

SPECIAL TOWN COUNCIL MEETING NO. 703, OCTOBER 5, 2006

ROLL CALL

Mayor Toben called the meeting to order at 4:00 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 Administrator Howard, Public Works Director Young and Deputy Clerk Hanlon

ORAL COMMUNICATIONS: None

CONSENT AGENDA

REGULAR AGENDA

(2) Warrant List of September 27, 2006 (Removed from Consent Agenda).

Responding to Councilmember Merk, Ms. Howard said the four separate invoices for Tree Specialist (p. 8) were for different types of work completed at different times. There was no intent to break the charges up to avoid coming to the Council for approval for any amount greater than \$5,000. Responding to Councilmember Davis, she said \$5,000 was a very low limit, and most community managers could approve invoices up to \$25,000. If appropriate, Councilmember Davis suggested Ms. Howard propose a higher limit.

By motion of Councilmember Merk, seconded by Councilmember Davis, the Warrant List of September 27, 2006, in the amount of \$258,384.80 was approved with the following roll call vote:

Ayes: Councilmembers Davis, Derwin, Driscoll and Merk, and Mayor Toben
Noes: None

(1) Minutes of Regular Town Council Meeting of September 13, 2006 (Removed from Consent Agenda)

Mayor Toben suggested that the discussion of the Coal Mine Ridge trail patrols in the minutes be clarified to indicate that the Council expressed interest in learning more about the Sheriff's SCOP program on the Bay side. Councilmembers agreed, noting that the article in *The Almanac* was somewhat imprecise. By motion and second, the minutes were approved as amended by a vote of 4-0, with Councilmember Derwin abstaining.

(3) Improvements to New Town Center Entry and Church Parking Lot

Mr. Young reviewed the staff report of 9/27/06 on the improvements to the New Town Center entry and Church parking lot. Responding to Councilmember Driscoll, he said the additional items that would need to be done under separate agreements would bring the total over the budgeted \$25,000 because there were items that had not been included in the original scope of work. He estimated the overage would be around \$2,000.

Councilmember Driscoll moved adoption of Resolution 2269-2006 Approving and Authorizing Execution of an Agreement Between the Town and O. Nelson & Son, Inc. Councilmember Davis seconded.

Councilmember Merk said there was no clause for liquidated damages in the agreement, and the work

needed to be done in a very short time. Responding, Mr. Young said he had confidence in the contractor, and the work had already been scheduled. On small contracts such as this, he said he usually didn't include liquidated damages, which increased the cost of the contract.

Mayor Toben called for the question, and Resolution 2269-2006 was adopted by a vote of 5-0.

- (4) Town Proclamation Declaring October "One Book, One Community: San Mateo County Reads" Month

Ms. Howard reviewed the staff report of 9/19/06 on the County's community reading program.

Councilmember Davis reviewed his suggested additions to the Proclamation as set forth in his handout dated 9/27/06. He said he was very supportive of the program and the featured book. But, he did not feel that the Council should be selecting the featured book now or in the future; that should be done by the libraries.

Councilmember Driscoll moved approval of the revised Proclamation, and Councilmember Derwin seconded.

Councilmember Merk said he was in favor of the program, but was uncomfortable calling out the name of a particular book and in essence endorsing the book. He was also uncomfortable that the Council was getting into the proclamation business. He would vote against the Proclamation because he did not think the Council should be doing this kind of business.

Councilmember Driscoll suggested conveying Councilmember Merk's concerns to the library JPA and asking that, in the future, the Council not be asked to advocate individual books.

Mayor Toben called for the question, and the revised Proclamation was approved by a vote of 4-1 (Merk).

WRITTEN COMMUNICATIONS

- (5) Town Council 9/15/06 Weekly Digest
(a) ABAG Fall General Assembly

Referring to the invitation, Councilmember Derwin said she would be attending.

- (b) Stanford C1 Trail

Mayor Toben referred to the Trails Committee's memo of 9/14/06 on the C1 trail, and asked what the rationale was for adding an unpaved trail between the paved path and the creek from the Ford Field parking lot to Arastradero. Councilmember Driscoll said it would be built off the street where possible back into the space where the creek meandered. It would not be an equestrian trail; the Westridge side trail was an equestrian trail. Councilmember Davis added that the Westridge side trail crossed the street twice. It would be advantageous to keep people on one side. Councilmember Driscoll noted that the Trails Committee wanted to connect to the Palo Alto trail system. Councilmember Merk said the unpaved trail would provide a superior trail experience to walk away from the road near the creek. This was something people had asked for when the trail was first discussed.

- (6) Town Council 9/22/06 Weekly Digest
(a) Undergrounding of Utilities

Referring to Ms. Lambert's memo of 9/20/06 on undergrounding, Ms. Howard said the Cable and Undergrounding Committee felt it was appropriate that the Council consider changing the current code to require additional undergrounding. Currently, undergrounding was required from the residence to the closest pole. As proposed, undergrounding would be required to the closest transformer. Councilmember Merk said he would be interested in discussing it. Councilmember Driscoll asked staff to provide an assessment of cost impacts for projects with undergrounding in '04 and '05.

(b) Emergency Preparedness Symposium

Referring to the letter from ABAG dated 10/12/06, Councilmember Merk asked staff to check the location of the symposium.

ADJOURNMENT

The meeting adjourned at 4:40 p.m.

Mayor

Town Clerk