047		01/27/2016	0.00
LOS GATOS	BOA	50315	01/27/2016	0.00
CA 95030-7218				13,239.06

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4190	Geologist - Charges to Appls	13,239.06	0.00

Check No.	50315	Total:	13,239.06
Total for	COTTON SHIRES & ASSOC. INC.		13,239.06

DENISE DE SOMER	Catering, Volunteer Party 12/4	17130	01/27/2016	
		00006339	01/27/2016	
17 DOLPHIN COURT	1367		01/27/2016	0.00
HALF MOON BAY	BOA	50316	01/27/2016	0.00
CA 94019	TOPVVA120415			8,203.00

GL Number	Description	Invoice Amount	Amount Relieved
05-52-4147	Holiday Party	8,203.00	8,500.00

Check No.	50316	Total:	8,203.00
Total for	DENISE DE SOMER		8,203.00

ECONO TREE SERVICE	ROW On Call Tree Maintenance	17163	01/27/2016	
			01/27/2016	
1914 SPRING STREET	1252		01/27/2016	0.00
REDWOOD CITY	BOA	50317	01/27/2016	0.00
CA 94063	338750			396.00

GL Number	Description	Invoice Amount	Amount Relieved
20-60-4264	ROW Tree Trimming & Mowing	396.00	0.00

Check No.	50317	Total:	396.00
Total for	ECONO TREE SERVICE		396.00

ERGOVERA	Ergo Assesment, Rodas	17131	01/27/2016	
			01/27/2016	
P.O. BOX 1000	0454		01/27/2016	0.00
FELTON	BOA	50318	01/27/2016	0.00
CA 95018	2581			450.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	450.00	0.00

Check No.	50318	Total:	450.00
Total for	ERGOVERA		450.00

**INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST**

JANUARY 27, 2016

Date: 01/22/2016

Time: 10:00 am

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TOWN OF PORTOLA VALLEY

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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

FRANCOTYP-POSTALIA, INC.	Meter Rental, 1/9/16-4/8/16	17132	01/27/2016	
			01/27/2016	
P.O. BOX 4510	0172		01/27/2016	0.00
CAROL STREAM	BOA	50319	01/27/2016	0.00
IL 60197-4510	R1102692000			88.29

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

Check No.	50319	Total:	88.29
Total for	FRANCOTYP-POSTALIA, INC.		88.29

HILLYARD, INC	Janitorial Supplies	17133	01/27/2016	
			01/27/2016	
P.O. BOX 874338	531		01/27/2016	0.00
KANSAS CITY	BOA	50320	01/27/2016	0.00
MO 64187-4338	601918856			423.57

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4340	Building Maint Equip & Supp	141.19	0.00
05-66-4341	Community Hall	141.19	0.00
25-66-4340	Building Maint Equip & Supp	141.19	0.00

HILLYARD, INC	Janitorial Supplies	17134	01/27/2016	
			01/27/2016	
P.O. BOX 874338	531		01/27/2016	0.00
KANSAS CITY	BOA	50320	01/27/2016	0.00
MO 64187-4338	601918857			401.62

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4340	Building Maint Equip & Supp	133.87	0.00
05-66-4341	Community Hall	133.87	0.00
25-66-4340	Building Maint Equip & Supp	133.88	0.00

Check No.	50320	Total:	825.19
Total for	HILLYARD, INC		825.19

J.W. ENTERPRISES	Portable Lavs 12/24 - 1/20/16	17161	01/27/2016	
			01/27/2016	
1689 MORSE AVE	829		01/27/2016	0.00
VENTURA	BOA	50321	01/27/2016	0.00
CA 93003	188985			242.44

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

Check No.	50321	Total:	242.44
Total for	J.W. ENTERPRISES		242.44

JORGENSON SIEGEL MCCLURE & FLEGEL	December Statement	17135	01/27/2016	
			01/27/2016	
1100 ALMA STREET	0089		01/27/2016	0.00
MENLO PARK	BOA	50322	01/27/2016	0.00
CA 94025				11,837.50

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4182	Town Attorney	10,000.00	0.00

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

96-54-4186	Attorney - Charges to Appls	1,837.50	0.00	
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Check No.	50322	Total:	11,837.50
Total for	JORGENSON SIEGEL MCCLURE &		11,837.50

LUCILLE KALMAN	Winter 2016, Instructor Fees	17174	01/27/2016	
			01/27/2016	
245 OLD SPANISH TRAIL	1082		01/27/2016	0.00
PORTOLA VALLEY	BOA	50323	01/27/2016	0.00
CA 94028				1,728.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	1,728.00	0.00

Check No.	50323	Total:	1,728.00
Total for	LUCILLE KALMAN		1,728.00

KPMG LLP	Community Hall, Annual Report	17136	01/27/2016	
	FYE 6/30/15		01/27/2016	
DEPT 0922	985		01/27/2016	0.00
DALLAS	BOA	50324	01/27/2016	0.00
TX 75312-0922	8000924399			15,208.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4341	Community Hall	15,208.00	0.00

Check No.	50324	Total:	15,208.00
Total for	KPMG LLP		15,208.00

KUTZMANN & ASSOCIATES	November Plan Check	17137	01/27/2016	
			01/27/2016	
39355 CALIFORNIA STREET	0090		01/27/2016	0.00
FREMONT	BOA	50325	01/27/2016	0.00
CA 94538				14,222.81

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4200	Plan Check Services	14,222.81	0.00

KUTZMANN & ASSOCIATES	December Plan Check	17138	01/27/2016	
			01/27/2016	
39355 CALIFORNIA STREET	0090		01/27/2016	0.00
FREMONT	BOA	50325	01/27/2016	0.00
CA 94538				8,289.45

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4200	Plan Check Services	8,289.45	0.00

Check No.	50325	Total:	22,512.26
Total for	KUTZMANN & ASSOCIATES		22,512.26

LEAGUE OF CALIFORNIA CITIES	2016 Annual Dues	17166	01/27/2016	
			01/27/2016	
	0093		01/27/2016	0.00
SACRAMENTO	BOA	50326	01/27/2016	0.00
CA 95814	158793			2,988.00

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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
05-64-4322	Dues	2,988.00	0.00

Check No.	50326	Total:	2,988.00
Total for	LEAGUE OF CALIFORNIA CITIES		2,988.00

LYNGSO GARDEN MATERIALS INC	Fields, Compost, Sand	17162	01/27/2016	
			01/27/2016	
19 SEAPORT BOULEVARD	923		01/27/2016	0.00
REDWOOD CITY	BOA	50327	01/27/2016	0.00
CA 94063				229.99

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	229.99	0.00

Check No.	50327	Total:	229.99
Total for	LYNGSO GARDEN MATERIALS INC		229.99

MAZE & ASSOCIATES	Audit Svcs, FYE 6/30/15	17139	01/27/2016	
			01/27/2016	
3478 BUSKIRK AVENUE	879		01/27/2016	0.00
PLEASANT HILL	BOA	50328	01/27/2016	0.00
CA 94523	16835			665.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4180	Accounting & Auditing	665.00	0.00

Check No.	50328	Total:	665.00
Total for	MAZE & ASSOCIATES		665.00

MR. ROOFING	Refund Dep, 501 Portola Rd	17140	01/27/2016	
	Permit #15458-62		01/27/2016	
#77 & #43	728		01/27/2016	0.00
SAN RAMON	BOA	50329	01/27/2016	0.00
CA 94583				5,000.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	5,000.00	0.00

MR. ROOFING	Refund Dep, 501 Portola Rd	17141	01/27/2016	
	Permit #15764/5		01/27/2016	
#77 & #43	728		01/27/2016	0.00
SAN RAMON	BOA	50329	01/27/2016	0.00
CA 94583				2,400.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	2,400.00	0.00

Check No.	50329	Total:	7,400.00
Total for	MR. ROOFING		7,400.00

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

NOLTE ASSOCIATES, INC	Applicant Charges 11/29 -12/26	17126	01/27/2016	
			01/27/2016	
P.O. BOX 93243	0104		01/27/2016	0.00
LAS VEGAS	BOA	50330	01/27/2016	0.00
NV 89193-3243	40469			4,255.58

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	4,255.58	0.00

Check No.	50330	Total:	4,255.58
Total for	NOLTE ASSOCIATES, INC		4,255.58

PG&E	December Statements	17168	01/27/2016	
			01/27/2016	
BOX 997300	0109		01/27/2016	0.00
SACRAMENTO	BOA	50331	01/27/2016	0.00
CA 95899-7300				6,951.28

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	6,951.28	0.00

Check No.	50331	Total:	6,951.28
Total for	PG&E		6,951.28

PIVOT INTERIORS, INC.	2 Staff Task Chairs	17142	01/27/2016	
		00006347	01/27/2016	
2740 ZANKER ROAD, SUITE 100	598		01/27/2016	0.00
SAN JOSE	BOA	50332	01/27/2016	0.00
CA 95134	313616			1,461.18

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4312	Office Equipment	1,461.18	1,461.18

Check No.	50332	Total:	1,461.18
Total for	PIVOT INTERIORS, INC.		1,461.18

PORTOLA VALLEY BREADS	Refreshments, Town Council Mtg	17143	01/27/2016	
	1/11/16		01/27/2016	
6 APPLEWOOD LANE	0403		01/27/2016	0.00
PORTOLA VALLEY	BOA	50333	01/27/2016	0.00
CA 94028	0004			64.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	64.00	0.00

Check No.	50333	Total:	64.00
Total for	PORTOLA VALLEY BREADS		64.00

REGIONAL GOVERNMENT SERVICES	Dec Contract Support	17171	01/27/2016	
			01/27/2016	
P.O. BOX 1350	1165		01/27/2016	0.00
CARMEL VALLEY	BOA	50334	01/27/2016	0.00
CA 93924	5644			1,591.52

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

05-50-4060	Temp NonPay Cler/Admin	1,591.52	0.00	
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Check No.	50334	Total:	1,591.52
Total for	REGIONAL GOVERNMENT SERVIC		1,591.52

ANDREA REINHARDT	Refund Dep, 140 Pinon	17144	01/27/2016	
	C&D Deposit		01/27/2016	
140 PINON DRIVE	0377		01/27/2016	0.00
PORTOLA VALLEY	BOA	50335	01/27/2016	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.	50335	Total:	5,000.00
Total for	ANDREA REINHARDT		5,000.00

RON RAMIES AUTOMOTIVE, INC.	Dec Fuel & Veh mirror repair	17170	01/27/2016	
			01/27/2016	
115 PORTOLA ROAD	422		01/27/2016	0.00
PORTOLA VALLEY	BOA	50336	01/27/2016	0.00
CA 94028				846.53

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4334	Vehicle Maintenance	846.53	0.00

Check No.	50336	Total:	846.53
Total for	RON RAMIES AUTOMOTIVE, INC.		846.53

SAN MATEO CO INF SERVICES	December Microwave	17145	01/27/2016	
			01/27/2016	
455 COUNTY CENTER, 3RD FLOOR	0307		01/27/2016	0.00
REDWOOD CITY	BOA	50337	01/27/2016	0.00
CA 94063	1YPV11512			76.00

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

Check No.	50337	Total:	76.00
Total for	SAN MATEO CO INF SERVICES		76.00

SHARP BUSINESS SYSTEMS	December Copies	17146	01/27/2016	
			01/27/2016	
DEPT. LA 21510	0199		01/27/2016	0.00
PASADENA	BOA	50338	01/27/2016	0.00
CA 91185-1510	C890344-541			182.69

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	182.69	0.00

Check No.	50338	Total:	182.69
Total for	SHARP BUSINESS SYSTEMS		182.69

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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
SMALL BUSINESS BENEFIT PLAN TR	February Dental/Vision	17147	01/27/2016	
			01/27/2016	
	0132		01/27/2016	0.00
BELMONT	BOA	50339	01/27/2016	0.00
CA 94002-0156				1,252.80

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4090	Health Ins Dental & Vision	1,252.80	0.00

Check No.	50339	Total:	1,252.80
Total for	SMALL BUSINESS BENEFIT PLAN		1,252.80

STAPLES	Office Supplies	17148	01/27/2016	
			01/27/2016	
STAPLES CREDIT PLAN	430		01/27/2016	0.00
DES MOINES	BOA	50340	01/27/2016	0.00
IA 50368-9020				513.21

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	513.21	0.00

Check No.	50340	Total:	513.21
Total for	STAPLES		513.21

SHELLY SWEENEY	Winter 2016, Instructor Fees	17175	01/27/2016	
			01/27/2016	
285 GRANDVIEW DRIVE	407		01/27/2016	0.00
WOODSIDE	BOA	50341	01/27/2016	0.00
CA 94062				1,808.00

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4246	Instructors & Class Refunds	1,808.00	0.00

Check No.	50341	Total:	1,808.00
Total for	SHELLY SWEENEY		1,808.00

THERMAL MECHANICAL, INC	Bi-Monthly PM Svc/Maint - Oct	17149	01/27/2016	
			01/27/2016	
425 ALDO AVENUE	955		01/27/2016	0.00
SANTA CLARA	BOA	50342	01/27/2016	0.00
CA 95054	PM-64926			1,495.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4341	Community Hall	498.34	0.00
05-66-4346	Mechanical Sys Maint & Repair	498.33	0.00
25-66-4346	Mechanical Sys Maint & Repair	498.33	0.00

Check No.	50342	Total:	1,495.00
Total for	THERMAL MECHANICAL, INC		1,495.00



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

TOWNSEND MGMT, INC	October App Charges	17151	01/27/2016	
			01/27/2016	
P.O. BOX 24442	609		01/27/2016	0.00
SAN FRANCISCO	BOA	50343	01/27/2016	0.00
CA 94124	10-15A-15J			6,238.75

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	6,238.75	0.00

TOWNSEND MGMT, INC	October App Charges	17152	01/27/2016	
			01/27/2016	
P.O. BOX 24442	609		01/27/2016	0.00
SAN FRANCISCO	BOA	50343	01/27/2016	0.00
CA 94124	200064-10-15EC1-EC9, 15E10-E34			5,290.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	5,290.00	0.00

TOWNSEND MGMT, INC	Sept App Charges	17155	01/27/2016	
			01/27/2016	
P.O. BOX 24442	609		01/27/2016	0.00
SAN FRANCISCO	BOA	50343	01/27/2016	0.00
CA 94124	200064-12-15A-15N			3,852.50

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	3,852.50	0.00

TOWNSEND MGMT, INC	Alpine Project #2015 PW02	17159	01/27/2016	
	Progress Pmt, Oct & Nov 2015		01/27/2016	
P.O. BOX 24442	609		01/27/2016	0.00
SAN FRANCISCO	BOA	50343	01/27/2016	0.00
CA 94124	200164-11-15, 200164-10-15			2,990.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4537	SMTA Road Project	212.80	0.00
05-68-4537	SMTA Road Project	709.32	0.00
08-68-4537	SMTA Road Project	477.20	0.00
08-68-4537	SMTA Road Project	1,590.68	0.00

Check No.	50343	Total:	18,371.25
Total for	TOWNSEND MGMT, INC		18,371.25

US POSTMASTER	Replenish Bulk Mail Account	17150	01/27/2016	
Business Mail Entry Unit		00006356	01/27/2016	
3875 BOHANNON DRIVE	0287		01/27/2016	0.00
MENLO PARK	BOA	50344	01/27/2016	0.00
CA 94025				2,000.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4316	Postage	2,000.00	2,000.00

Check No.	50344	Total:	2,000.00
Total for	US POSTMASTER		2,000.00

VALLEY PRESBYTERIAN CHURCH	Deposit Refund, Event 3/5/16	17173	01/27/2016	
	cancelled		01/27/2016	
945 PORTOLA ROAD	1347		01/27/2016	0.00
PORTOLA VALLEY	BOA	50345	01/27/2016	0.00
CA				1,000.00

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

05-00-2561	Community Hall Deposits	1,000.00	0.00	
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Check No.	50345	Total:	1,000.00
Total for	VALLEY PRESBYTERIAN CHURCH		1,000.00

LINDA WAISSAR	Refund Deposit, 7 Veronica	17157	01/27/2016	
			01/27/2016	
7 VERONICA	0558		01/27/2016	0.00
PORTOLA VALLEY	BOA	50346	01/27/2016	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	

LINDA WAISSAR	Refund Temp Occ Dep-7 Veronica	17158	01/27/2016	
			01/27/2016	
7 VERONICA	0558		01/27/2016	0.00
PORTOLA VALLEY	BOA	50346	01/27/2016	0.00
CA 94028				10,000.00

GL Number	Description	Invoice Amount	Amount Relieved	
96-54-4205	C&D Deposit	10,000.00	0.00	

Check No.	50346	Total:	15,000.00
Total for	LINDA WAISSAR		15,000.00

WESTRIDGE ARCHITECTURAL	2015 Annual Assessment	17160	01/27/2016	
C/O WALLI FINCH, TREASURER			01/27/2016	
C/O WALLI FINCH	388		01/27/2016	0.00
PORTOLA VALLEY	BOA	50347	01/27/2016	0.00
CA 94028				120.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4336	Miscellaneous	120.00	0.00	

Check No.	50347	Total:	120.00
Total for	WESTRIDGE ARCHITECTURAL		120.00

WILLIAMS AVIATION CONSULTANTS	Air Traffic Route Assessment	17167	01/27/2016	
			01/27/2016	
8490 SOUTH POWER RD.	0559		01/27/2016	0.00
GILBERT	BOA	50348	01/27/2016	0.00
AZ 85297	2016-0051			3,575.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-54-4214	Miscellaneous Consultants	3,575.00	0.00	

Check No.	50348	Total:	3,575.00
Total for	WILLIAMS AVIATION CONSULTAN		3,575.00

Total Invoices:	51	Grand Total:	166,920.34
		Less Credit Memos:	0.00
		Net Total:	166,920.34
		Less Hand Check Total:	0.00
		Outstanding Invoice Total:	166,920.34

**TOWN OF PORTOLA VALLEY**  
**Warrant Disbursement Journal**  
**January 27, 2016**

Claims totaling \$166,920.34 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 \_\_\_\_\_

\_\_\_\_\_  
Debbie Pedro, Treasurer

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

Signed and sealed this (Date) \_\_\_\_\_

\_\_\_\_\_  
Sharon Hanlon, Town Clerk

\_\_\_\_\_  
Mayor



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

---

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

**FROM:** Debbie Pedro, Interim Town Manager

**DATE:** January 27, 2016

**RE:** Adoption of Amendments to Chapter 15.32 of the Portola Valley Municipal Code - Water Efficient Landscape Ordinance

### RECOMMENDATION

It is recommended that the Town Council adopt the attached ordinance amending Title 15 [Building and Construction], Chapter 15.32 [Water Conservation in Landscaping] of the Portola Valley Municipal Code.

### DISCUSSION

At its January 13, 2016 meeting, the Town Council considered and voted to approve amendments to Title 15 [Building and Construction], Chapter 15.32 [Water Conservation in Landscaping] of the Portola Valley Municipal Code. The amendments reflect updates to the State’s Model Water Efficient Landscape Ordinance (MWELo).

This matter has come before the Town Council for second reading of the ordinance title, waiving further reading and adoption of the ordinance. If approved, the ordinance shall become effective thirty (30) days after the date of adoption and posting.

**ORDINANCE NO. 2016-\_\_\_\_\_****ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY  
AMENDING CHAPTER 15.32 [WATER CONSERVATION IN LANDSCAPING] OF  
THE PORTOLA VALLEY MUNICIPAL CODE**

**WHEREAS**, the Town of Portola Valley (“Town”) desires to amend Chapter 15.32 [Water Conservation in Landscaping] of Title 15 [Buildings and Construction] of the Portola Valley Municipal Code.

**WHEREAS**, a reliable minimum supply of potable water is essential to the public health, safety and welfare of the people and economy of the Town.

**WHEREAS**, the California Water Conservation in Landscaping Act, also known as the State Landscape Model Ordinance (“Model Ordinance”), has been implemented by a Statewide Landscape Task Force which was overseen by the California Urban Water Conservation Council. The California Water Conservation in Landscaping Act was amended pursuant to AB 2717 (Chapter 682, Stats. 2004) and AB 1881 (Chapter 559, Stats. 2006)

**WHEREAS**, AB 1881 required cities and counties, no later than January 1, 2010, to adopt the updated Model Ordinance or an equivalent document which is “at least as effective as” the Model Ordinance in conserving water. In the event cities and counties do not take such action, the State’s Model Ordinance were deemed to be automatically adopted by statute.

**WHEREAS**, The Town adopted a Water Conservation in Landscaping Ordinance on March 10, 2010 to comply with the requirement of AB 1881.

**WHEREAS**, Governor Brown issued Executive Order B-29 on April 1, 2015 which directed State agencies to implement immediate measures to save water, increase enforcement against water waste, and streamline government response to ongoing drought conditions.

**WHEREAS**, Executive Order B-29 directed the Department of Water Resources (“DWR”) to update the State Model Ordinance through expedited regulation to increase water efficiency standards for new and existing landscapes through more efficient standards, greywater usage, onsite storm water capture, and limitations of the portions of landscape that can be covered in turf.

**WHEREAS**, the California Water Commission approved the proposed revisions to the State Model Ordinance on July 15, 2015.

**WHEREAS**, local agencies are required to adopt the revised State Model Ordinance or adopt a local or regional ordinance at least as effective in conserving water.

**WHEREAS**, the Town has developed this regional Water Conservation In Landscaping Ordinance in conjunction with the Bay Area Water Supply and Conservation Agency and other local agencies to meet the requirements and guidelines of the Model Ordinance and to address the unique physical characteristics, including average landscaped areas, within the Town’s jurisdiction in order to ensure that this Ordinance will be “at least as effective as” the Model Ordinance in conserving water.

**WHEREAS**, although this Water Conservation in Landscaping Ordinance is more streamlined and simplified than the Model Ordinance, the Town Council finds that it is “at least as effective as” the Model Ordinance for the following reasons: (1) this Ordinance applies to more accounts than the Model Ordinance does because it lowers the size threshold for applicable rehabilitated landscapes from 2,500 square feet to 1,000 square feet, to better reflect the typical landscaped areas located within the Town’s boundaries; (2) this Ordinance includes a default turf restriction of no turf or high water use plants in the irrigated area and requires that at least 80% of the plants in non-turf landscape areas be native plants, low-water using plants, or no-water using plants (unless the applicant elects to perform a water budget); (3) this Ordinance requires covers on newly constructed pools and spas. The Model Ordinance does not contain any such default turf restrictions or specified plant requirements.

**WHEREAS**, although this Water Conservation in Landscaping Ordinance is more streamlined and simplified than the Model Ordinance, the Town Council further finds that it is “at least as effective as” the Model Ordinance because this Ordinance includes water budget parameters and values and landscape parameters that are consistent with the Model Ordinance. By using the same water budget parameters as the Model Ordinance (e.g., plant factors, irrigation efficiency), this Ordinance will be as effective as the Model Ordinance in developing landscape water budgets. By using the same landscape parameters as the Model Ordinance for, among other things, slope restrictions and width restrictions for turf, irrigation times, and minimum mulch requirements, this Ordinance will be at least as effective as the Model Ordinance in achieving water savings.

**WHEREAS**, Article X, Section 2 of the California Constitution and Section 100 of the California Water Code declare that the general welfare requires water resources be put to beneficial use, waste or unreasonable use or unreasonable method of use of water be prevented, and conservation of water be fully exercised with a view to the reasonable and beneficial use thereof.

**WHEREAS**, The Town Council finds and determines that this Ordinance is consistent with the provisions requiring reductions in outdoor water use for landscaping in the California Green Building Standards Code, as such provisions will be implemented in the coming years. Such requirements include the development of a water budget for landscape irrigation in accordance with methodology outlined in either the Model Ordinance or pursuant to a locally adopted ordinance.

**WHEREAS**, the State Legislature has identified the provision of a more reliable water supply and the protection, restoration and enhancement of the Delta ecosystem as a high priority for the state. Pursuant to this, in November 2009, the State Legislature passed Senate Bill 7 (7th Extraordinary Session) requiring certain urban water suppliers to reduce per capita urban water use by 20% by the year 2020. Accordingly, the Town Council finds that implementation of this Ordinance is consistent with the policies and goals established by the State Legislature in enacting SB 7 (7th Extraordinary Session).

**WHEREAS**, Article XI, Section 7 of the California Constitution declares that a city or county may make and enforce within its limits all local, policy, sanitary, and other ordinances and regulations not in conflict with general laws.

**WHEREAS**, pursuant to AB 1881, enforcement of this Ordinance will require supportive measures by California Water Service Company, the local water provider within these jurisdictions, so as to ensure the successful implementation and enforcement of this Ordinance.

**WHEREAS**, the adoption and enforcement of this Ordinance is necessary to manage the Town's potable water supply in the short and long-term and to avoid or minimize the effects of drought and shortage within the Town. This Ordinance is essential to ensure a reliable and sustainable minimum supply of water for the public health, safety and welfare.

**WHEREAS**, the Planning Commission held a duly noticed hearing on January 6, 2016 and adopted resolution 2016-1 recommending Council approval of the ordinance.

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

1. AMENDMENT OF CODE. Chapter 15.32 [Water Conservation in Landscaping] of Title 15 [Buildings and Construction] of the Portola Valley Municipal Code is hereby amended to read as follows:

**15.32.010 Applicability**

- A. The provisions of this Ordinance shall apply to all of the following landscape projects:
  - i. New construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review,
  - ii. rehabilitated landscape projects with an aggregate landscape area equal to or greater than 1,000 square feet requiring a building or landscape permit, plan check, or design review;
  - iii. existing landscapes limited to Sections 493, 493.1 and 493.2 in Division 2, Title 23 of the California Code of Regulations; all other existing landscapes shall only be subject to the provisions for existing landscapes provided for in Section 15.32.121 "Provisions for Existing Landscapes Over One Acre in Size".
  - iv. cemeteries. New and rehabilitated cemeteries shall only be subject to the provisions of Section 15.32.070 "Water Budget Calculations", Section 15.32.090 "Landscape Audit Report", and Section 15.32.100 "Landscape and Irrigation Maintenance Schedule." Existing cemeteries are limited to Section 15.32.121 "Provisions for Existing Landscapes Over One Acre in Size".
- B. Any project with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of this ordinance or conform to the prescriptive measures contained in Appendix D.
- C. Projects with a landscape areas less than 2500 sq. ft. which meet the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix D section (b)(5).
- D. This ordinance does not apply to:

- i. New construction with irrigated landscape areas less than 500 square feet, rehabilitated landscapes with irrigated landscape areas less than 1,000 square feet, or landscapes that do not require a building or landscape permit, plan check or design review, or new or expanded water service;
- ii. Landscapes, or portions of landscapes, that are only irrigated for an establishment period;
- iii. Registered local, state or federal historical sites where landscaping establishes a historical landscape style, as determined by a public board or commission responsible for architectural review or historic preservation;
- iv. Ecological restoration or mined-land reclamation projects that do not require a permanent irrigation system; or
- v. Community gardens or plant collections, as part of botanical gardens and arboretums open to the public, agricultural uses, commercial nurseries and sod farms.

#### **15.32.020 Definitions**

- A. “applied water” means the portion of water supplied by the irrigation system to the landscape.
- B. “automatic irrigation controller” means a timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.
- C. “backflow prevention device” means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- D. “Certificate of Completion” means the document required under Section 15.32.083.
- E. “certified irrigation designer” means a person certified to design irrigation systems by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency’s WaterSense irrigation designer certification program and Irrigation Association’s Certified Irrigation Designer program.
- F. “certified landscape irrigation auditor” means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency’s WaterSense irrigation auditor certification program and Irrigation Association’s Certified Landscape Irrigation Auditor program.
- G. “check valve” or “anti-drain valve” means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent



drainage from sprinkler heads when the sprinkler is off.

- H. “common interest developments” means community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.
- I. “compost” means the safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.
- J. “conversion factor (0.62)” means the number that converts acre-inches per acre per year to gallons per square foot per year.
- K. “distribution uniformity” means the measure of the uniformity of irrigation water over a defined area.
- L. “drip irrigation” means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
- M. “ecological restoration project” means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
- N. “effective precipitation” or “usable rainfall” (Eppt) means the portion of total precipitation which becomes available for plant growth.
- O. “emitter” means a drip irrigation emission device that delivers water slowly from the system to the soil.
- P. “established landscape” means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.
- Q. “establishment period of the plants” means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years for establishment.
- R. “Estimated Total Water Use” (ETWU) means the total water used for the landscape as described in Section 15.32.070.
- S. “ET adjustment factor” (ETAF) means a factor of 0.55 for residential areas and 0.45 for non-residential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. The ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.
- T. “evapotranspiration rate” means the quantity of water evaporated from adjacent

soil and other surfaces and transpired by plants during a specified time.

- U. “flow rate” means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
- V. “flow sensor” means an inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or submeter.
- W. “friable” means a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.
- X. “Fuel Modification Plan Guideline” means guidelines from a local fire authority to assist residents and businesses that are developing land or building structures in a fire hazard severity zone.
- Y. “graywater” means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. “Graywater” includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers. Health and Safety Code Section 17922.12.
- Z. “hardscapes” means any durable material (pervious and non-pervious).
- AA. “hydrozone” means a portion of the landscaped area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.
- BB. “infiltration rate” means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).
- CC. “invasive plant species” means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.
- DD. “irrigation audit” means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association’s Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency “Watersense” labeled auditing program.

- EE. “irrigation efficiency” (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency for purposes of this ordinance are 0.75 for overhead spray devices and 0.81 for drip systems.
- FF. “irrigation survey” means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.
- GG. “irrigation water use analysis” means an analysis of water use data based on meter readings and billing data.
- HH. “landscape architect” means a person who holds a license to practice landscape architecture in the state of California Business and Professions Code, Section 5615.
- II. “landscape area” means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).
- JJ. “landscape contractor” means a person licensed by the state of California to construct, maintain, repair, install, or subcontract the development of landscape systems.
- KK. “Landscape Documentation Package” means the documents required under Section 15.32.050.
- LL. “landscape project” means total area of landscape in a project as defined in “landscape area” for the purposes of this ordinance, meeting requirements under Section 15.32.010.
- MM. “landscape water meter” means an inline device installed at the irrigation supply point that measures the flow of water into the irrigation system and is connected to a totalizer to record water use.
- NN. “lateral line” means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.
- OO. “local agency” means a city or county, including a charter city or charter county, that is responsible for adopting and implementing the ordinance. The local agency is also responsible for the enforcement of this ordinance, including but not limited to, approval of a permit and plan check or design review of a project.

- PP. “local water purveyor” means any entity, including a public agency, city, county, or private water company that provides retail water service.
- QQ. “low volume irrigation” means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
- RR. “low water use plant” means a plant species whose water needs are compatible with local climate and soil conditions. Species classified as “very low water use” and “low water use” by WUCOLS, having a regionally adjusted plant factor of 0.0 through 0.3, shall be considered low water use plants.
- SS. “main line” means the pressurized pipeline that delivers water from the water source to the valve or outlet.
- TT. “master shut-off valve” is an automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system. A master valve will greatly reduce any water loss due to a leaky station valve.
- UU. “Maximum Applied Water Allowance” (MAWA) means the upper limit of annual applied water for the established landscaped area as specified in Section 15.32.070. It is based upon the area’s reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0.  $MAWA = (ET_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$
- VV. “median” is an area between opposing lanes of traffic that may be unplanted or planted with trees, shrubs, perennials, and ornamental grasses.
- WW. “microclimate” means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.
- XX. “microspray” means a microirrigation emission device with one or more orifices to convert irrigation water pressure to water discharge with a flow rate not to exceed 30 gallons per hour at the largest area of coverage available for the nozzle series when operated at 30 psi. Microsprays are inclusive of microbubblers, microspinners, and microspray jets.
- YY. “mined-land reclamation projects” means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.
- ZZ. “mulch” means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose

and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

- AAA. “native plant” means a plant indigenous to a specific area of consideration. For the purposes of these guidelines, the term shall refer to plants indigenous to the coastal ranges of Central and Northern California, and more specifically to such plants that are suited to the ecology of the present or historic natural community(ies) of the project’s vicinity.
- BBB. “new construction” means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.
- CCC. “non-residential landscape” means landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas and multifamily homes where landscaping is managed by a homeowners association or other common interest development
- DDD. "no-water using plant" means a plant species with water needs that are compatible with local climate and soil conditions such that regular supplemental irrigation is not required to sustain the plant after it has become established.
- EEE. “operating pressure” means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.
- FFF. “overhead sprinkler irrigation systems” or “overhead spray irrigation systems” means systems that deliver water through the air (e.g., spray heads and rotors).
- GGG. “overspray” means the irrigation water which is delivered beyond the target area.
- HHH. “parkway” means the area between a sidewalk and the curb or traffic lane. It may be planted or unplanted, and with or without pedestrian egress.
- III. “permit” means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.
- JJJ. “pervious” means any surface or material that allows the passage of water through the material and into the underlying soil.
- KKK. “plant factor” or “plant water use factor” is a factor, when multiplied by ETo, estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for very low water use plants is 0 to 0.1, the plant factor range for low water use plants is 0.1 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the publication “Water Use Classification of Landscape Species”. Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources

(DWR).

- LLL. “project applicant” means the individual or entity submitting a Landscape Documentation Package required under Section 15.32.030, to request a permit, plan check, or design review from the local agency. A project applicant may be the property owner or his or her designee.
- MMM. “rain sensor” or “rain sensing shutoff device” means a component which automatically suspends an irrigation event when it rains.
- NNN. “record drawing” or “as-builts” means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.
- OOO. “recreational area” means areas, excluding private single family residential areas, designated for active play, recreation or public assembly in parks, sports fields, picnic grounds, amphitheaters or golf course tees, fairways, roughs, surrounds and greens.
- PPP. “recycled water,” “reclaimed water,” or “treated sewage effluent water” means treated or recycled waste water or reused water of a quality suitable for nonpotable uses such as landscape irrigation and water features. This water is not intended for human consumption.
- QQQ. “reference evapotranspiration” or “ET<sub>o</sub>” means a standard measurement of environmental parameters which affect the water use of plants. ET<sub>o</sub> is expressed in inches per day, month, or year as represented in Appendix A, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowances so that regional differences in climate can be accommodated.
- RRR. “Regional Water Efficient Landscape Ordinance” means a local Ordinance adopted by two or more local agencies, water suppliers and other stakeholders for implementing a consistent set of landscape provisions throughout a geographical region. Regional ordinances are strongly encouraged to provide a consistent framework for the landscape industry and applicants to adhere to.
- SSS. “rehabilitated landscape” means any relandscaping project that requires a permit, plan check, or design review, meets the requirements of Section 15.32.010, and the modified landscape area is equal to or greater than 1,000 square feet.
- TTT. “residential landscape” means landscapes surrounding single family homes or multifamily homes where landscapes are managed by individual homeowners.
- UUU. “run off” means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, run off may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

- VVV. “soil moisture sensing device” or “soil moisture sensor” means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.
- WWW. “soil texture” means the classification of soil based on its percentage of sand, silt, and clay.
- XXX. “Special Landscape Area” (SLA) means an area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water.
- YYY. “sprinkler head” or “spray head” means a device which delivers water through a nozzle.
- ZZZ. “static water pressure” means the pipeline or municipal water supply pressure when water is not flowing.
- AAAA. “station” means an area served by one valve or by a set of valves that operate simultaneously.
- BBBB. “swimming pool” means any structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, above ground, and on-ground pools; hot tubs; spa and fixed in place wading pools.
- CCCC. “swing joint” means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.
- DDDD. “submeter” means a metering device to measure water applied to the landscape that is installed after the primary utility water meter.
- EEEE. “turf” means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.
- FFFF. “valve” means a device used to control the flow of water in the irrigation system.
- GGGG. “water conserving plant species” means a plant species identified as having a very low or low plant factor.
- HHHH. “water feature” means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore,

are not subject to the water budget calculation.

- IIII. “watering window” means the time of day irrigation is allowed.
- JJJJ. “WUCOLS” means the current version of the Water Use Classification of Landscape Species current edition published by the University of California Cooperative Extension and the Department of Water Resources, available at: [http://ucanr.edu/sites/WUCOLS/Download\\_WUCOLS\\_IV\\_List/](http://ucanr.edu/sites/WUCOLS/Download_WUCOLS_IV_List/)

#### **15.32.030 Water Conservation in Landscaping Ordinance Requirements**

- A. All owners of new construction and rehabilitated landscapes of applicable sizes shall: (1) complete the Landscape Project Application and Documentation Package (Section 15.32.050) and (2) comply with the Landscape and Irrigation Maintenance Schedule (Section 15.32.100) requirements of this Ordinance.
- B. All owners of existing landscapes over one acre in size, even if installed before enactment of this Ordinance, shall: (1) comply with local agency programs that may be instituted relating to irrigation audits, surveys and water use analysis, and (2) shall maintain landscape irrigation facilities to prevent water waste and runoff.

#### **15.32.040 Compliance with Ordinance.**

- A. The local agency shall:
  - i. Provide the project applicant with the Ordinance and Landscape Project Application and Documentation Package requirements and the procedures for permits, plan checks, design reviews, or new or expanded water service;
  - ii. Review the Landscape Project Application submitted by the project applicant;
  - iii. Approve or deny the project applicant’s Landscape Project Application submittal;
  - iv. Issue or approve a permit, plan check or design review that complies with the approved Landscape Project Application or approve a new or expanded water service application that complies with the approved Landscape Project Application;
  - v. Submit a copy of the complete Landscape Project Application to the local water purveyor or land use authority, as the case may be.
- B. The project applicant shall:
  - i. Prior to construction, submit all portions of the Landscape Project Application, except the Landscape Audit Report, to the local agency; and



- ii. Upon approval of the Landscape Project Application by the local agency:
  - 1. receive a permit or approval of the plan check or design review and record the date of the permit in the Certificate of Completion;
  - 2. submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and
  - 3. submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

### **15.32.050 Landscape Project Application and Documentation Package**

- A. The elements of a landscape must be designed to achieve water efficiency and will comply with the criteria described in this Ordinance. In completing the Landscape Project Application, project applicants may choose one of two options to demonstrate that the landscape meets the Ordinance's water efficiency goals. Regardless of which option is selected, the applicant must complete and comply with all other elements of the Ordinance. The options include:
  - i. Planting restrictions:
    - 1. The landscape areas may include no turf or high-water using plants; and
    - 2. At least 80% of the plants in landscape areas shall be native plants, low-water using plants, or no-water using plants; or the
  - ii. Water Budget Calculation option (Section 15.32.070).
- B. The Landscape Project Application shall include the following elements:
  - i. Project Information;
    - 1. Date
    - 2. Project Applicant
    - 3. Project address (if available, parcel and/or lot numbers)
    - 4. Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
    - 5. Total landscape area (Square feet)
    - 6. Water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
    - 7. Checklist of all documents in Landscape Documentation Package

8. Project contacts to include contact information for the project applicant and property owner
9. Applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package".
- ii. Water Budget Calculations, if applicant selects to use a water budget approach rather than comply with the turf area limitations or specified plant type restrictions (Section 15.32.070);
- iii. Soil Management Report or Soil Management Survey (Section 15.32.060);
- iv. Landscape Design Plans (Section 15.32.080);
- v. Irrigation System Design Plans (Section 15.32.081);
- vi. Landscape Audit Report (Section 15.32.090);
- vii. Grading Design Plan or Grading Design Survey (Section 15.32.082).

**15.32.060 Soil Management Report**

- A. In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, or the applicant shall complete a Soil Management Survey (Appendix E). The soil management report shall be completed as follows:
  - i. Submit soil samples to a laboratory for analysis and recommendations.
    1. Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
    2. The soil analysis shall include:
      - a. soil texture;
      - b. infiltration rate determined by laboratory test or soil texture infiltration rate table;
      - c. pH;
      - d. total soluble salts;
      - e. sodium
      - f. percent organic matter; and
      - g. recommendations

3. In projects with multiple landscape installations (i.e. production home developments) a soil sampling rate of 1 in 7 lots or approximately 15% will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to 1 in 7 lots.
- ii. The project applicant, or his/her designee, shall comply with one of the following:
    1. If significant mass grading is not planned, the soil analysis report shall be submitted to the local agency as part of the Landscape Documentation Package; or
    2. If significant mass grading is planned, the soil analysis report shall be submitted to the local agency as part of the Certificate of Completion.
  - iii. The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.
  - iv. The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the local agency with Certificate of Completion.

#### **15.32.070 Water Budget Calculations**

Project applicant may elect to complete a water budget calculation for the landscape project using the Water Efficient Landscape Worksheet in Appendix B.

Water budget calculations, if prepared, shall adhere to the following requirements:

- A. The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor ranges from from 0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.
- B. All water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone..
- C. All Special Landscape Areas (SLA) shall be identified and their water use included in the water budget calculations.
- D. The reference evapotranspiration adjustment factor (ETAF) for SLA shall not exceed 1.0. The ETAF for all other landscaped areas shall not exceed 0.55 for residential areas and 0.45 for non-residential areas.
- E. ETo values from the Reference Evapotranspiration Table in Appendix A shall be used In calculating the Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use (ETWU). For geographic areas not covered in

Appendix A, use data from other cities located nearby in the same reference evapotranspiration zone, as found in the CIMIS Reference Evapotranspiration Zones Map, Department of Water Resources, 1999. For the purpose of determining Estimated Total Water Use, average irrigation efficiency is assumed to be 0.75 for overhead spray devices and 0.81 for drip system devices.

F. MAWA shall be calculated using the equation below:

$$\text{MAWA} = (\text{ET}_o) (0.62) [(0.55 \times \text{LA}) + (0.45 \times \text{SLA})] \text{ for residential areas}$$

$$\text{MAWA} = (\text{ET}_o) (0.62) [(0.45 \times \text{LA}) + (0.55 \times \text{SLA})] \text{ for non-residential areas}$$

Where:

MAWA = Maximum Applied Water Allowance (gallons per year)

ET<sub>o</sub> = Reference Evapotranspiration (inches per year)

0.62 = Conversion Factor (to gallons)

0.55 = Reference Evapotranspiration Adjustment Factor (ETAF) for residential areas

0.45 = Reference Evapotranspiration Adjustment Factor (ETAF) for non-residential areas

LA = Landscape Area including SLA (square feet)

0.45 = Additional Water Allowance for SLA in residential areas

0.55 = Additional Water Allowance for SLA in non-residential areas

SLA = Special Landscape Area (square feet)

G. A local agency or project applicant may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate the MAWA:

i.  $\text{MAWA} = (\text{ET}_o - \text{Eppt}) (0.62) [(0.55 \times \text{LA}) + (0.45 \times \text{SLA})]$  for residential areas.

ii.  $\text{MAWA} = (\text{ET}_o - \text{EPPT}) (0.62) [(0.45 \times \text{LA}) + (0.55 \times \text{SLA})]$  for non-residential areas.

H. Estimated Total Water Use (ETWU) will be calculated using the equation below. The sum of the ETWU calculated for all hydrozones will not exceed the MAWA.

$$\text{ETWU} = (\text{ET}_o)(0.62) \left( \frac{\text{PF} \times \text{HA}}{\text{IE}} + \text{SLA} \right)$$

Where:

ETWU = Estimated Total Water Use per year (gallons)

ET<sub>o</sub> = Reference Evapotranspiration (inches)

PF = Plant Factor from WUCOLS (see Section 15.32.020)

HA	= Hydrozone Area [high, medium, and low water use areas] (square feet)
0.75	= Irrigation Efficiency (IE) for overhead spray devices
0.81	= Irrigation Efficiency (IE) for drip system devices
SLA	= Special Landscape Area (square feet)
0.62	= Conversion Factor

### 15.32.080 Landscape Design Plan

- A. For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.
- i. Plant Material
1. Any plant may be selected for the landscape, providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. Methods to achieve water efficiency shall include one or more of the following:
    - a. Protection and preservation of native species and natural vegetation
    - b. selection of water-conserving plant, tree and turf species, especially local native plants;
    - c. selection of plants based on local climate suitability, disease and pest resistance;
    - d. selection of trees based on applicable local tree ordinances or tree shading guidelines, and size at maturity as appropriate for the planting area; and
    - e. selection of plants from local and regional landscape program plant lists.
    - f. selection of plants from local Fuel Modification Plan Guidelines.
  2. Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 15.32.081(A)(ii)(4).
  3. Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. Methods to achieve water efficiency shall include one or more of the following:

- a. use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;
    - b. recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., buildings, sidewalks, power lines]; allow for adequate soil volume for healthy root growth;
    - c. consider the solar orientation for plant placement to maximize summer shade and winter solar gain.
  4. Turf is not allowed on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).
  5. High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.
  6. A landscape design plan for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per Public Resources Code Section 4291(a) and (b). Avoid fire-prone plant materials and highly flammable mulches. Refer to the local Fuel Modification Plan guidelines.
  7. The use of invasive plant species, such as those listed by the California Invasive Plant Council, is strongly discouraged.
  8. The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.
- ii. Water Features
1. Recirculating water systems shall be used for water features.
  2. Where available, recycled water shall be used as a source for decorative water features.
  3. Surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.
  4. Pool and spa covers are required on any newly constructed pool or spa.
- iii. Soil Preparation, Mulch and Amendments

1. Prior to the planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.
  2. Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 15.32.060).
  3. For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.
  4. A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, up to 5% of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
  5. Stabilizing mulching products shall be used on slopes that meet current engineering standards.
  6. The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
  7. Organic mulch materials made from recycled or post-consumer shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.
- B. The landscape design plan, at a minimum, shall:
- i. delineate and label each hydrozone by number, letter, or other method;
  - ii. identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
  - iii. identify recreational areas;
  - iv. identify areas permanently and solely dedicated to edible plants;
  - v. identify areas irrigated with recycled water;
  - vi. identify type of mulch and application depth;
  - vii. identify soil amendments, type, and quantity;

- viii. identify type and surface area of water features;
- ix. identify hardscapes (pervious and non-pervious);
- x. identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Project applicants shall refer to the local agency or regional Water Quality Control Board for information on any applicable stormwater technical requirements. Stormwater best management practices are encouraged in the landscape design plan and examples are provided in Section 15.32.110.
- xi. identify any applicable rain harvesting or catchment technologies as discussed in Section 15.32.110 and their 24-hour retention or infiltration capacity;
- xii. identify any applicable graywater discharge piping, system components and area(s) of distribution;
- xiii. contain the following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and
- xiv. bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agriculture Code.).

#### **15.32.081 Irrigation Design Plan**

- A. This section applies to landscaped areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.
  - i. System
    - 1. Landscape water meters, defined as either a dedicated water service meter or private submeter, shall be installed for all non-residential irrigated landscapes of 1,000 sq. ft. but not more than 5,000 sq.ft. (the level at which Water Code 535 applies) and residential irrigated landscapes of 5,000 sq. ft. or greater. A landscape water meter may be either:



- a. a customer service meter dedicated to landscape use provided by the local water purveyor; or
  - b. a privately owned meter or submeter.
2. Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for irrigation scheduling in all irrigation systems.
3. If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
  - a. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.
  - b. Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.
4. Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.
5. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.
6. Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable local agency code (i.e., public health) for additional backflow prevention requirements.
7. Flow sensors that detect high flow conditions created by system damage or malfunction are required for all on non-residential landscapes and residential landscapes of 5000 sq. ft. or larger.
8. Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of

sprinklers that are individually pressurized in a system equipped with low pressure shut down features.

9. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
10. Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.
11. The design of the irrigation system shall conform to the hydrozones of the landscape design plan.
12. The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 15.32.070 regarding the Maximum Applied Water Allowance.
13. All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard, All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
14. It is highly recommended that the project applicant or local agency inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.
15. In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
16. Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.
17. Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.
18. Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of turfgrass.
19. Check valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.
20. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or

overspray.

21. Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:

- a. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
- b. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
- c. the irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section 15.32.081(A). Prevention of overspray and runoff must be confirmed during the irrigation audit.

22. Slopes greater than 25% shall not be irrigated with an irrigation system with a application rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.

ii. Hydrozone

1. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.
2. Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
3. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.
4. Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:
  - a. plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
  - b. the plant factor of the higher water using plant is used for calculations.

5. Individual hydrozones that mix high and low water use plants shall not be permitted.
6. On the Landscape Design Plan and Irrigation Design Plan, hydrozone areas shall be designated by number, letter, or other designation. On the Irrigation Design Plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Hydrozone Information Table (see Appendix B Section A). This table can also assist with the irrigation audit and programming the controller.

B. The Irrigation Design Plan, at a minimum, shall contain:

- i. location and size of separate water meters for landscape;
- ii. location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
- iii. static water pressure at the point of connection to the public water supply;
- iv. flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
- v. recycled water irrigation systems as specified in Section 15.32.111;
- vi. the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan"; and
- vii. the signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code.)

**15.32.082 Grading Design Plan**

- A. For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan or completed Grading Design Survey (Appendix E) shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan prepared by a civil engineer for other local agency permits satisfies this requirement.
  - i. The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:
    1. height of graded slopes;

2. drainage patterns;
  3. pad elevations;
  4. finish grade; and
  5. storm water retention improvements, if applicable
- ii. To prevent excessive erosion and runoff, it is highly recommended that project applicants:
1. grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
  2. avoid disruption of natural drainage patterns and undisturbed soil; and
  3. avoid soil compaction in landscape areas.

#### **15.32.083 Certificate of Completion**

- A. The Certificate of Completion (see Appendix C for a sample certificate) shall include the following six (6) elements:
- i. Project information sheet that contains:
    1. Date
    2. Project name
    3. Project applicant name, telephone, and mailing address;
    4. Project address and location; and
    5. Property owner name, telephone, and mailing address;
  - ii. certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package;
    1. where there have been significant changes made in the field during construction, these “as-built” or record drawings shall be included with the certification;
    2. A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes.
  - iii. irrigation scheduling parameters used to set the controller (see Section 15.32.095);

- iv. landscape and irrigation maintenance schedule (see Section 15.32.100);
  - v. irrigation audit report (see Section 15.32.090); and
  - vi. soil analysis report or soil management survey, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations (see Section 15.32.060).
- B. The project applicant shall:
- i. submit the signed Certificate of Completion to the local agency for review;
  - ii. ensure that copies of the approved Certificate of Completion are submitted to the local water purveyor and property owner or his or her designee.
- C. The local agency shall:
- i. receive the signed Certificate of Completion from the project applicant;
  - ii. approve or deny the Certificate of Completion. If the Certificate of Completion is denied, the local agency shall provide information to the project applicant regarding reapplication, appeal, or other assistance.

#### **15.32.090 Landscape Audit Report**

- A. The Landscape Audit Report shall include, but is not limited to: inspection to confirm that the landscaping and irrigation system were installed as specified in the Landscape and Irrigation Design Plan, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule.
- B. The Landscape Audit Report shall include the following statement: "The landscape and irrigation system has been installed as specified in the Landscape and Irrigation Design Plan and complies with the criteria of the Ordinance and the permit".
- C. Local agency shall administer on-going programs that may include, but not be limited to, post-installation landscape inspection, irrigation water use analysis, irrigation audits, irrigation surveys and water budget calculations to evaluate compliance with the MAWA.

#### **15.32.095 Irrigation Scheduling**

- A. For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:
  - i. Irrigation scheduling shall be regulated by automatic irrigation controllers.

- ii. Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. If allowable hours of irrigation differ from the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
- iii. For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.
- iv. Parameters used to set the automatic controller shall be developed and submitted for each of the following:
  - 1. The plant establishment period;
  - 2. The established landscape; and
  - 3. Temporarily irrigated areas
- v. Each irrigation schedule shall consider for each station all of the following that apply:
  - 1. irrigation interval (days between irrigation);
  - 2. irrigation run times (hours or minutes per irrigation event to avoid runoff);
  - 3. number of cycle starts required for each irrigation event to avoid runoff;
  - 4. amount of applied water scheduled to be applied on a monthly basis;
  - 5. application rate setting;
  - 6. root depth setting;
  - 7. plant type setting;
  - 8. soil type;
  - 9. slope factor setting;
  - 10. shade factor setting; and
  - 11. irrigation uniformity or efficiency setting.

**15.32.100 Landscape and Irrigation Maintenance Schedule**

- A. Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.
- B. A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing; adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; topdressing with compost; replenishing mulch; fertilizing; pruning; weeding in all landscape areas; and removing obstructions to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
- C. Repair of all irrigation equipment shall be done with the originally installed components or their equivalents or with components with greater efficiency.
- D. A Project applicant is encouraged to implement established landscape industry sustainable Best Practices for all landscape maintenance activities.

**15.32.110 Stormwater Management and Rainwater Retention**

- A. Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices into the landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration are encouraged.
- B. Project applicants shall refer to the local agency or Regional Water Quality Control Board for information on any applicable stormwater technical requirements.
- C. All planted landscape areas are required to have friable soil to maximize water retention and infiltration. Refer to Section 15.32.080 (A)(iii).
- D. It is strongly recommended that landscape areas be designed for capture and infiltration capacity that is sufficient to prevent runoff from impervious surfaces (i.e. roof and paved areas) from either: the one inch, 24-hour rain event or (2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, state or federal regulation.
- E. It is recommended that storm water projects incorporate any of the following elements to improve on-site storm water and dry weather runoff capture and use:
  - i. Grade impervious surfaces, such as driveways, during construction to drain to vegetated areas.
  - ii. Minimize the area of impervious surfaces such as paved areas, roof and concrete driveways.
  - iii. Incorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize runoff.



- iv. Direct runoff from paved surfaces and roof areas into planting beds or landscaped areas to maximize site water capture and reuse.
- v. Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.
- vi. Incorporate infiltration beds, swales, basins and drywells to capture storm water and dry weather runoff and increase percolation into the soil.
- vii. Consider constructed wetlands and ponds that retain water, equalize excess flow, and filter pollutants.

#### **15.32.111 Recycled Water**

- A. The installation of recycled water irrigation systems shall allow for the current and future use of recycled water.
- B. All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.
- C. Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

#### **15.32.112 Graywater Systems**

- A. Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the California Plumbing Code (Title 24, Part 5, Chapter 16) and any applicable local ordinance standards. Refer to Section 15.32.010 (C) for the applicability of this ordinance to landscape areas less than 2,500 square feet with the Estimated Total Water Use met entirely by graywater.

#### **15.32.115 Environmental Review**

- A. The local agency must comply with the California Environmental Quality Act (CEQA), as appropriate.

#### **15.32.120 Provisions for Existing Landscapes**

- A. A local agency may by mutual agreement, designate another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

### 15.32.121 Provisions for Existing Landscapes Over One Acre in Size

This section shall apply to all existing landscapes that were installed before the effective date of this Ordinance and are over one acre in size.

- A. Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.
- i. For landscapes that have a water meter, the local agency shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the MAWA for existing landscapes. The MAWA for existing landscapes shall be calculated as:
 
$$\text{MAWA} = (0.8) (\text{ETo})(\text{LA})(0.62).$$
  - ii. For landscapes that do not have a meter, the local agency shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.
  - iii. All landscape irrigation audits for existing landscapes that are greater than one acre in size shall be conducted by a certified landscape irrigation auditor.
- B. Water Waste Prevention.
- i. The Town shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures.
  - ii. Restrictions regarding overspray and runoff may be modified if:
    1. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
    2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

### 15.32.130 Penalties

Compliance with this Ordinance shall be conducted in accordance with Chapter 1.12 of the Town's Municipal Code.

**15.32.130 Public Education**

- A. Publications. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged in the community.
  - i. The local agency shall provide information to all applicants regarding the design, installation, management, and maintenance of water-efficient landscapes and irrigation systems

2. SEVERABILITY. If any part of this ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or the applicability of this ordinance to other situations.

3. ENVIRONMENTAL REVIEW. This ordinance is not a project for purposes of the California Environmental Quality Act (CEQA) and is exempt from environmental review pursuant to Section 15307 (the activity assures the maintenance, restoration, enhancement, or protection of a natural resource) and Section 15378(b)(2) (the activity is not a project as it involves general policy and procedure making) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, since it makes and implements policies and procedures to ensure that water resources are conserved by reducing water consumption through the establishment of a structure for planning, designing, installing, maintaining and managing water-efficient landscapes.

4. EFFECTIVE DATE; POSTING. This ordinance shall become effective thirty (30) days after the date of its adoption and shall be posted within the Town in three public places.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

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

**FROM:** Leigh Prince, Town Attorney

**DATE:** January 27, 2016

**RE:** Updating the Designated Positions and Disclosure Obligations in the Town's Conflict of Interest Code

**RECOMMENDATION:** That the Town Council adopts the attached Resolution updating the designated position titles and disclosure obligations for the Town's conflict of interest code.

**BACKGROUND:** The Political Reform Act ("Act") requires certain designated public officials, employees and consultants that make or participate in making governmental decisions to file statements of economic interests. The Act requires every agency to adopt a conflict of interest code and to review it every two years to determine if it is accurate or needs to be amended.

In the past, the designated position titles and disclosure obligations were included in the Town's Municipal Code and every two years an ordinance was adopted to update the Municipal Code. On June 24, 2015, the Town Council adopted Ordinance 2015-406, updating Title 2, which contains the Town's conflict of interest code, to incorporate the designated position titles and disclosure obligations by reference. Therefore, the designated position titles and disclosure obligations can now be updated by resolution.

The Town's list of designated position titles and disclosure obligations was last updated in January 2014. Since that time, the positions of Planning Director and Senior Planner have been added and the positions of Planning Manager, Deputy Town Planner and Assistant to Town Attorney have been eliminated. The current position titles are reflected in the attached resolution.

cc: Interim Town Manager

## RESOLUTION NO. \_\_\_\_\_-2016

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN  
OF PORTOLA VALLEY DESIGNATING PUBLIC  
OFFICIALS AND EMPLOYEES AND THEIR DISCLOSURE  
CATEGORIES FOR THE TOWN'S CONFLICT OF  
INTEREST CODE**

**WHEREAS**, the Political Reform Act of 1974, Government Code section 87100 et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes and review those codes biennially; and

**WHEREAS**, the Town of Portola Valley ("Town") last updated its conflict of interest codes in January 2014; and

**WHEREAS**, on June 24, 2015, the Town Council adopted Ordinance 2015-406, amending Section 2.36.010 [Incorporation by reference] of Chapter 2.36 [Conflict of Interest] of Title 2 [Administration and Personnel] of the Portola Valley Municipal Code; and

**WHEREAS**, with the adoption of Ordinance 2015-406, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are incorporated by reference and, along with the resolution approved by the Town Council in which public officials and employees are designated and their disclosure categories identified, constitute the Conflict of Interest Code of the Town; and

**WHEREAS**, the Town now desires to adopt the resolution identifying the current position titles for public officials and their disclosure requirements.

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

**DESIGNATED POSITIONS  
AND DISCLOSURE OBLIGATIONS**

**DESIGNATED PUBLIC OFFICIALS**

Member of Town Council  
Member of the Planning Commission  
Town Manager  
Town Attorney

**OTHER DESIGNATED EMPLOYEES, INCLUDING CONSULTANTS SERVING  
IN THESE POSITIONS**

Member of the Architectural and Site Control Committee

Assistant to Town Manager  
 Town Engineer  
 Public Works Director  
 Planning Director  
 Town Planner  
 Senior Planner  
 Town Geologist  
 Consultant (if so determined)

### **DISCLOSURE CATEGORIES**

**Disclosure Category 1:** Full Disclosure - All investments, business positions, interests in real property and sources of income, including gifts, loans and travel payments.

**Disclosure Category 2:** Limited Disclosure - The Town Manager may determine in writing that a particular consultant is required to provide Limited Disclosure. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination of the Town Manager is public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

### **REQUIRED DISCLOSURES FOR DESIGNATED POSITIONS**

<b>Designated Position</b>	<b>Disclosure Category</b>
Member of Town Council	1
Member of the Planning Commission	1
Town Manager	1
Town Attorney	1
Member of the Architectural and Site Control Committee	1
Assistant to Town Manager	1
Town Engineer	1
Public Works Director	1
Planning Director	1
Town Planner	1
Senior Planner	1
Town Geologist	1
Consultant	2

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Portola Valley held on the 27th<sup>th</sup> day of January, 2016.

By: \_\_\_\_\_  
Mayor

ATTEST:

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





# MEMORANDUM

## TOWN OF PORTOLA VALLEY

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

**FROM:** Debbie Pedro, Interim Town Manager

**DATE:** January 27, 2016

**RE:** Resolution Adopting a Complete Streets Policy

### RECOMMENDATION

Review and approve the attached Resolution adopting a Complete Streets Policy pursuant to Assembly Bill 1358.

### BACKGROUND

The California Complete Streets Act of 2008 (Assembly Bill 1358) requires cities and counties to integrate multi-use transportation goals and policies into their General Plans. These goals and policies are intended to make the streets safe and convenient for all users of the roadway network.

“Complete Streets” are streets which are designed to allow safe and convenient travel for all users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, and transit users of all ages and abilities.

As a condition to access One Bay Area Grant Program (OBAG 2) funds, local jurisdictions must demonstrate compliance with California’s Complete Streets Act by using one of two following options:

1. Adopt a Complete Streets Resolution incorporating MTC’s required complete streets elements; or
2. Adopt a significant revision to the circulation element of a General Plan after January 1, 2011 that complies with the California Complete Streets Act of 2008.

### DISCUSSION

The One Bay Area Grant Program (OBAG), administered by the Metropolitan Transportation Commission (MTC), is a funding approach that integrates the region’s federal transportation program with California’s climate law (SB375) and the Sustainable Communities Strategy.

The OBAG 2 program is divided into a Regional Program, managed by MTC, and a County Program, managed by the nine Bay Area Congestion Management Agencies (CMAs). With an estimated budget of \$436 million, the County Program will fund cities and counties transportation projects from 2017-18 through 2021-22.

The objective of the Complete Streets Policy is to establish guiding principles and practices so transportation improvements are planned, designed, constructed, operated and maintained to promote safe and convenient access for all users. The key principles of Complete Streets are as follow:

1. Serve all Users – Transportation improvements will be planned, designed, constructed, operated and maintained to support safe and convenient access for all users, and increase mobility for walking, bicycling and transit use, wherever possible while promoting safe and accessible operations for all users.
2. Context Sensitivity – The planning and implementation of transportation projects will reflect conditions within and surrounding the project area, whether the area is a residential or business district or urban, suburban or rural. Project planning, design and construction of complete streets projects should include working with residents and other stakeholders to ensure that a strong sense of place is maintained.
3. Complete Streets Addressed by All Departments – Relevant departments in the jurisdiction whose work affects the roadway must incorporate a complete streets approach into the review and implementation of their projects and activities.
4. All Projects/Phases - The policy will apply, as feasible, to roadway projects including those involving new construction, reconstruction, retrofits, repaving, rehabilitation, or changes in the allocation of pavement space on an existing roadway. Specific infrastructure for a given category of users may be excluded if an exemption is approved via the process set forth in section 9 of the policy. Examples of conditions that warrant exceptions include but are not limited to: 1. Sparsity of population or other factors indicate an absence of need; 2. The cost of establishing bikeways or walkways would be excessively disproportionate to the need or probably use.

The proposed Complete Streets Policy is consistent with the principles and objectives of the Town's General Plan Circulation and Trails and Paths Elements which calls for a balanced multimodal transportation network appropriate for the rural character of Portola Valley.

## **FISCAL IMPACT**

Adoption of the Complete Streets Policy will make the Town eligible to receive grants through MTC's One Bay Area Grant program.

## **ATTACHMENTS**

1. Resolution and Complete Streets Policy
2. Letter from MTC dated November 18, 2015

**RESOLUTION NO. \_\_\_\_\_ 2016**

**RESOLUTION OF THE TOWN COUNCIL OF  
THE TOWN OF PORTOLA VALLEY ADOPTING  
A COMPLETE STREETS POLICY**

**WHEREAS**, the term “Complete Streets” describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, equestrians, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, seniors, children, youth, and families;

**WHEREAS**, the Town of Portola Valley (“Town”) acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling, and public transportation;

**WHEREAS**, the Town recognizes that the planning and coordinated development of Complete Streets infrastructure provides benefits for local governments in the areas of infrastructure cost savings; public health; and environmental sustainability;

**WHEREAS**, the State of California has emphasized the importance of Complete Streets by enacting the California Complete Streets Act of 2008 (also known as AB 1358), which requires that when cities or counties revise general plans, they identify how they will provide for the mobility needs of all users of the roadways, as well as through Deputy Directive 64, in which the California Department of Transportation explained that it “views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system”;

**WHEREAS**, the California Global Warming Solutions Act of 2006 (known as AB 32) sets a mandate for the reduction of greenhouse gas emissions in California, and the Sustainable Communities and Climate Protection Act of 2008 (known as SB 375) requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land-use policy, and achieving the goals of these laws will require significant increases in travel by public transit, bicycling, and walking;

**WHEREAS**, numerous California counties, cities, and agencies have adopted Complete Streets policies and legislation in order to further the health, safety, welfare, economic vitality, and environmental wellbeing of their communities;

**WHEREAS**, the Town therefore, in light of the foregoing benefits and considerations, wishes to improve its commitment to Complete Streets and desires that its streets form a comprehensive and integrated transportation network promoting safe, equitable, and convenient travel for all users while preserving flexibility, recognizing community context, and using the latest and best design guidelines and standards;

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

1. That the Town of Portola Valley adopts the Complete Streets Policy attached hereto as Exhibit A, and made part of this Resolution, and that said exhibit is hereby approved and adopted.
2. That the next substantial revision of the Portola Valley General Plan Circulation Element shall incorporate Complete Streets policies and principles consistent with the California Complete Streets Act of 2008 (AB1358) and with the Complete Streets Policy adopted by this resolution.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of January, 2016.

By: \_\_\_\_\_  
Maryann Derwin, Mayor

ATTEST:

\_\_\_\_\_  
Sharon Hanlon, Town Clerk

## Exhibit A

This Complete Streets Policy was adopted by Resolution No. \_\_\_\_\_ by the Town Council of the Town of Portola Valley on January 27, 2016.

### COMPLETE STREETS POLICY OF THE TOWN OF PORTOLA VALLEY

#### A. Complete Streets Principles

**1. Complete Streets Serving All Users.** The Town of Portola Valley (“Town”) expresses its commitment to creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system) through a comprehensive, integrated transportation network that serves all categories of users, which may include pedestrians, bicyclists, equestrians, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, seniors, children, youth, and families.

**2. Context Sensitivity.** In planning and implementing street projects, departments and agencies of the Town shall maintain sensitivity to local conditions in both residential and business districts as well as urban, suburban, and rural areas, and shall work with residents, merchants, and other stakeholders to ensure that a strong sense of place ensues. Improvements that will be considered include sidewalks, shared use paths, bicycle lanes, bicycle routes, paved shoulders, street trees and landscaping, planting strips, accessible curb ramps, crosswalks, refuge islands, pedestrian signals, signs, street furniture, bicycle parking facilities, public transportation stops and facilities, transit priority signalization, and other features assisting in the provision of safe travel for all users.

**3. Complete Streets Routinely Addressed by All Departments.** All relevant departments and agencies of the Town shall work towards making Complete Streets practices a routine part of everyday operations, approach every relevant project, program, and practice as an opportunity to improve streets and the transportation network for all categories of users, and work in coordination with other departments, agencies, and jurisdictions to maximize opportunities for Complete Streets, connectivity, and cooperation. The following projects provide opportunities: pavement resurfacing, restriping, accessing above and underground utilities, signalization operations or modifications, and maintenance of landscaping/related features.

**4. All Projects and Phases.** Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users shall be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exemption is approved via the process set forth in section C.1 of this policy.

## B. Implementation

**1. Plan Consultation and Consistency.** Maintenance, planning, and design of projects affecting the transportation system shall be consistent with local bicycle, pedestrian, transit, multimodal, and other relevant plans, except that where such consistency cannot be achieved without negative consequences, consistency shall not be required if the head of the relevant department provides written approval explaining the basis of such deviation. Such deviations shall be presented to the Bicycle, Pedestrian, & Traffic Safety Committee early in the planning and design stage, to ensure the Bicycle, Pedestrian, & Traffic Safety Committee has an opportunity to provide comments and recommendations.

**2. Street Network/Connectivity.** As feasible, the Town shall incorporate Complete Streets infrastructure into existing streets to improve the safety and convenience of users and to create employment, with the particular goal of creating a connected network of facilities accommodating each category of users, and increasing connectivity across jurisdictional boundaries and for existing and anticipated future areas of travel origination or destination.

**3. Bicycle and Pedestrian Advisory Committee Consultation.** Transportation projects shall be reviewed by the Bicycle, Pedestrian, & Traffic Safety Committee early in the planning and design stage, to provide the Bicycle, Pedestrian, & Traffic Safety Committee an opportunity to provide comments and recommendations regarding Complete Streets features to be incorporated into the project.

**4. Evaluation.** All relevant agencies or departments shall perform evaluations of how well the streets and transportation network of the Town are serving each category of users by collecting baseline data and collecting follow-up data on a regular basis.

## C. Exceptions

**1. Approval for Exceptions.** Plans or projects that seek exception from the complete streets approach must provide written finding of how exceptional circumstances dictated that accommodations for all modes were not to be included in the project. The memorandum should be signed by the Public Works Director. Projects that are granted exceptions must be made publically available for review. Federal guidance on exceptions can be found from the Federal Highway Administration (FHWA) website, *Accommodating Bicycle and Pedestrian Travel*, online at: [http://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/guidance/design\\_guidance/design.cfm](http://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/design_guidance/design.cfm)



METROPOLITAN  
TRANSPORTATION  
COMMISSION

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WEB [www.mtc.ca.gov](http://www.mtc.ca.gov)

TO: Partnership Jurisdictions Expecting to Receive  
OBAG Funding

DATE: November 18, 2015

FR: Kevin Mulder

RE: One Bay Area Grant Program (OBAG 2) Complete Streets Required Elements

As a condition to access One Bay Area Grant Program (OBAG 2) funds, local jurisdictions must comply with the California Complete Streets Act of 2008 (Assembly Bill 1358, Chapter 657, Statutes of 2008). Jurisdictions have two options for demonstrating compliance, which must be met by the time the County Congestion Management Agencies (CMAs) submit their OBAG 2 project recommendations to MTC:

- 1) Adopt a Complete Streets Resolution incorporating MTC's nine required complete streets elements (Attachment A).
- 2) Adopt a significant revision to the circulation element of a General Plan after January 1, 2010 that complies with the California Complete Streets Act of 2008.

### **Complete Streets Resolution**

Agencies may meet this requirement by adopting a resolution that incorporates, at minimum, the elements listed in Attachment A. The general language in the attachment gives agencies flexibility to develop their own policy; jurisdictions are encouraged to develop the best policy that fits within the context of their local area, in consultation with affected departments and stakeholders, and to go beyond the required elements to accommodate all users of the roadway network.

To assist agencies in developing a resolution, a resolution template is included as Attachment B. Jurisdictions are encouraged to adapt the elements and language of the sample resolution to meet their own circumstances and plans. Attachment C is the City of Alameda's Complete Streets Policy, which is included as an example of the adopted policy language (July 2011).

### **General Plan Circulation Element**

Jurisdictions may also meet the requirement with an adopted General Plan that complies with the California Complete Streets Act of 2008. The Governor's Office of Planning and Research (OPR) has issued guidance for this in the *Update to the General Plan Guidelines: Complete Streets and the Circulation Element*.<sup>1</sup> For compliance, a substantial revision of the circulation element, passed after January 1, 2011, shall "...plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan," while complying with the other provisions of CA Government Code Section 65302 and Complete Streets Act of 2008.

### **Compliance**

To be eligible to receive OBAG 2 funding, adopted resolutions or adopted revisions to General Plan circulation elements must be completed and submitted to CMAs by the time the CMAs submit their project recommendations to MTC.

J:\PROJECT\Funding\T4-MAP21\MAP21 - STP-CMAQ\MAP21 Programming\MAP21 OBAG 2\OBAG 2 Development\Complete Streets\CS Resolution Guidance\OBAG 2 CS Reso Guidance\_Final.docx

<sup>1</sup> [http://opr.ca.gov/docs/Update\\_GP\\_Guidelines\\_Complete\\_Streets.pdf](http://opr.ca.gov/docs/Update_GP_Guidelines_Complete_Streets.pdf)

**Attachment A**  
**Elements Required of a Complete Streets Resolution to Comply with the One Bay Area Grant**  
**(Revised September 16, 2015)**

**Complete Streets Principles**

1. **Serve all Users** – All transportation improvements will be planned, designed, constructed, operated and maintained to support safe and convenient access for all users, and increase mobility for walking, bicycling and transit use.
2. **Context Sensitivity** – The planning and implementation of transportation projects will reflect conditions within and surrounding the project area, whether the area is a residential or business district or urban, suburban or rural. Project planning, design and construction of complete streets projects should include working with residents and businesses to ensure that a strong sense of place is maintained.
3. **Complete Streets in all Departments** – All departments in the jurisdiction and outside agencies whose work affects the roadway must incorporate a complete streets approach into the review and implementation of their projects and activities. Potential complete streets opportunities include transportation projects, road rehabilitation, new development, and utility work, among others.
4. **All Projects/Phases** – The policy will apply to all roadway projects, including those involving reconstruction, new construction, retrofits, repaving, rehabilitation, or other changes in the allocation of pavement space on an existing roadway, as well as those that involve new privately built roads and easements intended for public use.

**Implementation**

5. **Plan Consultation** – Any proposed improvements should be evaluated for consistency with all local bicycle, pedestrian, transportation, and other plans that affect the right-of-way.
6. **Street Network/Connectivity** – The transportation system should provide a connected network of facilities accommodating all modes of travel. This includes looking for opportunities for repurposing rights-of-way to enhance connectivity for cyclists, pedestrians and transit users. The network should include non-motorized connectivity to schools, parks, commercial areas, civic destinations, and regional non-motorized networks from publicly owned roads/land and private developments (or redevelopment areas).
7. **BPAC Consultation** – Input shall be solicited from local bicycle and pedestrian advisory committees (BPACs) or similar advisory group in an early project development phase to verify bicycling and pedestrian needs for projects. (MTC Resolution 875 requires that cities of 10,000 or more create and maintain a BPAC or rely on the county BPAC to receive TDA-3 funds.)
8. **Evaluation** – Cities and counties will establish a means to collect data for the purpose of evaluating each jurisdiction's implementation of complete streets policies. Examples include tracking the mileage of bike lanes and sidewalks, the number of street crossings, or the amount of specific signage.

**Exceptions**

9. **Process** – Plans or projects that seek exception from the complete streets approach must provide written finding of how exceptional circumstances dictated that accommodations for all modes were not to be included in the project. The memorandum should be signed by the Public Works Director or an equivalently senior staff person. Plans or projects that are granted an exception must be made publicly available for review.

Federal guidance on exceptions can be found from the Federal Highway Administration (FHWA) webpage: *Accommodating Bicycle and Pedestrian Travel*.<sup>2</sup>

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<sup>2</sup> [http://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/guidance/design\\_guidance/design.cfm](http://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/design_guidance/design.cfm)



**Attachment B**  
**Sample MTC Complete Streets Resolution**  
**for Bay Area Cities and Counties**

Resolution No. \_\_\_\_\_

**A RESOLUTION OF THE [City Council/Board of Supervisors] OF THE [Jurisdiction] ADOPTING  
A COMPLETE STREETS POLICY**

**WHEREAS**, the term “Complete Streets” describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, seniors, children, youth, and families *[insert other significant local users if desired, e.g. drivers of agricultural vehicles, emergency vehicles, or freight]*;

**WHEREAS**, [Jurisdiction] acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling, and public transportation;

**WHEREAS**, [Jurisdiction] recognizes that the planning and coordinated development of Complete Streets infrastructure provides benefits for local governments in the areas of infrastructure cost savings; public health; and environmental sustainability;

**WHEREAS**, the State of California has emphasized the importance of Complete Streets by enacting the California Complete Streets Act of 2008 (also known as AB 1358), which requires that when cities or counties revise general plans, they identify how they will provide for the mobility needs of all users of the roadways, as well as through Deputy Directive 64, in which the California Department of Transportation explained that it “views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system”;

**WHEREAS**, the California Global Warming Solutions Act of 2006 (known as AB 32) sets a mandate for the reduction of greenhouse gas emissions in California, and the Sustainable Communities and Climate Protection Act of 2008 (known as SB 375) requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land-use policy, and achieving the goals of these laws will require significant increases in travel by public transit, bicycling, and walking;

**WHEREAS**, numerous California counties, cities, and agencies have adopted Complete Streets policies and legislation in order to further the health, safety, welfare, economic vitality, and environmental well-being of their communities;

**WHEREAS**, [Jurisdiction] therefore, in light of the foregoing benefits and considerations, wishes to improve its commitment to Complete Streets and desires that its streets form a comprehensive and integrated transportation network promoting safe, equitable, and convenient travel for all users while preserving flexibility, recognizing community context, and using the latest and best design guidelines and standards;

**NOW, THEREFORE, BE IT RESOLVED**, by the [City Council/Board of Supervisors] of [Jurisdiction], State of California, as follows:

1. That the [Jurisdiction] adopts the Complete Streets Policy attached hereto as Exhibit A, and made part of this Resolution, and that said exhibit is hereby approved and adopted.
2. That the next substantial revision of the [Jurisdiction] General Plan circulation shall incorporate Complete Streets policies and principles consistent with the California Complete Streets Act of 2008 (AB 1358) and with the Complete Streets Policy adopted by this resolution.

**PASSED AND ADOPTED** by the [City Council/Board of Supervisors] of the [Jurisdiction], State of California, on \_\_\_\_\_, 201\_, by the following vote:

Attachment: Exhibit A

## Exhibit A

This Complete Streets Policy was adopted by Resolution No. \_\_\_\_\_ by the [City Council/Board of Supervisors] of the [Jurisdiction] on \_\_\_\_\_, 201\_.

### COMPLETE STREETS POLICY OF [JURISDICTION]

#### A. Complete Streets Principles

1. **Complete Streets Serving All Users.** [Jurisdiction] expresses its commitment to creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system) through a comprehensive, integrated transportation network that serves all categories of users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, seniors, children, youth, and families [*insert other significant local users if desired, e.g. drivers of agricultural vehicles, emergency vehicles, freight, etc.*].
2. **Context Sensitivity.** In planning and implementing street projects, departments and agencies of [Jurisdiction] shall maintain sensitivity to local conditions in both residential and business districts as well as urban, suburban, and rural areas, and shall work with residents, merchants, and other stakeholders to ensure that a strong sense of place ensues. Improvements that will be considered include sidewalks, shared use paths, bicycle lanes, bicycle routes, paved shoulders, street trees and landscaping, planting strips, accessible curb ramps, crosswalks, refuge islands, pedestrian signals, signs, street furniture, bicycle parking facilities, public transportation stops and facilities, transit priority signalization, and other features assisting in the provision of safe travel for all users, such as traffic calming circles, transit bulb outs, and road diets [*, as well as other features such as insert other accommodations if desired*] [*, and those features identified in insert name of Pedestrian/Bicycle Master Plan if it exists*].
3. **Complete Streets Routinely Addressed by All Departments.** All relevant departments and agencies of [Jurisdiction] shall work towards making Complete Streets practices a routine part of everyday operations, approach every relevant project, program, and practice as an opportunity to improve streets and the transportation network for all categories of users, and work in coordination with other departments, agencies, and jurisdictions to maximize opportunities for Complete Streets, connectivity, and cooperation. The following projects provide opportunities: pavement resurfacing, restriping, accessing above and underground utilities, signalization operations or modifications, and maintenance of landscaping/related features.
4. **All Projects and Phases.** Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users shall be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exemption is approved via the process set forth in section C.1 of this policy.

#### B. Implementation

1. **Plan Consultation and Consistency.** Maintenance, planning, and design of projects affecting the transportation system shall be consistent with local bicycle, pedestrian, transit, multimodal, and other relevant plans, except that where such consistency cannot be achieved without negative consequences, consistency shall not be required if the head of the relevant department provides written approval explaining the basis of such deviation. If [Jurisdiction] has a Bicycle and Pedestrian Advisory Committee, such deviations shall be presented to the Bicycle and Pedestrian Advisory Committee early in the planning and design stage, to ensure the Bicycle and Pedestrian Advisory Committee has an opportunity to provide comments and recommendations.

2. **Street Network/Connectivity.** As feasible, [Jurisdiction] shall incorporate Complete Streets infrastructure into existing streets to improve the safety and convenience of users and to create employment, with the particular goal of creating a connected network of facilities accommodating each category of users, and increasing connectivity across jurisdictional boundaries and for existing and anticipated future areas of travel origination or destination.
3. **Bicycle and Pedestrian Advisory Committee Consultation.** If [Jurisdiction] has a Bicycle and Pedestrian Advisory Committee, transportation projects shall be reviewed by the Bicycle and Pedestrian Advisory Committee early in the planning and design stage, to provide the Bicycle and Pedestrian Advisory Committee an opportunity to provide comments and recommendations regarding Complete Streets features to be incorporated into the project.
4. **Evaluation.** All relevant agencies or departments shall perform evaluations of how well the streets and transportation network of [Jurisdiction] are serving each category of users by collecting baseline data and collecting follow-up data on a regular basis.

### C. Exceptions


1. **Leadership Approval for Exceptions.** Plans or projects that seek exception from the complete streets approach must provide written finding of how exceptional circumstances dictated that accommodations for all modes were not to be included in the project. The memorandum should be signed by the Public Works Director or an equivalently senior staff person. Projects that are granted exceptions must be made publically available for review. Federal guidance on exceptions can be found from the Federal Highway Administration (FHWA) website, *Accommodating Bicycle and Pedestrian Travel*, online at:  
[http://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/guidance/design\\_guidance/design.cfm](http://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/design_guidance/design.cfm)

**Attachment C**  
**Complete Streets Policy of City of Alameda (2013)**  
(next page)

SAMPLE

## CITY OF ALAMEDA RESOLUTION NO. 14763

APPROVE A COMPLETE STREETS POLICY, IN ACCORDANCE WITH REQUIREMENTS FROM THE METROPOLITAN TRANSPORTATION COMMISSION AND THE ALAMEDA COUNTY TRANSPORTATION COMMISSION

Approved as to Form  
  
 Janet C. Kern, City Attorney

WHEREAS, the term “Complete Streets” describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, seniors, children, youth, and families; and

WHEREAS, the City of Alameda recognizes that the planning and coordinated development of Complete Streets infrastructure provides benefits for local governments in the areas of infrastructure cost savings; public health; and environmental sustainability; and

WHEREAS, the City of Alameda acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling and public transportation; and

WHEREAS, the State of California has emphasized the importance of Complete Streets by enacting the California Complete Streets Act of 2008 (also known as AB 1358), which requires that when cities or counties revise general plans, they identify how they will provide for the mobility needs of all street users, as well as through Deputy Directive 64, in which the California Department of Transportation explained that it “views all transportation improvements as opportunities to improve safety, access and mobility for all travelers in California, and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation system”; and

WHEREAS, the California Global Warming Solutions Act of 2006 (known as AB 32) sets a mandate for the reduction of greenhouse gas emissions in California, and the Sustainable Communities and Climate Protection Act of 2008 (known as SB 375) requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land-use policy, and achieving the goals of these laws will require significant increases in travel by public transit, bicycling, and walking; and

WHEREAS, numerous California counties, cities, and agencies have adopted Complete Streets policies and legislation to further the health, safety, welfare, economic vitality, and environmental well-being of their communities; and

WHEREAS, the Metropolitan Transportation Commission, through its One Bay Area Grant (OBAG) program, described in Resolution 4035, requires that all jurisdictions, to be eligible for OBAG funds, need to address complete streets policies at the local level through the adoption of a complete streets policy resolution or through a general plan that complies with the California Complete Streets Act of 2008; and

WHEREAS, the City of Alameda's Local Action Plan for Climate Protection, adopted in 2008, recommends revising street design standards and re-engineering existing streets if economically feasible to promote pedestrian and bicycle use, and to encourage alternative transportation modes; and

WHEREAS, the Alameda County Transportation Commission, through its Master Program Funding Agreements with local jurisdictions, requires that all jurisdictions must have an adopted complete streets policy to receive Measure B pass-through and Vehicle Registration Fund funding; and

WHEREAS, the City of Alameda, therefore, in light of the foregoing benefits and considerations, wishes to improve its commitment to Complete Streets, and desires that its streets form a comprehensive and integrated transportation network promoting safe and convenient travel for all users while preserving flexibility, recognizing community context, and using design guidelines and standards that support best practices; and

WHEREAS, the City of Alameda's 2009 Transportation Element update of the General Plan is based on the same multimodal principles and elements required in the Complete Streets Act of 2008, contains a Multimodal Goal to encourage the use of transportation modes to be mutually supportive and to function together as one transportation system as well as numerous policies and objectives that prioritize alternative transportation modes over single occupancy vehicles, and specifically identifies Transit Priority and Bicycle Priority streets within the city; and

WHEREAS the City of Alameda has actively pursued enhancements to new infrastructure to encourage alternative transportation modes, and is one of the first cities in the county of Alameda to install and operate a bus priority signal, which is at Willie Stargell Avenue and Webster Street.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Alameda adopts the Complete Streets Policy, in accordance with requirements from the Metropolitan Transportation Commission and the Alameda County Transportation Commission, attached hereto as Exhibit A, and made part of this Resolution, and that said exhibit is hereby approved and adopted; and

BE IT FURTHER RESOLVED that the City of Alameda will review its existing General Plan to determine if it currently meets the Complete Streets policies and

principles of the California Complete Streets Act of 2008 (AB1358) and the Complete Streets Policy adopted by this resolution and if not, the City of Alameda will incorporate the necessary changes with the next substantial revision of the City of Alameda General Plan Transportation Element.

\* \* \* \* \*

## Exhibit A: Complete Streets Policy of City of Alameda

This Complete Streets Policy was adopted by Resolution No. \_\_\_\_\_ by the City Council of the City of Alameda on \_\_\_\_\_, 2013.

*Recognizing the many benefits to the community of Complete Streets, the City of Alameda will, to the maximum extent feasible and practicable, plan, fund, design, construct, operate and maintain its transportation system and facilities so that they are safe and convenient for all users and modes, as appropriate to the function and context of each facility, and in ways that reflect local conditions and community values.*

### A. Complete Streets Principles

**1. Complete Streets Serving All Users and Modes.** The City of Alameda, through its 2009 Transportation Element update of the General Plan, has committed to creating and maintaining Complete Streets that provide safe, comfortable and convenient travel along and across streets (including streets, highways, bridges and other portions of the transportation system) through a comprehensive, integrated transportation network that serves all categories of users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, emergency responders, seniors, children, youth and families. More specifically, the Transportation Element update encourages the use of transportation modes to be mutually supportive and to function together as one transportation system.

**2. Context Sensitivity.** In planning and implementing street projects, departments and agencies of the City of Alameda will maintain sensitivity to local conditions in both residential and business districts as well as urban and suburban areas, and will work with residents, merchants and other stakeholders to ensure that a strong sense of place ensues. Improvements that will be considered include sidewalks, shared use paths, bicycle lanes, bicycle routes, paved shoulders, street trees and landscaping, planting strips, accessible curb ramps, crosswalks, refuge islands, pedestrian signals, signs, street furniture, bicycle parking facilities, public transportation stops and facilities, transit priority signalization, and other features assisting in the provision of safe travel for all users as identified in adopted plans.

**3. Complete Streets Routinely Addressed by All Departments.** All relevant departments of the City of Alameda will work towards making Complete Streets practices a routine part of everyday operations, approach every relevant project, program and practice as an opportunity to improve streets and the transportation network for all categories of users, and work in coordination with other agencies and jurisdictions to maximize opportunities for Complete Streets, connectivity and cooperation.

**4. All Projects and Phases.** Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users,



consistent with the City's Transportation Element update, will be incorporated into all planning, funding, design, approval and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration or repair of streets (including streets, highways, bridges and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exception is approved via the process set forth in section C.1 of this policy.

## **B. Implementation**

**1. Design.** The City of Alameda will follow its own accepted or adopted design standards, and will also evaluate using the latest design standards and innovative design options, with a goal of balancing user needs. For example, the City of Alameda will use its Pedestrian Design Guidelines (2011), the City's Transportation Element update, and, when adopted, the Bicycle Facility Design Standards (expected to be approved in early 2013).

**2. Network/Connectivity.** Consistent with the City's Transportation Element update, the City of Alameda will incorporate Complete Streets infrastructure into existing streets to improve the safety and convenience of all users, with the particular goal of creating a connected network of facilities accommodating each category of users, and increasing connectivity across jurisdictional boundaries and for anticipated future transportation investments.

**3. Implementation Next Steps.** The City of Alameda will take the following specific next steps to implement this Complete Streets Policy:

- A. Plan Consultation and Consistency: Maintenance, planning and design of projects affecting the transportation system will be consistent with the City's Transportation Element update, local bicycle, pedestrian, transit, multimodal and other relevant plans.
- B. Stakeholder Consultation: Allow for stakeholder involvement, as early in the development process as possible, on projects and plans as necessary to support implementation of this Complete Streets policy by the City of Alameda. At this time, the key stakeholders for bicycle-related issues is BikeAlameda, for pedestrian-related issues is Pedestrian Friendly Alameda and for transit-related issues is AC Transit. In addition, the Planning Board will be consulted on land development projects; the Transportation Commission will be consulted on capital improvement projects.

**4. Performance Measures.** All relevant departments will perform evaluations of how well the transportation network of the City of Alameda is serving each category of users by collecting baseline data and collecting follow-up data on a regular basis such as transit ridership and turning movement counts at select intersections. In 2006, the City collected turning movements at select intersections for motor vehicles, bicyclists and pedestrians. AC Transit staff provides Public Works staff with ridership data on a

regular basis. The City will use the Transportation Element policy 4.3.1.g as the established performance measure.

4.3.1.g Establish targets for increasing mode share of non-SOV transportation modes.

1. Increase daily non-SOV mode share (transit, walking, bicycling) by 10 percentage points by 2015 as compared to 2000.
2. Increase the share of children who walk or bicycle to school by 10 percentage points by 2015 as compared to 2000.

Public Works staff will collect follow-up intersection turning movement data on a regular basis to determine how well the City's transportation network is serving different categories of users.

## **C. Exceptions**

**1. Exception Approvals.** Exceptions to this Complete Streets policy may be allowed on a case-by-case basis. In general, the Planning Board will have the authority to approve an exception in the case of a land development project, while the Transportation Commission will have this authority in the case of a capital improvement project. Prior to granting the exception, the Community Development Director, in the case of the Planning Board, and the Public Works Director, in the case of the Transportation Commission, will provide as part of the staff report written findings for the exception explaining the need for the exception and why accommodations for all users and modes could not be included in the development plan or project.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 14<sup>th</sup> day of January, 2013, by the following vote to wit:

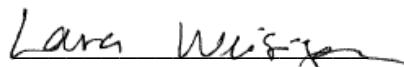
AYES: Councilmembers Chen, Daysog, Ezzy Ashcraft, Tam and Mayor Gilmore – 5.

NOES: None.

ABSENT: None.

ABSTENTIONS: None.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 15<sup>th</sup> day of January 2013.

  
Lara Weisiger, City Clerk  
City of Alameda



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

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

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

**DATE:** January 27, 2016

**RE:** Accept as Completed the Alpine Road Shoulder Widening Project at Arastradero Road – Project No. 2015-PW02.

### RECOMMENDATION

It is recommended that the Town Council adopt the attached resolution accepting as completed the Alpine Road at Arastradero shoulder widening project, authorizing final payment concerning such work, and directing the Town Clerk to file a Notice of Completion.

### BACKGROUND

The Alpine Road at Arastradero Road shoulder widening project was discussed and prioritized by the Town Council at the recommendation of the Bicycle, Pedestrian, and Traffic Safety (BPTS) Committee which wrote a competitive San Mateo County Transportation Authority (SMTA) grant application to address a shoulder pinch point on Alpine Road at Arastradero Road. The project was also reviewed at the Towns Architectural Site Control Commission meeting on April 22, 2015.

At its May 27, 2015 meeting, the Town Council approved the above referenced project plans and called for sealed bids for the project. The Council authorized the Town Manager to award the project to the lowest responsible bidder. TKO General Engineering and Construction, Inc. was awarded the contract for the project.

### DISCUSSION

The construction project was substantially completed October 6, 2015 within the allocated budget. The fiscal year 2015/2016 adopted budget allocated \$250,000 for this capital improvement project. The amount spent on the construction contract was \$177,980.05. The contract still requires the contractor to warranty all improvements for 1 year. The contractor and staff have performed a final inspection of the improvements. Pertaining to ASCC conditions, the ASCC Chair was involved with the construction process and indicated that the final product is acceptable with no further comments. 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 after 30 days of filing the Notice of Completion.

The amount spent on this construction contract was \$177,980.05. Per the SMTA grant application, 69.19% of this project is funded by the SMTA Measure A Funds with a 30.81% Town match. Reimbursement for costs will be processed and applied for by staff per the SMTA agreement.

## **ATTACHMENT**

1. Resolution
2. Notice of Completion

**APPROVED BY:** Debbie Pedro, Interim Town Manager

**RESOLUTION NO. \_\_\_\_\_-2016**

RESOLUTION OF THE TOWN COUNCIL OF THE  
TOWN OF PORTOLA VALLEY TO ACCEPT THE COMPLETED  
ALPINE ROAD SHOULDER WIDENING PROJECT IN THE TOWN OF PORTOLA  
VALLEY, CA #2015-PW02 AND AUTHORIZING FINAL PAYMENT TO "TKO  
GENERAL ENGINEERING AND CONSTRUCTION, 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 27<sup>th</sup> day of January, 2016.

\_\_\_\_\_  
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 TKO General Engineering and Construction, Inc., on August 10, 2015, did enter into a contract for the Alpine Road Shoulder Widening Project #2015-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 4th day of November 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: TKO General Engineering and Construction, 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 27th day of January 2016, 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:

---

Mayor



VERIFICATION

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

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Date

## **PROPOSED CHARTER CHANGE**

### **CABLE & UTILITIES UNDERGROUNDING COMMITTEE**

#### **GOVERNING ORDINANCE**

Franchise TV Ordinance No. 1991-260 (and Franchise TV Agreement of February 27, 1991 between the Town and Western Cabled Systems and resolution no 2003-2002 approving the change of control to Comcast).

#### **OBJECTIVES**

To oversee the operations of the Cabled TV System in Portola Valley; to advise the Town Council on matters relating to the system; to act as liaison between the franchise operator and the Town and its residents to facilitate harmonious communications; to oversee broadband access; to further the undergrounding of utilities.

#### **DUTIES AND FUNCTIONS**

1. The Committee will obtain periodic reports from the franchisee and will ensure compliance with the franchise ordinance and the franchise agreement.
2. The Committee will advise the Council with respect to all matters relating to the operation and performance of the Cable TV System.
3. The Committee will serve as liaison between the Town and its residents and the franchise operator with respect to programming, rates, and customer service.
4. The Committee will explore capabilities to broadcast council & town meetings.
5. The Committee will work to increase broadband Internet coverage.
6. The Committee will advise the Council on options to underground utility lines.

#### **RESPONSIBLE TO:**

Town Council

#### **COORDINATION:**

Council Liaison  
Town Administrator

#### **MEMBERSHIP**

Seven members appointed by the Mayor for one-year terms with Council concurrence. Rotating Chair selected by committee.

#### **MEETINGS**

**Held second Thursday in months January, May and September of each year at 8:15 a.m.**

## Sharon Hanlon

---

**Subject:**
**From:** webmaster@portolavalley.net [mailto:webmaster@portolavalley.net]

**Sent:** Tuesday, January 19, 2016 11:46 AM

**To:** Sharon Hanlon <shanlon@portolavalley.net>

**Subject:** Portola Valley, CA Committee Application - Trails / Hanning

A new entry to a form/survey has been submitted.

**Form Name:** Committee Application

**Date & Time:** 01/19/2016 11:45 AM

**Response #:** 22

**Submitter ID:** 752

**IP address:**
**Time to complete:** 4 min. , 25 sec.

---

**Survey Details**
**Page 1**

Committee applications are submitted to Portola Valley's Town Clerk, Sharon Hanlon. Please feel free to forward a letter of interest or resume with your application as well. Sharon can be reached at (650) 851-1700 ex210, or you may email her at [shanlon@portolavalley.net](mailto:shanlon@portolavalley.net).

Name of committee which I am interested in serving on (please note that only committees currently seeking volunteers are listed):

Trails & Paths

**Applicant Information**

<b>Full Name</b>	Gary Hanning
<b>Email Address</b>	<a href="mailto:ghanning@sbcglobal.net">ghanning@sbcglobal.net</a>
<b>Street Address</b>	15 Deer Park Lane
<b>City/Zip</b>	Portola Valley, CA 94028
<b>Number of years in Portola Valley</b>	16
<b>Cell Phone</b>	
<b>Home Phone</b>	
<b>Other Phone</b>	Not answered

**Preferred Phone Contact Number**

Cell

**I prefer to receive Town communications via**

(O) E-mail (recommended)

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

My name is Gary Hanning and I live here in town. I have been considering volunteering for a committee and after a bit of research I thought that the Trails and Paths committee might be a good fit. I use the trails in town often, Shady Trail is very close to my home. Open space, trails and the town character were all qualities that compelled me to move here in 1999. I have some experience with building and planning procedures prescribed by the town as I built my home here in 2001. I would feel very comfortable interacting with town staff on trail related issues that arise during planning/construction and maintenance processes.

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

Not answered

**TIME COMMITMENT: Generally committees meet monthly and require a significant time commitment and participation at regular meetings. Please consider this level of commitment when evaluating your interest in serving on one of the Town's Committees.**

Thank you,  
Portola Valley, CA

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## Sharon Hanlon

---

**From:** webmaster@portolavalley.net [mailto:webmaster@portolavalley.net]  
**Sent:** Sunday, December 06, 2015 8:41 PM  
**To:** Sharon Hanlon <shanlon@portolavalley.net>  
**Subject:** Portola Valley, CA Committee Application Water / Lane

A new entry to a form/survey has been submitted.

**Form Name:** Committee Application  
**Date & Time:** 12/06/2015 8:40 PM  
**Response #:** 21  
**Submitter ID:** 647  
**IP address:**  
**Time to complete:** 8 min. , 41 sec.

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### Survey Details

Page 1

Committee applications are submitted to Portola Valley's Town Clerk, Sharon Hanlon. Please feel free to forward a letter of interest or resume with your application as well. Sharon can be reached at (650) 851-1700 ex210, or you may email her at [shanlon@portolavalley.net](mailto:shanlon@portolavalley.net).

Name of committee which I am interested in serving on (please note that only committees currently seeking volunteers are listed):

Water Conservation

#### Applicant Information

**Full Name** Whitney Lane  
**Email Address** [whitneym@olympus.net](mailto:whitneym@olympus.net)  
**Street Address** 266 Corte Madera  
**City/Zip** Portola Valley, CA 94028  
**Number of years in Portola Valley** 7  
**Cell Phone**  
**Home Phone**  
**Other Phone** Not answered

#### Preferred Phone Contact Number

Cell

**I prefer to receive Town communications via**

(O) E-mail (recommended)

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

I've been interested in water and resource conservation since I was a teenager in the 70s. I like the challenge and game of trying to figure out ways to conserve water and re-use it when hygienic ally safe and practical. My professional back ground has been in historic building restoration (I know a fair amount about architecture and construction), graphic design, commercial printing and textile arts.

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

Not that I can think of

**TIME COMMITMENT: Generally committees meet monthly and require a significant time commitment and participation at regular meetings. Please consider this level of commitment when evaluating your interest in serving on one of the Town's Committees.**

Thank you,  
Portola Valley, CA

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## **TOWN OF PORTOLA VALLEY**

### **Committee and Commission Memberships – January 2016**

#### **Planning Commission – 5 Members**

Gilbert, Denise (R)  
Hasko, Judith (R)  
McKitterick, Nate (R)  
Targ, Nicholas (R)  
Von Feldt, Alexandra (R)

#### **Architectural and Site Control Commission – 5 Members**

Breen, Danna (R)  
Koch, Megan (R)  
Ross, David (R)  
Sill, Al (N)  
Wilson, Jane (N)

#### **Ad-Hoc Town Center Master Plan Update Committee – 10 Members**

Bowen, Lindsay (R)  
Crane, Sue (R)  
Driscoll, Ted (R)  
Gold, Susan (N)  
Hughes, Craig (R)  
Koch, Megan (R)  
Murphy, Judith (R)  
Taylor, Craig (R)  
Von Feldt, Alexandra (R)  
Wengert, Ann (R)

#### **Bicycle, Pedestrian and Traffic Safety Committee – 11 Members Maximum**

Hey, Angela (R)  
Holland, Edward (R)  
Latham, Leslie (R)  
McQuillan, Deidre (R)  
Welch, Kevin (R)

**VACANCIES**

#### **Cable and Utilities Undergrounding Committee – 7 Members**

Buja, Christopher (R)  
Lavine, Kenneth (R)  
Lee, Merijane (R)  
Pierce, Bob (R)  
Pun, Ting (R)  
Weintraut, Neil (N)

**VACANCY**

#### **Conservation Committee – 9 Members**

Bourne, Jane (R)  
Chiariello, Nona (R)  
DeStaebler, Marge (R)  
Eastman, Jean (R)  
Eckstrom, Don (R)

Heiple, Paul (R)  
Murphy, Judith (R)  
Plunder, Marianne (R)  
Walz, Dieter (R)

**Cultural Arts Committee – 12 Members**

Bishop, Paige (R)  
Breiner, Mimi (R)  
Chaput, Sue (R)  
Lazzara, Robin (N)  
Margolin, Marie (R)  
Papadopoulos, Elizabeth (R)

**VACANCIES**

**Emergency Preparedness Committee – 5-11 Members**

Howes, David (R)  
Koin, Diana (R)  
Kopf-Sill, Anne (R)  
Pfau, Dale (R)  
Raanes, Chris (R)  
Rothrock, Ray (R)  
Taylor, Craig (R)  
Trapp, Bud (R)  
Turner, Tamara (R)  
Young, Stuart (R)

**Finance Committee – 5 Members**

Lavine, Kenneth (R)  
Nielsen, Gary (R)  
Savage, George (R)  
Takei, Michele (R)  
Urban, William (R)

**Geologic Safety Committee – 5 Members**

Breiner, Sheldon (R)  
Tabor, Rowland (R)  
Vedder, Jack (R)  
Wentworth, Carl (R)  
Wrucke, Chet (R)

**Historic Resources Committee – 5 Members Minimum**

Anderson, Rick (R)  
Ashley, Ellen (R)  
Bacon, Virginia (N)  
Fowler, Jeannette (R)  
Lipman, Jim (R)  
Lund, Nancy (R)  
Myrow, Rachael (N)

**VACANCIES**

**Nature and Science Committee – 5- 9 Members**

Bray, Michael (N)  
Browne, Andrew (R)



Crater, Bonnie (R)  
Lazzara, Robin (N)  
Pierce, Andrew (R)  
Robb, Jan (N)  
Tryce, Yvonne (R)

**VACANCIES**

**Open Space Acquisition Advisory Committee – 7 Members Maximum**

Chiariello, Nona (R)  
Lee, Terry (R)  
McIntosh, Chip (R)  
Nielsen, Gary (R)  
Paine, Ward (A)  
Taylor, Craig (R)

**VACANCY**

**Parks and Recreation Committee – 13 Members**

Bowen, Lindsay (R)  
Haskell, Wendi (R)  
LaValle, Simone (R)  
Myers, Jon (R)  
Reiss, Sally Ann (N)  
Symon, Scott (R)

**VACANCIES**

**Public Works Committee – 5 Members Minimum**

Bowen, Lindsay (R)  
Eisberg, Bud (R)  
Fil, Joe (R)  
Hedlund, Steve (R)  
Paris, Mark (R)  
Patterson, Wil (R)  
Skadden, John (R)

**Sustainability Committee – 5 - 9 Members Minimum**

Bacon, Virginia (R)  
Mashey, John (R)  
Mytels, Debbie (A)  
Trapp, Onnolee (R)  
Unnasch, Stefan (R)  
Vaughan, Lance (R)

**VACANCIES**

**Trails and Paths Committee – 9 Members**

Coleman, Joe (R)  
Doherty, Alex (N)  
Eckstein, Barb (R)  
Ferrari, Ellie (R)  
Gold, Susan (R)  
Lee, Terry (R)  
Shefren, Joyce (R)

**VACANCY**

**Water Conservation Committee –5-9 Members**

Flynn, Rebecca (R)

Giovanni, Mia (R)

Maxwell, Delle (R)

Murphy, Judith (R)

Sill, Al (R)

Taylor, Loverine (R)

**VACANCIES**

(Advisory members are not included in membership count)



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

---

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

**FROM:** Debbie Pedro, Interim Town Manager  
Brandi de Garneau, Sustainability & Special Projects Manager

**DATE:** January 27, 2016

**RE:** Resolution to join the Joint Exercise of Power Agreement to establish the Peninsula Clean Energy Authority and to appoint a Director and Alternate Director; and Introduction of an Ordinance to authorize implementation of a Community Choice Aggregation program in Portola Valley

### RECOMMENDATION

1. Adopt the resolution to join in the Joint Exercise of Power Agreement to establish the Peninsula Clean Energy Authority in San Mateo County and to appoint a Director and Alternate Director.
2. Introduce, read title and waive further reading of the Ordinance authorizing implementation of a Community Choice Aggregation program in the Town of Portola Valley.

### BACKGROUND

On December 9, 2014, the County of San Mateo Board of Supervisors directed its staff to explore the feasibility of a Community Choice Aggregation program in San Mateo County (the enabling legislation refers to these types of programs as Community Choice Aggregation (CCA)), including conducting a focused outreach effort to educate and engage staff, city managers and city councils about the program. Outreach efforts showed that there was interest among cities in the county for the creation of such a program.

On February 24, 2015, the County of San Mateo allocated \$300,000 to fund Phase 1 of the CCA program, which included the following activities: hiring a program consultant (LEAN Energy U.S.) to provide guidance and project management support; commissioning a study to determine the economic and technical feasibility of starting a CCA program in San Mateo County, which was completed by Pacific Energy Advisors, Inc.; hiring a creative services consultant to develop a website and related graphics for the program; and creating and supporting an Advisory Committee co-chaired by Board President Carole Groom and Supervisor Dave Pine. The Committee is comprised of representatives from all the cities in the county, as well as relevant stakeholder organizations.

On October 20, 2015, the County introduced an ordinance authorizing a Community Choice Aggregation program within the unincorporated area of the County and allocated \$800,000 to fund Phase 2 of the CCA program.

Phase 2 includes the following activities: Peninsula Clean Energy Authority formation and program design; energy product investigation and supply portfolio recommendations; city outreach and informational support for local ordinance adoption; implementation plan development; and community engagement, marketing, and communication.

As part of Phase 2, the Town sent a postcard, emails and notices engaging residents in two community workshops the Town held on its own regarding the Peninsula Clean Energy CCA program. The workshops were held on Thursday evening, November 5, 2015 and Saturday morning, November 21, 2015. In addition, on December 9, 2015, the County of San Mateo made a presentation to the Town Council of the Town of Portola Valley at a regularly scheduled public meeting on the possibilities and potential environmental benefits presented by a CCA program, including the significant greenhouse gas emissions reductions resulting from electricity produced with a higher percentage of renewable energy than is currently being offered by PG&E.

## **DISCUSSION**

Section 366.2(c)(12)(B) of the Public Utilities Code expressly contemplates creation of a Joint Powers Authority so that a county and a city or cities can “participate as a group in a Community Choice Aggregation program.” The County and each city can begin to take advantage of this option by doing two things: (1) entering into a Joint Powers Agreement forming a Joint Powers Authority under Section 6500, et seq. of the Government Code; and (2) adopting an Ordinance “elect[ing] to implement a Community Choice Aggregation program within its jurisdiction” as required by Section 366.2(c)(12)(A).

Provided with this report is an ordinance that complies with the requirements of Section 366.2(c)(12)(A). Adoption of an ordinance requires two public meetings, the first meeting is to introduce the ordinance, followed by a second public meeting adopting the ordinance.

Also provided with this report is a Joint Powers Agreement, of which the execution by the County and at least two cities, will create the Peninsula Clean Energy Authority. The framework of the Agreement initially originated from a similar agreement that was used to form Sonoma Clean Power.

As part of drafting the Agreement, feedback on key decision points was obtained from the Advisory Committee and the Board of Supervisors during a study session held on October 6, 2015. The following feedback was received -- that cities be allowed to become full members of the Joint Powers Authority (JPA) rather than mere “participants” in the CCA program; that each city would have a member on the JPA Board, represented by an elected public official; that the JPA would have a two-tiered voting system based both on majority vote as well as a weighted vote that takes into account the energy use within the jurisdiction so as to create a fair balance of power among the members; a provision that makes clear that any liabilities of the JPA are incurred by the JPA and not the constituent members; and (later) a provision that allows constituent members to withdraw from the Authority without financial obligation if prior to launch it is clear that the Authority cannot meet its pricing and environmental goals.

A first draft of the agreement was then completed and circulated to all of the city attorneys and during the following weeks, two in-person meetings were held with city attorney representatives.

During those meetings and through prior and subsequent electronic correspondence, numerous changes to the agreement were made to address issues raised by the various representatives, including addition of the aforementioned pre-launch withdrawal provision. The attached Agreement reflects the collaborative effort.

Participating in the Community Choice Aggregation program does not require outlay of any town funds. The County of San Mateo has provided seed money, and future expenses will be covered by revenues from ratepayers. One of the advantages of the program is that unlike the incumbent utility, Peninsula Clean Energy will not be a profit-driven enterprise. All revenues over expenses can be reinvested to improve pricing, focus on environmentally conscious power purchases and fund locally beneficial power projects at the election of the Peninsula Clean Energy Board.

In addition, it is of note that under Public Utilities Code section 366.2, customers have the right to opt-out of a CCA program and continue to receive service from the incumbent utility. Once formed, Peninsula Clean Energy will be required to provide customers at least four (4) notices of their rights to opt-out and continue receiving service from the incumbent utility. As discussed in the study session, customers who receive power from Peninsula Clean Energy will receive that power over incumbent utility's transmission lines and will receive the same billing statement from the incumbent utility.

The Town Attorney has reviewed and approved the documents as to form.

## **CONCLUSION**

Implementing a CCA program in Portola Valley will assist the Town in meeting its commitment to reduce its greenhouse gas emissions by reducing countywide emissions through cleaner power options. It also fosters relationships with all cities and towns in the County, facilitating a regional solution to local energy needs, and expanding the available power procurement options for county residents.

## **ATTACHMENTS**

1. Resolution
2. Joint Powers Agreement
3. Ordinance

**RESOLUTION NO. \_\_\_\_\_-2016****RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING THE PENINSULA CLEAN ENERGY AUTHORITY AND APPOINTING THE TOWN'S DIRECTOR AND ALTERNATE DIRECTOR**

**WHEREAS**, the Town Council of the Town of Portola Valley ("Town") has investigated options to provide electric services to customers within the County, including incorporated and unincorporated areas, with the intent of achieving greater local control and involvement over the provision of electric services, competitive electric rates, the development of clean, local, renewable energy projects, reduced greenhouse gas emissions, and the wider implementation of energy conservation and efficiency projects and programs; and

**WHEREAS**, the County of San Mateo has prepared a Feasibility Study for a community choice aggregation ("CCA") program in San Mateo County under the provisions of the Public Utilities Code section 366.2. The Feasibility Study shows that implementing a community choice aggregation program would provide multiple benefits, including:

- a. Providing customers a choice of power providers;
- b. Increasing local control and involvement in and collaboration on energy rates and other energy-related matters;
- c. Providing more stable long-term electric rates that are competitive with those provided by the incumbent utility;
- d. Reducing greenhouse gas emissions arising from electricity use within San Mateo County;
- e. Increasing local renewable generation capacity;
- f. Increasing energy conservation and efficiency projects and programs;
- g. Increasing regional energy self-sufficiency; and
- h. Improving the local economy resulting from the implementation of local renewable and energy conservation and efficiency projects; and

**WHEREAS**, the Town wishes to be a community choice aggregator and has introduced the Ordinance required by Public Utilities Code Section 366.2 in order to do so;

**WHEREAS**, the County of San Mateo has already become a community choice aggregator and believes that other cities and towns within San Mateo County also wish to be community choice aggregators;

**WHEREAS**, pursuant to Section 366.2 two or more entities authorized to be a community choice aggregator, may participate as a group in a community choice aggregation program through a joint powers agency established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, if each entity adopts the aforementioned ordinance.

**WHEREAS**, the Town Council has reviewed the Joint Powers Agreement establishing the Peninsula Clean Energy Authority (“Authority”) and desires to enter into same;

**WHEREAS**, under the Joint Powers Agreement, the County and cities and towns within San Mateo County choosing to participate in the CCA program will have membership on the Board of Directors of the Authority as provided in the Joint Powers Agreement if they execute the Agreement and adopt the ordinance required by the Public Utilities Code;

**WHEREAS**, the newly created Authority will enter into Agreements with electric power suppliers and other service providers, and based upon those Agreements the Authority will be able to provide power to residents and business at rates that are competitive with those of the incumbent utility, PG&E. Once the California Public Utilities Commission approves the implementation plan created by the Authority, the Authority will provide service to customers within the unincorporated area of San Mateo County and within the jurisdiction of those cities who have chosen to participate in the CCA program; and

**WHEREAS**, under Public Utilities Code section 366.2, customers have the right to opt-out of a CCA program and continue to receive service from the incumbent utility.; and

**NOW THEREFORE, IT IS HEREBY RESOLVED** that the Town Council of the Town of Portola Valley wishes to enter into the Joint Exercise of Powers Agreement with the County of San Mateo and other participating cities and towns to form the Peninsula Clean Power Agency and the Town Manager is authorized and directed to execute the Joint Exercise of Powers Agreement; and

**IT IS FURTHER RESOLVED** that Jeff Aalfs is appointed to be the Town's Director on the Board, Craig Hughes is appointed the Town's Alternate Director and the Town Manager is authorized to execute any and all other necessary documents to enter into the Joint Exercise of Powers Agreement to form Peninsula Clean Energy.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of January, 2016.

By: \_\_\_\_\_  
Mayor

ATTEST:

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



**JOINT EXERCISE OF POWERS AGREEMENT RELATING TO  
AND CREATING THE**

**PENINSULA CLEAN ENERGY AUTHORITY**

**OF**

**SAN MATEO COUNTY**

This Joint Exercise of Powers Agreement, effective on the date determined by Section 2.1, is made and entered into pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 (Sections 6500 et seq.) of the California Government Code relating to the joint exercise of powers among the Parties set forth in Exhibit B, and establishes the Peninsula Clean Energy Authority (“Authority”), is by and between the County of San Mateo (“County”) and those cities and towns within the County of San Mateo who become signatories to this Agreement, and relates to the joint exercise of powers among the signatories hereto.

**RECITALS**

- A. The Parties share various powers under California law, including but not limited to the power to purchase, supply, and aggregate electricity for themselves and customers within their jurisdictions.
- B. In 2006, the State Legislature adopted AB 32, the Global Warming Solutions Act, which mandates a reduction in greenhouse gas emissions in 2020 to 1990 levels. The California Air Resources Board is promulgating regulations to implement AB 32 which will require local governments to develop programs to reduce greenhouse gas emissions.
- C. The purposes for entering into this Agreement include:
  - a. Reducing greenhouse gas emissions related to the use of power in San Mateo County and neighboring regions;
  - b. Providing electric power and other forms of energy to customers at a competitive cost;
  - c. Carrying out programs to reduce energy consumption;
  - d. Stimulating and sustaining the local economy by developing local jobs in renewable energy; and
  - e. Promoting long-term electric rate stability and energy security and reliability for residents through local control of electric generation resources.
- D. It is the intent of this Agreement to promote the development and use of a wide range of renewable energy sources and energy efficiency programs, including but not limited to solar,

wind, and biomass energy production. The purchase of renewable power and greenhouse gas-free energy sources will be the desired approach to decrease regional greenhouse gas emissions and accelerate the State's transition to clean power resources to the extent feasible. The Agency will also add increasing levels of locally generated renewable resources as these projects are developed and customer energy needs expand.

- E. The Parties desire to establish a separate public agency, known as the Peninsula Clean Energy Authority, under the provisions of the Joint Exercise of Powers Act of the State of California (Government Code Section 6500 et seq.) ("Act") in order to collectively study, promote, develop, conduct, operate, and manage energy programs.
- F. The Parties anticipate adopting an ordinance electing to implement through the Authority a common Community Choice Aggregation (CCA) program, an electric service enterprise available to cities and counties pursuant to California Public Utilities Code Sections 331.1(c) and 366.2. The first priority of the Authority will be the consideration of those actions necessary to implement the CCA Program.

## **AGREEMENT**

NOW, THEREFORE, in consideration of the mutual promises, covenants, and conditions hereinafter set forth, it is agreed by and among the Parties as follows:

### **ARTICLE 1: DEFINITIONS AND EXHIBITS**

- 1.1 Definitions. Capitalized terms used in the Agreement shall have the meanings specified in Exhibit A, unless the context requires otherwise.
- 1.2 Documents Included. This Agreement consists of this document and the following exhibits, all of which are hereby incorporated into this Agreement.

- Exhibit A: Definitions
- Exhibit B: List of the Parties
- Exhibit C: Annual Energy Use
- Exhibit D: Voting Shares
- Exhibit E: Signatures

### **ARTICLE 2: FORMATION OF PENINSULA CLEAN ENERGY AUTHORITY**

- 2.1 Effective Date and Term. This Agreement shall become effective and Peninsula Clean Energy Authority shall exist as a separate public agency on February 29, 2016 or when the County of San Mateo and at least two municipalities execute this Agreement, whichever occurs later. The Authority shall provide notice to the Parties of the Effective Date. The Authority shall continue to exist, and this Agreement shall be effective, until this Agreement is terminated in accordance with Section 6.4, subject to the rights of the Parties to withdraw from the Authority.

2.2 Formation. There is formed as of the Effective Date a public agency named the Peninsula Clean Energy Authority. Pursuant to Sections 6506 and 6507 of the Act, the Authority is a public agency separate from the Parties. Pursuant to Sections 6508.1 of the Act, the debts, liabilities or obligations of the Authority shall not be debts, liabilities or obligations of the individual Parties unless the governing board of a Party agrees in writing to assume any of the debts, liabilities or obligations of the Authority. A Party who has not agreed to assume an Authority debt, liability or obligation shall not be responsible in any way for such debt, liability or obligation even if a majority of the Parties agree to assume the debt, liability or obligation of the Authority. Notwithstanding Section 7.4 of this Agreement, this Section 2.2 may not be amended unless such amendment is approved by the governing board of each Party.

2.3 Purpose. The purpose of this Agreement is to establish an independent public agency in order to exercise powers common to each Party to study, promote, develop, conduct, operate, and manage energy, energy efficiency and conservation, and other energy-related programs, and to exercise all other powers necessary and incidental to accomplishing this purpose. Without limiting the generality of the foregoing, the Parties intend for this Agreement to be used as a contractual mechanism by which the Parties are authorized to participate in the CCA Program, as further described in Section 4.1. The Parties intend that other agreements shall define the terms and conditions associated with the implementation of the CCA Program and any other energy programs approved by the Authority.

2.4 Powers. The Authority shall have all powers common to the Parties and such additional powers accorded to it by law. The Authority is authorized, in its own name, to exercise all powers and do all acts necessary and proper to carry out the provisions of this Agreement and fulfill its purposes, including, but not limited to, each of the following powers, subject to the voting requirements set forth in Section 3.7 through 3.7.5:

2.4.1 to make and enter into contracts;

2.4.2 to employ agents and employees, including but not limited to a Chief Executive Officer;

2.4.3 to acquire, contract, manage, maintain, and operate any buildings, infrastructure, works, or improvements;

2.4.4 to acquire property by eminent domain, or otherwise, except as limited under Section 6508 of the Act, and to hold or dispose of any property; however, the Authority shall not exercise the power of eminent domain within the jurisdiction of a Party over its objection without first meeting and conferring in good faith.

2.4.5 to lease any property;

2.4.6 to sue and be sued in its own name;

2.4.7 to incur debts, liabilities, and obligations, including but not limited to loans from private lending sources pursuant to its temporary borrowing powers such as Government Code Sections 53850 et seq. and authority under the Act;

- 2.4.8 to form subsidiary or independent corporations or entities if necessary, to carry out energy supply and energy conservation programs at the lowest possible cost or to take advantage of legislative or regulatory changes;
- 2.4.9 to issue revenue bonds and other forms of indebtedness;
- 2.4.10 to apply for, accept, and receive all licenses, permits, grants, loans or other aids from any federal, state, or local public agency;
- 2.4.11 to submit documentation and notices, register, and comply with orders, tariffs and agreements for the establishment and implementation of the CCA Program and other energy programs;
- 2.4.12 to adopt Operating Rules and Regulations; and
- 2.4.13 to make and enter into service agreements relating to the provision of services necessary to plan, implement, operate and administer the CCA Program and other energy programs, including the acquisition of electric power supply and the provision of retail and regulatory support services.
- 2.4.14 to permit additional Parties to enter into this Agreement after the Effective Date and to permit another entity authorized to be a community choice aggregator to designate the Authority to act as the community choice aggregator on its behalf.
- 2.5 Limitation on Powers. As required by Government Code Section 6509, the power of the Authority is subject to the restrictions upon the manner of exercising power possessed by San Mateo County.
- 2.6 Compliance with Local Zoning and Building Laws and CEQA. Unless state or federal law provides otherwise, any facilities, buildings or structures located, constructed, or caused to be constructed by the Authority within the territory of the Authority shall comply with the General Plan, zoning and building laws of the local jurisdiction within which the facilities, buildings or structures are constructed and comply with the California Environmental Quality Act (“CEQA”).

### **ARTICLE 3: GOVERNANCE AND INTERNAL ORGANIZATION**

- 3.1 Board of Directors. The governing body of the Authority shall be a Board of Directors (“Board”). The Board shall consist of 2 (two) directors appointed by the San Mateo County Board of Supervisors and 1 (one) director appointed by each City or Town that becomes a signatory to the Agreement (“Directors”). Each Director shall serve at the pleasure of the governing board of the Party who appointed such Director, and may be removed as Director by such governing board at any time. If at any time a vacancy occurs on the Board, a replacement shall be appointed to fill the position of the previous Director within 90 days of the date that such position becomes vacant. Directors must be members of the Board of Supervisors or members of the governing board of the municipality that is the signatory to this Agreement. Each Party may appoint an alternate(s) to serve in the absence of its Director(s). Alternates may be either (1) members of the Board of Supervisors or members of the governing board of the municipality that is the signatory to this Agreement, or (2) staff members of

the County or any such municipality.

3.2 Quorum. A majority of the appointed Directors shall constitute a quorum, except that less than a quorum may adjourn from time to time in accordance with law.

3.3 Powers and Functions of the Board. The Board shall exercise general governance and oversight over the business and activities of the Authority, consistent with this Agreement and applicable law. The Board shall provide general policy guidance to the CCA Program. Board approval shall be required for any of the following actions:

3.3.1 The issuance of bonds or any other financing even if program revenues are expected to pay for such financing.

3.3.2 The hiring or termination of the Chief Executive Officer and General Counsel.

3.3.3 The appointment or removal of officers described in Section 3.9, subject to Section 3.9.3.

3.3.4 The adoption of the Annual Budget.

3.3.5 The adoption of an ordinance.

3.3.6 The approval of agreements, except as provided by Section 3.4.

3.3.7 The initiation or resolution of claims and litigation where the Authority will be the defendant, plaintiff, petitioner, respondent, cross complainant or cross petitioner, or intervenor; provided, however, that the Chief Executive Officer or General Counsel, on behalf of the Authority, may intervene in, become a party to, or file comments with respect to any proceeding pending at the California Public Utilities Commission, the Federal Energy Regulatory Commission, or any other administrative agency, without approval of the Board as long as such action is consistent with any adopted Board policies.

3.3.8 The setting of rates for power sold by the Authority and the setting of charges for any other category of service provided by the Authority.

3.3.9 Termination of the CCA Program.

3.4 Chief Executive Officer. The Board of Directors shall appoint a Chief Executive Officer for the Authority, who shall be responsible for the day-to-day operation and management of the Authority and the CCA Program. The Chief Executive Officer may exercise all powers of the Authority, including the power to hire, discipline and terminate employees as well as the power to approve any agreement if the total amount payable under the agreement is less than \$100,000 in any fiscal year, except the powers specifically set forth in Section 3.3 or those powers which by law must be exercised by the Board of Directors.

3.5 Commissions, Boards, and Committees. The Board may establish any advisory

commissions, boards, and committees as the Board deems appropriate to assist the Board in carrying out its functions and implementing the CCA Program, other energy programs and the provisions of this Agreement which shall comply with the requirements of the Ralph M. Brown Act. The Board may establish rules, regulations, policies, bylaws or procedures to govern any such commissions, boards, or committees if the Board deems appropriate to appoint such commissions, boards or committees, and shall determine whether members shall be compensated or entitled to reimbursement for expenses.

3.6 Director Compensation. Directors shall serve without compensation from the Authority. However, Directors may be compensated by their respective appointing authorities. The Board, however, may adopt by resolution a policy relating to the reimbursement by the Authority of expenses incurred by Directors.

3.7 Voting In general, as described below in Section 3.7.3, action by the Authority Board will be taken solely by a majority vote of the Directors present. However, as described below in Section 3.7.4, upon request of a Director, a weighted vote by shares will also be conducted. When such a request is made, an action must be approved by both a majority vote of Directors present and a majority of the weighted vote by shares present. No action may be approved solely by a vote by shares. The voting shares of Directors and approval requirements for actions of the Board shall be as follows:

3.7.1. Voting Shares.

Each Director shall have a voting share as determined by the following formula: (Annual Energy Use/Total Annual Energy) multiplied by 100, where

(a) “Annual Energy Use” means, (i) with respect to the first year following the Effective Date, the annual electricity usage, expressed in kilowatt hours (“kWh”), within the Party’s respective jurisdiction and (ii) with respect to the period after the anniversary of the Effective Date, the annual electricity usage, expressed in kWh, of accounts within a Party’s respective jurisdiction that are served by the Authority; and

(b) “Total Annual Energy” means the sum of all Parties’ Annual Energy Use. The initial values for Annual Energy Use will be designated in Exhibit C, and shall be adjusted annually as soon as reasonably practicable after January 1, but no later than March 1 of each year. These adjustments shall be approved by the Board.

(c) The combined voting share of all Directors representing the County of San Mateo shall be based upon the annual electricity usage within the unincorporated area of San Mateo County.

For the purposes of Weighted Voting, if a Party has more than one director, then the voting shares allocated to the entity shall be equally divided amongst its Directors.

3.7.2. Exhibit Showing Voting Shares. The initial voting shares will be set forth in Exhibit D. Exhibit D shall be revised no less than annually as necessary to account for changes in the number of Parties and changes in the Parties’ Annual Energy Use. Exhibit D and

adjustments shall be approved by the Board.

3.7.3. Approval Requirements Relating to CCA Program. Except as provided in Sections 3.7.4 and 3.7.5 below, action of the Board shall require the affirmative vote of a majority of Directors present at the meeting.

3.7.4. Option for Approval by Voting Shares. Notwithstanding Section 3.7.3, any Director present at a meeting may demand that approval of any matter related to the CCA Program be determined on the basis of both voting shares and by the affirmative vote of a majority of Directors present at the meeting. If a Director makes such a demand with respect to approval of any such matter, then approval of such matter shall require the affirmative vote of a majority of Directors present at the meeting and the affirmative vote of Directors having a majority of voting shares present, as determined by Section 3.7.1 except as provided in Section 3.7.5.

3.7.5. Special Voting Requirements for Certain Matters.

(a) Two-Thirds and Weighted Voting Approval Requirements Relating to Sections 6.2 and 7.4. Action of the Board on the matters set forth in Section 6.2 (involuntary termination of a Party), or Section 7.4 (amendment of this Agreement) shall require the affirmative vote of at least two-thirds of Directors present; provided, however, that (i) notwithstanding the foregoing, any Director present at the meeting may demand that the vote be determined on the basis of both voting shares and by the affirmative vote of Directors, and if a Director makes such a demand, then approval shall require the affirmative vote of both at least two-thirds of Directors present and the affirmative vote of Directors having at least two-thirds of the voting shares present, as determined by Section 3.7.1; (ii) but, at least two Parties must vote against a matter for the vote to fail; and (iii) for votes to involuntarily terminate a Party under Section 6.2, the Director(s) for the Party subject to involuntary termination may not vote, and the number of Directors constituting two-thirds of all Directors, and the weighted vote of each Party shall be recalculated as if the Party subject to possible termination were not a Party.

(b) Seventy Five Percent Special Voting Requirements for Eminent Domain and Contributions or Pledge of Assets.

(i) A decision to exercise the power of eminent domain on behalf of the Authority to acquire any property interest other than an easement, right-of-way, or temporary construction easement shall require a vote of at least 75% of all Directors.

(ii) The imposition on any Party of any obligation to make contributions or pledge assets as a condition of continued participation in the CCA Program shall require a vote of at least 75% of all Directors and the approval of the governing boards of the Parties who are being asked to make such contribution or pledge.

(iii) Notwithstanding the foregoing, any Director present at the meeting may demand that a vote under subsections (i) or (ii) be determined on the basis of voting shares and by the affirmative vote of Directors, and if a Director makes such a

demand, then approval shall require both the affirmative vote of at least 75% of Directors present and the affirmative vote of Directors having at least 75% of the voting shares present, as determined by Section 3.7.1, but at least two Parties must vote against a matter for the vote to fail. For purposes of this section, “imposition on any Party of any obligation to make contributions or pledge assets as a condition of continued participation in the CCA Program” does not include any obligations of a withdrawing or terminated party imposed under Section 6.3.

3.8 Meetings and Special Meetings of the Board. The Board shall hold at least six regular meetings per year, but the Board may provide for the holding of regular meetings at more frequent intervals. The date, hour and place of each regular meeting shall be fixed by resolution or ordinance of the Board. Regular meetings may be adjourned to another meeting time. Special and Emergency Meetings of the Board may be called in accordance with the provisions of California Government Code Sections 54956 and 54956.5. Directors may participate in meetings telephonically, with full voting rights, only to the extent permitted by law. All meetings shall be conducted in accordance with the provisions of the Ralph M. Brown Act (California Government Code Sections 54950 et seq.).

3.9 Selection of Board Officers.

3.9.1 Chair and Vice Chair. The Directors shall select, from among themselves, a Chair, who shall be the presiding officer of all Board meetings, and a Vice Chair, who shall serve in the absence of the Chair. The term of office of the Chair and Vice Chair shall continue for one year, but there shall be no limit on the number of terms held by either the Chair or Vice Chair. The office of either the Chair or Vice Chair shall be declared vacant and a new selection shall be made if:

- (a) the person serving dies, resigns, or the Party that the person represents removes the person as its representative on the Board or
- (b) the Party that he or she represents withdraws from the Authority pursuant to the provisions of this Agreement.

3.9.2 Secretary. The Board shall appoint a Secretary, who need not be a member of the Board, who shall be responsible for keeping the minutes of all meetings of the Board and all other official records of the Authority.

3.9.3 Treasurer and Auditor. The San Mateo County Treasurer shall act as the Treasurer for the Authority. Unless otherwise exempted from such requirement, the Authority shall cause an independent audit to be made by a certified public accountant, or public accountant, in compliance with Section 6505 of the Act. The Treasurer shall act as the depository of the Authority and have custody of all the money of the Authority, from whatever source, and as such, shall have all of the duties and responsibilities specified in Section 6505.5 of the Act. The Treasurer shall report directly to the Board and shall comply with the requirements of treasurers of incorporated municipalities. The Board may transfer the responsibilities of Treasurer to any person or entity as the law may provide at the time. The duties and obligations of the Treasurer are further specified in Article 5.



3.10 Administrative Services Provider. The Board may appoint one or more administrative services providers to serve as the Authority's agent for planning, implementing, operating and administering the CCA Program, and any other program approved by the Board, in accordance with the provisions of an Administrative Services Agreement. The appointed administrative services provider may be one of the Parties. An Administrative Services Agreement shall set forth the terms and conditions by which the appointed administrative services provider shall perform or cause to be performed all tasks necessary for planning, implementing, operating and administering the CCA Program and other approved programs. The Administrative Services Agreement shall set forth the term of the Agreement and the circumstances under which the Administrative Services Agreement may be terminated by the Authority. This section shall not in any way be construed to limit the discretion of the Authority to hire its own employees to administer the CCA Program or any other program.

#### **ARTICLE 4: IMPLEMENTATION ACTION AND AUTHORITY DOCUMENTS**

##### 4.1 Preliminary Implementation of the CCA Program.

4.1.1 Enabling Ordinance. To be eligible to participate in the CCA Program, each Party must adopt an ordinance in accordance with Public Utilities Code Section 366.2(c)(12) for the purpose of specifying that the Party intends to implement a CCA Program by and through its participation in the Authority.

4.1.2 Implementation Plan. The Authority shall cause to be prepared an Implementation Plan meeting the requirements of Public Utilities Code Section 366.2 and any applicable Public Utilities Commission regulations as soon after the Effective Date as reasonably practicable. The Implementation Plan shall not be filed with the Public Utilities Commission until it is approved by the Board in the manner provided by Section 3.7.3.

4.1.3 Termination of CCA Program. Nothing contained in this Article or this Agreement shall be construed to limit the discretion of the Authority to terminate the implementation or operation of the CCA Program at any time in accordance with any applicable requirements of state law.

4.2 Authority Documents. The Parties acknowledge and agree that the affairs of the Authority will be implemented through various documents duly adopted by the Board through Board resolution. The Parties agree to abide by and comply with the terms and conditions of all such documents that may be adopted by the Board, subject to the Parties' right to withdraw from the Authority as described in Article 6.

#### **ARTICLE 5: FINANCIAL PROVISIONS**

5.1 Fiscal Year. The Authority's fiscal year shall be 12 months commencing July 1 or the date selected by the Agency and ending June 30. The fiscal year may be changed by Board resolution.

## 5.2 Depository.

5.2.1 All funds of the Authority shall be held in separate accounts in the name of the Authority and not commingled with funds of any Party or any other person or entity.

5.2.2 All funds of the Authority shall be strictly and separately accounted for, and regular reports shall be rendered of all receipts and disbursements, at least quarterly during the fiscal year. The books and records of the Authority shall be open to inspection by the Parties at all reasonable times. The Board shall contract with a certified public accountant or public accountant to make an annual audit of the accounts and records of the Authority, which shall be conducted in accordance with the requirements of Section 6505 of the Act.

5.2.3 All expenditures shall be made in accordance with the approved budget and upon the approval of any officer so authorized by the Board in accordance with its Operating Rules and Regulations. The Treasurer shall draw checks or warrants or make payments by other means for claims or disbursements not within an applicable budget only upon the prior approval of the Board.

## 5.3 Budget and Recovery of Costs.

5.3.1 Budget. The initial budget shall be approved by the Board. The Board may revise the budget from time to time as may be reasonably necessary to address contingencies and unexpected expenses. All subsequent budgets of the Authority shall be approved by the Board in accordance with the Operating Rules and Regulations.

5.3.2 Funding of Initial Costs. The County of San Mateo has funded certain activities necessary to implement the CCA Program. If the CCA Program becomes operational, these Initial Costs paid by the County of San Mateo shall be included in the customer charges for electric services as provided by Section 5.3.3 to the extent permitted by law, and the County of San Mateo shall be reimbursed from the payment of such charges by customers of the Authority. Prior to such reimbursement, the County of San Mateo shall provide such documentation of costs paid as the Board may request. The Authority may establish a reasonable time period over which such costs are recovered. In the event that the CCA Program does not become operational, the County of San Mateo shall not be entitled to any reimbursement of the Initial Costs it has paid from the Authority or any Party.

5.3.3 CCA Program Costs. The Parties desire that all costs incurred by the Authority that are directly or indirectly attributable to the provision of electric, conservation, efficiency, incentives, financing, or other services provided under the CCA Program, including but not limited to the establishment and maintenance of various reserves and performance funds and administrative, accounting, legal, consulting, and other similar costs, shall be recovered through charges to CCA customers receiving such electric services, or from revenues from grants or other third-party sources.

## **ARTICLE 6: WITHDRAWAL AND TERMINATION**

## 6.1 Withdrawal.

6.1.1 Right to Withdraw. A Party may withdraw its participation in the CCA Program, effective as of the beginning of the Authority's fiscal year, by giving no less than 6 months advance written notice of its election to do so, which notice shall be given to the Authority and each Party. Withdrawal of a Party shall require an affirmative vote of the Party's governing board.

6.1.2 Right to Withdraw After Amendment. Notwithstanding Section 6.1.1, a Party may withdraw its membership in the Authority following an amendment to this Agreement adopted by the Board which the Party's Director(s) voted against provided such notice is given in writing within thirty (30) days following the date of the vote. Withdrawal of a Party shall require an affirmative vote of the Party's governing board and shall not be subject to the six month advance notice provided in Section 6.1.1. In the event of such withdrawal, the Party shall be subject to the provisions of Section 6.3.

6.1.3 The Right to Withdraw Prior to Program Launch. After receiving bids from power suppliers, the Authority must provide to the Parties the report from the electrical utility consultant retained by the Authority that compares the total estimated electrical rates that the Authority will be charging to customers as well as the estimated greenhouse gas emissions rate and the amount of estimated renewable energy used with that of the incumbent utility. If the report provides that the Authority is unable to provide total electrical rates, as part of its baseline offering, to the customers that are equal to or lower than the incumbent utility or to provide power in a manner that has a lower greenhouse gas emissions rate or uses more renewable energy than the incumbent utility, a Party may immediately withdraw its membership in the Authority without any financial obligation, as long as the Party provides written notice of its intent to withdraw to the Authority Board no more than fifteen days after receiving the report.

6.1.4 Continuing Financial Obligation; Further Assurances. Except as provided by Section 6.1.3, a Party that withdraws its participation in the CCA Program may be subject to certain continuing financial obligations, as described in Section 6.3. Each withdrawing Party and the Authority shall execute and deliver all further instruments and documents, and take any further action that may be reasonably necessary, as determined by the Board, to effectuate the orderly withdrawal of such Party from participation in the CCA Program.

6.2 Involuntary Termination of a Party. Participation of a Party in the CCA program may be terminated for material non-compliance with provisions of this Agreement or any other agreement relating to the Party's participation in the CCA Program upon a vote of Board members as provided in Section 3.7.5. Prior to any vote to terminate participation with respect to a Party, written notice of the proposed termination and the reason(s) for such termination shall be delivered to the Party whose termination is proposed at least 30 days prior to the regular Board meeting at which such matter shall first be discussed as an agenda item. The written notice of proposed termination shall specify the particular provisions of this Agreement or other agreement that the Party has allegedly violated. The Party subject to possible termination shall have the opportunity at the next regular Board meeting to respond to any reasons and allegations that may be cited as a basis for termination prior to a vote

regarding termination. A Party that has had its participation in the CCA Program terminated may be subject to certain continuing liabilities, as described in Section 6.3.

6.3 Continuing Financial Obligations; Refund. Except as provided by Section 6.1.3, upon a withdrawal or involuntary termination of a Party, the Party shall remain responsible for any claims, demands, damages, or other financial obligations arising from the Party membership or participation in the CCA Program through the date of its withdrawal or involuntary termination, it being agreed that the Party shall not be responsible for any financial obligations arising after the date of the Party's withdrawal or involuntary termination. Claims, demands, damages, or other financial obligations for which a withdrawing or terminated Party may remain liable include, but are not limited to, losses from the resale of power contracted for by the Authority to serve the Party's load. With respect to such financial obligations, upon notice by a Party that it wishes to withdraw from the CCA Program, the Authority shall notify the Party of the minimum waiting period under which the Party would have no costs for withdrawal if the Party agrees to stay in the CCA Program for such period. The waiting period will be set to the minimum duration such that there are no costs transferred to remaining ratepayers. If the Party elects to withdraw before the end of the minimum waiting period, the charge for exiting shall be set at a dollar amount that would offset actual costs to the remaining ratepayers, and may not include punitive charges that exceed actual costs. In addition, such Party shall also be responsible for any costs or obligations associated with the Party's participation in any program in accordance with the provisions of any agreements relating to such program provided such costs or obligations were incurred prior to the withdrawal of the Party. The Authority may withhold funds otherwise owing to the Party or may require the Party to deposit sufficient funds with the Authority, as reasonably determined by the Authority and approved by a vote of the Board of Directors, to cover the Party's financial obligations for the costs described above. Any amount of the Party's funds held on deposit with the Authority above that which is required to pay any financial obligations shall be returned to the Party. The liability of any Party under this section 6.3 is subject and subordinate to the provisions of Section 2.2, and nothing in this section 6.3 shall reduce, impair, or eliminate any immunity from liability provided by Section 2.2.

6.4 Mutual Termination. This Agreement may be terminated by mutual agreement of all the Parties; provided, however, the foregoing shall not be construed as limiting the rights of a Party to withdraw its participation in the CCA Program, as described in Section 6.1.

6.5 Disposition of Property upon Termination of Authority. Upon termination of this Agreement, any surplus money or assets in possession of the Authority for use under this Agreement, after payment of all liabilities, costs, expenses, and charges incurred under this Agreement and under any program documents, shall be returned to the then-existing Parties in proportion to the contributions made by each.

## **ARTICLE 7: MISCELLANEOUS PROVISIONS**

7.1 Dispute Resolution. The Parties and the Authority shall make reasonable efforts to informally settle all disputes arising out of or in connection with this Agreement. Should such informal efforts to settle a dispute, after reasonable efforts, fail, the dispute shall be mediated in accordance with policies and procedures established by the Board.

7.2 Liability of Directors, Officers, and Employees. The Directors, officers, and employees of the Authority shall use ordinary care and reasonable diligence in the exercise of their powers and in the performance of their duties pursuant to this Agreement. No current or former Director, officer, or employee will be responsible for any act or omission by another Director, officer, or employee. The Authority shall defend, indemnify and hold harmless the individual current and former Directors, officers, and employees for any acts or omissions in the scope of their employment or duties in the manner provided by Government Code Sections 995 et seq. Nothing in this section shall be construed to limit the defenses available under the law, to the Parties, the Authority, or its Directors, officers, or employees.

7.3 Indemnification of Parties. The Authority shall acquire such insurance coverage as is necessary to protect the interests of the Authority, the Parties, and the public. The Authority shall defend, indemnify, and hold harmless the Parties and each of their respective Board or Council members, officers, agents and employees, from any and all claims, losses, damages, costs, injuries, and liabilities of every kind arising directly or indirectly from the conduct, activities, operations, acts, and omissions of the Authority under this Agreement.

7.4 Amendment of this Agreement. This Agreement may not be amended except by a written amendment approved by a vote of Board members as provided in Section 3.7.5. The Authority shall provide written notice to all Parties of amendments to this Agreement, including the effective date of such amendments, at least 30 days prior to the date upon which the Board votes on such amendments.

7.5 Assignment. Except as otherwise expressly provided in this Agreement, the rights and duties of the Parties may not be assigned or delegated without the advance written consent of all of the other Parties, and any attempt to assign or delegate such rights or duties in contravention of this Section 7.5 shall be null and void. This Agreement shall inure to the benefit of, and be binding upon, the successors and assigns of the Parties. This Section 7.5 does not prohibit a Party from entering into an independent agreement with another agency, person, or entity regarding the financing of that Party's contributions to the Authority, or the disposition of proceeds which that Party receives under this Agreement, so long as such independent agreement does not affect, or purport to affect, the rights and duties of the Authority or the Parties under this Agreement.

7.6 Severability. If one or more clauses, sentences, paragraphs or provisions of this Agreement shall be held to be unlawful, invalid or unenforceable, it is hereby agreed by the Parties, that the remainder of the Agreement shall not be affected thereby. Such clauses, sentences, paragraphs or provision shall be deemed reformed so as to be lawful, valid and enforced to the maximum extent possible.

7.7 Further Assurances. Each Party agrees to execute and deliver all further instruments and documents, and take any further action that may be reasonably necessary, to effectuate the purposes and intent of this Agreement.

7.8 Execution by Counterparts. This Agreement may be executed in any number of counterparts, and upon execution by all Parties, each executed counterpart shall have the same force and effect as an original instrument and as if all Parties had signed the same instrument. Any signature page of this Agreement may be detached from any counterpart of this Agreement without impairing

the legal effect of any signatures thereon, and may be attached to another counterpart of this Agreement identical in form hereto but having attached to it one or more signature pages.

7.9 Parties to be Served Notice. Any notice authorized or required to be given pursuant to this Agreement shall be validly given if served in writing either personally, by deposit in the United States mail, first class postage prepaid with return receipt requested, or by a recognized courier service. Notices given (a) personally or by courier service shall be conclusively deemed received at the time of delivery and receipt and (b) by mail shall be conclusively deemed given 48 hours after the deposit thereof (excluding Saturdays, Sundays and holidays) if the sender receives the return receipt. All notices shall be addressed to the office of the clerk or secretary of the Authority or Party, as the case may be, or such other person designated in writing by the Authority or Party. Notices given to one Party shall be copied to all other Parties. Notices given to the Authority shall be copied to all Parties.

## **Exhibit A Definitions**

“Act” means the Joint Exercise of Powers Act of the State of California (Government Code Section 6500 *et seq.*)

“Administrative Services Agreement” means an agreement or agreements entered into after the Effective Date by the Authority with an entity that will perform tasks necessary for planning, implementing, operating and administering the CCA Program or any other energy programs adopted by the Authority.

“Agreement” means this Joint Powers Agreement.

“Annual Energy Use” has the meaning given in Section 3.7.1.

“Authority” means the Peninsula Clean Energy Authority.

“Authority Document(s)” means document(s) duly adopted by the Board by resolution or motion implementing the powers, functions, and activities of the Authority, including but not limited to the Operating Rules and Regulations, the annual budget, and plans and policies.

“Board” means the Board of Directors of the Authority.

“CCA” or “Community Choice Aggregation” means an electric service option available to cities and counties pursuant to Public Utilities Code Section 366.2.

“CCA Program” means the Authority’s program relating to CCA that is principally described in Sections 2.3, 2.4, and 4.1.

“Director” means a member of the Board of Directors representing a Party.

“Effective Date” means February 29, 2016 or when the County of San Mateo and at least two municipalities execute this Agreement, whichever occurs later, as further described in Section 2.1.

“Implementation Plan” means the plan generally described in Section 4.1.2 of this Agreement that is required under Public Utilities Code Section 366.2 to be filed with the California Public Utilities Commission for the purpose of describing a proposed CCA Program.

“Initial Costs” means all costs incurred by the County and/or Authority relating to the establishment and initial operation of the Authority, such as the hiring of a Chief Executive Officer and any administrative staff, and any required accounting, administrative, technical, or legal services in support of the Authority’s initial activities or in support of the negotiation, preparation, and approval of one or more Administrative Services Agreements.

Approved [insert date]

**Exhibit A (cont.)**  
**Definitions**

“Operating Rules and Regulations” means the rules, regulations, policies, bylaws and procedures governing the operation of the Authority.

“Parties” means, collectively, any municipality within the County of San Mateo which executes this Agreement.

“Party” means a signatory to this Agreement.

“Total Annual Energy” has the meaning given in Section 3.7.1.

Approved [insert date]



**Exhibit B  
List of Parties**

Parties: County of San Mateo

Approved [insert date]

**Exhibits C and D  
Annual Energy Use and Voting Shares**

<b>ANNUAL ENERGY USE WITHIN PCE JURISDICTIONS AND VOTING SHARES</b>		
Twelve Months Ended November [date]		
<u>Party</u>	<u>Total kWh</u>	<u>Voting Share</u>
SAN MATEO COUNTY		
Total		100

Approved [insert date]

**ORDINANCE NO. 2016 - \_\_\_\_\_**

**ORDINANCE AUTHORIZING THE IMPLEMENTATION OF A  
COMMUNITY CHOICE AGGREGATION PROGRAM**

The Town Council of the Town of Portola Valley, State of California, **ORDAINS** as follows:

**WHEREAS**, the Town Council of the Town of Portola Valley (“Town”) has investigated options to provide electric services to customers within the County of San Mateo, including incorporated and unincorporated areas, with the intent of achieving greater local control and involvement over the provision of electric services, competitive electric rates, the development of clean, local, renewable energy projects, reduced greenhouse gas emissions, and the wider implementation of energy conservation and efficiency projects and programs; and hereby finds and declares as follows:

**WHEREAS**, the County of San Mateo prepared a Feasibility Study for a community choice aggregation (“CCA”) program in San Mateo County with the cooperation of the cities under the provisions of the Public Utilities Code section 366.2. The Feasibility Study shows that implementing a community choice aggregation program would provide multiple benefits, including:

- Providing customers a choice of power providers;
- Increasing local control and involvement in and collaboration on energy rates and other energy-related matters;
- Providing more stable long-term electric rates that are competitive with those provided by the incumbent utility;
- Reducing greenhouse gas emissions arising from electricity use within San Mateo County;
- Increasing local renewable generation capacity;
- Increasing energy conservation and efficiency projects and programs;
- Increasing regional energy self-sufficiency;
- Improving the local economy resulting from the implementation of local renewable and energy conservation and efficiency projects; and

**WHEREAS**, the County of San Mateo Board of Supervisors has approved a Joint Powers Agreement creating the Peninsula Clean Energy Authority (“Authority”). Under the Joint Powers Agreements, cities and towns within San Mateo County may participate in the Peninsula Clean Energy CCA program by adopting the resolution and ordinance required by Public Utilities Code section 366.2. Cities and towns choosing to participate in the CCA program will have membership on the Board of Directors of the Authority as provided in the Joint Powers Agreements; and

**WHEREAS**, the Authority will enter into Agreements with electric power suppliers and other service providers, and based upon those Agreements the Authority will be able to provide power to residents and business at rates that are competitive with those of the incumbent utility (“PG&E”). Once the California Public Utilities Commission approves the implementation plan created by the Authority, the Authority will provide service to customers within the unincorporated area of San Mateo County and within the jurisdiction of those cities who have chosen to participate in the CCA program; and

**WHEREAS**, under Public Utilities Code section 366.2, customers have the right to opt-out of a CCA program and continue to receive service from the incumbent utility. Customers who wish to continue to receive service from the incumbent utility will be able to do so; and

**WHEREAS**, on November 5, 2015 and November 21, 2015, the Town held community outreach meetings regarding the Peninsula Clean Energy CCA program; and

**WHEREAS**, on December 9, 2015, at a regularly scheduled public meeting, the Town Council received a presentation from the County of San Mateo regarding the CCA program and the Joint Powers Agreement; and

**WHEREAS**, on January 27, 2016, the Town Council conducted the first reading of this ordinance and held a public hearing at which time interested persons had an opportunity to testify either in support or opposition to implementation of the Peninsula Clean Energy CCA program in the Town; and

**WHEREAS**, this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines, as it is not a “project” as it has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. (14 Cal. Code Regs. § 15378(a)). Further, the ordinance is exempt from CEQA as there is no possibility that the ordinance or its implementation would have a significant effect on the environment. (14 Cal. Code Regs. § 15061(b)(3)). The ordinance is also categorically exempt because it is an action taken by a regulatory agency to assume the maintenance, restoration, enhancement or protection of the environment. (14 Cal. Code Regs. § 15308). The Director of Community Development shall cause a Notice of Exemption to be filed as authorized by CEQA and the CEQA guidelines.

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

1. The above recitations are true and correct and material to this Ordinance.
2. Based upon the forgoing, and in order to provide business and residents within the Town of Portola Valley with a choice of power providers and with the benefits described above, the Town Council of the Town of Portola Valley ordains that it shall implement a community choice aggregation program within its jurisdiction by participating as a group with the County of San Mateo and other cities and towns as described above in the Community Choice Aggregation program of the Peninsula Clean Energy Authority, as generally described in the Joint Powers Agreement.
3. This Ordinance shall become effective thirty (30) days after the date of its adoption and shall be posted within the Town of Portola Valley in three public places.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

By: \_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Town Attorney



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

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

**FROM:** Brandi de Garreaux, Sustainability & Special Projects Manager

**DATE:** January 27, 2016

**RE:** H2Oknow/Home Energy Analytics Tool

### RECOMMENDATION

Approve the addition of an energy analysis component to the existing H2Oknow Tool and direct the Town Manager to amend the agreement with Home Energy Analytics to reflect this change.

### BACKGROUND

In May 2015, staff and the Water Conservation Committee enlisted the help of Home Energy Analytics (HEA) to create a water survey utilizing the existing energy analysis platform that HEA developed for the High Energy Homes program in 2011.

High Energy Homes was a stimulus grant-funded program that included Portola Valley, Woodside, Atherton, Los Altos Hills and Monte Sereno. The goal of the program was to enlist high-energy using homes to conduct an online energy analysis and then put into practice cost-effective, energy-saving measures. Over the 5-year duration of the program, HEA has seen the savings persist, resulting in an average reduction in kWh of 12% and an average reduction in therms of 20%. Portola Valley had 34 participants and an average reduction in electricity use of 20 megawatts per year in just those 34 homes (Attachment 1).

### DISCUSSION

As of January 20, 2016, 52 residents have signed up to use the H2Oknow Tool (Tool), including the Water Conservation Committee members. There have been no new sign ups since the rain began in early December, despite advertising the Tool regularly along with tips on winter water conservation. Adding the option of the energy analysis to the Tool would give us another avenue for engaging residents in water conservation behaviors, especially in the winter when more attention is focused on high energy bills. Staff has reviewed the addition of the energy analysis component with the Water Conservation Committee and they agree that it would be a beneficial component to add to the Tool.

In addition to using the energy analysis to engage residents in water conservation, adding this component to the Tool will also provide a vehicle to re-engage residents in energy conservation. For the past year and a half – from a sustainability perspective – staff has been focusing almost exclusively on water conservation. While water conservation has the co-benefit of reducing energy use attributed to hot water, continuing to make progress on reducing overall energy use

is essential to meeting the town's greenhouse gas emissions reduction goals. While the H2Oknow Tool imports and analyzes static water data from CalWater (as that is what is available), the energy analysis platform analyzes PG&E SmartMeter data to create a "Home Energy Profile" that shows how energy has actually been used over the past year (Attachments 2 and 3). The Home Energy Profile report and graphs can help residents to:

- create a comprehensive energy reduction plan to focus efforts where the most energy is being used.
- identify unusual energy use patterns such as inefficient pool pumps, malfunctioning compressors, excessive outdoor lighting use, etc. and receive recommendations on how to address them.
- identify poorly performing heating/cooling systems that would benefit from an in-home energy analysis.
- track energy use before and after to quantify savings.

In addition to the Home Energy Profile, users will receive a monthly email with their "energy consumption trends" to provide feedback on progress and motivation to take action.

## **CONCLUSION**

Attachment 4 outlines the energy savings from other local programs that have utilized the HEA energy analysis platform. While we won't know the results of the water reductions resulting from the H2Oknow Tool until at least a year has passed, we can see from the results of these other programs and the 34 homes that participated in the High Energy Homes program, that there is at least the potential for significant energy reductions in Portola Valley that will persist over time.

Adding the energy analysis component to the Tool would give the Town another means to engage residents in energy conservation and an additional avenue to engage residents in water conservation. Upon approval of the addition of the energy analysis component, staff will work with the Water Conservation Committee to develop a marketing and outreach program that builds on the current drought action plan.

## **FISCAL IMPACT**

There is no direct fiscal impact for adding the energy analysis component to the H2Oknow Tool. The fee for the utilizing the H2Oknow Tool is currently \$20 per user per year. Home Energy Analytics has agreed to charge \$20 per user, whether the users engages in the water analysis, energy analysis or both.

## **ATTACHMENTS**

1. Summary of CEC Program Progress, by Town – High Energy Homes Program
2. Example – Energy Profile Report
3. Examples – Energy Profile Graphs
4. Report on Energy Savings in Programs Using HEA

**Approved by:** Debbie Pedro, Interim Town Manager

## Summary of CEC Program Progress, by Town

Town	Signups	Progress	AvgMonths	SumSqFt	SumCECs	AvgCostChg	SumWattsChg	SumElecChg	SumGasChg
ATHERTON	28	12 %	42	125,948	-119,644	-1,094	-1,794	-42,499	-6,430
LOS ALTOS HILLS	34	12 %	44	132,051	-125,261	-535	-3,621	-47,491	-6,482
MONTE SERENO	5	3 %	42	21,250	-25,964	-1,041	-437	-13,326	-1,053
PORTOLA VALLEY	34	23 %	44	111,259	-105,547	-489	-1,959	-20,009	-7,132
WOODSIDE	15	8 %	43	53,128	-94,705	-1,027	-2,369	-41,088	-4,467
Totals:	116			443,636	-471,121		-10,180	-164,413	-25,564

Percent of Target Energy Savings: 282.5 %
---

## Description of Columns:

Signups: Number of users registered in each town.

Progress: Percentage of Signups out of maximum allocated to each town.

AvgMonths: Average number of months in program.

SumSqFt: Sum of home size (conditioned square feet) of all participants.

SumCECs: Sum of equivalent CEC dollars saved, calculated by assigning \$1 to each kWh saved and \$10 for each therm.

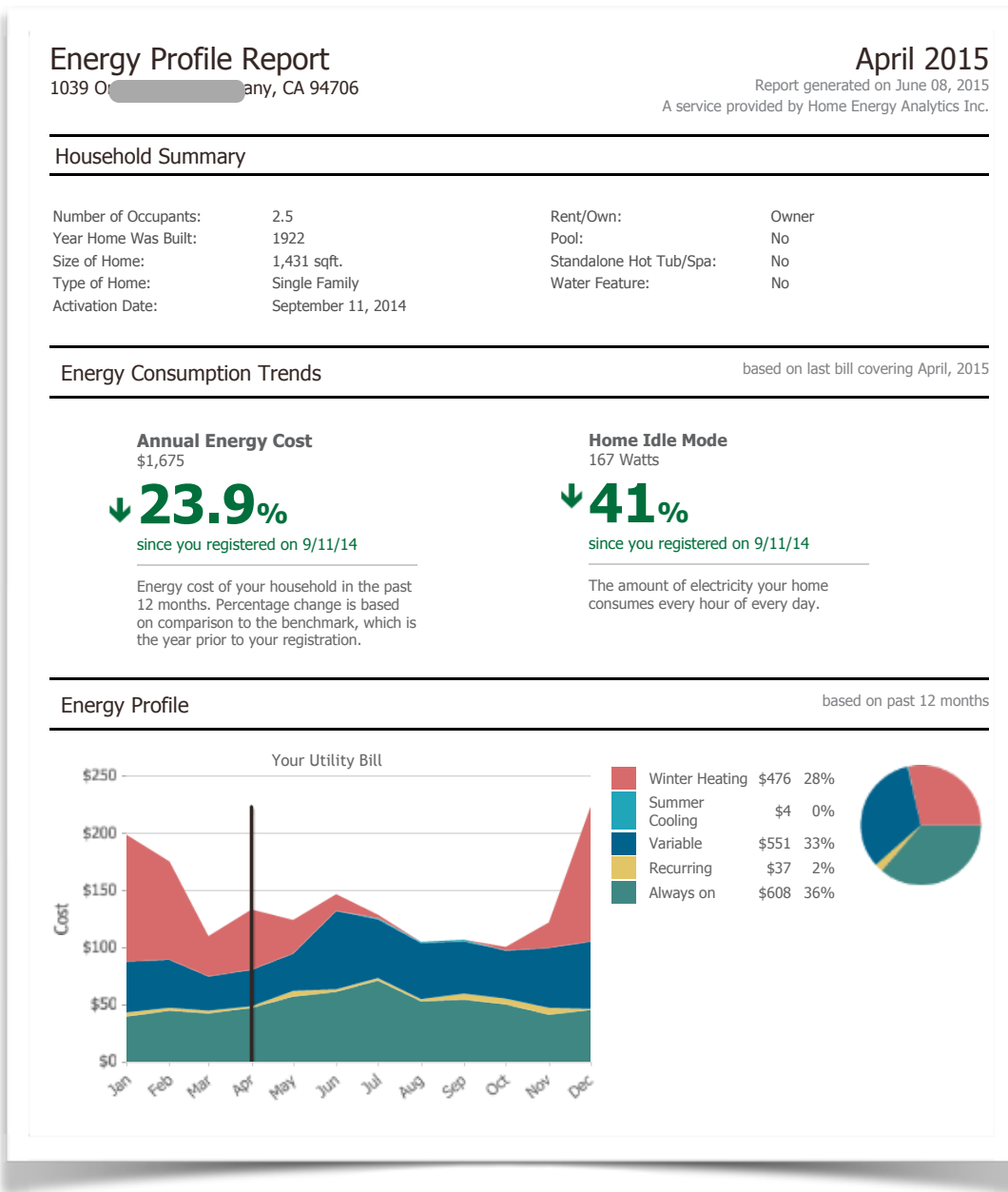
AvgCostChg: Average change to annual Utility bill in US\$.

SumWattsChg: Sum of changes to Base Load (or Demand) in Watts.

SumElecChg: Sum of annual savings to electricity, in kWh/year.

SumGasChg: Sum of annual savings to natural gas, in therms/year.





## Low Cost Energy Efficiency for Everyone

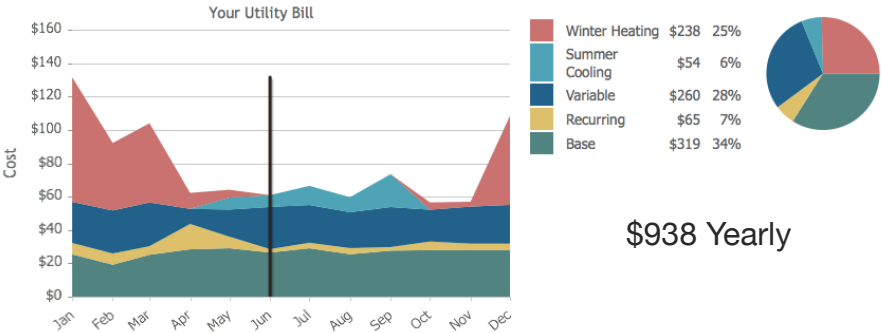
To achieve California's aggressive GHG reduction goals, cost effective energy efficiency must be available to everyone: owners and renters, single and multi-family residences. A remote audit can be used for any residence with a smart meter and show residents where to focus to reduce. Once registered, residents receive a monthly report showing their progress. The energy changes are measured, not deemed, so they're real and accurate.

# Different Homes

# Different Profiles

### Energy Profile

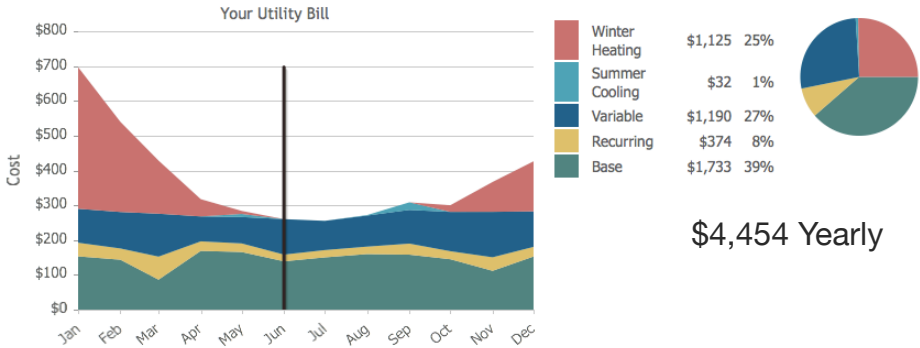
based on past 12 months



An efficient home but 34% of their energy costs go to base loads. A smart strip or unplugging stuff is a very inexpensive way to lower it.

### Energy Profile

based on past 12 months



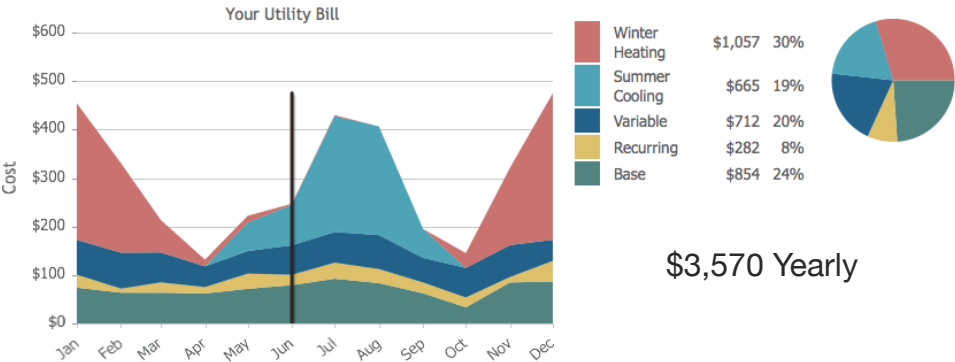
This home has a large yearly energy bill but 75% is spent on base, variable and recurring loads. This household could immediately reduce their energy bills by addressing the base load. They are not a good candidate for a HERSII audit.

Approximately \$1,750, or 49%, of this home's yearly energy bill is going to heating and cooling the home. They would benefit from a HERSII audit both to help with their energy bills and to make their home more comfortable.

This home has a very high energy bill but the HVAC portion is a mere 21%. To help this client reduce their bill you would need to find the other systems that are the real energy hogs. The very high recurring load is most likely due to a pool pump: reducing the runtime and switching to a variable speed pump may be appropriate energy reduction strategies.

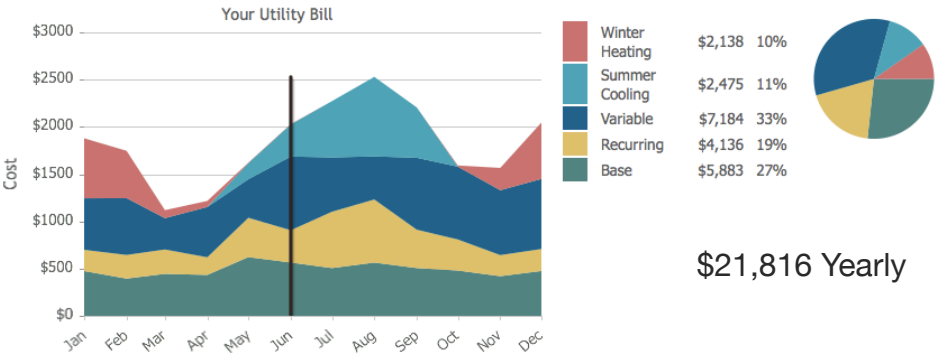
### Energy Profile

based on past 12 months



### Energy Profile

based on past 12 months



# REMOTE ENERGY AUDITS DELIVER ENERGY SAVINGS

HEA uses smart meter data to help residents save energy and money. We've analyzed over 4,000 homes and users save, on average, **12.8%** through simple low- and no-cost actions. Saving energy doesn't have to be expensive or difficult.

Program	Participants	Duration	Average reduction in kWh	Average reduction in therms	Reported by
Energy Upgrade Mountain View	1,239	3 years	5.5%	16.4%	HEA
Energy Upgrade Mountain View (top quartile)	310	3 years	14.5%	32.6%	HEA
Alameda County	500	1 ½ years	11%	19%	BKi and HEA
Silicon Valley Energy Watch	85 low income seniors	1 year	10.2%	12.2%	Green Pro Network & HEA

## The Power of Smart Meter Data

Residential energy consumers have yet to see compelling benefits from smart meters: the valuable data is not being mined for information. HEA has developed sophisticated energy analysis algorithms to turn this data into information so consumers can make smart energy decisions.

Residents need to know where to focus their efforts to make their homes more efficient. Are their energy dollars going to heating and cooling? How much energy are those game consoles and computers wasting when they are turned "off"? Is the pool pump 30% of the yearly energy bill? Prior to smart meters, the only way to answer these questions was expensive: instrument a home and perform time-consuming manual measurements and analysis by hand. Smart meters cut the cost of home analysis by 100X.

HEA is a Silicon Valley startup applying big data algorithmic techniques and interactive web-based smart surveys to disaggregate home energy use. We have analyzed over 4,000 homes since 2011.

#13

There are no written materials for the Update on Drought Emergency

## 2016 Council Liaison Appointments

<i>Type</i>	<i>Organization</i>	<i>Role</i>	<i>When Meets</i>
<b>Maryann Derwin (Mayor)</b>			
Town	<u>Planning Commission (July, Aug, Sept)</u>	Liaison	1 <sup>st</sup> and 3 <sup>rd</sup> Wednesdays at 7:00 pm
Town	<u>Friends of the Library</u>	Liaison	alternate/odd months, last Thursday at 7:15 pm
Town	<u>Water Conservation</u>	Liaison	1 <sup>st</sup> Wednesday at 2:00 pm
Town	<u>Cultural Arts Committee</u>	Alt	2 <sup>nd</sup> Thursday of each month
County	<u>San Mateo Library JPA Governing Board</u>	Liaison	1 <sup>st</sup> Monday at 8:15 am, bimonthly
County	<u>City County Assoc. of Governments C/CAG</u>	Rep	2 <sup>nd</sup> Thursday, 6:30 pm
County	<u>Closing the Jobs / Housing Gap Task Force</u>	Rep	3 <sup>rd</sup> or 4 <sup>th</sup> Thursday, 7:30 am
County	<u>HEART of San Mateo County Governing Board</u>	Rep	4 <sup>th</sup> Wednesday, 3 pm
County	<u>Resource Management and Climate Protection (RMCP) Committee C/CAG</u>	Rep	3 <sup>rd</sup> Wednesday, 2 pm
County	<u>San Mateo County Council of Cities</u>	Rep	4 <sup>th</sup> Friday, 6 pm
County	<u>Water Committee C/CAG</u>	Rep	1 <sup>st</sup> Wednesday, 5:15 pm

### Craig Hughes (Vice Mayor)

Town	<u>ASCC (Jan, Feb, March)</u>	Liaison	2 <sup>nd</sup> and 4 <sup>th</sup> Mondays at 7:00 pm
Town	<u>Planning Commission (Oct, Nov &amp; Dec)</u>	Liaison	1 <sup>st</sup> and 3 <sup>rd</sup> Wednesdays at 7:00 pm
Town	<u>Ad-Hoc Town Center Master Plan Committee</u>	Liaison	as needed
Town	<u>Bicycle, Pedestrian &amp; Traffic Safety Committee</u>	Liaison	1 <sup>st</sup> Wednesday at 8:15 am
Town	<u>Cable &amp; Utilities Undergrounding Committee</u>	Liaison	alternate/odd months, 2 <sup>nd</sup> Thursday at 8:15 am
Town	<u>Open Space Acquisition Advisory Committee</u>	Liaison	as announced
Town	<u>Emergency Preparedness Committee</u>	Alt	2 <sup>nd</sup> Thursday at 8:00 am
Town	<u>Finance Committee</u>	Alt	as announced
Town	<u>Geologic Safety Committee</u>	Alt	as announced
County	<u>FireWise Committee</u>	Alt	3 <sup>rd</sup> Thursday at 4:00 pm
County	<u>MROSD</u>	Liaison	as needed
County	<u>Peninsula Clean Energy</u>	Alt	once a month
Regional	<u>ABAG</u>	Rep	1 annual meeting plus as needed
Regional	<u>Airport Roundtable</u>	Alt	1 <sup>st</sup> Wed., 7 pm
Special	<u>West Bay Sanitary District</u>	Alt	as needed
Other	<u>Stanford University</u>	Alt	as needed

### Jeff Aalfs

Town	<u>ASCC (April, May, June)</u>	Liaison	2 <sup>nd</sup> and 4 <sup>th</sup> Mondays at 7:00 pm
Town	<u>Geologic Safety Committee</u>	Liaison	as announced
Town	<u>Historic Resources Committee</u>	Liaison	as announced
Town	<u>Nature and Science Committee</u>	Liaison	alternate/even months, 2 <sup>nd</sup> Thursday at 5:00 pm
Town	<u>Public Works Committee</u>	Liaison	as announced
Town	<u>Trails and Paths Committee</u>	Liaison	2 <sup>nd</sup> Tuesday at 8:15 am, or as needed
Town	<u>Cable &amp; Utilities Undergrounding Committee</u>	Alt	alternate/odd months, 2 <sup>nd</sup> Thursday at 8:15 am
Town	<u>Conservation Committee</u>	Alt	4 <sup>th</sup> Tuesday at 7:30 pm
Town	<u>Open Space Acquisition Advisory Committee</u>	Alt	as announced
Town	<u>Parks &amp; Recreation Committee</u>	Alt	1 <sup>st</sup> Monday of every month at 7:30 pm
Town	<u>PV School District</u>	Liaison	as needed
Town	<u>Sustainability Committee</u>	Alt	as needed
County	<u>Los Trancos/Vista Verde</u>	Rep	as needed
County	<u>Peninsula Clean Energy</u>	Rep	once a month
County	<u>San Mateo County Council of Cities</u>	Alt	4 <sup>th</sup> Friday, 6 pm
County	<u>SCS/RHNA Policy Advisory Committee</u>	Liaison	as needed
Regional	<u>League of CA Cities</u>	Rep	quarterly, or as announced
Special	<u>West Bay Sanitary District</u>	Rep	as needed

<i>Type</i>	<i>Organization</i>	<i>Role</i>	<i>When Meets</i>
Town	<u>ASCC (July, Aug, Sept)</u>	Liaison	2 <sup>nd</sup> and 4 <sup>th</sup> Mondays at 7:00 pm
Town	<u>Planning Commission (Jan, Feb, March)</u>	Liaison	1 <sup>st</sup> and 3 <sup>rd</sup> Wednesdays at 7:00 pm
Town	<u>Conservation Committee</u>	Liaison	4 <sup>th</sup> Tuesday at 7:30 pm
Town	<u>Cultural Arts Committee</u>	Liaison	2 <sup>nd</sup> Thursday of each month
Town	<u>Emergency Preparedness Committee</u>	Liaison	2 <sup>nd</sup> Thursday at 8:00 am
Town	<u>Historic Resources Committee</u>	Alt	as announced
Town	<u>Nature and Science Committee</u>	Alt	alternate/even months, 2 <sup>nd</sup> Thursday at 5:00 pm
Town	<u>Public Works Committee</u>	Alt	as announced
Town	<u>Trails and Paths Committee</u>	Alt	2 <sup>nd</sup> Tuesday at 8:15 am, or as needed
Town	<u>Friends of the Library</u>	Alt	alt/odd months, last Thursday at 7:15pm
Town	<u>PV School District</u>	Alt	as needed
Town	<u>The Sequoias</u>	Liaison	as needed
County	<u>Emergency Services Council</u>	Liaison	quarterly
County	<u>HEART of San Mateo County Governing Board</u>	Alt	4 <sup>th</sup> Wednesday, 3 pm
County	<u>HEART MAC of San Mateo County</u>	Alt	4 <sup>th</sup> Wednesday, 2 pm (twice annually)
County	<u>San Mateo Library JPA Governing Board</u>	Alt	1 <sup>st</sup> Monday at 8:15 am, bimonthly
Regional	<u>Woodside Fire Protection District</u>	Liaison	as needed

## Ann Wengert

Town	<u>ASCC (Oct, Nov, Dec)</u>	Liaison	2 <sup>nd</sup> and 4 <sup>th</sup> Mondays at 7:00 pm
Town	<u>Planning Commission (April, May, June)</u>	Liaison	1 <sup>st</sup> and 3 <sup>rd</sup> Wednesdays at 7:00 pm
Town	<u>Ad-Hoc Town Center Master Plan Committee</u>	Liaison	as needed
Town	<u>Finance Committee</u>	Liaison	as announced
Town	<u>Parks &amp; Recreation Committee</u>	Liaison	1 <sup>st</sup> Monday of every month at 7:30 pm
Town	<u>Sustainability Committee</u>	Liaison	as needed
Town	<u>Bicycle, Pedestrian &amp; Traffic Safety Committee</u>	Alt	1 <sup>st</sup> Wednesday at 8:15 am
Town	<u>Water Conservation</u>	Alt	1 <sup>st</sup> Wednesday at 2:00 pm
County	<u>City County Assoc. of Governments C/CAG</u>	Alt	2 <sup>nd</sup> Thursday, 6:30 pm
County	<u>Closing the Jobs / Housing Gap Task Force</u>	Alt	3 <sup>rd</sup> or 4 <sup>th</sup> Thursday, 7:30 am
County	<u>FireWise Committee</u>	Rep	3 <sup>rd</sup> Thursday at 4:00 pm
County	<u>HEART MAC of San Mateo County</u>	Rep	4 <sup>th</sup> Wednesday, 2 pm (twice annually)
County	<u>SCS/RHNA Policy Advisory Committee</u>	Alt	as needed
Regional	<u>ABAG</u>	Alt	1 annual meeting plus as needed
Regional	<u>Airport Roundtable</u>	Rep	1 <sup>st</sup> Wed., 7 pm
Regional	<u>League of CA Cities</u>	Alt	quarterly, or as announced
Other	<u>Stanford University</u>	Liaison	as needed
Town	<u>Sustainability Committee</u>	Alt	as needed
County	<u>Los Trancos/Vista Verde</u>	Rep	as needed
County	<u>Peninsula Clean Energy</u>	Rep	once a month
County	<u>San Mateo County Council of Cities</u>	Alt	4 <sup>th</sup> Friday, 6 pm
County	<u>SCS/RHNA Policy Advisory Committee</u>	Liaison	as needed
Regional	<u>League of CA Cities</u>	Rep	quarterly, or as announced
Special	<u>West Bay Sanitary District</u>	Rep	as needed

#15

There are no written materials for Council Liaison Committee and Regional Agencies Reports

## **TOWN COUNCIL WEEKLY DIGEST**

**Friday – January 15, 2016**

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1. Agenda (Action) – Town Council – Wednesday, January 13, 2016
2. Agenda (Cancellation) – Planning Commission – Wednesday, January 20, 2016
3. Town Hall Closure in observance of Martin Luther King Jr. Day – Monday, January 18, 2016
4. Invitation – Council of Cities Dinner Meeting – Friday, January 29, 2016
5. [San Mateo County Mosquito and Vector Control District Report](#) – January 2016
6. [Western City Magazine](#) – January 2016

**Attached Separates (Council Only)**  
*(placed in your town hall mailbox)*

1. None





# TOWN OF PORTOLA VALLEY

7:00 PM – Regular Meeting of the Town Council  
 Wednesday, January 13, 2016  
 Historic Schoolhouse  
 765 Portola Road, Portola Valley, CA 94028

## ACTION AGENDA

### 7:00 PM - CALL TO ORDER AND ROLL CALL

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

### All Present

### 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.

**Laura Fanucchi, Associate Director of HIP Housing presented Council with its 2016 calendar and thanked Council for their support.**

### CONSENT AGENDA

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

1. **Approval of Minutes** – Town Council Meeting of December 9, 2015
2. **Ratification of Warrant List** – December 23, 2015
3. **Approval of Warrant List** – January 13, 2016
4. **Recommendation by Parks & Recreation Committee** – Request Approval of Parks & Recreation Committee Survey

**Councilmember Wengert will work with the committee to enhance the survey. The revised survey will be brought back to the Council at a near future meeting.**

5. **Recommendation by Water Conservation Committee** – Request for Amendment to Committee Charter
6. **Recommendation by Public Works Director** – Request Approval of a Resolution Authorizing a Professional Services Agreement with Nichols Consulting Engineers and Approval of a Letter Agreement for the FY 2015/2016 Street Resurfacing Design Project
  - (a) Resolution of the Town Council of the Town of Portola Valley Authorizing a Professional Services Agreement with Nichols Consulting Engineers and a Letter Agreement for the FY 2015/2016 Street Resurfacing Design (Resolution No. 2679-2016)

**Items #1, 2, 3, 5, & 6 Approved 5-0**

### REGULAR AGENDA

### STAFF REPORTS AND RECOMMENDATIONS

7. **Recommendation by Interim Town Manager** – First Reading of Ordinance Amending Chapter 15.32 of the Portola Valley Municipal Code – Water Efficient Landscape Ordinance
  - (a) First Reading of Title, Waive Further Reading, and Introduce an Ordinance of the Town Council of the Town of Portola Valley Amending Chapter 15.32 [Water Conservation in Landscaping] of the Portola Valley Municipal Code (Ordinance No. \_\_)

**Approved 5-0 Second Reading scheduled for the January 27, 2016 Council meeting**

**8. Recommendation by Interim Town Manager – Approval of Comment Letter on the FAA Initiative**

**Letter Approved 5-0**

**9. Recommendation by Interim Town Manager – Resolution Supporting Congresswoman Eshoo's FAA Reform Legislations**

- (a) A Resolution of the Town Council of the Town of Portola Valley Supporting Congresswoman Eshoo's FAA Reform Package (Resolution No. 2680-2016)

**Resolution Approved as Amended 5-0**

**10. Recommendation by Town Attorney – Resolution Confirming a Ban on the Cultivation of Medical Marijuana Pursuant to the Town's Permissive Zoning Ordinance**

- (a) A Resolution of the Town Council of the Town of Portola Valley Confirming a Ban on the Cultivation of Medical Marijuana Pursuant to the Town's Permissive Zoning Ordinance (Resolution No. 2681-2016)

**Resolution Approved 5-0**

**11. COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS**

**Report by Town Council Members** – Brief announcements or reports on items of significance for the entire Town Council arising out of 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.*

**Councilmember Aalfs –**

**Councilmember's Aalfs and Wengert heard Treasury Secretary Jack Lew speak at the Computer History Museum on January 4, 2016.**

**Councilmember Wengert -**

**Water Conservation meeting (1/6/16) discussed WELO, change meeting date, Earth Day (4/23/16), and Focus for 2016.**

**Councilmember Wengert also attended the January 7<sup>th</sup> SFO Airport - Arrival Subcommittee meeting.**

**Councilmember Richards –**

**Attended the 1/6/16 Planning Commission meeting.**

**Vice Mayor Hughes -**

**Parks & Recreation Committee finalized its survey and discussed the start of sports season and the winter down time for fields. A horse shoe pit will be installed by the tennis courts in the spring. The committee reviewed the current town center master plan.**

**Bicycle, Pedestrian & Traffic Safety Committee -**

**Citations for December were light. The lighted crosswalk is out again. Public Works Director Young will replace with a more reliable crosswalk. Due to the rains, Cal Water's project on Portola Road has been delayed which will delay some of our road projects until spring of 2017. The retaining wall on Alpine Road is holding up nicely.**

**Mayor Derwin -**

**Attended the December Council of Cities dinner meeting in Colma which held elections.**

**WRITTEN COMMUNICATIONS**

**12. Town Council Digest – December 11, 2015**

**13. Town Council Digest – December 18, 2015**

**#17 – Councilmember Aalfs will complete survey**

**14. Town Council Digest – December 23, 2015**

**15. Town Council Digest – January 8, 2016**

**#10 – Public Works Director Young will attend**

**#11 – Vice Mayor Hughes personally replied to survey**

**ADJOURN TO CLOSED SESSION: 8:04 pm**

**16. PUBLIC EMPLOYMENT**

Government Code § 54957  
Town Manager

**REPORT OUT OF CLOSED SESSION: None to Report**

**ADJOURNMENT: 9:10pm**

**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).



# MEMORANDUM

## TOWN OF PORTOLA VALLEY

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**TO:** Planning Commission

**FROM:** CheyAnne Brown, Planning Technician

**DATE:** January 13, 2016

**RE:** Cancelation of Planning Commission Meeting

The regular meeting of the Planning Commission scheduled for Wednesday, January 20, 2016 has been canceled. The next regular meeting of the Planning Commission is scheduled for Wednesday, February 3, 2016 at 7:00 p.m.

cc: Town Manager  
Town Council  
Town Planner  
The Almanac

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This Notice is posted in compliance with Section 54955 of the Government Code of the State of California.

Date: January 13, 2016

CheyAnne Brown  
Planning Technician

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# PORTOLA VALLEY TOWN HALL



## WILL BE CLOSED

MONDAY,  
JANUARY 18, 2016

IN OBSERVANCE OF  
MARTIN LUTHER KING JR.  
DAY

IN CASE OF EMERGENCY: SHERIFF'S OFFICE: 911



## **Dinner/Meeting Announcement Friday, January 29, 2016**

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

### **Location:**

**Sapore Italiano**  
1447 Burlingame Avenue  
Burlingame, CA 94010

Phone Number: (650) 348-3277

### **Schedule:**

5:30 pm Social Time  
6:15 pm Business Meeting  
6:30 pm Dinner  
7:15 pm Program  
8:30 pm Adjourn

Please contact Chair Marie Chuang if you wish to bring up an item for group discussion or give a committee report.  
Telephone: (650) 348-8106 or email: [mchuang@hillsborough.net](mailto:mchuang@hillsborough.net)

## **MENU**

(Entrée selected at dinner)

**Starters: Assorted Plate of Authentic Italian Appetizers**

**Mixed Green Salad with Vinaigrette**

**Chicken Marsala – Chicken Breast with Mushrooms in a Marsala sauce or**

**Grilled Salmon with Lemon and White Wine Sauce or**

**Homemade Ravioli Stuffed with Ricotta Cheese and Spinach**

**Tiramisu and Coffee**

**\$50 per person**

Please rsvp by Monday, January 25, 2016 to Meaghan Hassel-Shearer at [mhasselshearer@burlingame.org](mailto:mhasselshearer@burlingame.org) or 650-558-7203

Please make checks payable to:

City of Burlingame  
Attn: Meaghan Hassel Shearer, City Clerk  
501 Primrose Road, Burlingame, CA 94010



**Business Meeting  
Friday, January 29, 2016  
6:15 p.m.**

- ❖ Call to Order
- ❖ Roll Call and Introduction of Mayors, Council Members and Guests
- ❖ Welcome by Mayor Ann Keighran
- ❖ Approval of Minutes of Previous Meeting and Treasurer's Report
- ❖ Committee Reports
- ❖ Old Business
- ❖ New Business
- ❖ Announcements
  - Next Meeting Date/Location

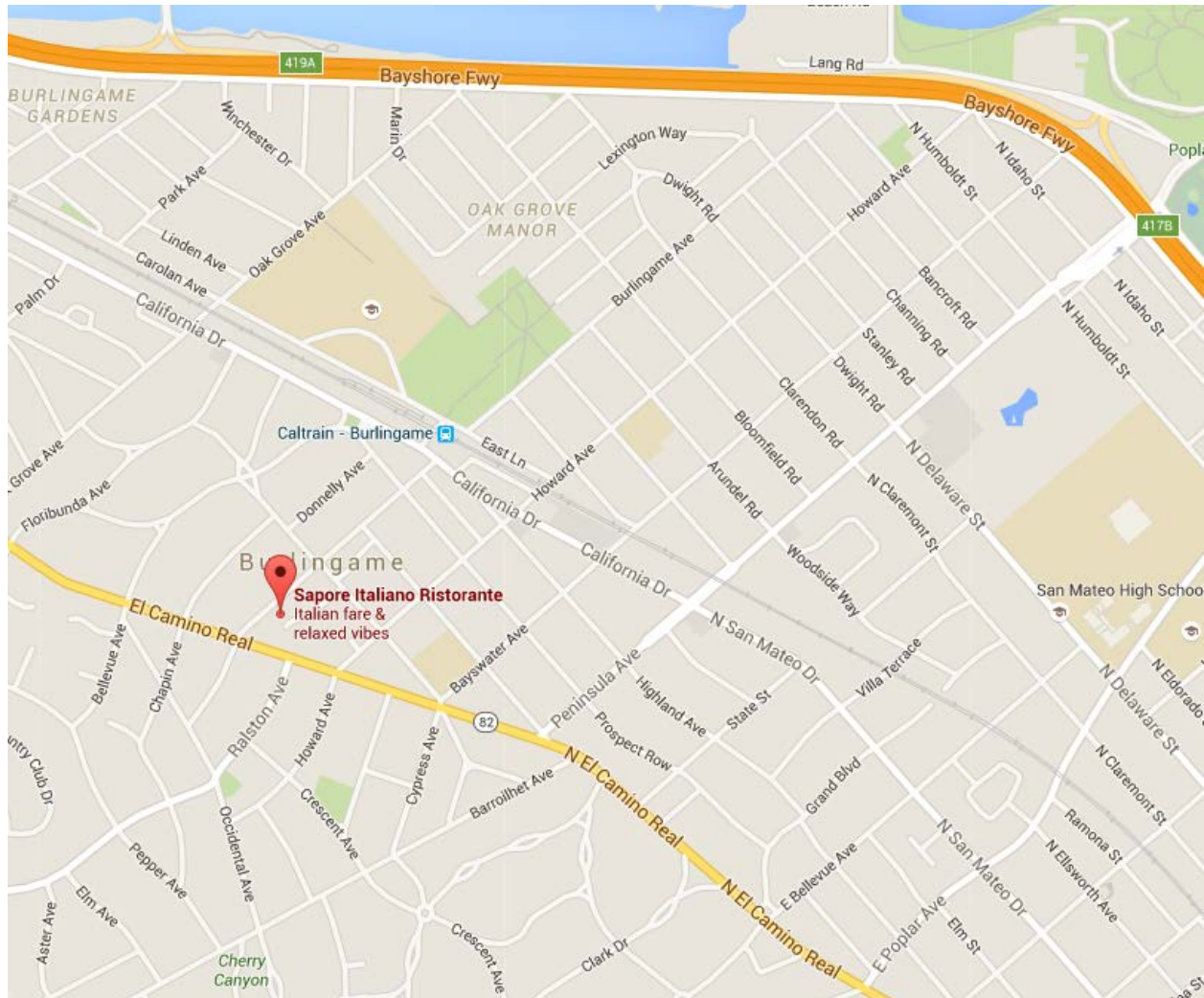
**Program: San Francisco Bay Restoration Authority's Bay Area-Wide \$12 Parcel Tax on the June, 2016 Ballot**

**The San Francisco Bay Restoration Authority, a regional special district that is empowered to raise resources for the restoration of wetlands and wildlife habitat in the San Francisco Bay, is considering placing a Bay Area-Wide \$12 parcel tax on the upcoming June, 2016 ballot. The parcel tax would fund the restoration of thousands of acres of tidal wetlands in order to both improve the Bay's ecosystem and provide critical natural flood protection. Supervisor Dave Pine, who serves as the Chair of the Restoration Authority, will speak about the work of the Restoration Authority and the proposed parcel tax.**

## MAP and DIRECTIONS to:

# Sapore Italiano

1447 Burlingame Avenue  
Burlingame, California 94010



### Directions from (From Either Direction on El Camino Real)

- Turn onto Burlingame Ave towards 101 (restaurant on your right)

### Directions from Northbound 101

- Take exit 417B (Peninsula Ave)
- Turn right onto Airport Blvd
- Take the 1<sup>st</sup> right onto Peninsula Ave
- Turn right onto El Camino Real
- Turn right onto Burlingame Ave

### Directions from Southbound 101

- Take exit 419B for Broadway toward Broadway (Merge onto Broadway)
- Turn left onto El Camino Real
- Turn left onto Burlingame Ave



## **TOWN COUNCIL WEEKLY DIGEST**

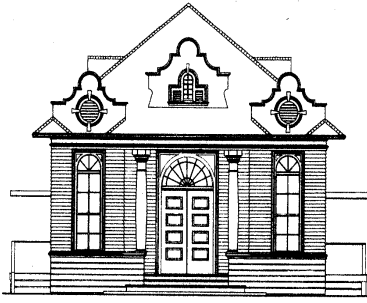
**Friday – January 22, 2016**

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1. Agenda (Cancellation) – ASCC – Monday, January 25, 2016
2. Agenda – Conservation Committee – Tuesday, January 26, 2016
3. Peninsula Humane Society & SPCA – Shelter Services Report for December 2015
4. Invitation to attend the League of California Cities Peninsula Division Quarterly Dinner Meeting – Thursday, January 28, 2016
5. Invitation to Meals on Wheels / March for Meals 2016 – Wednesday, March 23, 2016

**Attached Separates (Council Only)**  
*(placed in your town hall mailbox)*

1. Magazine – The Voice – 4<sup>th</sup> Quarter 2015



**TOWN OF PORTOLA VALLEY**  
**ARCHITECTURAL AND SITE CONTROL COMMISSION (ASCC)**  
**Monday, January 25, 2016**  
**7:00 PM – Regular ASCC Meeting**  
**Historic Schoolhouse**  
**765 Portola Road, Portola Valley, CA 94028**

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## **NOTICE OF MEETING CANCELATION**

### **ARCHITECTURAL SITE AND CONTROL COMMISSION MEETING REGULARLY SCHEDULED FOR Monday, January 25, 2016**

Notice is hereby given that the Town of Portola Valley Architectural Site and Control Commission meeting regularly scheduled for Monday, January 25, 2016, has been canceled.

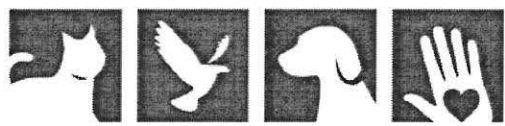
The next regular meeting of the Architectural Site and Control Commission is scheduled for Monday, February 8, 2016 at 7:00 PM, in the Historic Schoolhouse, located at 765 Portola Road, Portola Valley, CA.



**TOWN OF PORTOLA VALLEY**  
**Conservation Committee Meeting**  
**Tuesday, January 26, 2016 – 7:30 PM**  
**Historic Schoolhouse**  
**765 Portola Road, Portola Valley, CA**

**AGENDA**

1. Call Meeting to Order
2. Oral Communications
3. Approval of October 27, 2015 and November 17, 2015 minutes
4. Presentation & Discussion – Town Center Master Plan
5. Current Site Permits:
  - a) 1260 Westridge – A, B and C - Plunder
  - b) 30 Zapata - DeStaebler
6. Old Business
  - A. Broom Pull Sunday – 3/6/2016
  - B. Tip of the month – Eastman
  - C. Monthly Kudos - Murphy
  - D. Local Native seed collection - Plunder
  - E. BYH - DeStaebler
  - F. PV Ranch
    - a) Revised planting list – corrections sent?
    - b) Broom on Alpine Hillside - Consultation
  - G. Ban on Poison bait - DeStaebler
  - H. Monarch waystations - JM
  - I. Guide to Town Center Plantings - Chiariello
  - J. Our website – Plunder
  - K. Weed Seedling Info sheet – Heiple
  - L. Committee/Town cooperation
    - a) Trails
    - b) Cultural Arts – Library Project
    - c) Public Works
    - d) 25 year planning task force - Jean
7. New Business
  - a) Election of Chair, Vice-Chair
  - b) Sponsor Sempervirons event?
  - c) Low Water use Garden Tour – co-sponsor
  - d) Annual Report to Town Council
  - e) Goals 2016
8. Action Plan
9. Announcements – Next meeting February 23, 2016 7:30 pm
10. Adjournment



Peninsula Humane Society & SPCA

12 Airport Blvd  
San Mateo, CA 94401  
650/340.7022

## Shelter Services Report

Jurisdiction: PORTOLA VALLEY for the period of 12/1/2015 to 12/31/2015.

Dogs	0	0.00%	The numbers to the left are the number of animals outcomed for this jurisdiction.
Cats	2	0.73%	
Other	0	0.00%	
Wildlife	5	1.29%	The percentages to the left are percentages of the total number of animals outcomed from all jurisdictions combined.
<b>Total</b>	<b>7</b>	<b>0.69%</b>	

	Dogs		Cats		Other		Wildlife		Total	
Stray	0	0.00%	2	100.00%	0	0.00%	5	100.00%	7	100.00%
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%	0	0.00%	0	0.00%

Adopted	0	0.00%	2	100.00%	0	0.00%	0	0.00%	2	66.67%
RTO - Release - Transfer	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
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%	1	100.00%	1	33.33%

DOA - Died	0	0.00%	0	0.00%	0	0.00%	4	100.00%	4	100.00%
Owner Requested Euthanasia	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



Peninsula Humane Society & SPCA

12 Airport Blvd  
San Mateo, CA 94401  
650/340.7022

## Field Services Report

Jurisdiction: PORTOLA VALLEY for the period of 12/1/2015 to 12/31/2015.

The percentages listed show the percentage of PHS's work in PORTOLA VALLEY that call type represents.

Total Activities for jurisdiction PORTOLA VALLEY	12	
Quarantines of Dogs/Cats/Other Domestic Animals	50.00%	6
Dead Animal Calls	33.33%	4
Sick/Injured Animal Calls	16.67%	2
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 at Police Department	0.00%	0
Confined Dogs/Cats/Other Domestic Animals	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
Stray Animal Calls	0.00%	0
Traffic Hazard Animal Calls	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.



Peninsula Humane Society & SPCA

12 Airport Blvd  
San Mateo, CA 94401  
650/340.7022

## Shelter Services Report

Jurisdiction: ALL JURISDICTIONS for the period of 12/1/2015 to 12/31/2015.

Dogs	295	100.00%	The numbers to the left are the number of animals outcomed for this jurisdiction.
Cats	273	100.00%	
Other	61	100.00%	The percentages to the left are percentages of the total number of animals outcomed from all jurisdictions combined.
Wildlife	388	100.00%	
<b>Total</b>	<b>1,017</b>	<b>100.00%</b>	

	Dogs		Cats		Other		Wildlife		Total	
Stray	184	62.37%	196	71.79%	27	44.26%	359	92.53%	766	75.32%
Owned	110	37.29%	77	28.21%	31	50.82%	0	0.00%	218	21.44%
Other Agency	1	0.34%	0	0.00%	3	4.92%	29	7.47%	33	3.24%

Adopted	121	51.93%	150	81.52%	43	84.31%	0	0.00%	314	50.08%
RTO - Release - Transfer	85	36.48%	11	5.98%	3	5.88%	44	27.67%	143	22.81%
Euth: Healthy	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Euth: Treatable	2	0.86%	3	1.63%	0	0.00%	0	0.00%	5	0.80%
Euth: Untreatable	25	10.73%	20	10.87%	5	9.80%	115	72.33%	165	26.32%

DOA - Died	20	32.26%	66	74.16%	5	50.00%	229	100.00%	320	82.05%
Owner Requested Euthanasia	42	67.74%	23	25.84%	5	50.00%	0	0.00%	70	17.95%



Peninsula Humane Society & SPCA

12 Airport Blvd  
San Mateo, CA 94401  
650/340.7022

## Field Services Report

Jurisdiction: ALL JURISDICTIONS for the period of 12/1/2015 to 12/31/2015.

The percentages listed show the percentage of PHS's work in ALL JURISDICTIONS that call type represents.

Total Activities for jurisdiction ALL JURISDICTIONS	1,048	
Sick/Injured Animal Calls	18.89%	198
Dead Animal Calls	18.42%	193
Quarantines of Dogs/Cats/Other Domestic Animals	18.13%	190
Stray Animal Calls	14.60%	153
Misc. Service (e.g. Health Dept Rabies Testing/Fuel)	8.02%	84
Confined Dogs/Cats/Other Domestic Animals	5.73%	60
Aggressive Animal Complaint	3.72%	39
Property Inspections	2.39%	25
Municipal Code Complaint	1.91%	20
Confined at Police Department	1.62%	17
Aggressive Animal Calls	1.34%	14
Protective Custody	1.24%	13
Animal Rescue Calls (e.g. Large Animals/Drain/Fireplace/Etc.)	0.95%	10
Field Euthanasias	0.95%	10
Assist Public	0.67%	7
Assist Police/Fire	0.57%	6
Field Returns of Domestic Animals	0.48%	5
Transport Animal/Trap/Other	0.29%	3
Owner Surrender Calls of Live/Dead Animals	0.10%	1
Traffic Hazard Animal Calls	0.00%	0

\* 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 12/1/15 through 12/31/15

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	\$1,173.00	32 \$512.00	7 \$336.00	2 \$10.00	0 \$0.00	0 \$0.00	41 \$858.00	1 \$8.00	8 \$160.00	2 \$10.00	5 \$137.00
BELMONT	\$3,253.50	91 \$1,559.00	14 \$618.00	41 \$245.00	4 \$97.50	0 \$0.00	150 \$2,519.50	0 \$0.00	25 \$344.00	1 \$4.00	26 \$386.00
BRISBANE	\$694.00	15 \$329.00	5 \$223.00	5 \$30.00	0 \$0.00	0 \$0.00	25 \$582.00	0 \$0.00	3 \$47.00	1 \$11.00	5 \$54.00
BURLINGAME	\$3,168.25	106 \$1,868.00	10 \$517.00	8 \$54.00	1 \$11.25	0 \$0.00	125 \$2,450.25	0 \$0.00	14 \$280.00	1 \$22.00	19 \$416.00
COLMA	\$100.00	3 \$60.00	0 \$0.00	0 \$0.00	0 \$0.00	0 \$0.00	3 \$60.00	0 \$0.00	1 \$20.00	0 \$0.00	1 \$20.00
COUNTY	\$5,974.00	168 \$3,079.00	31 \$1,289.00	63 \$345.00	10 \$158.00	0 \$0.00	272 \$4,871.00	1 \$8.00	47 \$641.00	10 \$32.00	34 \$422.00
DALY CITY	\$5,548.00	162 \$3,140.00	19 \$1,076.00	1 \$15.00	0 \$0.00	1 \$0.00	183 \$4,231.00	0 \$0.00	34 \$680.00	6 \$37.00	24 \$600.00
EAST PALO ALTO	\$844.00	25 \$618.00	2 \$78.00	0 \$0.00	0 \$0.00	0 \$0.00	27 \$696.00	0 \$0.00	4 \$80.00	0 \$0.00	4 \$68.00
FOSTER CITY	\$3,187.00	88 \$1,506.00	24 \$1,027.00	10 \$56.00	3 \$35.00	0 \$0.00	125 \$2,624.00	0 \$0.00	11 \$220.00	0 \$0.00	19 \$343.00
HALF MOON BAY	\$2,844.00	70 \$1,305.00	17 \$672.00	13 \$57.00	0 \$0.00	0 \$0.00	100 \$2,034.00	0 \$0.00	20 \$400.00	2 \$103.00	17 \$307.00
HILLSBOROUGH	\$2,661.00	72 \$1,167.00	13 \$753.00	10 \$36.00	0 \$0.00	1 \$0.00	96 \$1,956.00	0 \$0.00	15 \$287.00	6 \$75.00	22 \$343.00
MENLO PARK	\$1,919.00	69 \$1,122.00	8 \$321.00	0 \$0.00	0 \$0.00	2 \$0.00	79 \$1,443.00	0 \$0.00	11 \$220.00	2 \$16.00	12 \$240.00
MILLBRAE	\$2,317.25	59 \$1,042.00	16 \$563.00	15 \$85.00	2 \$28.75	0 \$0.00	92 \$1,718.75	0 \$0.00	17 \$314.00	3 \$29.00	17 \$255.50
OTHER	\$55.00	0 \$0.00	1 \$55.00	0 \$0.00	0 \$0.00	0 \$0.00	1 \$55.00	0 \$0.00	0 \$0.00	0 \$0.00	0 \$0.00
PACIFICA	\$5,760.00	169 \$3,167.00	30 \$1,218.00	9 \$54.00	6 \$80.00	1 \$0.00	215 \$4,519.00	2 \$16.00	38 \$747.00	4 \$18.00	25 \$460.00
PORTOLA VALLEY	\$1,143.50	29 \$527.00	5 \$310.00	3 \$21.00	1 \$17.50	1 \$0.00	39 \$875.50	0 \$0.00	6 \$94.00	1 \$6.00	9 \$168.00



# Breakdown Report – San Mateo Co, CA

Activity from 12/1/15 through 12/31/15

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	\$9,914.50	295	42	73	7	1	418	2	66	8	52
		\$5,354.00	\$1,875.00	\$396.00	\$127.50	\$0.00	\$7,752.50	\$13.00	\$1,008.00	\$49.00	\$1,092.00
SAN BRUNO	\$4,510.00	134	23	7	0	0	164	0	18	3	20
		\$2,714.00	\$961.00	\$57.00	\$0.00	\$0.00	\$3,732.00	\$0.00	\$360.00	\$12.00	\$406.00
SAN CARLOS	\$4,016.00	143	15	17	2	0	177	2	21	3	21
		\$2,352.00	\$641.00	\$93.00	\$35.00	\$0.00	\$3,121.00	\$16.00	\$420.00	\$50.00	\$409.00
SAN MATEO	\$12,094.25	353	46	131	9	2	541	3	97	10	60
		\$6,617.00	\$1,963.00	\$737.00	\$126.25	\$0.00	\$9,443.25	\$24.00	\$1,576.00	\$56.00	\$995.00
SOUTH SAN FRAN	\$5,089.50	161	27	6	0	0	194	1	26	2	20
		\$2,881.00	\$1,202.00	\$38.00	\$0.00	\$0.00	\$4,121.00	\$8.00	\$507.00	\$35.00	\$418.50
WOODSIDE	\$862.00	26	4	5	0	0	35	1	4	3	9
		\$402.00	\$156.00	\$21.00	\$0.00	\$0.00	\$579.00	\$8.00	\$80.00	\$18.00	\$177.00
<b>TOTAL REGISTRATIONS</b>		2,270	359	419	45	9	3,102	13	486	68	421
		\$41,321.00	\$15,854.00	\$2,350.00	\$716.75	\$0.00	\$60,241.75	\$101.00	\$8,485.00	\$583.00	\$7,717.00
<b>TOTAL REVENUE</b>										<b>\$77,127.75</b>	

**From:** Seth Miller [mailto:smiller@cacities.org]

Page 148 #4

**Sent:** Thursday, January 21, 2016 3:20 PM

**To:** Seth Miller <smiller@cacities.org>; 'Michelle Wilson' <Michelle.Wilson@morganhill.ca.gov>

**Subject:** Invitation to Peninsula Quarterly Dinner Invitation on 1/28/2016

## **Invitation Letter from the President of the League's Peninsula Division, Liz Kniss:**

A warm welcome to all members of the Peninsula Division League of California Cities! As this year's Division President, it is with great pleasure that I welcome you to join us as we continue to work on the critical issues facing our communities on the Peninsula including housing, transportation and public health.

I have lived in Palo Alto since 1968 and was first elected to public office in 1986. Since that time, I have served as Mayor, Councilmember and represented my community at the regional, state and national level on various policy committees and boards. There are the many wonderful characteristics of the Peninsula region, however one ongoing challenge is the fact that there is limited land available to meet the housing needs of our seniors, low income residents, teachers and public servants remains. It is my hope that through the League we can cooperatively work together to address these concerns.

Please join us for our first Quarterly Meeting on 1/28/2016 at Don Giovanni's in Mountain View on January 28th from 6pm - 9pm. See **Peninsula Quarterly Meeting Dinner Invitation 1/28/2016** attached and please send RSVPs to [Michelle.Wilson@morganhill.ca.gov](mailto:Michelle.Wilson@morganhill.ca.gov). Checks for dinner will also be collected at the restaurant. I am all too aware of the challenges of getting around the Peninsula around rush hour and we plan to discuss alternative times/dates for Quarterly Meetings on the 28th so please join us! Bios for our two guest speakers are below.

Shamus Roller, Housing CA <http://www.housingca.org/#!our-staff/cj46>  
Vu-Bang Nguyen, Silicon Valley Peninsula Community Foundation  
<http://www.siliconvalleycf.org/vu-bang-nguyen>

Also, mark your calendar for this year's annual Bocce Tournament on April 21<sup>st</sup>.

The Governor's 2016-17 budget holds promise for dedicating resources to housing the mentally ill and maintaining much needed improvements to local streets and roads. This is a good time to be involved with the League and I welcome you to participate in the full range of planned activities. See **2016 Peninsula Division Calendar** attached. We plan on holding candidate forums for open Assembly seats and engaging in local advocacy to advance the League's 2016 Strategic Goals, which are:

1. Increase Funding for Critical Transportation and Water Infrastructure
2. Improve Housing Affordability
3. Update the Local Government Tax Structure to Respond to the New Economy and Stimulate Economic Growth

This week the League is hosting the annual New Mayors and Council Members Academy in Sacramento along with policy committee meetings and I look forward to

meeting many of your in person in Sacramento. I look forward to working with you for a productive year with the League. Page 17

--Liz





**PENINSULA DIVISION  
MEMBER CITIES**

ATHERTON  
BELMONT  
BRISBANE  
BURLINGAME  
CAMPBELL  
COLMA  
CUPERTINO  
DALY CITY  
EAST PALO ALTO  
FOSTER CITY  
GILROY  
HALF MOON BAY  
HILLSBOROUGH  
LOS ALTOS  
LOS ALTOS HILLS  
LOS GATOS  
MENLO PARK  
MILLBRAE  
MILPITAS  
MONTE SERENO  
MORGAN HILL  
MOUNTAIN VIEW  
PACIFICA  
PALO ALTO  
PORTOLA VALLEY  
REDWOOD CITY  
SAN BRUNO  
SAN CARLOS  
SAN FRANCISCO  
SAN JOSE  
SAN MATEO  
SANTA CLARA  
SARATOGA  
SOUTH SAN FRANCISCO  
SUNNYVALE  
WOODSIDE

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**PRESIDENT**  
LIZ KNISS  
COUNCILMEMBER  
CITY OF PALO ALTO

**VICE PRESIDENT**  
ALICIA AGUIRRE  
COUNCILMEMBER  
REDWOOD CITY

**SECRETARY/TREASURER**  
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COUNCILMEMBER  
CITY OF MORGAN HILL

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COUNCILMEMBER  
CITY OF MENLO PARK

**AT LARGE REPRESENTATIVES**  
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COUNCILMEMBER  
SUNNYVALE

LARRY MOODY  
COUNCILMEMBER  
EAST PALO ALTO

**STAFF LIAISON**  
SETH MILLER  
REGIONAL MANAGER  
EMAIL: [SMILLER@CACITIES](mailto:SMILLER@CACITIES)

## **League of California Cities Peninsula Division Quarterly Dinner Meeting**

The Peninsula Division of the League of California Cities cordially invites you to join us at our Division dinner meeting for a presentation and discussion on the critical role that state policy and philanthropy play in supporting the production of affordable housing by

**Shamus Roller, Executive Director  
Housing California**

and

**Vu-Bang Nguyen, Program Office  
Silicon Valley Community Foundation**

**Thursday, January 28, 2016  
6:00-9:00 PM**

**Don Giovanni's  
Mountain View, CA 94063  
(650) 961-9749**

**AGENDA**

**6:00 PM Social Mixer**

**6:45 PM Dinner - followed by Business Meeting and Program**

- ❖ Welcome and Introductions, Liz Kniss, President, Councilmember, Palo Alto
- ❖ Treasurer's Report, Marilyn Librers, Treasurer, Councilmember, Morgan Hill
- ❖ Board Report, Kirsten Keith, Director, Councilmember, Menlo Park
- ❖ League Policy Committee, Alicia Aguirre, Vice Chair, Councilmember Redwood City
- ❖ LCC Report, Seth Miller, Regional Public Affairs Mgr.

**7:30 PM Guest Speakers and Discussion on Building Affordable Housing**

- ❖ Shamus Roller, Housing California
- ❖ Vu-Bang Nguyen, Silicon Valley Community Foundation

**9:00 Adjourn**



**PENINSULA DIVISION  
MEMBER CITIES**

- ATHERTON
- BELMONT
- BRISBANE
- BURLINGAME
- CAMPBELL
- COLMA
- CUPERTINO
- DALY CITY
- EAST PALO ALTO
- FOSTER CITY
- GILROY
- HALF MOON BAY
- HILLSBOROUGH
- LOS ALTOS
- LOS ALTOS HILLS
- LOS GATOS
- MENLO PARK
- MILLBRAE
- MILPITAS
- MONTE SERENO
- MORGAN HILL
- MOUNTAIN VIEW
- PACIFICA
- PALO ALTO
- PORTOLA VALLEY
- REDWOOD CITY
- SAN BRUNO
- SAN CARLOS
- SAN FRANCISCO
- SAN JOSE
- SAN MATEO
- SANTA CLARA
- SARATOGA
- SOUTH SAN FRANCISCO
- SUNNYVALE
- WOODSIDE

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COUNCILMEMBER  
EAST PALO ALTO

**STAFF LIAISON**  
SETH MILLER  
REGIONAL MANAGER  
EMAIL: [SMILLER@CACITIES](mailto:SMILLER@CACITIES)

**Thursday January 28, 2016  
6:00-9:00 PM**

**Reservation deadline:  
Tuesday, January 26, 2016**

**RSVP Form  
\$40 - Reservations required!**

**Checks and RSVPs may be sent to:**

Michelle Wilson, City Clerk's Office, City of Morgan Hill  
17575 Peak Avenue  
Morgan Hill, CA 95037

Phone: 408.310.4678  
RSVP forms can be emailed to: [michelle.wilson@morganhill.ca.gov](mailto:michelle.wilson@morganhill.ca.gov)

**Reservations are guaranteed - Cancellations or changes made after Friday, January 26th will be assessed in full (including 'no shows' without cancellation).**  
Make checks payable to 'LCC Peninsula Division'.

*\*\*Brown Act Reminder: The League of California Cities Board of Directors has a policy of complying with the spirit of open meeting laws. A majority of a city council may not, according to the Brown Act, discuss specific substantive issues among themselves at League meetings. Any such discussion is subject to the Brown Act and must occur in a meeting, which complies with its requirements.*

**Reservation(s) for:**

Name	Title

\_\_\_\_\_  
City/Agency

\_\_\_\_\_  
Email: Phone: Fax:

**Peninsula DIVISION****2016 MEETINGS, CONFERENCES & EVENTS**

January 20-22	New Mayors and Council Members Academy, Sacramento
January 21-22	Policy Committee Meetings, Sacramento
January 28	Division Meeting #1 – Don Giovanni’s, Mountain View Topic: Affordable Housing and Kick-Off Dinner
February 3-5	City Managers Department Meeting, Indian Wells
March 24	Division Meeting #2 – Michael’s at Shoreline (Mountain View) Topic: Candidate Forum with Candidates from the 24 <sup>th</sup> Assembly District
April 7-8	Policy Committee Meetings, San Diego
April 27	Legislative Action Day, Sacramento
April 21	CitiPAC Fundraiser, Campo di Bocce, Los Gatos
May 26	Division Meeting #3 – location to be determined Topic: to be determined
June 2-3	Policy Committee Meetings, Sacramento
June 22-24	Mayors and Council Members Exec Forum, Monterey (Peninsula Division Event, timing TBD)
September 8	Division Meeting #4 – location to be determined Topic: Ballot Initiatives Overview or Voter Sentiment
October 5-7	Annual Conference, Long Beach (Peninsula Division Elections Breakfast location TBD)
November 8	Election Day!
November 9-11	League Leaders, Newport Beach
December 8	Division Meeting 5 – Post-Election Holiday Soiree (Location TBD)

\*Peninsula Division General Membership Meetings are generally held on Thursdays beginning at 6:00 p.m. with Meet & Greet No Host Cocktails; General Membership meeting at 6:45p.m., followed by dinner and speakers. Please note that topics and meeting locations are subject to change. Fee of \$40 per person. RSVP required.

**Sharon Hanlon**

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**Subject:**

**From:** Tina Rees [mailto:trees@peninsulavolunteers.org]

**Sent:** Wednesday, January 20, 2016 12:30 PM

**To:** Craig Hughes; Jeff Aalfs; MaryannMoise; JohnRichards; AnnWengert; Debbie Pedro; Sharon Hanlon

**Cc:** pwilkinson100; gerdipv; Marilyn Baker-Venturini

**Subject:** PVI Meals On Wheels March for Meals 2016

**SAVE THE DATE**

**MARCH FOR MEALS  
COMMUNITY CHAMPIONS DAY**

**WEDNESDAY • MARCH 23<sup>RD</sup> 2016  
8:00AM - 11:00AM**

Peninsula Volunteers Inc. Meals on Wheels, a member of Meals on Wheels America, will be participating in the National March for Meals on Wednesday, March 23<sup>rd</sup> 2016.

Mayors and Community Champions across the country are delivering meals to show their support of the **Meals on Wheels** programs in their cities and towns. We look forward to your participation in delivering meals to a constituent in your city.

**More information to follow.**



**Peninsula  
Volunteers, Inc.**



**Meals-Wheels**  
NUTRITION SERVICES



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