

*[NOTE: Many of the speakers in the audience and on the dais were partially or completely inaudible on tape. -LN]*

SPECIAL TOWN COUNCIL MEETING NO. 689 MARCH 1, 2006

ROLL CALL

Mayor Toben called the meeting to order at 8:01 p.m. and led the Pledge of Allegiance. Ms. Howard called the roll:

Present: Councilmembers Davis, Derwin, Driscoll and Merk, and Mayor Toben  
Absent: None  
Others: Town Planner Mader, Town Administrator Howard, Town Attorney Sloan, and Deputy Clerk Hanlon

ORAL COMMUNICATIONS: None.

REGULAR AGENDA

(1) Donation for Interim Town Library

Brooke Fabricant, Friends of the Library, presented a check for \$40,000 to the Town to help defray the cost of the temporary library. Mayor Toben described the history of the Friends of the Library and the critical role that they played.

(2) Siegel & Strain Architects Presentation on Design of New Town Center

Suzi Marzuola, Siegel and Strain, used slides and discussed: 1) meetings with various groups since the last design presentation to the Council; 2) changes and refinements made to the site plan; 3) the 3-building scheme; 4) ASCC input; 5) changes to outdoor spaces; 6) access points, road design and parking; 7) trails and paths layout, materials and connections; 8) lighting; 9) fencing; 10) landscape zones and plantings; 11) playground and equipment; 12) town square area; and 13) items still under consideration.

Larry Strain, Siegel & Strain, used slides and discussed: 14) building square footage changes; 15) shared space; 16) building relationships; 17) community hall and activity rooms; 18) widening of outside spaces; 19) changes to elevations; 20) changes to building design and materials; 21) views of and from buildings; 22) changes to town hall building; 23) the project budget (included with his memo of 3/1/06); 24) phase 1 items and scheduling; 25) phase 2; and 26) timing for bidding. Responding to Councilmember Driscoll, he said the traffic engineers had worked with the architects on the design. Ms. Marzuola confirmed that the roads/circulation were within traffic/parking requirements.

Mayor Toben acknowledged the responsiveness of the architectural team and fine work of the ASCC. He opened the public comment period at 8:50 p.m.

Responding to Bill Lane, Mr. Strain said the structural engineering firm used was known for their design work. Jim Goring said current structural engineering principles were being applied to the buildings, which were traditional structures but in a safer location. Ms. Marzuola noted that the structural engineers had advised the design team to keep the structures closer to the ground; storage areas in lofts, etc., were well supported and ran over short spans. Mr. Strain said in addition to 2-story schemes, L-shaped buildings had been looked at. The plan was for essentially rectangular spaces within larger rectangular buildings. Sheer walls, roof weights, etc., all lined up. Beyond that, the town hall/essential services building had been designed to incredibly high standards. It was basically standard construction but just more of it. It was

being designed so that after an event, you could walk in and keep working.

Responding to Bernie Bayuk, Mr. Strain said the plan was to use a modular, portable stage in the community hall. There was a very large storage area in the middle of that building that all three activity rooms and the community hall building faced onto. Ms. Marzuola used the plans to describe the grade change in the area; the town plaza was up a little higher and stepped down to the lawn. An outdoor stage could be set up on this location with the audience out on the lawn or on the steps.

Matt Stoecker, 135 Campo, reviewed his handout entitled "Sausal Creek Restoration at the P.V. Town Center" and discussed: 1) benefits of restoring the entire length of the creek at the site; 2) facts about restoring the creek; 3) what needed to happen to the design to allow restoration of the creek in the future; and 4) grant opportunities. Mayor Toben noted that there were some severe problems in opening up the creek, such as the lengthy concrete spillway downstream, which presented a severe impediment to the migration of steelhead trout. There was also some question about the location of this natural waterway. He said there would be special attention given to this issue at a meeting in the spring with ample opportunity to discuss the pros and cons of restoring the creek.

Responding to Arthur Graham, 700 Westridge, Mayor Toben said there were no special federal or State permits required for the Town Center project itself.

Responding to Breene Kerr, Mayor of Los Altos Hills, Mr. Strain said there was the possibility of putting in around 75 solar panels, but the budget currently reflected 22. There was additional square footage for panels available on the buildings. Ms. Marzuola used the plans to show where additional space was available. Mayor Kerr described the solar system and savings at the Los Altos Hills town center and recommended more solar panels be added.

Responding to Carol Graham, 700 Westridge, Mayor Toben said Councilmember Driscoll was working very hard to relocate current activities at Town Center. He noted that in many cases, the current buildings straddled an active trace of the San Andreas Fault. The Town had reached the end of the rope with the insurer. The intent was to do everything possible to find alternate quarters for the principal tenants of the buildings. Councilmember Driscoll said the Council was very interested in keeping these activities going and had discussed subsidizing rents, etc. Additionally, a lot of money was budgeted for activity rooms for the new center, and the Council wanted to make sure that those activities remained. Every effort would be made to facilitate the transition process.

Responding to a resident *[inaudible]*, Councilmember Driscoll said the idea of using a temporary building had been offered to some of the activity providers who had turned it down. The athletic people felt sports were not appropriate in temporary buildings, and the artists required water to do their work; the cost of bringing in water into temporary buildings was far greater than renting space elsewhere in Town. Mayor Toben added that the development had been staged to create only minor disruption of use of the children's playground and soccer field. There would be some disruption in the softball/baseball activity. But, the Town was working on finding alternative facilities for the Little League and adult softball.

Responding to Pierre Fischer, 10 Valley Oak, Councilmember Driscoll said the tennis courts might not be available for a couple of years. Mayor Toben added that the Town had negotiated very hard with the Woodside Priory to incorporate in their use permit access to their courts. He described court availability.

Responding to Adele Seltzer, 140 Degas, Mr. Strain said a lot of work needed to be done before the rainy season. Completing the demolition, hazmat removal, and clean up of the area would make the rest of the job easier than keeping the buildings up. Additionally, the buildings were not safe to operate whether new Town Center buildings were built or not. They were uninsurable and could not be occupied. Councilmember Driscoll said the Town would try to leave the existing buildings functioning through the

summer. In the fall, the demo work would need to be done. Additionally, an opened site needed to settle for a period of time before building. Mayor Toben added that the re-usable materials would be salvaged and integrated into the new buildings. Mr. Goring said it was possible that the tennis courts need not disappear until after the first stage of construction.

Marge DeStaebler, Conservation Committee, said she liked the landscaping plans.

Responding to Jeanette Hansen, Mayor Toben confirmed that there would be a trail across the back of the property. The surface was up for discussion. Ms. Marzuola used the plans to show the location of the trails.

Responding to Kevin Webster, Mr. Strain described the types of materials that could be re-used.

Bill Lane discussed how well the Town had been served by its government over the years. He felt the Town Hall was the most important structure and needed to get up as quickly as possible.

Laura Chase, ASCC Chair, said all of the Councilmembers had been present when the modification of the skyline of the Town Center had been addressed. It had been a 3-2 vote with comments from the public on both sides. It was a subjective issue. Speaking as an ordinary citizen, she discussed her personal preference.

Responding to Lindsay Bowen, Mr. Strain confirmed that the existing trees toward center field of the softball field would remain. The idea was to plant some new ones so that the field could be expanded at a later date. Mr. Bowen said the community hall needed to be large enough for basketball, badminton, and activities for older children, such as 6th, 7th and 8th graders.

Danna Breen, ASCC, said she was satisfied with the design although she preferred the original roof forms. She also wanted to see the creek opened and wanted to be involved in the upcoming meetings.

George Comstock, 177 Alamos, encouraged the Council to act on the design tonight.

Mayor Toben closed the public comment period at 9:35 p.m.

Councilmember Derwin said there were a lot of things she loved about the project, which she described. She also felt that the creek should be opened. Mr. Strain said care had been taken not to build anything that cost very much on top of the creek; the buildings were not on top of the culvert and had been pulled back even further in the last round. The only thing that would have to be moved was the baseball field to the east 20 - 30 feet. That could be done now or later. If it was done now, 4-5 large trees would have to be taken out. The way it was planned, the creek could go across the site. Mayor Toben reiterated that the creek issue would be resolved in the next several weeks.

Responding to Councilmember Merk, Ms. Marzuola confirmed that: 1) a concrete masonry unit (CMU) wall would be included in the maintenance yard; 2) irrigation would only be used while the new plants were established and would be kept to a minimum; 3) the style of the posts used in the fencing (Sheet L7.0) had been discussed at the ADT and ASCC meetings; a single chamfer was easier to do than the originally planned chamfer; 4) the "EOC Storage" area should be clarified on the plans to indicate it was storage for the EOC only; 5) additional elevations/drawings from different vantage points were in progress; and 6) the generator would be back behind the Town Hall near the new transformer. Responding to Councilmember Davis, she confirmed that the center path would not be concrete and that the plan would be updated to reflect that. Councilmember Merk suggested using a good, high quality crushed rock base.

Councilmember Merk said he thought there was too much lighting for a rural environment. He preferred that the site remain dark. He also questioned why the planting plan had so many 36" box trees. A valley oak

would put on 3-4' of growth in one year, and he thought 5-gallon trees would be adequate. Smaller trees also tended to have a better survival rate than bigger trees. Referring to Sheet L7.0, he said either the scale or figures were wrong for the 5' fence shown in #3. Referring to Sheet LA1.1, he said one of the proposed redwood trees looked too close to the building. Mr. Strain said a more accurate picture of the trees was on Sheet A1.01. Councilmember Merk said he was still concerned that the parking was going to be insufficient; as the fields had been improved over the years, they drew more and more people, and the demand increased. As more amenities were provided, more people would come to watch the games. He described the situation at Ford Field and Rossotti's where parking was less than adequate. He thought more parking should be added. In terms of the creek restoration, he said he did not know whether it would be better to move the baseball field now or later. He did not want to see more trees cut down, but if the creek was going to be restored, the Council needed to think seriously about pushing the field over now. Generally, he was pleased at how the project had evolved. But, he still felt the buildings/uses were too "urban." His biggest concern was that the project was moving ahead too fast without knowing where the funding was coming from. The fundraising committee had been functioning for many months. In terms of the amount of money needed, what had come in was peanuts.

Councilmember Davis said seeing how the architects had responded to the input from committees, etc., had been a wonderful experience. He felt a very good design had been improved over the last six months as many new and old ideas had been put into place and refined. He felt the right architects had been chosen and that they had totally responded to the nature of the Town.

Councilmember Driscoll said the landscaping would reduce the concerns about the buildings looking too urban. He felt the buildings were surprising rural looking and would appear more so over time. He had some concerns about the fence around the tennis courts which was relatively transparent. He preferred dark brown tennis courts with some weathered/chain link fencing. He agreed there might need to be some wind screening. On the creek restoration, he said the permit process alone could take 1.5 to 2 years. The goal had been to design a project that could go either way and to try to minimize the cost element. He wanted to open up the creek, and it appeared it would simply be a matter of moving home plate about 30.' He did not, however, think the project should be delayed in order to do that. Additionally, he felt there were slightly too many trees planned for the site. It was important to be able to drive by and see the meadow. As planned, there were three trees right in the middle of the meadow. He liked the idea of using some higher grass to shield the road, but he wanted to preserve the sense of openness that existed now. He also thought the third base grove was a little bit overdeveloped with trees. He said this had been a costly design process with the architects faced with many conflicting clients. It was almost impossible to find a consensus, and he felt the architects were doing an outstanding job of trying to find a median. He was also impressed by the ASCC's review. In the end, the philosophy was "even less is even more," which is what had happened in the last 3-4 months. He was very optimistic that this project would fit the site.

With respect to the vines on the tennis court fencing, Councilmember Merk was concerned that the leaves would litter the courts. That would be one more maintenance issue. He added that he would like to see more solar panels but recognized that would mean additional cost.

Responding to Mayor Toben, Councilmember Merk said he did not want to approve this conceptual design if it meant the Town would start the next phase, which would cost the Town more money without knowing where the money would be coming from. The Town had spent a lot of money to do something when it was not known if it could actually be done--even though it had to be done. Councilmember Driscoll noted that the fundraising committee had been raising money for a project without having a plan that represented the current state of the design. Concluding the design development phase did not mean working drawings or the demolition would be started. The fundraisers would now have a fixed target on which to raise funds.

Town Planner Mader reviewed his memo of 2/23/06 and finding that the new proposed site plan and accompanying table of floor areas were in compliance with the site plan and table approved as a part of the

final EIR. Responding to Mayor Toben, he recommended the Council take separate action to accept the memorandum and finding. Councilmember Merk noted that the agenda did not say anything about the Council taking any action on the plans or voting on anything. He questioned whether the public had been noticed of what the Council was about to vote on. After discussion, Mayor Toben suggested agendaizing/noticing Council's action on the Town Center plans dated 2/23/06 for the 3/8/06 meeting. By motion of Councilmember Davis, seconded by Councilmember Derwin, Council accepted Town Planner Mader's memorandum of 2/23/06 and finding with respect to compliance with the Final EIR by a vote of 5-0.

Mayor Toben said the PV Community Fund (PVCF) group had been quite active over the last 6 months and was making very good progress with donations. He said the intension was to proceed through June 30, 2006, at which time there would be an assessment. At the April 12, 2006, meeting, the fundraising consultant, who had been working closely with staff and the PVCF steering committee, would report on the likelihood of being able to raise most if not all of the required funds. He discussed budgeted amounts, gifts to date, and existing reserves. He said the question was whether the resources available today were sufficient to give the Council enough comfort to accomplish preliminary tasks like hazmat removal and demolition.

Councilmember Driscoll discussed the need to move forward with the fundraising and design development at the same time. He felt the Town would need to take some steps and not wait until all of the money was raised. It was important that any steps taken not leave the Town with something that was not functional long term. On the other hand, if the current buildings were hazardous and could fall down tomorrow, the question was whether it was reasonable to abate the hazard and let the Town continue to operate with the playing fields and with Town staff in temporary buildings while the Council worked out how it was going to pay for the project--and maybe not pay for it for a couple more years. The argument could be made that if the working drawings were done, they could be put on the shelf and taken down two years later. The Council should think about moving forward incrementally and creating stable resting places. What the stable resting places were should be the focus of the schedule.

Mayor Toben felt the fundraising hand had to be way out in front. Dealing with hazardous materials and demolition was roughly \$400,000. If there was \$2.5 million in cash available and the sensible thing to do was to take the dangerous buildings down, the question was whether the Council would be comfortable making that expenditure. Councilmember Davis commented [*inaudible*].

Councilmember Driscoll noted that he was working hard trying to get the activities relocated. He also felt that taking the buildings down might wake some people up. He thought a lot of people were in denial about a very real scientific risk. Councilmember Derwin discussed the mixed message being sent to residents due to the continuing use of the current Town Center buildings by volunteers, artists, the fire department, etc.

Bernie Bayuk discussed everyday risks associated with driving compared to the probability of a devastating earthquake. Councilmember Driscoll said the difference between driving and children going to an art class in these buildings was that the children didn't choose that risk.

Mayor Toben referred to Ms. Howard's memo of 2/23/06 on action items for the next phase of the Town Center project. As suggested for action item #2, he asked for comment on whether the Town should notify lessees and other users that the facilities would no longer be available after August 1, 2006.

Councilmember Merk said he agreed there was going to be a catastrophic earthquake. He did not agree that everyone in Town was in denial about it. He was willing to take the risk to live in the most beautiful place in the world. Every person who came into these buildings had been made aware of the risk. There were contracts signed, signs, waivers, etc. A child didn't make a choice, but the child's parent/guardian made the choice. He was concerned about the continuation of services. He was not willing to agree to tear down the buildings on day "x" until he saw some reasonable plan to continue to provide services. That had

not been done. The buildings had been used for 40 years knowing they were dangerous. To use them until an alternative could be found was dangerous, but it was a risk that the tenants/users were willing to take. To tear down these buildings just because the Council was afraid was not the right thing to do. He did not think the buildings should be torn down when they were still needed and there was no alternative.

Councilmember Driscoll said he did not feel a need to direct staff to notify all of the lessees and other users that they had to vacate by August 1. He would rather wait a couple of weeks while he continued to try to find alternative spaces. If the Town lost these services/activities, then there was no need to spend \$3.5 million on activity rooms in the new Town Center. Responding to Mayor Toben, he anticipated being able to notify people when they needed to vacate sometime within the next 1.5 months. He wanted to spend that time finding space for these people.

Councilmember Davis said he would like to follow the tentative schedule and start on at least two buildings: the library and Town Hall. He wanted to get everyone into safe facilities.

After discussion, Council agreed to put off a decision on a shutdown date until the April 12, 2006, meeting.

Referring to action item #8, Mayor Toben noted that the decision to have Siegel and Strain prepare the design bid packages for the maintenance yard was scheduled for the April 12, 2006, meeting. Mr. Strain said he would like to start in April in order to be finished by the end of the year. It would take the rest of this month to get all the responses back from the sub-consultants on costs, etc. Exactly what was in phase 1 and 2 would need to be determined. He discussed options for how the Town might want to proceed. For example, there could be a proposal for tearing down and building the maintenance yard and/or a proposal for doing the working drawings in increments based on how the fundraising looked. If the money was there, you would not have to wait another six months before any construction could begin. Responding to Councilmember Derwin, he said the working drawings could be done for just the buildings the Town was likely to build. It would be more expensive to do it that way.

Councilmembers and the architects discussed the cost of LEED certification (action item #3). Mr. Strain said if the Town was committed to a green building from the beginning, the difference between that and making it LEED certified was around \$100,000. Some of that process could be put in place without LEED, which was what he recommended. Everything would be in the specs and all the right places so there were lots of checks to make sure there weren't substitutions made, etc. That was part of the architects' proposal and was included in the estimates/fees. Going on to make it LEED certified/registered was not a big step from that point. The real expense would be going for certification of a project that didn't have all the checks already in it. Ms. Marzuola confirmed there would be a proposal for phase 1 and phase 2 with LEED options. Mr. Strain said an additional option was whether the Town used the multiple prime delivery system.

Councilmembers and the architects discussed the presentation given to the Council on the multiple prime method. After discussion, Council agreed to defer further discussion of the action items and schedule to the April 12, 2006, meeting.

#### ADJOURNMENT

The meeting adjourned at 11:15 p.m.

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Mayor

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Town Clerk