

TOWN COUNCIL MEETING NO. 725, AUGUST 8, 2007

ROLL CALL

Mayor Driscoll called the meeting to order at 8:00 p.m. and led the Pledge of Allegiance. Ms. Howard called the roll:

Present: Councilmembers Derwin and Toben, and Mayor Driscoll
Absent: Councilmembers Davis and Merk
Others: Town Administrator Howard, Town Attorney Sloan, Public Works Director Young, and Assistant Clerk Hanlon

ORAL COMMUNICATIONS: None

CONSENT AGENDA

By motion of Councilmember Toben, seconded by Councilmember Derwin, the items listed below were approved by the following roll call vote:

Ayes: Councilmembers Derwin and Toben, and Mayor Driscoll.
Noes: None

- (2) Warrant List of August 8, 2007, in the amount of \$809,076.46.
- (3) Response to 2006-2007 Grand Jury Report, per Town Attorney's memo of 7/24/07.
- (4) Approval of 2007-2008 Budget Amendment, per Admin. Services Officer's memo of 8/8/07.

REGULAR AGENDA

- (1) Minutes of Town Council Meeting of July 25, 2007 (Removed from Consent Agenda)

Councilmember Toben submitted a change to the minutes of the 7/25/07 meeting. By motion and second, the minutes were approved by a vote of 2-0, with Councilmember Derwin abstaining.

- (5) Amendment to Animal Control Agreement

Ms. Howard reviewed the staff report of 8/8/07 and recommendation to extend the current agreement with the County for Animal Control Services for an additional three years through June 30, 2011. She noted that in the interim, the County would be issuing an RFQ to see if there was someone other than Peninsula Humane Society (PHS) to provide the services. PHS would prefer to focus their activities on animal rescue and adoption.

Councilmember Toben moved approval of Resolution No. 2356-2007 Approving and Authorizing Execution of Second Amendment to the Agreement with the County of San Mateo for the Provision of Animal Control Services. Councilmember Derwin seconded, and the motion carried 3-0.

- (6) FY 2007/2008 Annual Street Resurfacing Project

Mr. Young reviewed the staff report of 8/8/07 on the FY 2007/2008 annual street resurfacing project. Responding to Mayor Driscoll, he confirmed that the work proposed for Westridge Road would be coordinated with a homeowner's sewer project. The homeowner hoped to tag onto the Town's contract.

Because the road was slurry sealed two years ago and would now be trenched for the sewer, the homeowner had to replace the slurry seal in kind and re-stripe the entire road.

Councilmember Derwin moved approval of Resolution No. 2357-2007 Approving Plans and Specifications and Calling for Bids for the 2007/2008 Resurfacing Project (No. 2008-PW01). Councilmember Toben seconded, and the motion carried 3-0.

By motion of Councilmember Derwin, seconded by Councilmember Toben, Council authorized the Town Administrator to award the project to the lowest responsible bidder with a total contract and change order amount not to exceed \$410,000 by a vote of 3-0.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(7) Status of Town Center Project

Ms. Howard said most of the playground equipment had arrived and installation would start next week. It was hoped that the majority of the equipment would be installed prior to the Blues and BBQ event. The steel work was being done for the Town Hall, and the concrete walls had been poured for the library. The plumbing and electrical was installed for the Community Hall, and the concrete slab should go in next week. Bids for the lower division baseball field would be coming in in two weeks.

Ms. Howard said there had been some vandalism and unauthorized entry into the construction site. Locks had been cut off the gate and tools, copper fittings and other materials were taken. The temporary gates were not sufficient and difficult to secure. An estimate from Woodside Patrol for a security patrol in the evening was \$500/month if a one-year agreement was signed. They would do a second patrol for \$7.50/night, or \$600/month for two patrols/day. Another option was to light up the construction site. Low wattage lights would probably be enough for the web cam to pick up. Mayor Driscoll said a few 150-watt bulbs in the correct position would be sufficient for the camera, which was currently only logging images during daylight hours; it was capable of logging 24-hours/day. Ms. Howard added that the Sheriff's Dept. said they would increase patrols somewhat.

Mayor Driscoll noted that there would be things of higher value on the site later on. He didn't want the Town to be preyed upon every couple of weeks. He thought some action should be taken. He noted that The Sequoias had a night watchman. He suggested asking them if the night watchman could patrol the Town Center site for some extra money.

Ms. Howard added that if the material was not installed, it belonged to the construction company; once installed, it belonged to the Town. Councilmember Derwin thought the construction company would be interested in improving security. Mayor Driscoll suggested asking the contractors if they would like to cover some of the cost of enhanced security.

Councilmember Toben said there had been construction site problems in Town for the last couple of years. He thought the Town should try to do something fairly aggressive. He suggested looking into companies who specialized in security at construction sites.

Mayor Driscoll said he was also concerned that some items with long lead times might be taken which would set the schedule back considerably. Mr. Young noted that security guards could be hired to be on site all night—especially when the more valuable items started coming in. Mayor Driscoll said something should be in place prior to deliveries. He asked staff to: 1) contact The Sequoias and other security companies; and 2) look into lighting for the web cam. Councilmember Toben suggested also looking into motion-activated lighting. Mr. Young said he would also talk to the various contractors with construction trailers to see if they would be willing to put their own motion detector lights in front of their trailers.

Mayor Driscoll said Mr. Young was producing a weekly update on what was happening on the site and what the issues were. A copy was sent to the fundraisers so they could provide updates. He suggested e-mailing copies to Councilmembers and putting a copy in the digest.

With respect to the temporary locations of the Town Center activities, Mayor Driscoll said the Tae Kwon Do class would be moving to the Alpine Hills Tennis and Swimming Club. They hoped to expand their operation and hold additional classes. Additionally, he would be meeting with each of the activity people who would be using the new Town Center to explain how things would have to be operated in order to meet the requirements of the German tax authority for the Hasso Plattner donation. It was not distinctly different from the way it was before, but was a little more official and explicit.

Councilmember Toben noted that the Parks and Rec Committee had discussed the activities at the Town Center and whether the community's needs were being met. He thought it would be appropriate for the Council to discuss how these decisions were made. Councilmembers discussed the past and current activities and the need for activities to co-exist in the new facility.

(8) Reports from Commission and Committee Liaisons

(a) Planning Commission

Councilmember Derwin said the Planning Commission had a public meeting about creek setbacks. For the most part, the draft was well received. On 8/7/07, Commissioners Zaffaroni and Elkind held a workshop to continue the discussion, and another workshop would be held on 8/21/07. The Commission would be holding a special meeting on 8/29/07 at which Commissioners Zaffaroni and Elkind would report on their workshops. The public hearings were scheduled for 10/17/07 and 11/7/07. The Council should have the proposed ordinance by the end of the year or the beginning of next year. Additionally, she said Ms. Lambert indicated that a permit application had been received for the new Roberts Market, and the applicants were responding to comments in the first review letter. She said George Roberts was apparently not interested in having the post office substation in the market.

(b) Traffic Committee

Councilmember Derwin said the Committee did not have a quorum at the last meeting, but they discussed bike safety. They discussed having a bike summit in the fall to address problems and raise public awareness. Supervisor Gordon was very interested in the issue.

(c) The Sequoias

Mayor Driscoll noted that a meeting at the Sequoias was planned for October. The Sequoias was interested in emergency preparedness, and he suggested postponing the 8/29/07 special meeting to the 10/10/07 meeting at The Sequoias. Councilmember Derwin added that if there were enough candidates for the election, The Sequoias was interested in having a candidates' night. Additionally, The Sequoias would be holding a grand opening ceremony for their new medical facility sometime in the fall.

WRITTEN COMMUNICATIONS

(9) Town Council 7/27/07 Weekly Digest

(a) County Disaster Preparedness Day

Referring to the Supervisors' letter of 7/17/07, Ms. Howard said last year CERPP manned a booth for Woodside and the Town. Mayor Driscoll asked staff to follow-up with CERPP and the Emergency

Preparedness Committee to ensure the Town was represented.

(b) Williamson Act Audit

Referring to the letter from the State Division of Land Resource Protection of 7/13/07, Ms. Howard said Mr. Vlastic was following up and would report on the parcels identified in the letter. Responding to Councilmember Toben, Ms. Sloan said she did not recall any Williamson Act contracts between the Town and property owner since she had been Town Attorney other than the White/Jelich property. She noted that the Mills Act was similar to the Williamson Act and applied to historical property.

(c) Climate All Stars Conference

Mayor Driscoll suggested the Climate Protection Task Force send a representative to the Climate All Stars Conference to be held on 9/21/07. Councilmember Derwin said she would follow up.

(10) Town Council 8/3/07 Weekly Digest

(a) Silicon Valley Community Foundation

Councilmember Toben suggested the Town be represented at the Foundation's environment meeting on 8/23/07. After a discussion of availability, Mayor Driscoll asked Ms. Howard to see if Councilmember Davis could attend.

(b) San Jose Mercury Article on Bottled Water

Referring to the 7/30/07 article on prohibiting bottled water, Councilmember Toben suggested that staff deplete its present stock and stop using bottled water for the reasons cited in the article. Council and staff discussed alternatives to bottled water.

CLOSED SESSION

- (11) Conference with Real Property Negotiator
Government Code § 54956.8
Property: Trevis Parcel #077-212-140
Negotiators: Town Attorney and Town Administrator
Under Negotiation: Price and Terms

REPORT OUT OF CLOSED SESSION: None to Report

ADJOURNMENT

The meeting adjourned at 9:35 p.m.

Mayor

Town Clerk