

TOWN COUNCIL MEETING NO. 767 , APRIL 8, 2009

ROLL CALL

Mayor Wengert 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 Merk, and Mayor Wengert  
Absent: Councilmembers Driscoll and Toben  
Others: Town Attorney Sloan, Town Manager Howard and Town Clerk Hanlon

ORAL COMMUNICATIONS: None.

CONSENT AGENDA

By motion of Councilmember Merk, seconded by Councilmember Derwin, the item listed below was approved by a vote of 3-0

- (4) Completion of Final Warranty Period and Release of Remaining Cash Deposits, Blue Oaks Subdivision Improvements, per Dep. Town Planner Vlastic's memo of 4/1/09.

REGULAR AGENDA

- (1) Minutes of Town Council Meeting of March 25, 2009 (Removed from Consent Agenda)

Councilmember Merk submitted a change to the minutes of the Town Council meeting on 3/25/09. By motion and second, the minutes were approved as amended by a vote of 3-0.

- (2) Warrant List of April 8, 2009 (Removed from Consent Agenda)

Responding to Councilmember Merk, Ms. Howard confirmed that the fallen oak removal (check #41599, p. 9) was on Willowbrook.

By motion of Councilmember Merk, seconded by Councilmember Derwin, the Warrant List of 4/8/09 in the amount of \$227,288.47 was approved with the following roll call vote:

Ayes: Councilmembers Derwin and Merk, and Mayor Wengert  
Noes: None

- (3) Fourth Amendment to Agreement with Maze & Associates for Auditing Services (Removed from Consent Agenda)

Referring to the staff report of 4/8/09 and the Amendment, Exhibit A-1 (Fees Attachment), Councilmember Derwin questioned whether the Town should approve an increase for a consultant for the services component of the Bay Area Cost of Living Index of 3% at a time when people didn't have jobs. Ms. Howard said this was an amendment to the original 5-year contract, which called for an increase if the CPI went up. Councilmember Merk pointed out that the GreenWaste Recovery franchise agreement (agenda item #5), used a CPI of 0.02%, which was a much lower number. He was surprised to see such a large difference between the two indices. Mayor Wengert said the CPI was generally a national number and always reflected lower pricing than what occurred in the Bay Area, which was identified as Bay Area CPI or CMSA. Ms. Howard said the Bay Area Cost of Living Index used by Maze was right off of a government website.

Councilmember Merk moved approval of Resolution No. 2442-2009 Approving a Fourth Amendment to Agreement for Audit Services Between the Town and Maze & Associates Accountancy Corporation. Councilmember Derwin seconded, and the motion carried 3-0.

(5) Solid Waste, Recyclables and Yard Trimmings Franchise Agreement with GreenWaste Recovery, Inc. [8:08 p.m.]

Ms. Howard reviewed the staff report of 4/8/09 on the annual rate adjustment for GreenWaste Recovery. She said the increase was based on a formula and was minimal. Responding to Councilmember Derwin, she felt it was the best service the Town had had for garbage, recyclables and compostables. Councilmember Merk concurred.

Jon Silver said he previously mentioned a problem with broken/ground glass left on driveways/roads on pickup days. Within the last four months, he collected ground glass and shards left on the roads. While GreenWaste was better than LAGCO, he suggested staff address the issue with GreenWaste and have them check the route after they were through. Additionally, there were some times when his yard waste wasn't all picked up. If they didn't do the whole job, they shouldn't charge for the whole job.

Councilmember Merk said he was usually at home when collection was done on his street. He thought there was something open in the truck because there was a little pile left underneath the truck at each house where the driver stopped. It was not where the material was loaded. He brought this up during the franchise negotiations, and GreenWaste said they would check it and have it fixed. Mayor Wengert asked staff to follow up.

Referring to the previous and new price lists, Councilmember Merk said the new list included "other special items" at \$25.01 per yard; the previous list showed "on call clean up service" at \$25.00 per yard. That sounded like a change in the actual service. He asked staff to follow up.

Councilmember Derwin moved approval of Resolution No. 2443-2009 Allowing a Rate Increase Under the Franchise Agreement for Collection of Garbage, Recyclables and Yard Trimmings Between the Town and GreenWaste Recovery, Inc. Councilmember Merk seconded, and the motion carried 3-0.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(6) Status of Town Center Project [8:18 p.m.]

Ms. Howard said: a) the creek project was essentially done other than the one connection; b) the construction fence was down; c) the shade structure in the playground was installed; d) the restrooms were done, and PG&E would be moving the pole on 4/24/09; e) the construction fence was down at the tennis courts, and the surface and striping would be done as soon as it was dry with no rain in the forecast; f) the cyclone perimeter fence around the property had been removed; g) a new lighting plan was being worked on; h) 7 of 27 contracts had been closed out; i) some of the donor signs had been ordered, and staff was still waiting for the fundraising group to sign off on the names; and j) work continued on the dashboard, and it should be finished in the next several months. Responding to Mayor Wengert, she said sand had been put down in the soccer field, but that did not resolve the water problem; after the season, the contractor would be back to rip out that section and redo it. Responding to Councilmember Merk, she said the oak trees had been planted according to the plans. The Council could discuss concerns at the next meeting. Councilmember Merk said he heard some complaints about the color and positioning of the display sign. Ms. Hanlon said she discussed the issue with Mr. Young, and staff would be working with Peter Garrett.

(7) Reports from Commission and Committee Liaisons [8:25 p.m.]

(a) Council of Cities Meeting

Councilmember Derwin said after three votes at the 3/27/09 meeting, Jerry Deal (Burlingame) was elected to the San Mateo County Transit District Board of Directors. The speaker was Assemblyman Jerry Hill who gave a personal account of his first few months in Sacramento and the budget process.

(b) Meeting on Committee Handbook

Councilmember Derwin said Ms. Howard gave an overview of the committee handbook changes at the meeting. Committees were well represented at the meeting. Peter Steiner gave a lesson on parliamentary procedures, explained the responsibilities of the Chair, reviewed guidelines for committee members, and discussed order of precedence of motions. She suggested he give a class on parliamentary procedures for everyone on Town committees or commissions.

(c) Green Sub-group

Councilmember Derwin said the sub-group met on 4/2/09 and discussed the GreenPoint Rating System for new homes and major remodels. A baseline of 70 points for a house of 2,500 sf was proposed with an incremental increase as the square footage increased with a 300-point cap. Data for the last ten years of houses built in Town would be obtained to make sure those numbers would work. The definition of "major remodel" and when it would be treated as a new house was also discussed. There was a suggestion that agricultural buildings be excluded; they would have to be clearly defined. The group also discussed green-ups and the possibility of offering a certification for green-ups. The changes and refinements would be incorporated and recommendations forwarded to the Council.

(d) Town Center Activities

Councilmember Derwin said Jane Wilson secured an activity room, and more than 20 people showed up for a quilting group. There would be a drop-in quilting group once a month and a drop-in knitting group once a week.

(e) Federal Stimulus Funding Symposium

Councilmember Derwin said she attended the symposium in San Jose, and it was excellent. Representatives from California Energy Commission (CEC) and other agencies discussed what was in the bill that would be appropriate for local governments to pursue, how to pursue it and when to pursue it. Ms. de Garmeaux was putting together a package so the Town could apply for a grant to do green-ups and other things from the \$3.2 billion Energy Efficiency and Conservation Block Grants program.

(f) Planning Commission

Councilmember Merk said the Commission approved an extension of the Sausal Creek Associates' tentative map to 2011, which was the maximum extension allowed. There was also a lot of discussion about amending the zoning ordinance signage provisions for the fuel station and pricing information.

(g) Community Events Committee

Mayor Wengert said the Committee discussed the Town picnic, Blues and BBQ, and their budget. They also discussed having a 100-year anniversary celebration of the Schoolhouse as part of Blues and BBQ. They have a new prospective member.

(h) Mayor's Diversity Celebration Awards

Councilmember Derwin said the purpose of the awards was to identify and recognize key leaders in San Mateo County who promoted diversity in the community. Nominations were being solicited, and the awards would be presented May 7.

WRITTEN COMMUNICATIONS [8:38 p.m.]

(8) Town Council 3/27/09 Weekly Digest: None

(9) Town Council 4/3/09 Weekly Digest

(a) The Almanac Ad for Town Classes

Referring to the ad, Ms. Howard noted that there were a lot more classes at the Town Center and a lot of interest.

ADJOURNMENT: 8:40 p.m.

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Mayor

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Town Clerk