

TOWN COUNCIL MEETING NO. 784, FEBRUARY 10, 2010

ROLL CALL

Mayor Toben called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance. Ms. Howard called the roll:

Present: Councilmembers Derwin, Driscoll, Richards and Wengert, and Mayor Toben
Absent: None
Others: Town Attorney Sloan, Town Manager Howard, Asst. Town Manager McDougall and Town Clerk Hanlon

URGENCY ITEM

Ms. Howard said a drainage pipe replacement was urgently needed on Shawnee Pass at Cervantes Road. She asked that the item be added to the agenda. By motion of Councilmember Derwin, seconded by Councilmember Driscoll, the item was added as item #7b by a vote of 5-0.

RE-ORDER AGENDA ITEMS

Mayor Toben said representatives from Corte Madera School asked that agenda item #8 be moved up on the agenda. He suggested taking it up after item #5.

ORAL COMMUNICATIONS

Jim Simpson said the Town had allowed the completion of a fence project at 4 Grove Ct., which cut through his property at the property line and interfered with an easement that had been in place since 1948. Fence posts had already been placed through the property line that adversely impacted access to his garage. A stop work order had been placed as a result of his complaint. He just received a letter indicating that the stop work order had been lifted and that the property owners could proceed with the project as originally planned. That would adversely impact his property, the value of his property, access to his garage, and the easement. It was a common driveway, and the property owners wanted to fence it off. They would allow access through a gate that they provided that would adversely impact access to his own front door. They had 2-3 gates that he would have to negotiate just to get to his front walkway to his front door. He was not in agreement with the project and suspected that some posts would be put in on his property tomorrow.

Jon Silver, Portola Road, said Mr. Simpson's concerns should be added to the agenda as an urgency item. What happened with it was crucial to public welfare. The staff had looked at it, and the staff was wrong. He showed the Council photographs of posts placed in the walkway at the Simpson property by the easement. Those posts were taken out only after Ms. Lambert issued a stop work order on the project. The item should be added to the agenda, and staff should be directed to review the decision to lift the stop work order.

Ms. Sloan said this issue came to staff's attention several months ago. One of the partners in her office was the trust/estate attorney for the Simpsons, and she was unable to be involved. The Town hired Larry Anderson who concluded that the property owners should be able to proceed because they had a permit. The stop work order was an attempt to work things out. She noted that John Richards also had a conflict because he designed the fence for the house. She suggested the Council ask for something in writing from staff or Mr. Anderson. Ms. Howard added that she understood that the facts had been reviewed, and it was determined that the portion of the fence they were moving forward with was on their property.

Jon Silver said Ms. Lambert issued a stop work order. Since then, there was a field trip to the property. The Town Historian had not been consulted, and he was shocked. To ensure that nothing bad happened here, the Council needed to take action to get the stop work order back in place. It had been a one-sided discussion with special legal counsel and the property owners. Others who had asked to be kept informed weren't. He said he would present the Council with a written trail on this matter.

Bill Lane, Westridge, said the Council was giving far more than five minutes to this subject under oral communications. That set a precedent for others in the community with deep concerns on controversial subjects to take more than five minutes under the oral communications portion of the agenda.

Danna Breen (ASCC) said she had been very involved with this case when there was an application. She was dismayed that there had been some resolution without her being aware of it.

Mayor Toben said the Council had no legal briefing or background on the issue. While a request from the public to add an item as an urgency item was unprecedented, he did not feel the Council could ignore the request. One alternative was to refer this back to the staff for immediate and urgent consideration. The property owner should be: 1) informed that there had been an appeal from members of the public suggesting that this matter had not been satisfactorily resolved; and 2) put on notice that if he/she proceeded, there was some risk that the work undertaken could be required to be removed. Councilmember Wengert said she attended a meeting as all of this was unfolding last year. It had a very significant history with strong feelings on both sides of the issue. She felt whatever actions Town staff had taken had been done only after a very thorough analysis of the history and options with the advice of counsel. She did not feel re-opening the issue as an urgency item was appropriate in this long-standing issue. Councilmember Driscoll asked if there was an imminent danger that an historic resource would be destroyed. It appeared that the posts could just be removed and the area restored relatively easily. He did not know anything about the access issue. Councilmember Derwin said she was sympathetic but had nothing to work with. Mayor Toben concurred, noting that there was no motion to add the item as an urgent matter.

CONSENT AGENDA [7:50 p.m.]

By motion of Councilmember Driscoll, seconded by Councilmember Wengert, the items listed below were approved with the following roll call vote:

Ayes: Councilmembers Derwin, Driscoll, Richards and Wengert, and Mayor Toben
Noes: None

- (2) Warrant List of February 10, 2010, in the amount \$151,558.93.
- (3) Resolution No. 2473-2010 Continuing the Supplemental Law Enforcement Services Fund Through Citizens Options for Public Safety Program and Maintaining a Separate Budget Account for 2009-2010 Fiscal Year, per Asst. Town Manager's memo of 2/10/2010.

REGULAR AGENDA

- (1) Minutes of the Town Council Meeting of 1/27/10 (Removed from Consent Agenda)

Councilmember Richards and Mayor Toben submitted changes to the minutes of the 1/27/10 meeting. By motion and second, the minutes were approved as amended by a vote of 4-0, with Councilmember Driscoll abstaining.

(4) Public Hearing: Adoption of Amended Fees for Town Center Community Hall and Activity Rooms Rental [7:55 p.m.]

Ms. McDougall reviewed her memo of 2/10/10 on the amended fees for rental of the Town Center Community Hall and activity rooms. After the report was written, she discovered that the cost for the annual audit required by Hasso Plattner should have been added in. This year, the cost of the audit was \$7,100, which should be added to the 2010 cost of \$27,825. Responding to Councilmember Wengert, she said most of the events held in 2009 were small parties held on the weekend with a handful taking place on Friday. Responding to Councilmember Wengert, she said costs for the meeting room rental was based on the overall level of fee increase for the Community Hall. On the maintenance costs for 2010, she confirmed for Councilmember Wengert that the only utility cost identified was for water. At some point, staff wanted to calculate an appropriate percentage of water use, which was difficult because there was one meter. Referring to Exhibit A, she said the rates shown for Woodside's Liberty Hall were the minimum fee for up to three hours; there was an additional charge of \$25/hour thereafter. Responding to Councilmember Derwin, she said for Valley Presbyterian Church, the cost for memorials included the organists, minister, secretary's time, and any staff time. The Town did not have staff costs for memorials.

Responding to Councilmember Wengert, Ms. McDougall said Exhibit B included a list of the events held in 2009; bookings would increase in 2010. Additional revenue would come from allowing people to book the Community Hall up to a year in advance; currently it was 9 months in advance. Changing it to a year should encourage more weddings and more revenue.

Mayor Toben asked for public comments, there were none, and the public hearing was closed.

Councilmember Driscoll said he was not sure the case had been made that the Town was much cheaper than other alternatives. But, he wanted the Town to get a fair return for the rental of the space. He could go along with staff's recommendation. Councilmember Richards [*inaudible*] said for the small meeting rooms, the Town's proposed fees were quite a bit higher. Other than that, it seemed fairly consistent.

Councilmember Wengert said having 18 events for the first year was a pretty strong track record. She also felt there would be more interest in the facilities from people outside the community. She supported the recommended changes, noting that the rates could be re-addressed if rooms weren't being rented, etc.

Councilmember Derwin was concerned about the fees for memorials jumping from \$100 to \$1,000. She thought it should be phased in. Responding to Councilmember Derwin, Ms. McDougall said if approved, the rates would take effect 3/1/2010. People who had already booked spaces would be grandfathered in. Responding to Councilmember Derwin, she noted that three of the four memorials scheduled were for out-of-towners.

Mayor Toben said the proposed fee schedule was relatively well publicized, and he was unaware of any objections to the increases. Secondly, the numbers suggested that the proposed fees would help cover maintenance costs that included not only cleaning but also periodic painting, the audit, occasionally refinishing the floors, etc. The proposal was moving closer to a cost recovery scheme. With respect to the comparables, he said Atherton's Holbrook Palmer Park was available at a much higher price for Atherton residents than the Community Hall in Town. Holbrook was no better space, and they charged a lot more. It was apples and oranges, but he felt it was a reasonable analysis that yielded a reasonable result.

Councilmember Wengert moved adoption of Resolution 2474-2010 Approving Facility Rental Rates as set forth in Exhibit C of the staff report. Councilmember Derwin seconded the motion. She said she could support the motion but was uncomfortable with the steep fee hike for memorials. Mayor Toben called for the vote, and the resolution passed by a vote of 5-0.

(5) Placement of Tiles at Town Center [8:10 p.m.]

Mayor Toben said Sue Thomas from the Cultural Arts Committee (CAC) recently asked the Council to consider installing/placing tiles created by Portola Valley students in the 1970s at Town Center sites. He noted that the Committee submitted a memo that included pictures of the tiles and proposed locations. He introduced members of the Cultural Arts Committee present.

Deidre Clark, Co-Chair CAC, discussed the Committee's goals and importance of building community. Robin Toews, teacher, discussed the history of the tiles, storage sites over the years, depictions on the tiles, and cleaning and restoration of the tiles

Sue Thomas, Co-chair CAC, reviewed the Committee's memo and discussed the proposed placement of the tiles. Referring to the e-mail from the Town Center architects dated 2/9/10, she said she was remiss in not anticipating the concerns and was sorry not to have received that input sooner than yesterday. She said the Committee was very open to placement. One of the reasons for placing them by the water fountain was to address concerns about vandalism. The way the courtyard was set up, the exposure would be less invasive. They would be under an overhang and viewed by people going in and out of the bathrooms. They could also be seen from the library and administration building. She confirmed for Mayor Toben that the Committee was not locked into any particular location for each of the tile installations. She suggested 1-2 Councilmembers view the tiles up close in the art room. With the way they were made, she felt they would look lovely on the wood of these buildings even though some felt the buildings should stand alone. Referring to the schematic, she said the Committee felt a dedication plaque would be an appropriate way to speak about the teachers involved in making the tiles.

Councilmember Driscoll thought the tiles might last longer if they were indoors rather than outdoors. Ms. Toews said the tiles had been outdoors and held up very well. Responding to Councilmember Derwin, Ms. Thomas said the frames could be changed, re-sanded, re-stained, etc. She added that a potential new member of the Committee was a wood worker/sculptor. Responding to Mayor Toben, she said the Committee considered placing the tiles inside the classrooms. But, they didn't seem to punch out inside like they did outside. Inside, they didn't look like they belonged there. Also, CAC felt they would get more exposure outside—especially in the area depicted in the schematic.

Mayor Toben said the Council had a proposal from the Committee to install these artifacts in a specific location. The Council could approve the installation as presented. An alternative was to have additional conversation about alternative locations; the Committee was open to additional input. That would also respond to the e-mail from the architects, who expressed some reservations about the location of the tiles. He read the concerns expressed in the e-mail about placing the tiles on the building exteriors. Ms. Thomas said what was proposed was a beginning. The most important thing was to have the tiles placed somewhere on the outside of the buildings. She welcomed input from the architects or Councilmembers.

Mayor Toben asked for public comment.

Danna Breen asked if the exterior of the Schoolhouse had been considered as a location. She felt it was a charming idea, and the tiles were wonderful. But, having been one who sat on the ASCC and ADT that painstakingly studied every detail of the buildings, she would like to see the Council refer the matter to the ASCC or some kind of reconvening of the ADT group. She was concerned about the cumulative effect of projects, plaques, etc.

Yvonne Tryce (CAC) said she would like to see the tiles installed. The one with the wildflowers tied in nature with the art beautifully. That would be ideal between the two classrooms on the east side of the building. She saved that particular piece in the old building in her classroom because she was afraid it would get thrown away.

Ms. Toews noted that the tiles were not gaudy or garish and blended in beautifully with the old Corte Madera School. They were an addition that enriched rather than took away from any part of the building and had been done so carefully.

Councilmember Driscoll said he liked the position of #1 and #2 shown on the schematic; those two perfectly fit that space by the fountain. He could also support the positions of #4 and #5 but found #3 too cramped. That happened to be the one with the wildflowers, which might make more sense by Ms. Tryce's classroom. The architect was concerned about too much clutter. By spreading them out around the building a little more, that would reduce the sensation of clutter. He would be happy to participate in further discussions.

Councilmember Derwin agreed that they could be scattered out a little bit. They could also be on the website along with the history; something printed could also be on display in the office. Councilmember Richards *[inaudible]* liked Councilmember Driscoll's suggestion and encouraged talking more with the architects. They might come up with another solution that was even better. Councilmember Wengert said the tiles personalized the buildings in a way that was important. She liked the idea of having someone on the committee who could work with the architects on the mounting. She also preferred consistent heights and mounting #1 and #2 above the fountain with the flowers back by the classrooms.

After discussion, Mayor Toben asked staff to schedule a meeting with Councilmembers Driscoll and Derwin, Mr. Strain, CAC members, Danna Breen and Ms. Howard and bring back a recommendation.

(8) Request to Use Town Center Tennis/Sports Courts *[Items re-ordered on agenda][8:40 p.m.]*

Ms. McDougall reviewed the staff report of 2/10/10 on the request from Corte Madera School to use the tennis/sports courts March 15 to May 28, Monday through Friday from 3:15 to 5:30 p.m. Responding to Councilmember Derwin, she said she notified one of the individuals who was quite active with basketball about the request and had not heard any opposition. Responding to Councilmember Derwin, Dan Flahavan said the tennis program had grown to around 40 since he started 17 years ago. The players were spread between 6th, 7th and 8th grades. He described the levels of play, noting that many of the players went on to play in high school.

Responding to Councilmember Driscoll, Ms. McDougall said the tennis subcommittee and she met with a few people in the community who had been very involved in tennis issues during the design of the Town Center. The consensus was that drop-in local tennis players usually played in the morning.

Mayor Toben asked for public comment.

Deirdre Clark said this would be a good use of the courts. It would get the kids to come and use the courts more often and properly.

Wendi Haskell, tennis sub-committee, said Mr. Flahavan ran an incredibly organized and exciting program. His kids were very respectful of whatever facility they used, and he always stressed safety and respect for the facility. She also loved to see collaboration between the schools and the Town.

Councilmember Wengert said this would be a great first step and a win-win as the Town developed more programs. Starting with the schools was the best way to start. Councilmember Richards agreed it would be a great use of the courts. Councilmember Derwin supported the proposal and hoped it would bring kids to the Town Center. It was important to engage children in sports/exercise. Councilmember Driscoll also supported the request. Mayor Toben said any opportunity to partner with the School District was a win for everyone. The School District had been one of the Town's strongest allies in times when the Town really

needed the District, such as providing space for the library during the Town Center construction. They were

staunch supporters of making the Town Center the third campus of the School District. He was 100% behind this and thanked Mr. Flahavan for his efforts.

Councilmember Driscoll moved to approve use of the tennis/sport courts for the dates/times specified. Councilmember Wengert seconded, and the motion carried 5-0. Councilmember Driscoll asked Mr. Flahavan to remind the children that they needed to be careful about noise because there were horses next door.

(9) Commercial Flight Patterns and Arrival Protocol Over Southern San Mateo County [8:50 p.m.]

Mayor Toben reviewed his memo of 2/3/10 on a potential request to Congresswoman Anna Eshoo to intervene with regard to patterns of commercial air traffic over southern San Mateo County. Responding to Councilmember Wengert, he said there was data on how many inbound flights were utilizing OTA, but it was a moving target. The latest representation was that one-quarter of oceanic arrivals were using OTA. Certain airlines had already adopted to a substantial degree the OTA technology, and there appeared to be the ability for certain airlines to opt in and integrate the technology. It was very difficult to get information on: a) what the procedure was for implementation; b) when an airline stated to the FAA that they now intended to use full OTA technology, partial OTA, or no OTA; c) what preconditions, if any, must be met on the part of the airline; d) environmental impacts, etc. For the San Francisco application of this technology, it was being implemented on flights coming in from 200 miles west of the airport. He understood that it was not being utilized for flights coming from the north down from Pt. Reyes or from the south up from Big Sur. Responding to Councilmember Derwin, he reviewed the reasons for requesting Congresswoman Eshoo's involvement as set forth in his memo (p. 5).

Jean Lane, Westridge, said she started to notice that planes were flying lower and making a lot more noise back in 1995. She became involved with the Airport Roundtable and went to the meetings. She was given a number so she could phone in complaints about airplanes making a lot of noise over homes. Mayor Toben had spent a lot of time going to these meetings as had other Councilmembers and residents. She had copies of all the letters she wrote and records of all the meetings she went to. They were supposed to be coming in from the Pacific and western areas at 8,000 feet; most of them came in at 6,000 feet. She thought the Town and the Town of Woodside should talk to Congresswoman Eshoo. These tailored arrivals allowed planes to stay high and then come down, but they didn't. The planes were lower than they needed to be.

Councilmember Richards didn't think that this was a major problem, but mentioned seeing recent news reports from some skyline residents complaining about excessive airline noise. He was in favor of requesting Congresswoman Eshoo's involvement. Based on the level of detail of the documentation, Councilmember Derwin agreed. Councilmember Driscoll described his impressions of the Roundtable when he was liaison back in the mid to late 1990s. He felt the Town's concerns had been ignored and that the Town should say something.

With all the other issues that required the Council's attention, Councilmember Wengert questioned where this issue should fall in the list of priorities. She agreed that agreements and promises had been made that were clearly not being met. She could support writing a letter, but she did not think there would be a lot of support from the other communities to do the same thing. She also did not want it to chew up too much of the Mayor's time. If there had been an agreement that was not being met and there was a lack of clarity, she always favored fighting against something that was supposed to be done that wasn't being done. But, she did not want the Town to become too caught up in it so that it detracted from other issues the Council would be tackling.

Mayor Toben said the Town hired a noise consultant last year to help with the Noise Element and noise

ordinance. He contacted him and let him know that the Town had a CD that was loaded with impenetrable arrival altitude data. Woodside Councilmember Dave Burow, a first class engineer, couldn't make any sense of it at all. The data purported to establish that what the Town experienced with OTA was no worse than what was experienced without OTA. As an intermediate step, the Council could invite some input from the noise consultant or someone he recommended who could verify whether there was a real claim and that the way they were parsing noise was not the way the Town's residents experienced noise. It might involve some outlay of funds, but it would equip the Town with some more facts to bolster the case that the Town was serious about this. He added that the noise consultant indicated he couldn't provide an estimate without seeing the CD first. Responding to Councilmember Driscoll, he said he strongly doubted whether the Town of Woodside would assist with funding. Councilmember Burow was sympathetic and attentive, but none of the other Woodside councilmembers had expressed any interest in this issue.

Mayor Toben noted that the Airport Roundtable was created because there was an acute problem of deafening noise in the immediate vicinity of the airport. He felt they did outstanding work in mitigating that noise. Councilmember Driscoll said when he was involved, the Roundtable felt there were still problems, and those problems were far more severe than the Town's problems. Mayor Toben agreed that the history suggested that the Town had to pound the table hard in order to be heard.

After discussion, Councilmembers agreed that a "first pass" look at the CD by a consultant should be funded. Councilmember Wengert said she wanted to spend a minimum amount to look at the data. If it was ambiguous or less significant than anticipated, the Council could decide how to proceed.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(6) Adoption of Amended Policies for Use of Town Facilities [*Items re-ordered on agenda*] [9:12 p.m.]

Ms. McDougall reviewed the staff report of 2/10/10 on the amended policies for use of the Community Hall and activity rooms. Referring to the table in Exhibit A, she said the user types shown were examples, and there could be others that would fall into the categories shown. Referring to page 2, she said she did not think the County Health Department would sponsor health discussions by licensed medical doctors. The Town would seek the County's endorsement with a letter about the health discussion. With respect to memorials (p. 3), she said there might be an occasion where the family might want a memorial service for someone who lived in Portola Valley but moved away. Staff recommended removing "at the time of death" from the policy.

Responding to Councilmember Richards, Ms. McDougall said there were 195 chairs available for the whole facility (p. 8). On the Cleaning the Facility section, she confirmed that the Town had brooms and dust mops for cleaning the wood floors; the Town staff did the wet mopping. Councilmember Richards expressed concern about the use of wet mops on the eucalyptus flooring. Ms. Howard suggested the section specify that dry mops should be used. Mayor Toben said some of the provisions were more important than others. The provision against having a beer keg in the Community Hall was clearly an important provision. He suggested all caps and bolding it and the provision about dry mops to make it stand out. Ms. McDougall said staff would also look at the forms that went out to the applicants to ensure the wording was consistent and that "no wet mopping of the Community Hall floor" was included.

Responding to Councilmember Derwin on the cost of insurance (p. 3), Ms. McDougall said for a birthday party in the Coffeeberry room that lasted 3 hours, the insurance was \$83.32. For a wedding, it would typically be around \$247. The cost was greater for any event where alcohol was served. It also went up depending on how many participants there were. Responding to Councilmember Derwin on damage to date, she said overall, it was going pretty well. There were a couple of gouges in the floor of the Community Hall. Also, when people pulled tape off the wall, it pulled the paint off. The only kind of tape permitted was the blue painter's tape. Generally, people seemed to be taking great care, and there weren't any real

problems with the restrooms. Ms. Howard felt it was a wise decision to limit the use to a resident or someone sponsored by a resident. The resident now had to acknowledge that they would be partially responsible for damage. Responding to Councilmember Derwin, Ms. McDougall said most of the events were on the weekend or after hours, and compliance with the rules was mostly done on the honor system. Youth and teen events (p. 6) were often sponsored by the School District, and they had a vested interest in helping the Town with compliance. The current policy was one adult per 25 or 30 minors, and that had been reduced to one adult for every 15 youth/teens.

On the damage deposit (p. 4), Ms McDougall said it was a refundable deposit that was paid at the time the room was reserved. Following the event, staff inspected the room for damage. If a cleaning service had to be called in, the cost of that service would be withheld from the deposit. Responding to Councilmember Wengert, she said the amount of the deposit was based on the room as indicated in the staff report (p. 3). Fortunately, there had not been any damage that exceeded the deposit. There had been only 1-2 instances where anything had to be withheld.

Councilmember Driscoll was concerned about the inability to use the facility twice on a weekend. Someone might need a place for a memorial in a space that was vacant on a Sunday because there had been an event Friday evening. He hoped requests like that could be accommodated—especially if the family was willing to pay staff overtime to check the room out. Ms. Howard noted that the policy allowed for additional weekend events (p. 3). With respect to the alcohol section (p. 7), Councilmember Driscoll thought it could be stronger. He suggested including a provision that indicated the person responsible for the party could be responsible for the actions of inebriated drivers when they left. Ms. Sloan confirmed that was the law. Councilmember Driscoll said he would like to see that restated in the policy. He wanted it to be very clear that if they were serving alcohol, they were assuming liability for more than just someone bumping into a window in the Community Hall; they were taking the liability for all of their guests for the rest of the evening. With respect to cleaning the facility, he said the Blues and BBQ people did a very nice job of putting all the trash in the trashcans. During the night, the crews emptied the trashcans. He suggested including something about covered cans and/or properly secured cans. Ms. McDougall said she would add some language.

Councilmember Richards moved to adopt the amended policies for use of the Community Hall and activity rooms. Councilmember Derwin seconded, and the motion carried 5-0.

(7) Suspension of Collection of Construction Traffic Road Fees [9:30 p.m.]

Ms. Sloan reviewed her memo of 2/3/10 and recommendation to suspend collection of construction traffic road fees for the reasons set forth. Responding to Councilmember Driscoll, Ms. Howard said Measure A funds were from the County. Responding to Mayor Toben, she confirmed that the State had suspended payment of gas tax funds but were supposed to start paying it again. Responding to Councilmember Derwin, Ms. Sloan said the suspension of the fees would take effect as soon as the Council adopted the resolution. There were no applications in the pipeline that this would apply to.

Responding to Mayor Toben, Ms. Sloan said the case cited in her memo involved several issues; it was a CEQA case as well. City attorneys didn't feel that the court focused on this particular issue. Additionally, Kern County clearly enacted a fee on the use of the road. The fees that the Town had were about an activity (i.e., construction) taking place where someone came in for a permit. It was a higher level of scrutiny that allowed the Town to impose more mitigation. Nevertheless, the court clearly said you could not charge for using the roads under the Vehicle Code. Responding to Mayor Toben, she confirmed that there was no decision of any court with formal jurisdiction over the Town and the CA Supreme Court had not weighed in. That was another reason to suspend the fees rather than repeal the whole ordinance. It was possible that another city would be challenged, and there would be another decision in the first district court of appeal or by the CA Supreme Court.

Councilmember Wengert moved adoption of Resolution No. 2475-2010 Suspending the Collection of Construction Traffic Road Fees Pursuant to Municipal Code Chapter 10.72. Councilmember Richards seconded, and the motion carried 5-0.

(7b) Urgent Storm Drainage Pipe Replacement [Added as urgency item] [9:37 p.m.]

Ms. Howard reviewed Mr. Young's memo of 2/10/10 and request that the Council authorize the Town Manager to enter into an agreement with Sanco Pipelines for the repair. She said the repair was needed as soon as possible and that the schools hoped to have it done next week when they would be closed. Responding to Councilmember Derwin, she said part of the money would come from the storm damage budget and part from the contingency budget or culvert/street budget. Councilmember Richards voiced his concern that there was a large disparity between high and low bids. Responding to Councilmember Richards, she said staff had worked with Sanco Pipelines quite extensively. Additionally, O'Nelson and Son wanted to change their bid to \$19,000 after they found out there was a lower bid.

Councilmember Driscoll moved adoption of Resolution No. 2476-2010 Authorizing the Town Manager to Execute an Agreement Between the Town and Sanco Pipelines, Inc. Councilmember Derwin seconded, and the motion carried 5-0.

(10) Reports from Commission and Committee Liaisons [9:40 p.m.]

(a) Parks and Rec

Councilmember Wengert said the Committee discussed the use of the tennis courts by Corte Madera School. The tennis subcommittee was also in the process of refining their next recommendation on youth programs. Additionally, there was discussion of how the Town might begin the Ford Field renovations; the Little League might be interested in spearheading the fundraising efforts if certain changes were made to the design that better met their requirements.

(b) Spring Down Ad-hoc Committee

Councilmember Wengert said the first meeting would be held 2/11/10.

(c) Planning Commission

Councilmember Richards said the Commission heard complaints during oral communications from residents about the garage on Grove Drive. The Commission discussed: a) a project on Antonio Ct. that included 12,000 cy of grading and restoration of a 4-acre meadow to a native state; and b) re-issuance of the Nextel antenna CUP at the Priory site requested by TowerCo, a tower management company.

(d) ASCC

Councilmember Derwin said there was a very large turnout at the meeting at which the Grove Drive garage, T-Mobile wireless facility at Peak Lane and the Lefteroff project were discussed. The Grove Drive project was agendized for the March 11, 2010, ASCC meeting. For the T-Mobile CUP, they discussed the "monopine" option, power backup, health of surrounding trees, the Town's authority to regulate these facilities, changes in technology, etc. It would next go to the Planning Commission. On the Lefteroff project, there were a number of problems at the site including erosion, and there would be a field meeting.

(e) Council of Cities Meeting

Councilmember Derwin said Jackie Speier gave a sobering talk on the healthcare legislation and other issues.

(f) Library JPA

Councilmember Derwin said the meeting was held at the remodeled Foster City Library. They discussed the library user on-line policy. In the mid-year financial report, the 2010-2011 budget would have a \$1.1 million shortfall, and they were working on closing that gap.

(g) Historic Resources Committee

Councilmember Derwin said the Council would be receiving a letter from the Town Historian about the historic Woods estate. Ms. Lund would like it listed in the Historic Element before something happened to it but was unable to make contact with the trustee. Ms. Howard said a letter would be sent to the official owner of the property expressing the Town's concern about the property and asking that the Town be included in the planning process. After discussion, Councilmember Driscoll said he would follow up.

(h) Trails Committee

Councilmember Driscoll said the Committee was still concerned about the delay in getting the trail around the back of the Town Center property. They also wanted a hitching post for horses in the redwood grove in the back. They would also like to see the Town put up "Entering horse country" signs at the entrances to the Town. Mr. Young would follow up on available signs.

Councilmember Driscoll said he, Danna Breen and the Public Works director had been asked to look at the oak trees above the soccer field. The consensus was that the trees were very close together and needed to be thinned out a lot. White x's had been placed on the trees that would be removed in the next couple of weeks. Ms. Howard noted that there was a memo in the digest dated 2/5/10 from the Public Works Director on the trees.

(i) Nature and Science Committee

Mayor Toben said there would be another Star Party on 4/17/10. There would also be a "Living with Nature" event put on with the Conservation Committee. There was also discussion about moving the Chilean Woodchoppers Cottage to some space adjacent to the parking lot at 555 Portola Road and turning it into a nature center that could house some of the Town's artifacts. Councilmembers discussed the condition of the cottage, cost of relocation, maintenance, potential staffing, etc.

WRITTEN COMMUNICATIONS [10:15 p.m.]

(11) Town Council 1/29/10 Weekly Digest: None

(12) Town Council 2/5/10 Weekly Digest

(a) Traffic Lane Striping

Responding to Councilmember Richards, Ms. Howard said in his memo of 2/5/10, Mr. Young sought direction from the Council on whether he should proceed with his recommendation. Council agreed with the recommendation to widen the road shoulders as discussed.

(b) PG&E Net Energy Metering (NEM) Options

Responding to Councilmember Derwin, Ms. Howard said an explanation of NEM had been prepared by the SuRE Coordinator and was posted on the PV forum.

ADJOURNMENT: 10:19 p.m.

Mayor

Town Clerk