

From: webmaster@portolavalley.net
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 4:57:16 PM

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

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 4:57 PM
Response #: 230
Submitter ID: 7000
IP address: [REDACTED]
Time to complete: 2 min. , 57 sec.

Survey Details

Page 1

1. First and Last Name

Nancy Freire

2. Email address (will not be publicly displayed)

[REDACTED]

3. Organization (Enter name of organization, business, or non profit if you are submitting comments on their behalf.)

Not answered

4. Street address (will not be publicly displayed)

[REDACTED]

5. City

Portola Valley

6. State

CA

7. Zip Code

94028

8. Date of Meeting you are submitting comment for.

05/10/2023

9. Agenda Item number or name

Housing Element Adoption

10. Comment

I strongly urge the town council to adopt the housing element as soon as possible. Waiting to be sued or worse is not worth it. I have faith that our town elected officials together with staff can determine the right balance of housing in our community.

11. Optional: You can upload a copy of your comments.

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 1:06:49 PM

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

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 1:06 PM
Response #: 229
Submitter ID: 6999
IP address: [REDACTED]
Time to complete: 9 min. , 11 sec.

Survey Details

Page 1

1. First and Last Name

Susan Adams

2. Email address (will not be publicly displayed)

[REDACTED]

3. Organization (Enter name of organization, business, or non profit if you are submitting comments on their behalf.)

Not answered

4. Street address (will not be publicly displayed)

[REDACTED]

5. City

Portola Valley

6. State

CA

7. Zip Code

94028

8. Date of Meeting you are submitting comment for.

05/10/2023

9. Agenda Item number or name

Housing Element

10. Comment

I urge the Town Council to approve the Housing Element as it stands and submit it to the state for approval. To paraphrase P.T. Barnum or Abraham Lincoln (take your pick!), you can please some of the people all of the time and all of the people some of the time, but you cannot please all of the people all of the time. The Ad Hoc committee, the Planning Commission, and the Town Council went to extraordinary lengths to develop a plan that, while not pleasing all of the people all of the time, represents a reasonable compromise in the midst of daunting obstacles. Let's move forward!

11. Optional: You can upload a copy of your comments.

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 12:04:55 PM

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

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 12:04 PM
Response #: 227
Submitter ID: 6997
IP address: [REDACTED]
Time to complete: 5 min. , 51 sec.

Survey Details

Page 1

1. First and Last Name

Mark Fletcher

2. Email address (will not be publicly displayed)

[REDACTED]

3. Organization (Enter name of organization, business, or non profit if you are submitting comments on their behalf.)

Not answered

4. Street address (will not be publicly displayed)

[REDACTED]

5. City

Portola Valley

6. State

CA

7. Zip Code

94028

8. Date of Meeting you are submitting comment for.

05/10/2023

9. Agenda Item number or name

Housing Element Vote

10. Comment

To the members of the council,

I urge you to pass the housing element. I have been following the debate for over a year now, and it is well past time to pass it. I do not want the town to risk having the state come in and mandate development. I do not want our town mired in budget sapping lawsuits. Please, pass the housing element now.

Mark Fletcher

11. Optional: You can upload a copy of your comments.

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Wednesday, May 3, 2023 4:47:58 PM

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

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/03/2023 4:47 PM
Response #: 224
Submitter ID: 6994
IP address: [REDACTED]
Time to complete: 6 min. , 51 sec.

Survey Details

Page 1

1. First and Last Name

Lorrie Duval

2. Email address (will not be publicly displayed)

[REDACTED]

3. Organization (Enter name of organization, business, or non profit if you are submitting comments on their behalf.)

Not answered

4. Street address (will not be publicly displayed)

[REDACTED]

5. City

Portola Valley

6. State

CA

7. Zip Code

94028

8. Date of Meeting you are submitting comment for.

05/10/2023

9. Agenda Item number or name

Housing Element Approval

10. Comment

Dear Council Members:

I am stunned and deeply concerned that after 18 months of hard work prior to December, 2022, and now another three months in 2023, our Town has not submitted an HCD-compliant Housing Element plan to the State. We risk losing the two things we all hold most dear: our rural character and our autonomy as a self-governing municipality. Please submit the current plan to the state.

Further, with the departures of Town Manager Dennis, Assistant Town Manager Gaines, and Town Clerk Thurman during the first three months of 2023, and the resignation of our Town Attorney in April, our already tiny staff is further challenged to carry out even the most basic functions. Recruiting – and retaining – experienced professionals to fill these key roles is increasingly challenging as our Town’s progress toward submitting a compliant Housing Element stalls. Remaining staff, now in part saddled with some of the work of their departed colleagues and with briefing interim staff, while also working to meet the ongoing demands of our as-yet unfilled Housing Element on top of their regular duties of their roles, is stretched very thin indeed. I fear the departure of more key staff members as a result. I implore you to improve staff conditions.

Please approval the Housing Element and send it to State HCD. Thank you.

11. Optional: You can upload a copy of your comments.

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 12:36:21 PM

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

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 12:36 PM
Response #: 228
Submitter ID: 6998
IP address: 2 [REDACTED]
Time to complete: 15 min. , 44 sec.

Survey Details

Page 1

1. First and Last Name

Jerry Selvitella

2. Email address (will not be publicly displayed)

[REDACTED]

3. Organization (Enter name of organization, business, or non profit if you are submitting comments on their behalf.)

Not answered

4. Street address (will not be publicly displayed)

[REDACTED]

5. City

Portola Valley

6. State

CA

7. Zip Code

94028

8. Date of Meeting you are submitting comment for.

05/10/2023

9. Agenda Item number or name

Housing Element

10. Comment

Dear Council Members.

Thank you for your service to the town of Portola Valley. You have a complicated and difficult job that must take a tremendous amount of your time and energy. You deserve our gratitude and respect.

I believe we have reached the end of the line for approving the Housing Element as required by the state of California. A plan was due on January 31st and you decided you were not ready to vote on approval of the plan developed by the previous Council and Staff.

We have had over 18 months of public debate over this issue and it is clear that not everyone will be pleased with any proposal. If each member of the Council votes to please some portion of the community they will alienate another portion of the community.

But you still must vote and vote now to approve a plan for submission. It's what you were elected to do.

Please get the job done at the May 10th meeting so we can move on to the other critical issues facing Portola Valley. I and many others are losing faith that the Council can act as an effective governing body.

Respectfully,
Jerry Shefren

11. Optional: You can upload a copy of your comments.

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 9:26:14 AM

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

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 9:26 AM
Response #: 225
Submitter ID: 6995
IP address: [REDACTED]
Time to complete: 51 min. , 11 sec.

Survey Details

Page 1

1. First and Last Name

Steve Toben

2. Email address (will not be publicly displayed)

[REDACTED]

3. Organization (Enter name of organization, business, or non profit if you are submitting comments on their behalf.)

Not answered

4. Street address (will not be publicly displayed)

[REDACTED]

5. City

Portola Valley

6. State

CA

7. Zip Code

94028

8. Date of Meeting you are submitting comment for.

05/10/2023

9. Agenda Item number or name

Housing Element

10. Comment

Mayor Aalfs and Members of the Town Council,

I write to urge your approval of the draft Housing Element for submission to HCD at the May 10 meeting. From my 12 years of experience on the Planning Commission and Town Council, I am well acquainted with the protracted nature of deliberations in our town on controversial subjects. However, in this instance, the process has now become so warped that it has exposed the Town to enormous legal vulnerabilities and resulted in the loss of skilled staff. This is unprecedented. You are soon to find out how difficult it is to hire capable professionals who are willing to come into an environment in which they are subject to overbearing demands and caustic disdain from private citizens and public officials.

Like most residents of Portola Valley, I am deeply unhappy with the RHNA numbers that have been imposed upon us. However, I do not agree with those who urge the Council to continue delaying submission of the Housing Element in violation of state deadlines. The risks of fines and actions by builders rise with each day that the Housing Element is not submitted. Through this long, exhausting process, the contents of the draft Housing Element have been whittled down to a document that relies to a great extent on dubious provisions that are unlikely to pass muster at HCD. We simply must get on with attending to these problems in order to avoid yet more negative consequences. The sooner we engage with HCD, the better.

Thank you for considering these comments. Unfortunately I will be traveling overseas next week and unable to attend the May 10 meeting. I hope to hear news of the Council's approval of the Housing Element.

Respectfully,

Steve Toben

11. Optional: You can upload a copy of your comments.

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 11:14:17 AM

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

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 11:14 AM
Response #: 226
Submitter ID: 6996
IP address: [REDACTED]
Time to complete: 1 min. , 32 sec.

Survey Details

Page 1

1. First and Last Name

Daniel Cornew

2. Email address (will not be publicly displayed)

[REDACTED]

3. Organization (Enter name of organization, business, or non profit if you are submitting comments on their behalf.)

Not answered

4. Street address (will not be publicly displayed)

[REDACTED]

5. City

Portola Valley

6. State

CA

7. Zip Code

94028

8. Date of Meeting you are submitting comment for.

05/10/2023

9. Agenda Item number or name

Housing element

10. Comment

Dear Councilmembers:

Please vote to submit our Housing Element on the 10th.

It is also important to not think we can maneuver Stanford into solving our problems, or adapting to our wishes. Stanford has its own priorities and needs that it considers existential threats. Two folks I know in Sr. positions there reiterate in private that they can't and won't slow their construction of Faculty housing. It is fundamental to their existence to be able to attract faculty - and they are losing this competition to many lower ranked institutions because promising young academics can't afford to move here. This issue is FAR FAR more important to them than an equestrian center, or a wealthy enclave near their campus... even if they might give a diplomatic answer to calm us down.

It is time for those of us who don't want to waste town resources on lawsuits to be heard.

It is time for those of us who don't want to risk forced and uncontrolled development on Alpine to be heard.

It is time for our council to present our Housing Element, and then do the hard work of defending it, and improving it... instead of betting on "all or nothing" by flaunting state law.

I get we don't like the law, just like I don't like the 65mph limit on 280. But that is no excuse to ignore the law. The democratic answer is to work to change the law, not to violate just because we don't like it.

Finally, ignoring this law isn't even a bet... because we know we are going to lose our money, and the case against the state. There is no honor in fighting a fight you know you can't win. We should use our passion to work to change the law!

With hope our council can get this done!

Thank you for your work on this, but now please do the hardest part and get this over the goal line, and get this point of contention off the table in our town.

Regards,

Dan

11. Optional: You can upload a copy of your comments.

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

Dylan Parker

From: Bill Kelly
Sent: Sunday, April 2, 2023 1:53 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: It's time to finalize the housing element

Council members,

I'm writing to urge you to finalize and submit the housing element in its current form. I was a member of the ad hoc committee that helped to create the housing element. Beginning about 18 months ago, the Town has conducted what may well be the most exhaustive, exhausting and open process of any town in our state.

The result is of course imperfect, and each of us would no doubt make changes according to our own preferences. But as we have seen, each change begets more changes, and the time drags on, and citizens (and Town employees) drop from the process, and the hard core of those remaining are less and less representative of actual public opinion yet more and more convinced of their own self-educated righteousness. Indeed it's hard to avoid the conclusion that delay in and of itself has become a conscious tactic.

Let's finalize the housing element now, get ourselves into compliance with the law, avoid the risk of state enforcement action and developers' remedies, and get on to the business of administering the program in a way that will contribute to solving our regional housing crisis.

In a situation like this it's good to recall Benjamin Franklin, who had this to say at the conclusion of the constitutional convention in 1787:

"Thus I consent, Sir, to this Constitution because I expect no better, and because I am not sure that it is not the best. The opinions I have had of its errors, I sacrifice to the public good. I have never whispered a syllable of them abroad. Within these walls they were born, and here they shall die. If every one of us in returning to our Constituents were to report the objections he has had to it, and endeavor to gain partizans in support of them, we might prevent its being generally received, and thereby lose all the salutary effects & great advantages resulting naturally in our favor among foreign Nations as well as among ourselves, from our real or apparent unanimity. Much of the strength & efficiency of any Government in procuring and securing happiness to the people, depends, on opinion, on the general opinion of the goodness of the Government, as well as of the wisdom and integrity of its Governors. I hope therefore that for our own sakes as a part of the people, and for the sake of posterity, we shall act heartily and unanimously in recommending this Constitution (if approved by Congress & confirmed by the Conventions) wherever our influence may extend, and turn our future thoughts & endeavors to the means of having it well administered.

On the whole, Sir, I can not help expressing a wish that every member of the Convention who may still have objections to it, would with me, on this occasion doubt a little of his own infallibility, and to make manifest our unanimity, put his name to this instrument."

--

Bill Kelly
10 Peak Lane
kellydpw@gmail.com
650-722-1135

Dylan Parker

From: sarah dorahty
Sent: Sunday, April 2, 2023 2:41 PM
To: Craig Taylor; Mary Hufty; Judith Hasko
Cc: Sarah Wernikoff; Jeff Aalfs; housing
Subject: What's the plan?

My apologies for the re-sending but I want to add this email to the record for the next meeting.

Thank you,
Sarah Dorahty

From: sarah dorahty
Sent: Sunday, April 2, 2023 8:50 AM
To: Ctaylor@portolavalley.net <Ctaylor@portolavalley.net>; Mhufty@portolavalley.net <Mhufty@portolavalley.net>; JHasko@portolavalley.net <JHasko@portolavalley.net>
Subject: What's the plan?

Dear Craig, Mary and Judith,

First of all, thank you for your volunteer service to the Town.

Secondly, what's your plan?

I worked on the AHHEC for two years. As you know, our mandate was to pull together a feasible Housing Element. I joined the committee because I wanted to be part of something we could all be proud of. My thinking was that Portola Valley might even do some ground-breaking stuff and serve as an example of how a community might successfully boost and diversify its housing stock while still remaining true to its rural character.

The HE we have is far from perfect. And there is plenty that I don't love about it. But I believe it should be submitted. Not doing so is dangerous.

If we fall out of compliance and end with up apartment buildings in Portola Valley, it will be because you three council members voted against submission while providing NO ALTERNATIVE!!! This is nuts. Are you really willing to take that risk?

Time is running out. Our town staff is exhausted and people are quitting their jobs. With whom will you work on your alternative plan? And where is the budget for the thousands of hours of work this will require?

I am worried because I think your plan is to stall. This is irresponsible and it's not good governance.

So, what is your plan? Have you found other building sites? If so, tell us. Where are they?

Sarah Dorahty
468 Westridge Dr

Get [Outlook for iOS](#)

Dylan Parker

From: Katherine Gilpin
Sent: Monday, April 3, 2023 12:20 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: Thoughts from a concerned citizen...

Dear Town Leaders - Mr. Taylor, Ms. Hufty, Ms. Hasko, Ms. Wernikoff, and Mr. Aalfs,

I am extremely impressed with the quality and duration of research by the Affordable Housing Committee. It has been a thoughtful, well researched effort. I also respect the final recommendations that were the output of the effort. I would like to see us:

- submit the plan that was developed by the committee immediately and without delay
- do our part to build affordable housing so that society can better thrive
- comply with state guidelines because it the ethical and lawful thing to do

I am sad and, honestly, baffled that we are still in this place without a submitted plan.

There is no silver bullet that solves this issue and, no matter what, we all will need to give a little to house the members of our society. Society is at a natural tipping point where the population, jobs and housing no longer match. It just is what it is! I have been living in the Bay Area on and off since 1993 and the conditions here have just changed - high job growth, high economic growth, and little housing growth. There are many well-researched articles written about how job growth and economic stability is contingent upon adequate housing. They need to come together or societies will wilt as homelessness grows and services decline. If we do nothing, then we will slowly have fewer services and, of-course, the state will come in and take over our decision making. Not to mention that not housing people seems unkind at best.

Filling our jobs requires having housing for people to live in. I personally find it depressing that:

1. The Village Square Vet has so few vets and such high doctor turnover that it takes four days to get an emergency appointment for a lethargic kitten who is not eating and cannot walk.
2. Open PVSD and SUHSD positions get only a handful (or fewer) of resumes for positions paying \$100,000-\$200,000. Additionally, teachers have to be independently wealthy or married to a tech executive to work in education here. This really limits the talent pool.
3. Portola Kitchen sometimes has only three waiters working on a busy Thursday when the bar is two deep with customers.
4. Robert's meat counter is closed by 6 or 7pm due to staffing shortage and that, in general, the smoothie bar is just no longer open.
5. Many clinical psychologists (PhDs) who used to work in the area have moved away and now only see patients via zoom. My son has been on a waitlist for an in-person therapist with Pacific Anxiety Group for 18 months. PAG is owned by someone in Portola Valley.

So, I ask you all how we will move forward now without more deliberation. We have done good work - very good work. We have already had a methodical and exhaustive process

that involved many people, many smart people, and lots of research and listening. There is not more work to do at this point, only delays and division.

- PV has already undertaken the most diligent expansive public process on the Peninsula at a cost of \$500K, over 6% of the Town's General Fund budget (despite being one of the smallest Towns on the Peninsula). It has been the most expansive on the Peninsula, if not the entire 9-county Bay Area: 140+ hours of public meetings over an 18-month period starting in Aug 2021 that has leveraged the input of 100s of community members, the 15-member Ad Hoc Housing Element Committee, 7 current/former Planning Commissioners, and input from geologic and wildfire experts, including WFPD.
- We approved an extensive post-approval process on 3/22 that gives the community 2 years to refine the plan for Ford Park & Open Space.
- As of 3/31, we are at increased risk of builder's remedy projects and lawsuits for being beyond the 60-day submission deadline. JH/CT/MH have all known Glen Oaks was on the list for 8 months (the site was approved by the Council last summer), including during their campaigns. Why did their concern with this site just get surfaced Thurs 3/30?

Warmly! I hope you all can move forward. Feeling sad.

Katherine Gilpin

- Current President, Woodside High School Foundation (3rd year in this role, 4th year as Board Member)
- Former Board Member, Portola Valley School Foundation (5 years)
- Former Chair of Alpine Hills Youth Committee (3 years)

Dylan Parker

From: Josh Knowles
Sent: Monday, April 3, 2023 4:23 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: PVTC Housing

PV Council Members,

We love PV! We have only lived in town for 2 years but could not be happier with the town, the schools and the activism. We voted in the last election and really like the current board. We support a measured plan towards the RHNA mandate doing all we can to preserve the rural nature of the town **short of doing something that might endanger the ability of the town to control its destiny**. We worry that by not submitting a housing plan by the state mandated deadline (albeit a little late) we may get a catastrophic outcome. The PVTC and citizens have collectively dedicated thousands of hours of analyses to this issue. Please, at this late date, do what you can to make sure we will both continue to be proud of our town as a whole and remain in control of our destiny as much as possible. Don't delay submission of a compliant plan.

Thanks

Josh Knowles

Dylan Parker

From: Trish Heald
Sent: Tuesday, April 4, 2023 8:56 AM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: Please finalize and submit the HE

Council members,

I served on the ADU team and participated as an engaged resident in the HE process for nearly a year. I have heard nothing new in the last forty hours of 140 hours of public engagement. The same objections, concerns, approaches, suggestions, ideas, and emotions (with slight nuances to account for personality) have been raised repeatedly. And they are valid ones. Valid ones the town committees and council have done their best to resolve.

Now, as a community and a town government, we are at a point of diminishing returns.

Each of us, given an hour or two to digest what RHNA is and what's in the Housing Element, will feel uncomfortable with one or more aspects of the plan. Will disagree with one or more aspects of the plan. And any resident that reads the Housing Element (let alone *PV Forum*) out of context from the 18 months of work and 140 hours of public engagement in this decision-making process is likely to say, "STOP! There must be a better way!" As far as I'm aware, the majority of you on the Town Council has actively sought to find a better way for *18 months!*

And you *have* found a better way. It will never be the best way. Perfect is the enemy of done. Further delays and refinements risk consequences nobody wants to be accountable for. I would like you to consider diminished civic engagement among those consequences. We're dropping like flies here, and what a shame because so many vital issues need our time and energy. Need your time and energy.

Please finalize and submit the HE without further deliberation.

Kind regards,

Trish Heald
160 Sausal Drive

Dylan Parker

From: KB
Sent: Tuesday, April 4, 2023 11:23 AM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: HE element

Dear Town Council members,

I am writing to ask you to please, please, please approve the HE and submit to the state before we lose control over any development in PV.

You know all the arguments of what could happen when a tiny town fights a big state government, so I'll just plead with you to approve the HE and send it in before it's too late. Let's not be arrogant and assume we can bully Sacramento into our preferences. It's been 140 hours of public discussion and 18 months of development and procrastination and already late to meet the deadlines before we become an example. Please help us to recover and file the HE now.

We can always file suit as a separate action but we need to ensure the State does not take control of our town on this specific issue.

Thank you for your consideration,
Kerry Brown,
70 Palmer Lane
Portola Valley, Ca

From: Jerry Shefren
Sent: Tuesday, April 4, 2023 11:36 AM
To: housing
Subject: Please get this done

I would like to echo the thoughts of those who are extremely disappointed that the Council does not seem to be able to make the tough decisions necessary on submitting the housing element. The probability of Stanford approving the housing proposal for Glen Oaks especially anytime in the next 12 months seems like 0. Do we think they owe us a favor? It would seem like there is no real motivation to get this done after 2 years of work and countless hours of Council and public discussions. It would seem that the Council is still looking for some solution that makes everyone happy that has not been found so far. How long is that search going to go on? Months? Years?

I appeal to those members of the Council that have failed to approve the HE and allow Portola Valley to be out of compliance to ask themselves why anyone in PV should follow the town ordinances. You are setting the example for how this town operates and therefore how its citizens should operate.

Please get this done. When you finally vote to approve the HE you will definitely make some people unhappy. That's the job you took, that's what the voters who elected you really expect from you.

Jerry Shefren

Dylan Parker

From: Susan McLaughlin
Sent: Wednesday, April 5, 2023 7:47 AM
To: Mary Hufty; Craig Taylor; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: Please pass the plan

Dear Craig, Mary and Judith,

How discouraging to read that after all the work done by the previous Council and the AHHEC, you are standing in the way of getting our HE plan submitted to the state.

While there are elements in the plan that I am not happy about, I am more worried about being out of compliance and being subject to builders remedy.

Please do your part to protect the rural quality of our town — that's part of what you were elected to do.

Thank you all for your volunteer work.

Susan

Susan McLaughlin
Susanlarned@gmail.com

Dylan Parker

From:
Sent: Wednesday, April 5, 2023 8:53 AM
To: housing
Subject: FW: Submit HE to State; Deep Concerns

For the record.

From: lorrie@cardinalfamily.com <lorrie@cardinalfamily.com>
Sent: Tuesday, April 4, 2023 4:18 AM
To: 'jhasko@portolavalley.net' <jhasko@portolavalley.net>; 'Jeff Aalfs' <JAalfs@portolavalley.net>; 'Mary Hufty' <mhufty@portolavalley.net>; 'swernikoff@portolavalley.net' <swernikoff@portolavalley.net>; 'ctaylor@portolavalley.net' <ctaylor@portolavalley.net>
Cc: 'Lorrie Duval' <lorrie@saticoy.com>
Subject: Submit HE to State; Deep Concerns

Dear Council Members:

I am stunned and deeply concerned that after 18 months of hard work prior to December, 2022, and now another three months in 2023, our Town has not submitted an HCD-compliant Housing Element plan to the State. We risk losing the two things we **all** hold most dear: our rural character and our autonomy as a self-governing municipality. Please submit the current plan to the state.

Further, with the departures of Town Manager Dennis, Assistant Town Manager Gaines, and Town Clerk Thurman during the first three months of 2023, our already tiny staff is further challenged to carry out even the most basic functions. Recruiting – and retaining – experienced professionals to fill these key roles is increasingly challenging as our Town's progress toward submitting a compliant Housing Element stalls. Remaining staff, now in part saddled with some of the work of their departed colleagues and with briefing interim staff, while also working to meet the ongoing demands of our as-yet unfiled Housing Element on top of their regular duties of their roles, is stretched very thin indeed. I fear the departure of more key staff members as a result. I implore you to improve staff conditions.

Thank you very much,
Lorrie Duval
Golden Oak Drive
lorrie@saticoy.com

Dylan Parker

From: Elizabeth Gillbrand
Sent: Wednesday, April 5, 2023 9:13 AM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Cc: Tore Gillbrand
Subject: Please approve the Portola Valley Housing Element

Hello Council Members-
Thank you all for your service to Portola Valley.

Tore and I urge you to pass the Housing Element ASAP. We are impressed by the care, diligence and inclusiveness with which this work has been undertaken over the past two years by the Council, Staff, the AHHEC and other town committees.

There is no perfect solution to meeting our obligation under the law. Difficult tradeoffs need to be made. The extensive planning process has produced a PV Housing Element that is feasible and sensible. It's reckless not to approve it given that we are 60+ days beyond the deadline and completely exposed to the draconian Builder's Remedy.

We were pleased with the results of the recent town council election, believing that our family had helped elect council members that would responsibly bring this work to fruition. Please do not let us down.
-beth

Dylan Parker

From: Joyce Shefren
Sent: Wednesday, April 5, 2023 9:15 AM
To: PV Forum; housing; ctaylor@protolavalley.net; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs
Subject: #ISO Housing Element

So many wonderful statements from so many neighbors who are far more eloquent than I on a very important topic for PV and I strongly believe they are correct.

To our present town council; stop wasting time and risking a major penalty against your constituents; approve the housing element asap! There have been countless meetings and input from our neighbors; a process started in 2021! Enough of this --approve the HE presented and join the lawsuit against CA.

Of course none of this is perfect; just step up and get PV into compliance with a CA law.

Joyce Shefren

Dylan Parker

From: Wilson Farrar
Sent: Wednesday, April 5, 2023 10:25 AM
To: joyce shefren
Cc: PV Forum; housing; Sarah Wernikoff; Jeff Aalfs; Craig Taylor; Mary Hufty; Judith Hasko
Subject: Re: [PVForum] #ISO

They are not “wasting time” they are diligently working with heart and conscious. And their precious time!! We better be “careful what we wish for...” a few more weeks at this juncture could SAVE OUR TOWN down the road and prevent us rolling over and giving up things we need not.

Please TRUST the town council and appreciate how much they care about getting this right.

We are doing this the right way!

In love and with peace to all 🙏❤️

Wilson “Win” Farrar
+1-415-860-2552

On Apr 5, 2023, at 9:20 AM, joyce shefren <jwshefren@gmail.com> wrote:

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Joyce Shefren

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Dylan Parker

From: Ronny Krashinsky
Sent: Wednesday, April 5, 2023 11:56 AM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing; pvforum
Subject: regarding housing element and Glen Oaks site #PV

Dear Council Members,

Thank you for your time, care, and diligent effort in navigating a difficult Housing Element process.

I join with others in encouraging you to submit a Housing Element expediently to bring our Town into compliance with State law.

Specifically regarding Glen Oaks I would like to call a few things to your attention.

First, we were in the same situation 9 months ago, and already pursued a compromise at that time. Recorded actions from [Town Council Meeting Summary – July 13, 2022](#):

- o Formed a Subcommittee of the Mayor and Vice Mayor to work with staff on finalizing the buffer and units allocated to the Glen Oaks site.*
- o Requested staff to follow up with the property owner and tenant at Glen Oaks and Isola Riding Academy to evaluate options for maintaining horse operations.*

Second, the current Housing Element draft is already compatible with the compromise that Council Member Taylor said he would like to pursue: a smaller number of affordable units built in conjunction with the equestrian business. The proposed rezoning (Multi-Family 2-4 du/ac) would allow for a range of 8-16 units on a 4 acre site. And this is the exchange where I asked about the possibility of retaining the equestrian business in the 3/6/2023 Planning Commission Meeting: <https://youtu.be/fzwZxHAX0n4?t=6247>

Commissioner Krashinsky: The Glen Oaks site – so, there's 4 developable acres and it's up to 4 dwelling units per acre for 16 units total, and then meanwhile there is the horse operation on the site. And so my question is, would it be compatible with this zoning to keep the horse operation, if the property owner wanted to, and cluster the 16 units on a smaller portion of the property, say 1 acre, instead of spread across all 4 acres?

Planning Director Russell: Ok, so it's a little bit of a complicated answer. We understand the Council and the community's intent around this is to preserve the horse operation if possible and to not write any regulations that would preclude that from happening. So, we don't want to accidentally force the horse operation out. More, we leave it to the property owner and that lessee in their private arrangements. So, the way that I see this is that we have planned unit development regulations where you're allowed to cluster projects together, and so it would be possible to cluster this project on a portion of the site. The whole site is actually quite a bit larger and we were just estimating the developable portion, with the creek setback and the scenic corridor setback. And so without a detailed site planning analysis it is hard to know exactly for sure, but we tried to write it so that we wouldn't be limiting the future potential for that. So I don't know if you could cluster all of the units onto 1 acre, using your example, but you could certainly cluster those units together enough to have options for the site. I just don't know if that could actually include keeping the equestrian use, or if that would be the decision of the property owner to do that.

Thank you for your consideration.

Regards,

Dylan Parker

From: Joerg Zimmermann
Sent: Wednesday, April 5, 2023 12:42 PM
To: pvfoodlover
Cc: Joyce Shefren; PV Forum; housing; ctaylor@protolavalley.net; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs
Subject: Re: [PVForum] #ISO Housing Element

Same here.
Get it approved
Joerg

Sent from my iPad

On Apr 5, 2023, at 12:03 PM, pvfoodlover <donskyjd@gmail.com> wrote:

Hear! Hear!

Agreed!

Joanne

On Apr 5, 2023, at 9:15 AM, joyce shefren <jwshefren@gmail.com> wrote:

So many wonderful statements from so many neighbors who are far more eloquent than I on a very important topic for PV and I strongly believe they are correct.

To our present town council; stop wasting time and risking a major penalty against your constituents; approve the housing element asap! There have been countless meetings and input from our neighbors; a process started in 2021! Enough of this --approve the HE presented and join the lawsuit against CA. Of course none of this is perfect; just step up and get PV into compliance with a CA law.
Joyce Shefren

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Dylan Parker

From: Sarah Wernikoff
Sent: Wednesday, April 5, 2023 3:16 PM
To: Laura Russell
Subject: Fw: Portola Valley's Future

Sarah Wernikoff
Portola Valley Town Council
swernikoff@portolavalley.net

From: Felicity Barringer
Sent: Tuesday, April 4, 2023 2:52 PM
To: Mary Hufty <mhufty@portolavalley.net>; Judith Hasko <jhasko@portolavalley.net>; Sarah Wernikoff <swernikoff@portolavalley.net>; Jeff Aalfs <JAalfs@portolavalley.net>
Subject: Portola Valley's Future

Dear Council Members:

I've written a separate note to one member already. But I thought all council members needed to see my questions.

I've been a Portola Valley resident since 2007, except for a two-year stint in Menlo Park. Like many residents, I paid little attention to governance issues until a rash of burglaries in 2015 or 2016, when I became the co-block captain for the Hillbrook neighborhood watch group. Paying attention to some issues facing the town made me aware of others. I was impressed at the formation of the ad hoc -- now permanent -- wildfire committee set up after the Paradise fire.

That's by way of introduction. Not everything is perfect about my status in commenting on the housing element vote. The sticking point seems to be the Glen Oaks property, which is on Stanford land. I am a half-time employee working at Stanford's Bill Lane Center for the American West. I don't think that is a disqualifying conflict of interest, but you should know of my Stanford affiliation.

I write because I don't understand why the Glen Oaks issue came up for the first time at last week's council meeting. That housing proposal was made public months ago. Wasn't there an earlier point in the process to raise any concerns? Why did it come at the penultimate minute?

You don't need to be reminded that the town is more than two months past the state deadline for turning in a housing element. No one knows if or how builder's remedy housing might happen, but it's clear that if it did, the town would have no control over its future. Do you think that's a gamble worth taking? Why?

People I know are puzzled at my desire to comment. "What you say won't make any difference. You've got better things to do with your time," I'm told. But looking at the town's threadbare staffing right now, I'd ask a parallel question: don't the town's employees have better things to do than unstitch and re-sew a piece of a legal quilt that was 18 months in the making? Aren't many people clamoring to have them work on making the town safer from fire?

I know from my own work -- I got my first professional reporting job in 1973, when I covered local government in New Jersey suburbs -- that there is an overwhelming temptation to delay and double-check and ensure nothing is wrong with an article. It seems that the same temptation exists when producing a housing element. If I didn't resist the temptation, the newspapers I worked for would have been printed too late for home delivery. So I had to resist it. If you can't resist the temptation, you're putting the town's future in outsiders' hands.

The council has approved a new two-year "sunshine" window for review of projects in the housing element. In newspaper terms, you have ensured that PV's housing element can have second and third editions. In the old days of all-print newspapers, fixes could be made between editions. That should be enough. Please vote to accept the housing element without further delay.

Respectfully,

Felicity Barringer Taubman

Dylan Parker

From: Janet Briggs
Sent: Wednesday, April 5, 2023 5:41 PM
To: Craig Taylor; Mary Hufty; Judith Hasko
Cc: Sarah Wernikoff; Jeff Aalfs; housing
Subject: Approve and Submit the Housing Element -- NOW!

All,
I was taken aback to learn that the HE was not approved and furthermore would not be voted on again until May 10. May 10?? Really??

The time for action is **now**. No plan can be perfect, but we've had months and months and hours and hours to gather input, consider options, and try to reconcile difficult choices. Everyone has had ample time to weigh in.

So - The time has come, indeed is overdue, for a "yes" vote and to submit the Housing Element in its current state. Inaction on your part puts our entire community at grave risk of unwanted development. Please represent us all and do the right thing, immediately. Vote yes and submit.

If we want to pursue other options, challenge the existing law, do whatever we can to mitigate the negative impacts of the state law, then we should pursue those in parallel (subject to the same public input process as this HE has been).

Thank you for working tirelessly for Portola Valley citizens and community.
Janet Briggs

Dylan Parker

From: McLaughlin Michael
Sent: Wednesday, April 5, 2023 9:15 PM
To: Mary Hufty; Craig Taylor; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: PV Housing Element Plan

Members of the PV Town Council,

I understand the Town Council is deadlocked on the approval of the proposed housing plan. I feel strongly that the Town Council should approve the proposed plan, or promptly propose a workable alternative. The apparent strategy of certain of the town council members to "just say no" is costly and dangerous for our town.

Sincerely,

Mike McLaughlin

Michael McLaughlin
mike@susan-mike.com

Dylan Parker

From: Sue Ten
Sent: Wednesday, April 5, 2023 9:26 PM
To: housing; Mary Hufty; Craig Taylor; Judith Hasko; Sarah Wernikoff
Cc: Jeff Aalfs
Subject: Housing Element

All,

I would like to add my voice to the increasingly urgent calls to **submit Portola Valley's Housing Element**. As I understand it, we are out of compliance by over 60 days. Surely this intransigence does more harm than good to the town we all care for so much. I am sure I do not understand all the nuances but as a resident of this town for 10 years I despair at the damage this delay is causing.

Sincerely,
Sue Ten
Former PVSF Board member

Sue Ten | m: 650.847.8510 | sue.h.ten@gmail.com

Dylan Parker

From: Geoff Crouse
Sent: Friday, April 7, 2023 3:36 PM
To: Mary Hufty; Craig Taylor; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: Housing

Dear Portola Valley Town Council,

It's time to submit the Housing Element. Not doing so is risky, inefficient, costly to us the taxpayers, and a waste of the Town Staff's time and yours.

To the three newly elected councilmembers: stop dragging this process out and vote to submit.

Enough already.

Geoff Crouse

468 Westridge Dr

Dylan Parker

From: Karen Askey
Sent: Monday, April 10, 2023 1:18 PM
To: housing
Subject: Fwd: Kudos to Hasko, Hufty & Taylor

Resending as I made a typo in the address the first time. thanks.

----- Forwarded message -----

From: **Karen Askey** <askeykaren@gmail.com>

Date: Mon, Apr 10, 2023 at 1:15 PM

Subject: Kudos to Hasko, Hufty & Taylor

To: <Ctaylor@portolavalley.net>, <Mhufty@portolavalley.net>, <Jhasko@portolavalley.net>, Sarah Wernikoff <swernikoff@portolavalley.net>, Jeff Aalfs <jaalfs@portolavalley.net>, <housing@portolavalley.net>

Dear Town Council:

I am in favor of the decision made on 3/29/23 to take one last look at the Stanford-owned site on which the Glenoaks Equestrian Center is located. I commend Council Members Hasko, Hufty and Taylor for wanting more due diligence on a decision that runs contrary to our Housing Element principles and our Town ethos.

It was a very difficult, prudent choice to ensure we cover every base before making a decision that so greatly impacts the future of our town. Given some recent forum posts, I imagine these Council members feel bullied and pressured into a "Just Do It Now" mentality.

The Glenoaks site conflicts with several major principles of our Housing Element.

1. Housing development at Glenoaks will cause a thriving small business to discontinue, and eliminate jobs for low-income employees.
2. Adding Glenoaks to the site inventory does NOT contribute to dispersing the housing across Town, but adds to the majority of development along Alpine Road.
3. The planned site does NOT include any very low or low-income housing.

The Glenoaks site was the last site to be considered, so the public did not have as much time to weigh in. In addition, it is my opinion that the Ad Hoc Housing Element Committee did not fully understand the business operation housed there, nor that all new units would be moderate or above-moderate housing.

Perhaps after one more conversation, Stanford will be amenable to a development plan that allows Glenoaks to remain or house some of its lower-income employees.

We should also be considering how we can replace the 16 high-end units at Glenoaks. First, let's start with the 6 units at the Town Center (where the police substation currently is) that got the nod several years ago. Given we now have SB9 units, we have established a track record of at least 1 per year, which gives us 8 over 8 years. The remaining two could be included in our ADU numbers, as our recent resident survey indicated a high-interest level in converting or building ADUs/JADUs.

As the buffer is intended primarily for very-low and low-income housing, we may be able to shave a couple of units off. We should strongly consider this as well.

Let's do everything we can to stay true to our Housing Element principles AND our Town's General Plan.

Thank you,
Karen Askey

Dylan Parker

From: Mark Leslie <
Sent: Tuesday, April 11, 2023 2:22 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing

Dear Town Council:

I am in favor of the decision made on 3/29/23 to take one last look at the Stanford-owned site on which the Glenoaks Equestrian Center is located. I commend Council Members Hasko, Hufty and Taylor for wanting more due diligence on a decision that runs contrary to our Housing Element principles and our Town ethos.

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Let's do everything we can to stay true to our Housing Element principles AND our Town's General Plan.

Thank you,
Karen Askey

Kind Regards,

--mark

650 619 8668 (m)

Dylan Parker

From: Aimee Armsby
Sent: Thursday, April 13, 2023 8:56 AM
To: Craig Taylor; Jeff Aalfs; Judith Hasko; Mary Hufty; Sarah Wernikoff; housing
Subject: Please finalize and submit the Housing Element

Dear Council Members,

Thank you for your commitment to service, and your willingness to hold public office. I'm writing to urge you to finalize and submit the Portola Valley Housing Element. Development of the HE was a lengthy, thoughtful and democratic process. It was robust and well resourced, and decisions were made with hours of input from many voices in the community, consultations with experts, and with careful consideration of our legal obligations.

The result was a rationale plan to comply with legal mandates in order to maintain local control while also accommodating and addressing resident concerns. As many have observed, not perfect, but balancing competing interests never is. Town staff has spent countless hours supporting the process, which as you know has cost the town more than \$500,000.

As a member of the (volunteer) ad hoc committee, I can attest to the robust debate that underlies the draft Housing Element resulting from that process. We all love our Town, and the plan reflects a commitment to preserving its beauty and charm while also supporting the idea that our community of residents can better reflect those that make our town so special but can't afford to live here.

As you all know, delay and obstruction in finalizing and submitting the plan has dire legal and financial consequences, including state enforcement action and developers' remedies. It also has practical consequences. We are at risk of losing even more of our experienced and highly skilled Town staff.

Every hour and dollar spent engaging in delay and obstruction is time and money NOT spent on safety, which the vast majority of residents would identify as their top priority.

Please move forward with submission of the Housing Element. Let's maintain local control so we can be part of the solution to the affordable housing crisis the Portola Valley way, with integrity and commitment to shared values.

Sincerely,

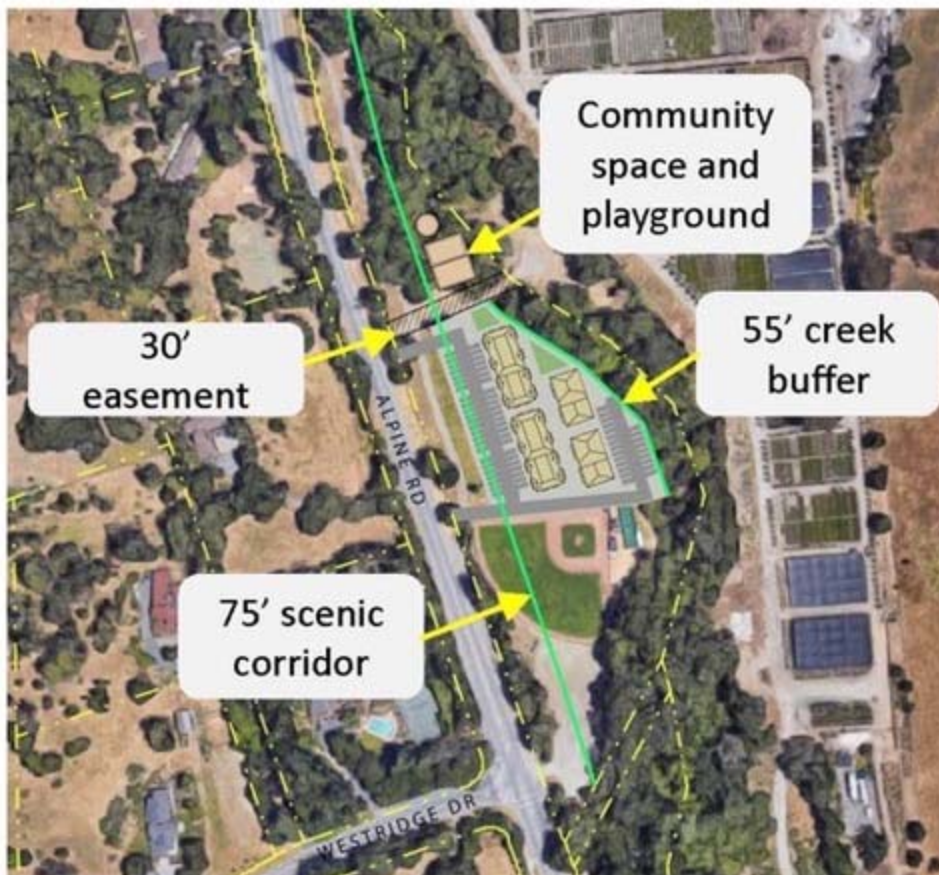
Aimee Armsby
Armsbyfamily@gmail.com

Dylan Parker

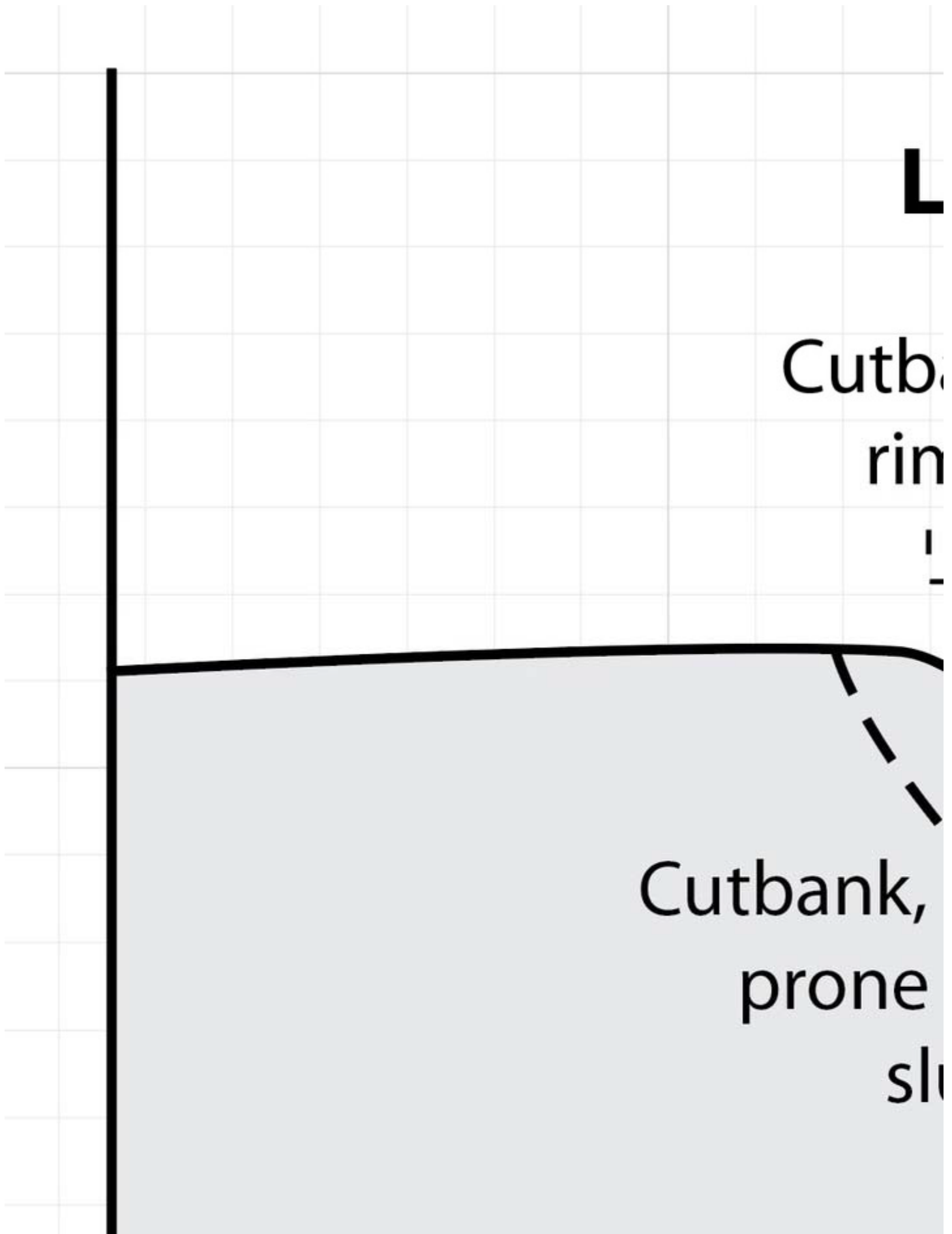
From: Peter Lipman
Sent: Friday, April 14, 2023 10:13 AM
To: Jeff Aalfs; <Judith.Hasko@lw.com>; Sarah Wernikoff; Mary Page Hufty; Craig Taylor
Cc: Town Center; Town Center; housing; Town Center
Subject: Erroneous feasibility study/conceptual plan for Dorothy Ford Park in draft HE

I've written previously with multiple concerns about Dorothy Ford Park as an inappropriate site for high-density multi-family housing (letters of 6/21/22, 6/26/22, 12/7/22, 3/5/23). Now, a further issue has emerged: adequacy of the creek-side "buffer" proposed for this site. Please consider impacts of the regulatory and geologic issues summarized below, along with others such as at Glen Oaks, that would adversely impact guidelines for the Alpine Scenic Corridor in the PV General Plan.

As a geologist, I had (mistakenly) long assumed that the 55-ft creek buffer portrayed on the conceptual site plan for housing at Dorothy Ford Park (Housing Element, March 2023, p. 117) was a setback from the unstable cutback rim of the irregular arroyo in which Los Trancos Creek is contained (see diagram). However, the conceptual plan diagrams the setback as measured from the creek centerline (dashed yellow line). As such, most to all of the proposed 55-ft setback lies entirely within the arroyo depression or extends at most only a few feet beyond in a few places.



*Feasibility analysis and conceptual site plan
prepared by Lisa Wise Consulting*



The width of the arroyo occupied by is variable, of course, and difficult to estimate without detailed instrumental surveying. Views from the foot trail along the creek-side edge of Dorothy Ford Park that closely follows much of the southwest cutback rim suggest that the arroyo width is mostly in the range of 90 to 150 feet wide.

At the existing road easement and bridge within the northern part of the park, the bridge that spans the two cutback rims is 85 ft long (measured on Google Earth), resting on concrete piers that project short distances into the arroyo. This is likely an especially narrow segment, selected for ease of bridge construction; visual estimates suggest that the arroyo rims are much farther apart along most of the Ford Park boundary.



Bridge across Los Trancos Creek, from Dorothy Ford Park (4/05/2023)

Because of inherent geologic instability in the Portola Valley area, with proximity to active faults, locations of the creek centerline and adjacent cutback rims evolve with time. Cutback rims are especially unstable, subject to slumping into the creek bottom and arroyo-wall enlargement, especially during times of high rainfall as we have experienced this winter. Thus, any construction would necessarily require substantial setbacks from the arroyo rim, unless the arroyo wall were artificially buttressed with structurally-reinforced retaining walls (incompatible with the town's General Plan and Alpine Scenic Corridor?). Such needed setbacks would further reduce the already-marginal site area available for housing construction.

I fully concur that the town urgently needs to complete and submit our housing element to HCD in order to avoid potential legal penalties and other adverse effects, but don't we also need to be honest and factual (with ourselves at least) about what might be technically feasible while also conformable with the guidelines of the General Plan?

Thank you (and town staff) for all the hard work on this "mission impossible" that the California HCD has imposed.

Peter Lipman, USGS Senior Research Geologist, Emeritus

PS: After writing the above, found Chapter 18.59 in the PV Muni Code that specifically requires a 55 ft setback (not "buffer") from "Top of Creek Bank." This requirement, if applied to the conceptual plan for DF Park in the draft HE, would exclude half or more of the two northern building sites as depicted. This conceptual plan was either ineptly prepared or intentionally disingenuous.

Peter Lipman
188 Favonio Road
Portola Valley, CA 94028
650-269-5295

Dylan Parker

From: West, Debra
Sent: Friday, April 14, 2023 8:14 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: thank you

Dear Mary, Judith, Craig and council members, We want to thank you for all your efforts to keep moving towards fire safety in this time of uncertainty. As newly elected members we appreciate all that your trying to accomplish. It is not easy receiving negative comments, but please stay true to the original housing elements and the towns general plan. Again thank you for your service.

Debra and Tom West

Dylan Parker

From: Joanne Donsky
Sent: Saturday, April 15, 2023 3:59 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: Please say "Yes" to the Housing Element

Please say yes to the current Housing Element. This is important to avoid very negative consequences.

Then I also think we should join the suit against the State.

Sincerely,

Joanne Donsky
160 Meadowood Drive
PV

Dylan Parker

From: sarah dorahy
Sent: Wednesday, April 26, 2023 4:39 PM
To: Mary Hufty
Cc: Jeff Aalfs; Sarah Wernikoff; Judith Hasko; Craig Taylor; housing
Subject: PVNU

Dear Ms. Hufty,

I have some concerns for the future of our town and the role PVNU is playing in the unravelling of our town governance.

As Founder and Secretary of PVNU, do you stand by the accuracy of the information put forth in the PVNU newsletters, specifically the most recent?

Will you confirm publicly that everything in those newsletters is factual i.e., that there is no misinformation in any of the newsletters? And could you please tell your fellow Portola Valley residents who is the author of these newsletters?

My worry is that PVNU's agenda is to stall, delay and exhaust Town Staff to the extreme that they all quit. Just yesterday, we lost Cara Silver, our Town Attorney of six years.

Safety is PVNU's hot topic but with empty offices at Town Hall, how will we ever get the work done to submit a safe and compliant Housing Element? Will you assure your neighbours that PVNU is not actively working to undermine the successful submission of a compliant Housing Element and that PVNU is not trying to discredit Town Staff by spreading misinformation about the Housing Element process?

Yours faithfully,
Sarah Dorahy

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To: Craig Taylor ctaylor@portolavalley.net
Judith Hasko jhasko@portolavalley.net
Mary Page Hufty mhufty@portolavalley.net

Cc: Jeff Aalfs jaalfs@portolavalley.net
Sarah Wernikoff swernikoff@portolavalley.net
housing housing@portolavalley.net

April 30, 2023

Dear Craig, Judith and Mary,

I know it is difficult to make a decision when there are people on both sides of an issue. However, at this time, the Town needs you to muster your courage and to make a decision. Please vote for the Housing Element currently on the table - and submit it to the state. As you know, I served on the Ad Hoc Housing Element Committee for the Town. The set of sites in the current Housing Element draft are the best ones possible for the Town, given the many constraints and varied opinions in Town. All the ideas that I have heard you three propose in the last few months were already discussed by that Committee. I urge you to listen to those recorded meetings to understand the issues.

As a taxpayer, I am offended that you are spending time and money to re-hash the work and ideas already explored earlier with no strategic vision as to why the answers would be different when the work gets repeated. Also, I beg you to imagine how discouraging it would be to be a staff member and to work for people that cannot make a decision and that direct you to repeat work that you already did earlier. You'd feel like a hamster on a wheel.

Sincerely,

Anne Kopf-Sill

Dylan Parker

From: Dan & Rosalie PV
Sent: Thursday, May 4, 2023 11:14 AM
To: Jeff Aalfs; swerkinoff@portolavalley.net; Judith Hasko; Mary Hufty; Craig Taylor; housing
Subject: Please submit the Housing Element

Dear Councilmembers:

Please vote to submit our Housing Element on the 10th.

It is also important to not think we can maneuver Stanford into solving our problems, or adapting to our wishes. Stanford has its own priorities and needs that it considers existential threats. Two folks I know in Sr. Sr. positions there reiterate in private that they can't and won't slow their construction of Faculty housing. It is fundamental to their existence to be able to attract faculty - and they are losing this competition to many lower ranked institutions because promising young academics can't afford to move here. This issue is FAR FAR more important to them than an equestrian center, or a wealthy enclave near their campus... even if they might give a diplomatic answer to calm us down.

It is time for those of us who don't want to waste town resources on lawsuits to be heard.
It is time for those of us who don't want to risk forced and uncontrolled development on Alpine to be heard.
It is time for our council to present our Housing Element, and then do the hard work of defending it, and improving it... instead of betting on "all or nothing" by flaunting state law.

I get we don't like the law, just like I don't like the 65mph limit on 280. But that is no excuse to ignore the law. The democratic answer is to work to change the law, not to violate just because we don't like it.

Finally, ignoring this law isn't even a bet... because we know we are going to lose our money, and the case against the state. There is no honor in fighting a fight you know you can't win. We should use our passion to work to change the law!

With hope our council can get this done!

Thank you for your work on this, but now please do the hardest part and get this over the goal line, and get this point of contention off the table in our town.

Regards,

Dan

Dylan Parker

From: Steve Toben
Sent: Thursday, May 4, 2023 11:32 AM
To: Jeff Aalfs; Sarah Wernikoff; Judith Hasko; Mary Hufty; Craig Taylor; housing
Subject: Approval of the Housing Element

Mayor Aalfs and Members of the Town Council,

I write to urge your approval of the draft Housing Element for submission to HCD at the May 10 meeting. From my 12 years of experience on the Planning Commission and Town Council, I am well acquainted with the protracted nature of deliberations in our town on controversial subjects. However, in this instance, the process has now become so warped that it has exposed the Town to enormous legal vulnerabilities and resulted in the loss of skilled staff. This is unprecedented. You are soon to find out how difficult it is to hire capable professionals who are willing to come into an environment in which they are subject to overbearing demands and caustic disdain from private citizens and public officials.

Like most residents of Portola Valley, I am deeply unhappy with the RHNA numbers that have been imposed upon us. However, I do not agree with those who urge the Council to continue delaying submission of the Housing Element in violation of state deadlines. The risks of fines and actions by builders rise with each day that the Housing Element is not submitted. Through this long, exhausting process, the contents of the draft Housing Element have been whittled down to a document that relies to a great extent on dubious provisions that are unlikely to pass muster at HCD. We simply must get on with attending to these problems in order to avoid yet more negative consequences. The sooner we engage with HCD, the better.

Thank you for considering these comments. Unfortunately I will be traveling overseas next week and unable to attend the May 10 meeting. I hope to hear news of the Council's approval of the Housing Element.

Respectfully,

Steve Toben

Dylan Parker

From: Susan Kritzik
Sent: Thursday, May 4, 2023 9:18 PM
To: housing; Jeff Aalfs
Cc: Craig Taylor; Judith Hasko; Mary Hufty; Sarah Wernikoff
Subject: Please submit Housing Element to State

Dear Town Council,

I join with others residents of Portola Valley in encouraging you to submit a Housing Element to the State of California expeditiously in order to bring our Town into compliance with State law.

Thank you,

Susan Kritzik

Dylan Parker

From: Susan Kritzik
Sent: Thursday, May 4, 2023 9:18 PM
To: housing; Jeff Aalfs
Cc: Craig Taylor; Judith Hasko; Mary Hufty; Sarah Wernikoff
Subject: Please submit Housing Element to State

Dear Town Council,

I join with others residents of Portola Valley in encouraging you to submit a Housing Element to the State of California expeditiously in order to bring our Town into compliance with State law.

Thank you,

Susan Kritzik

Dylan Parker

From: Crystal Ciancutti <
Sent: Friday, May 5, 2023 10:09 AM
To: Jeff Aalfs; swernikoff@portolavalley.net; Judith Hasko; Mary Hufty; Craig Taylor
Cc: housing
Subject: Please approve the Housing Element

I have been dismayed at the ongoing delays and the willingness to allow a small, vocal part of the town community to block us from doing our required duty of submitting our Housing Element to the State. By missing the deadline we risk material consequences, and I do not want to take on more of that risk than we already have.

Please approve the Housing Element at the next opportunity.

-Crystal Ciancutti
3 Grove Court
Resident since 2006, visitor since 1975

Dylan Parker

From: Jonathan Goulden
Sent: Friday, May 5, 2023 11:53 AM
To: housing
Subject: Input to Town Council regarding Housing Element May 2023

Input to Town Council regarding Housing Element May 2023

I have three comments regarding the Housing element that I'd like you consider for the May 10th Town Council meeting.

- 1) Please approve and submit a draft housing element to HCD. We have spent too much time on this discussion, all sides have had more than adequate time to weigh-in, and there have been no substantive changes to the plan for months. Delaying and stretching out the process will not result in anyone changing their position but it does allow for more animosity to fester. Note that we are still likely to have to spend more time on the element because HCD is unlikely to accept it in this pass. It is time to get moving so we can eventually put this behind us.
- 2) Please don't let a vocal minority make you ignore the silent majority. The silent majority is the group that actually trusts you to make the right decisions without them having to get involved in the fray.
- 3) I'd like to change the narrative surrounding this housing element. Instead of focusing on fighting it and trying to stop/prevent what we don't like, we should focus on what we would like to see. I believe that most people would like to see housing in town for teachers, town staff, police, firemen and other local service workers. Let's see if we can do something we all agree upon and use that to meet state requirements.

Thanks for listening.
Jon Goulden

Dylan Parker

From: Lynda Brothers
Sent: Friday, May 5, 2023 11:13 AM
To: housing
Cc: Sarah Wernikoff; Mary Page Hufty; Judith.Hasko@lw.com
Subject: For Council Packet, May 10, 2023

Dear Council Members,

At your last meeting and late at night you choose to NOT approve the Housing Element on the basis, as I understand it, that one or two of your members will look for additional, or changed affordable housing options. I WRITE TO URGE YOU TO **NOT MAKE ANY SUBSTANTIVE CHANGES TO THE HOUSING ELEMENT BECAUSE TO DO SO WILL INVALIDATE THE CEQA REVIEW APPROVED BY YOU AND THE PLANNING COMMISSION AS SET FORTH IN THE IS/MND.** That you even bothered to adjourn for this purpose is offensive to CEQA and evidences a very poor understanding of the limits of your power as the Town Council. Sure, if you want to create legal chaos, feel free to make changes to the HE and then attempt to submit an Housing Element to HCD that did NOT have adequate CEQA review. **PLEASE APPROVE THE HOUSING ELEMENT AS APPROVED BY THE PLANNING COMMISSION, SUBMITTED BY TOWN STAFF AND DO NOT ATTEMPT TO MAKE CHANGES, UNLESS YOU ALSO PROVIDE A DETAILED EXPLANATION OF HOW YOU WILL COMPLY WITH CEQA.**

Regards, Lynda L. Brothers, Resident

show others how to thread the needle and make the tough decisions and trade-offs that are essential to good governance.

In sum, I would like to see Portola Valley be a shining example of respect, collaboration, and pragmatic government. And in this particular case, I would like to see the council take into account the hard work that has already been done and move forward with approving the Housing Element at the May 10 meeting.

With respect and great hope for the future,

Serra B. Simbeck

Serra B. Simbeck
650-862-5785

Dylan Parker

From: Serra Simbeck
Sent: Friday, May 5, 2023 11:59 AM
To: housing
Subject: Letter to Support Approval of Housing Element

Dear Portola Valley Town Council members,

I am writing to urge you to approve the Housing Element as soon as possible. I understand that the next opportunity to do so will be at your meeting on May 10, and I sincerely hope that the Housing Element will be approved at that time.

As a long-time resident of Portola Valley (my husband and I moved here to raise our family in 2005) and as someone who has spent most of their career working in public service, one of the things that always impressed me was how our volunteer Town Council was able to get things done in a civil, fair and efficient manner. I know there have been ups and downs but basically our town government has worked, and we have had a lot of highly qualified citizens engaged and represented in the process. I can imagine how difficult and time-consuming this can be, and I am grateful to everyone who has served and continues to serve our town in this capacity.

However, I am beginning to see a new trend towards divisive politics, catering to minority interests and a lack of timely decision-making in our town government which concerns me. I think the current delay and endless debate about the Housing Element is a prime example of this. I understand that the new council members are trying to come up with the best possible plan that negatively impacts the fewest number of people and businesses. However, at some point, the search for perfection becomes the enemy of the good, and I think that is where we are now.

An enormous amount of time, money and effort has already gone into this process. We have a solid plan, and given the very real legal and economic risks of non-compliance, we should not be re-doing what has already been done. It is time to act. This is especially true since we have the ability to make changes and improve upon the plan during the post-approval process that was already approved.

I also think it is important to point out that there is a price to pay for this constant re-hashing and political grandstanding that goes beyond the risks of non-compliance. For starters, we are seeing an alarming increase in the turnover of town staff and I don't think this is a coincidence. We have had four staff members resign in rapid succession over the last few months, and I assume this is because they no longer want to work for a town that cannot make decisions and asks them to redo what was already done well the first time around. I can only imagine the time, money and effort it will take to replace them, not to mention the loss of institutional knowledge and inefficiencies this will create that will impact all of us that live in Portola Valley. Moreover, we need to think about the message this is sending to our community, and to qualified citizens that might be considering running for Town Council in the future. Who wants to work in government if they are constantly attacked and cannot get things done? Finally, do we really want to join the ranks of the other affluent towns that have come up with all sorts of creative ways to resist accepting the state's low-income housing mandate?

Instead of all of this, why not choose to be a leader here? This is a great opportunity for Portola Valley to demonstrate what a local government can achieve when faced with a daunting task. We can

Laura Russell

From: Kelly Kline <khkline@stanford.edu>
Sent: Monday, April 3, 2023 10:36 PM
To: Judith Hasko; Laura Russell
Cc: Shweta Bhatnagar; John D. Donahoe; Diana O'Dell
Subject: Re: Connecting Town Council with Stanford
Attachments: Portola Valley Housing Element Stanford response 7.8.22.pdf

Thank you for the introduction Laura, and nice to meet you Councilmember Hasko.

Our team is happy to meet with you and can coordinate schedules to find times next week that work for all.

As you know, Stanford University supports the Town's efforts to address the housing crisis by pursuing opportunities in appropriate locations that are supported by the community. The best current opportunity to achieve this goal is on the Portola Terrace site, which has been in process with the Town for 6 years. While the Glenoaks site could further support the university's academic mission by providing more affordable housing for university affiliates near their place of employment, we feel that this conversation would be premature until after the Portola Terrace project decision is reached.

Prior to engaging in any Glenoaks discussion, Stanford wishes to clearly convey the conditions under which it would pursue a project at this location. As we have stated in our July 2022 letter (attached), and continue to emphasize in subsequent correspondence with Town staff, Stanford does not support a project that blends a horse operation with housing at the Glenoaks site, and would not pursue such a development within the next eight-year RHNA cycle.

With that said, we are happy to meet with you and Town staff to explore future housing-only opportunities at Glenoaks.

Thank you,
Kelly Kline

Associate Vice President, Local Government Affairs
Office of Government Affairs, Stanford University
408-313-4311 (cell)
khkline@stanford.edu

From: Judith Hasko <jhasko@portolavalley.net>
Date: Monday, April 3, 2023 at 3:45 PM
To: Laura Russell <lrussell@portolavalley.net>, Kelly Kline <khkline@stanford.edu>
Cc: Shweta Bhatnagar <shwetab@stanford.edu>, John D. Donahoe <jdonahoe@stanford.edu>, Diana O'Dell <dodell@stanford.edu>
Subject: Re: Connecting Town Council with Stanford

Thank you Laura. I look forward to hearing back from Kelly. Thanks in advance.

From: Laura Russell <lrussell@portolavalley.net>
Sent: Monday, April 3, 2023 11:39 AM
To: Judith Hasko <jhasko@portolavalley.net>; khkline@stanford.edu <khkline@stanford.edu>
Cc: Shweta Bhatnagar <shwetab@stanford.edu>; John D. Donahoe <jdonahoe@stanford.edu>; Diana O'Dell

<dodell@stanford.edu>

Subject: Connecting Town Council with Stanford

Good Morning,

I'm connecting Kelly Kline, Associate VP for Local Government Affairs, with Judith Hasko, one of our Council Members. (Copying Shweta, Diana and John as the Stanford folks that have been most involved with our process.)

Judith would like to communicate with the Stanford team related to the Glenoaks housing inventory site and the potential to maintain the existing equestrian operation. Please assist in getting her in touch with the right people.

Thanks,
Laura

Laura C. Russell, AICP (she/her)
Planning & Building Director



Town of Portola Valley

650-851-1700 Ext. 218

www.portolavalley.net

Please visit www.portolavalley.net/virtualappointment for information on how to make an appointment for Planning and Building services.



Stanford University

July 8, 2022

VIA E-MAIL

Laura C. Russell, AICP
Planning & Building Director
Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028

Re: DRAFT: Portola Valley Housing Element

Dear Ms. Russell:

Thank you for the opportunity to comment on the draft Housing Element for the Town of Portola Valley that is currently under review. Stanford University supports the Town's efforts to provide more opportunities for new housing by identifying feasible housing sites for affordable housing and/or market rate housing with an inclusionary component.

As addressed in the draft Housing Element released for public comment, Stanford University owns two properties identified in "Section 6. Adequate Sites." We would like to provide our comments related to these two sites.

Portola Terrace Faculty Housing ("Stanford Wedge")

Stanford concurs that the Portola Terrace Faculty Housing project status is a "pipeline" project. This property has been zoned by the Town as a residential site for many years and specifically addressed in previous Town Housing Elements since 1990. In 2019, Stanford applied for a 39-unit residential development and has been actively pursuing approval of our application. The Town of Portola Valley recently released a draft environmental impact report for the proposed development earlier this year, and the DEIR did not find any adverse environmental impacts of the project that could not be mitigated to a level of insignificance, which supports the original decision by the Town to zone this property as a housing site.

Glenoaks

As stated previously, the university supports the Town's efforts to address the housing crisis and the university is on record as stating that we are open to exploring ideas of how to increase housing opportunities in appropriate locations supported by the community. However, the university does have concerns on the actual development potential of the Glenoaks site, and until we were contacted by the Town this past April, the university had not considered housing on the property. The existing site has neither a

residential General Plan designation nor residential zoning, and it has environmental constraints that will likely reduce the amount of area available for development.

In Table 6-6, the draft Housing Element suggests developable acreage of Glenoaks as four acres and a “realistic capacity” of 29-units for the site. There are three factors that we see as affecting the potential yield of the Glenoaks site to something significantly less than four acres:

a) The irregular shape of the adjacent Los Trancos creek

When dealing with a relatively small development footprint, it must be noted that the creek meanders in the vicinity of the Glenoaks site, creating “nooks and crannies” that serve to make the site area less efficient to develop.

b) The need to establish an adequate setback from Los Trancos Creek

While section 18.59.030 of the Portola Valley Zoning Ordinance allows development as close as 55 feet from top of bank or 60 feet from the ordinary high-water mark of Los Trancos creek, Stanford’s recent experience in other projects has shown that a setback of 100 feet from the creek is now deemed the minimal acceptable distance. Stanford assumes that further environmental review would be required as part of any development application for this site, which would provide the necessary analysis to identify the proper setback. A larger creek setback will reduce the developable acreage of the property.

c) Feasibility and compatibility of horse operations with new residential on the site

While not addressed within the draft Housing Element, there has been some public discussion about attempting to retain horse operations on the site while at the same time incorporating housing on the site. Stanford does not support this concept and would not pursue such a development within the next eight-year RHNA cycle.

Stanford manages all its lands in a manner consistent with our long-term mission of education and research, and we believe the potential use of the Glenoaks site as *only* a residential site is a land use that would support the overall mission of the university by providing more affordable housing for university affiliates near their place of employment.

We do not believe it is feasible to both maintain a very small horse operation and build housing on the site. After adopting best conservation practices, the developable area of the Glenoaks site is relatively small at less than 4 acres. The developable area of the site is too small to accommodate a viable horse operation and a housing development with 29-units of housing.

Thank you for your time and consideration.

Sincerely,



Jessica von Borck
Executive Director, Land Use Planning



May 4, 2023

Via Fed Ex and Email: jaalfs@portolavalley.net; swernikoff@portolavalley.net;
jhasko@portolavalley.net; mhufy@portolavalley.net; ctaylor@portolavalley.net; ces@jsmf.com;

Mayor Aalfs
Vice Mayor Wernikoff
Town Attorney Cara Silver
Portola Valley Town Council
765 Portola Road
Portola Valley, CA 94028

**RE: Portola Valley Housing and Safety Elements Update and Conforming General Plan
and Zoning Code Amendments Initial Study and Mitigated Negative Declaration**

Dear Mayor Aalfs, Vice Mayor Wernikoff, Council Members and Ms. Silver:

This firm represents PublicSafety4PVNow, Inc., a non-profit organization, which has deep concerns regarding the Town of Portola Valley's approval of the Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Code Amendments Initial Study and Mitigated Negative Declaration (IS/MND).

The IS/MND is deficient in numerous important ways, including in particular its failure to properly assess the significant adverse environmental impacts that the Town's proposed Housing and Safety Elements and Municipal Code amendments would have on several vital interests including, but not limited to, wildfire hazards and public safety, aesthetics, geology and transportation. This letter focuses on the deficiencies of the IS/MND's assessment of impacts on wildfire hazard and public safety because that failure is the most egregious example of the IS/MND's many deficiencies. Given the catastrophic impact in recent years of the fires on the Coffey Park, Paradise, and Marshall communities, as well as countless others, it is essential that the wildfire impacts be thoroughly studied in accordance with CEQA to avoid a similar disaster.

The purpose of this letter is to request that the Town Council reevaluate the IS/MND and CEQA review of its proposed General Plan Housing element and Municipal Code amendments in light of the issues raised by the Woodside Fire Protection District and other considerations set forth below.

We believe that it would be beneficial if the parties had the opportunity to further discuss the issues raised in this letter to avoid any need for litigation to enforce the applicable CEQA requirements. It appears the Town filed a notice of determination for its approval of the IS/MND with the San Mateo County Clerk on April 12, 2023, thereby triggering a 30-day period within which litigation may be brought to challenge the Town's determination under CEQA. Accordingly, we request that the statute of limitations for filing a Petition for Writ of Mandate be tolled for a period of thirty (30) days. This would extend the deadline for filing any petition to June 11, 2023. I have attached a tolling agreement for your signature. If we do not enter into a tolling agreement, we will file a petition for a Writ of Mandate by May 12, 2023.

1. An EIR is Required Under the Fair Argument Standard

The IS/MND concluded that the project would have “less than significant” impacts on wildfire hazards and therefore did not include any mitigation measures relating to wildfire risk. This was incorrect. The “fair argument” test governs a lead agency’s decision of whether to adopt a negative declaration or prepare an environmental impact report (EIR). Under the fair argument test, an agency may forgo preparation of an EIR only if it finds no substantial evidence in the record sufficient to support a fair argument that the project may have a significant effect on the environment. (See *Keep Our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal.App.4th 714; *Practice Under the California Environmental Quality Act*, § 6.76)

There are significant environmental impacts that were not addressed in the IS/MND. The failure to properly assess the wildfire risk is one of the most glaring deficiencies, but there are other issues that were not properly analyzed. The Town’s CEQA analysis was flawed. As set forth below, the Town failed to appropriately consider the substantial impact to wildfire hazards despite the substantial evidence that such an analysis was required. The Town has failed to properly analyze and frame the wildfire risks. As the Woodside Fire Protection District has warned the Town, a correctly performed analysis would make it clear that the impact of the project on wildfire risk is substantial and mitigation measures are required.

As set forth below, there was substantial evidence that the project will impact the wildfire risks. The Town must properly evaluate these impacts and the other inadequately evaluated environmental factors in an EIR.

2. The IS/MND’s Wildfire Analysis is Deficient

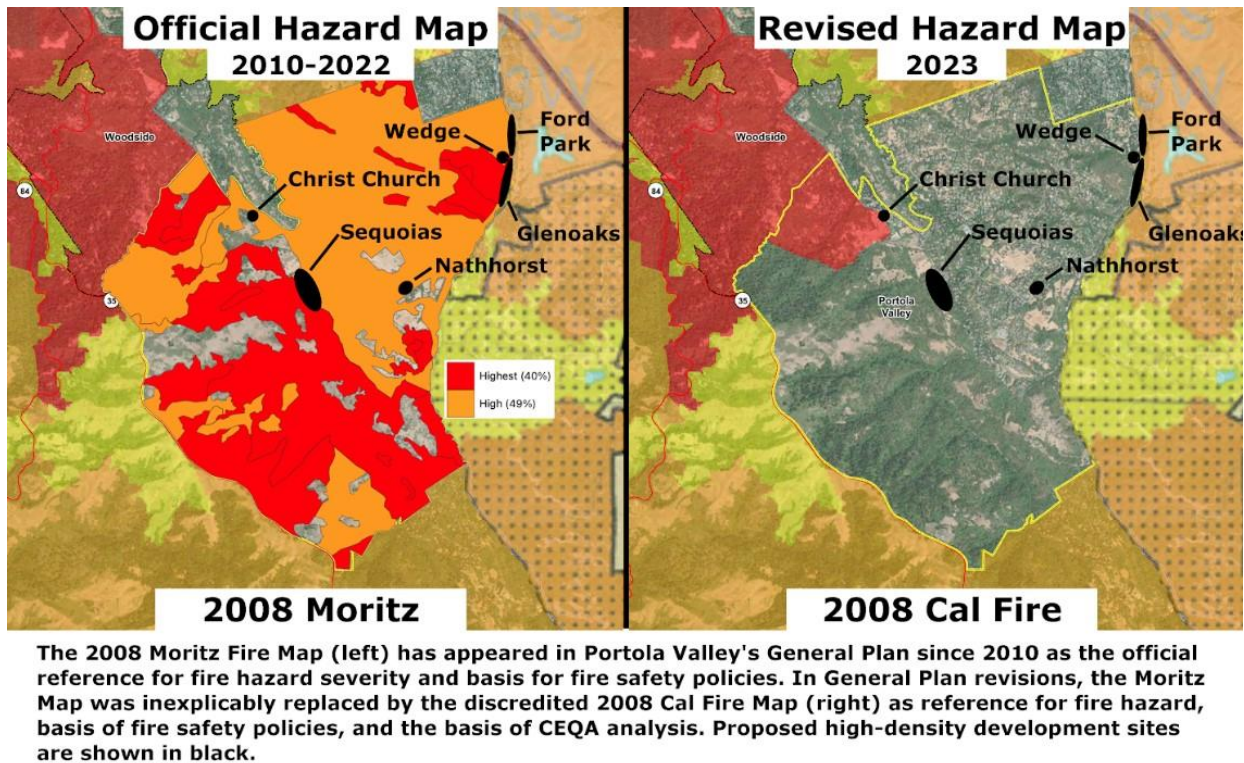
The IS/MND concluded that the proposed project will not have a significant impact on wildfire hazards. This is simply not the case. For some inexplicable reason, the IS/MND relies on a discredited analysis of the risk of wildfires.

There are two maps that characterize fire hazards in Portola Valley. The first is the 2008 Cal Fire Map (Cal Fire Map). Cal Fire’s analysis was recognized at the time by the Town and by Woodside Fire Protection District (WFPD) as being grossly inaccurate. The Fire District has repeatedly articulated this view. For example, in a letter dated September 13, 2022, from the Fire Marshall to Planning Director Russel, the Fire Marshall explains that the Fire District rejected the Cal Fire Map and stressed the need for an accurate and updated analysis of the wildfire hazard.

Because of the widely recognized gross inaccuracies of Cal Fire’s analysis, the Town commissioned Moritz Arboricultural Consulting to prepare a more detailed fire hazard map in 2008 (Moritz Map). Since it is based on a more rigorous and precise methodology, the Moritz Map should form the basis of any CEQA assessment.

The Moritz Map presents a vastly different and increased risk of fires. The Moritz analysis concluded that 40% of the Town has the “highest” fire safety hazard and 49% has a “high” fire hazard. By contrast, the Cal Fire Map only characterized 6% as a very high fire safety risk. Both the Fire District and Ray Moritz identify Moritz’s “highest hazard” areas as equivalent to Cal Fire’s definition of Very High Fire Hazard Severity Zone.

Below are the two maps side by side and the difference is striking.



In 2010, the Town incorporated the Moritz Map into the General Plan Housing and Safety Elements. For the last 13 years, the Moritz Map has served as the centerpiece and foundation on which the Town's public wildfire prevention and land use policies and regulations are based. The Moritz Map was selected and adopted in 2010 to serve as the basis for the General Plan's fire prevention policies precisely because it provides a far more accurate assessment and depiction of the severity and extent of the wildfire hazards than the discredited 2008 Cal Fire map. Nothing authorizes or allows Town staff or consultants to ignore or unilaterally change the General Plan's express policies and mandates.

Despite the mandates of the General Plan, the IS/MND relies on the 2008 Cal Fire map to determine there is a less than significant impact. Throughout the CEQA process, the fire experts responsible for protecting the Town, including Woodside Fire Marshall Don Bullard, have stated that the Moritz Map is the most accurate depiction of Fire Risk:

- At the Housing Element Committee on January 18, 2022, Fire Marshal Don Bullard indicated that **the Moritz map is the most accurate depiction of our wildfire hazard and, if anything, understates rather than overstates the hazards.**

- Also at the January 18, 2022, meeting, Portola Valley’s current fire safety consultant agreed. In reference to the Moritz Map Zeke Lunder said: “It’s a good map... But it’s 13 years old. ... **If I were to draw the red circles on the map, my map would have more red on it.**”
- In a memo dated September 13, 2022, Fire Marshall Bullard raised several concerns:
 - Commenting on the proposed draft Safety element, he rejected its reliance on the 2008 Cal Fire Map and called for the Planning Department to consider the comments of Matt Miller (WFPD Board President) from January 20, 2022, where Mr. Miller said:

“The district does not approve of or support the use of the limited CalFire map from 2008 as it is too old and too limited based on our assessments. **You may recall that the district rejected this map as too limited even back in 2008. It is not a safe and accurate map to approve in 2022 either.**” (Emphasis added.)
 - Fire Marshall Bullard said the district does not agree with the FEMA Hazard and Risk Ranking given for Wildfire for the 2021 MJLHMP for Portola Valley. The district feels that the Town should update the wildfire ranking to be more in alignment with the Fire District and the Town of Woodside. **Both the Fire District and the Town of Woodside have ranked wildfire of the highest hazard where Portola Valley has it ranked as medium to almost low hazard. The Town of Portola Valley should update their MJLHMP as soon as possible to reflect the true wildfire hazards faced by the Town.** (Emphasis added.)

After the Town had announced in December 2022 that it planned to hold a series of Planning Commission and Town Council meetings so it could approve its new Housing element by January 31, 2023, on January 4, 2023, the Fire District wrote the Town to warn the Town that the IS/MND’s assessment of wildfire impacts had several critically important deficiencies – including its mistaken and inexplicable substitution of the Cal Fire map for the Moritz Map as the baseline assessment of wildfire hazard for the town – and that the IS/MND also omitted important additional mitigations that are needed to protect public safety. In the email to the Town transmitting the Fire District’s January 4, 2023 letter to the Town, Fire Marshall Bullard specifically requested the Town Council to add a public presentation of the Fire District’s concerns to the agenda for its next public meeting, include a copy of the District’s January 4 letter in the public digest and agenda packet for the meeting, and provide the letter to each member of the Town Council, Planning Commissioners and Town Manager Jeremy Dennis and Planning Director Laura Russell. Since the Planning Commissioners and Town Council members were the Town officials who would ultimately decide whether to approve the IS/MND, the District’s email sought to ensure that all involved officials as well as the public were fully informed of its concerns, the IS/MND’s deficiencies, and the need for extensive mitigation before any decision was reached.

Shortly thereafter, the January 31 deadline to approve the new Housing element was cancelled, and the Fire District withdrew its request for a hearing at the next Council meeting “for now.” Notably, however, the District did not withdraw its letter or the request to provide its letter to all Town Council members and Planning Commissioners.

Did the Town ever provide the Fire District's letter to all Planning Commissioners, or all Town Council members, before asking them to vote on approval of the IS/MND? Apparently not.

Prior to adopting the IS/MND, the Town never publicly disclosed the Fire District's January 4 letter, the fact that it was received, or the nature of its concerns. In March, a resident served a Public Record's Request on the Town Manager seeking access to the January 4 letter. It is our understanding that the Town Manager stated he was not familiar with the letter and referred the resident to Town Attorney Cara Silver. In an email responding to this request, Ms. Silver stated that she was not sure which letter the resident was referring to. The resident then asked the Fire District via a Public Records Request for the Fire District's January 4 letter on April 13, 2023. When the Fire District informed the Town that it was planning to produce the letter, the Town contacted the Fire District attorney urging it not to produce the letter. Nonetheless, on April 24, 2023, the Fire District produced its January 4th letter to the Town.

The Fire District's January 4 letter should have been made public and distributed by the Town to every Town Council member and to every Planning Commissioner when it was received. It also should have been produced by the Town when it was requested under the Public Records Act. The Town's actions to withhold and conceal the concerns expressed and mitigations requested in the Fire District's January 4 letter renders void the Town's subsequent approval of the IS/MND and any adoption of it is improper and invalid. Furthermore, the IS/MND's conclusion that the impact of the Town's proposed Housing element and Municipal Code amendments on wildfire hazard will be "less than significant" and does not require mitigation are clearly erroneous and cannot be sustained.

There is substantial evidence in the record sufficient to support a fair argument that the project may have a significant effect on the environment. This is true even without the Fire District's January 4 letter. But the Fire District's January 4 letter shows that there is far more than substantial evidence in the record. Indeed, there is conclusive evidence that the Town's IS/MND cannot be sustained and the approval must be rescinded.

3. The March 29, 2023, Resolution adopting the IS/MND is Flawed

The Resolution adopting the IS/MND contains several flaws:

- (i) The Resolution states that it constitutes a complete analysis addressing all issues relevant to the approval and that it identified all potentially significant adverse environmental impacts and feasible mitigation measures. A complete analysis of the fire hazards was not completed.
- (ii) The Resolution confirms and reiterates the pre-IS/MND determination "that the Project would have no impact or less-than-significant impact on ... Aesthetics ... Biological Resources ... Land Use/Planning ... Parks and Recreation ... Public Services, Transportation, Utilities/Service Systems, Wildfire." Again, complete analysis of the fire hazards and other issues was not completed.
- (iii) The Resolution does not explicitly give any legal effect to the appended Mitigation and Monitoring Reporting Program (MMRP), making its significance and enforceability ambiguous and undefined.

- (iv) As written, the MMRP explicitly states as to “wildfire” and each of the other “non-significant” items set forth in Finding 5, “Implementation of the project would not result in any significant wildfire impacts.”
- (v) The Resolution includes no resolution regarding the Bullard Letter and requested mitigations. Instead, its recitals merely state that “the Town is in the process of updating its Safety Element and during that process commits to address the actions requested by Fire Marshall Bullard at the Planning Commission’s February 15, 2023, meeting and email from the Woodside Fire Protection District’s attorney Ann Danforth to the Town Attorney dated March 29, 2023.” (Eighth Recital) This Eighth Recital also states that the Town will adopt the Moritz Map and/or any successor map as a basis for evaluating the fire risk associated with specific sites in the Town. The Town should have used the Moritz Map as the basis for its decision which it did not do, and it should adopt the mitigation measures in the Bullard Letter.

4. Additional Deficiencies of the IS/MND

As noted, we have provided extensive detail of the deficiencies related to wildfire hazards for two reasons. One, because it is critically important, and secondly, because it demonstrates the general character of the deficiencies that suffuse the entire IS/MND. This has resulted in a document that is grossly inadequate as it fails to properly evaluate the environmental factors required by CEQA to support the proposed amendments to the Housing Element, the Safety Element and the General Plan and Zoning Amendments. This could result in numerous follow-on projects attempting to rely on the inadequate analysis of the IS/MND. In addition to the inadequate analysis of wildfire risks, there are numerous other deficiencies within the IS/MND. There are multiple unresolved significant environmental impacts that were not properly addressed including the failure to properly define the project and scope as required under CEQA and the failure to mitigate these impacts. These deficiencies include, but are not limited to, the following:

- The IS/MND is improperly structured and presented as a “project” review when it should instead properly be structured and performed under CEQA as a “program” review or a “master environmental assessment.”
- The “project” defined for assessment in the IS/MND is overly broad and indeterminate in scope and content, making the required CEQA assessment of direct, indirect and cumulative effects impossible to perform in an informed and competent manner.
- The IS/MND is premature because many of the policies, programs and ordinances ostensibly assessed in the IS/MND have not been defined or disclosed in time to permit an informed, competent assessment of their impact.
- The opportunity provided for public review and comment of the IS/MND is legally deficient and inadequate.
- The draft Housing element and the IS/MND are based on an incomplete and inadequate administrative record.
- The IS/MND’s assessment of impacts on geologic hazards and risks is deficient and materially misleading.
- The IS/MND’s assessment of impacts on wildlife habitat is deficient and inadequate.
- The IS/MND’s assessment of impacts on indigenous artifacts and previously inhabited lands is deficient.
- The analysis of the IS/MND is inadequate because it is based on a nonexistent “Evacuation Plan” and the traffic analysis is incomplete as the project anticipates increase density.

- The analysis of the IS/MND is inadequate because it fails to analyze the increased risk on the surrounding community imposed by the Project due to topography.

In addition, the Notice of Determination was not timely filed, and it should have been filed with the Office of Planning and Research because the project required discretionary review from a state agency.

Based on the above, the Resolution approving the IS/MND must be immediately rescinded. Alternatively, as stated above, if you wish to discuss with us how we can possibly resolve this dispute without immediate rescission of the IS/MND or resort to litigation, the Town Council must agree by May 10, 2023, to toll - for a period of thirty (30) days ending June 11, 2023 – the statute of limitations for filing a Petition for Writ of Mandate. During that time the parties and their counsel would meet and confer in good faith – if possible in a privileged and confidential settlement discussion – in an effort to reach an expeditious and mutually agreeable solution which addresses the deficiencies of the IS/MND and the attendant Resolution approving it, thereby hopefully avoiding all need for any litigation challenging the Town's approval of the IS/MND.

I look forward to hearing from you.

Very truly yours,

SILICON VALLEY LAW GROUP
A Law Corporation



Laurie Berger