

TOWN COUNCIL MEETING NO. 742, APRIL 9, 2008

ROLL CALL

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

Present: Councilmembers Driscoll, Merk and Wengert, and Mayor Derwin
Absent: Councilmember Toben
Others: Town Administrator Howard, Town Attorney Sloan, Deputy Building Official Fitzer, Asst. Town Administrator McDougall, Planning Manager Lambert and Town Clerk Hanlon

ORAL COMMUNICATIONS

Sue Chaput thanked the Council for the use of the Schoolhouse for the tribute to Pat Brown. She reviewed the letter of 4/8/08 from the Friends of the Library and submitted a copy of "An Ode to 'Our Brown.'" She said there was a new garden club in Town that could offer residents help with their native plants and provide information on landscaping. Responding to Ms. Chaput, Ms. Howard confirmed that the Conservation Committee reviewed landscaping plans.

Bill Lane thanked everyone involved with the green workshop on April 5. He said it was very well done, and residents were impressed. He also thanked the Council for supporting *Parks of the Future* - Measure O. It was very important to all the towns in the County. The tax would be minimal and would benefit open space.

Ms. Howard said as a result of personnel changes approved by the Council, Sharon Hanlon was now the Town Clerk and Gary Fitzer was now the Deputy Building Official. The new Planning Technician would start on April 16.

CONSENT AGENDA

By motion of Councilmember Merk, seconded by Councilmember Wengert, the items listed below were approved by a vote of 4-0.

- (1) Minutes of the Town Council Meeting of March 26, 2008, with Councilmember Driscoll abstaining.
- (3) Resolution No. 2388-2008 Adopting a Policy for Temporary Occupancy, per Planning Manager's memo of 4/9/08.
- (4) (a) Second Reading by Title, Waive Further Reading, and Adoption of Ordinance No. 2008-371 Amending Section 18.68.070 of the Portola Valley Municipal Code Regarding Variances, per Town Clerk's memo of 4/2/08.

(b) Second Reading by Title, Waive Further Reading, and Adoption of Ordinance No. 2008-372 Amending Section 18.42.040 [Exceptions to Requirements – Fences] of Chapter 18.42 [Accessory Structures] of Title 18 [Zoning] of the Portola Valley Municipal Code, per Town Clerk's memo of 4/2/08.

REGULAR AGENDA

- (2) Warrant List of April 9, 2008 (Removed from Consent Agenda)

Responding to Councilmember Merk, Ms. Howard said vendors for the portable lavatories at Town Center had been changed which resulted in two separate payments. By motion of Councilmember Merk, seconded by Councilmember Driscoll, the Warrant List of April 9, 2008, in the amount of \$697,965.64 was approved with the following roll call vote:

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

(5) Adoption of 2007 California Building Code with Local Amendments

Mr. Fitzer reviewed his two memos of 4/9/08 on the 2007 California Building Code and recommended local amendments.

Referring to Attachment 1, Section III.A(a) on climatic conditions, Councilmember Merk said he personally measured precipitation from 6 to 62 inches. What was shown was more like an average or mean rather than the true range. Mr. Fitzer said the climatic data was obtained from the San Mateo County Public Works Department. Responding to Councilmember Merk, he said the findings for the local amendments were the same that had been presented to the Council before and were sufficient to persuade the Council to continue to adopt the local amendments. The Town was required to send the local amendments with the findings to the State. The State left it to the local jurisdictions to make findings. Responding to Councilmember Merk, he said he could not absolutely state that there were no prefabricated homes in Town.

Referring to Attachment 2, item #7 (p. 6), Councilmember Merk asked if the statement in the code about basements had any impact on the local requirements. Mr. Fitzer said the code did not use the same definition for floor level when it came to structural design or allowable floor area. These definitions were different from the definitions used by planning and zoning when determining floor level, basement and height of the building. The statement in item #7 would not trump the planning or zoning regulations. That distinction had to be made constantly when talking with designers and homeowners.

Responding to Councilmember Wengert, Mr. Fitzer reiterated that the code defined and calculated basements and floor levels differently. Additionally, how setbacks were measured in the building code used to be consistent with what planning used (i.e., perpendicular from the property line). The new code said it was perpendicular from the building. As convoluted as the code seemed, it was the result of three code bodies coming together trying to develop a uniform code that was the least restrictive. Also sitting at the table were members of industry who had voting rights for the first time. Anything that would allow them to build more or build less expensively seemed to have found its way into the code. At the same time, the engineering community argued for higher standards of care based on their professional experience. In future code cycles, it would hopefully become more consistent.

Responding to Councilmember Wengert, Mr. Fitzer said the "date of publication" of the code was last July. On January 1, the State adopted this code. The Town was required to follow the State code as of January 1. The only things that were different from the State Code were the recommended local amendments cited in the staff report. The roof and fire extinguishing system requirements were in the Town's old code. Since a new code was being adopted, the local amendments needed to be tied to it. There were no new local amendments that had not existed in previous cycles.

Councilmember Wengert noted that the staff report indicated that agricultural buildings were exempt from automatic sprinkler systems. Mr. Fitzer confirmed that an agricultural building greater than 1,000 sf would be exempt. Spring Down's stable areas, for example, would have to be equipped with sprinklers without this exemption. Garages would be captured if they were over 1,000 sf if they were detached or separate structures. If the garage was attached to the main building, the two would more often than not exceed the 1,000 sf threshold.

Responding to Councilmember Driscoll, Mr. Fitzer said the Town was less restrictive than other jurisdictions. Unincorporated areas of San Mateo County had additional local amendments. Foster City and other places on the peninsula had prohibitions against certain materials and uses because of acidic soils, density, etc. The Town didn't have a lot of in-fill subdivisions, high rises, etc. Other communities with different housing stock had many more local amendments. Responding to Councilmember Driscoll, he said development was limited by zoning regulations as opposed to the building codes.

Responding to Councilmember Driscoll, Mr. Fitzer said the way seismic was analyzed was different from the previous code; he did not know the net effect. When it came to fire and life safety issues, exiting, types of materials, etc., the Town Center would be in full compliance. A complete application made before January 1 would be covered by the older code. The Town Hall was considered an essential facility. In the Building Code, that meant it was designed to withstand major trauma, whether it was flooding or earthquake. Often the building became the central command for emergency operations. The Town Hall was designed to a higher standard of care when it came to seismic issues.

Councilmember Merk moved first reading by title, waive further reading, and introduction of an Ordinance of the Town Council of Portola Valley Amending Section 15.04.010 [Definitions], Section 15.04.020 [Amendments to the Building Code], and Section 15.040.030 [Additions to the Building Code] of Chapter 15.04 [Building Code] of Title 15 [Buildings and Construction] of the Portola Valley Municipal Code to Adopt the Updated Building Code and Local Amendments. Councilmember Driscoll seconded, and the motion carried 4-0.

(6) Proposition 1B Funding for Road Maintenance/Construction

Ms. McDougall reviewed her memo of 4/9/08 and recommendation to: a) amend the 2007/2008 budget to include the Prop. 1B funding; and b) approve the proposed use of the funds for slurry seal and resurfacing of Town streets. She said staff was also exploring the possibility of getting some grant funding for rubberized asphalt in the overlay program. Responding to Councilmember Merk, she confirmed that the proposed use of the funds shown in Exhibit A could be revised in the future. Responding to Councilmember Wengert, she said the Town typically undertook about \$400,000 for road resurfacing and maintenance each year—irrespective of receiving the Prop. 1B funding. What was shown on Exhibit A was not the entire road program that would be undertaken during the years shown. The Prop 1B funding had to be utilized during the next three years. The projects shown were already allocated for the years shown.

Councilmember Merk moved to: a) adopt Resolution No. 2389-2008 Amending the Operating & Capital Budgets for Fiscal Year 2007-2008 to Accept Proposition 1B Funding; and b) approve in concept the use of the funds for slurry seal and resurfacing of Town streets as shown in Exhibit A. Councilmember Wengert seconded, and the motion carried 4-0.

(7) Support of West Nile Virus and Mosquito and Vector Control Awareness Week

Ms. McDougall reviewed her memo of 4/9/08 and recommendation to adopt the resolution declaring April 21 through April 25, 2008, as West Nile Virus and Mosquito and Vector Control Awareness week. Responding to Mayor Derwin, she confirmed that the Town passed a similar resolution last year.

Bill Lane, Westridge, said there were a number of people in Town and Woodside that had watering tanks/troughs for horses. It might be worthwhile to publish a special notice to remind people that this could be a serious problem. He supported the resolution, but felt the Town should do more than just "observe" the issue. Ms. Howard confirmed for Jon Silver that the Stable Inspector's checklist included inspecting all water troughs for mosquito larvae. She agreed a letter should be sent to all those with horsekeeping permits as a reminder. Councilmember Merk noted that the deadline for Newsletter articles was 4/18/08. He suggested inserting a notice reminding residents where water could collect.

By motion of Councilmember Driscoll, seconded by Councilmember Merk, Council adopted Resolution No. 2390-2008 Declaring April 21 through April 25, 2008, West Nile Virus and Mosquito and Vector Control Awareness Week by a vote of 4-0.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(8) Options for Oak Tree at Ford Field

Ms. Lambert reviewed the staff report of 4/9/08 on the condition of the home dugout coast live oak tree at Ford Field. She noted that McClenahan had forwarded a second report that indicated what would need to be done if the tree was retained. She added that if the tree was removed, one recommendation was to replace it with a 48" box valley oak, which would cost about \$900. Alternatively, two smaller trees could be planted. She noted that Councilmember Toben forwarded an e-mail indicating his strong view that the tree should be removed immediately to protect the safety of the Little Leaguers. He suggested planting five oaks to replace the tree for future generations to enjoy. He felt the Town had been put on notice and that the Council needed to act on this now.

Councilmember Driscoll said he understood that the backstop at Ford Field itself might soon be in need of repair or replacement. That meant that the backstop fence structure, which incorporated the dugout, would also be coming up for replacement. It might be possible to reconstruct the dugout in a slightly different place that wasn't directly under the tree. The posts on the backstop were quite tall. If they went down in a bad windstorm, it would be a serious problem. The backstop was built 30-40 years ago, and the insurance standards for backstops had probably become substantially stiffer. He thought it might be reconstructed in a slightly different place.

Councilmember Merk said if the backstop was moved, the position of the field would have to change, which would result in a major project. These were separate items, and he felt the Council should just deal with the tree. Councilmember Wengert agreed. Even if the dugout was moved as part of the backstop realignment, the tree would still be in the same place and hanging over a part of the field.

Responding to Jon Silver, Ms. Lambert said Mayne Tree estimated it would cost \$1,800 to remove the tree. Mr. Silver said 20-25 years ago, an arborist recommended taking the tree down. The history of the tree was reviewed to find that it had been hit by lightning and continued to live. An arborist from the County felt it had a lot of life left. He said he read the recent reports and looked at the tree. He felt it would be simple to move the dugout, which was a very simple structure. He also agreed that a valley oak should be planted away from the field. Using the blackboard, he discussed where the dugout and bleachers could be moved to. Since the season had started, he recommended that the dugout be closed. Temporarily, the bleachers could be the dugout. The tree went from not being a hazard in the mid eighties to being a hazard today. It probably would have been good to catch it sooner and monitor it more often. If the decision was to take down the tree, he thought enough of the tree should be left to leave the nest of birds undisturbed.

Councilmember Driscoll suggested closing the dugout and informing the Little League that kids were not to use it. Mr. Young, in cooperation with Parks and Rec, could look at alternative locations for the dugout and report back at the next meeting. The backstop apparently needed to be replaced, and he would like to see a more comprehensive plan to put the dugout and bleachers in a different place and make the tree as healthy as possible.

Councilmember Wengert said she was not sure that trimming the tree addressed the hazard. She looked at the tree closely and saw how fragile it was. Having read the arborists' reports, she felt it had lived its life cycle and was about to collapse on itself. It looked robust and was beautiful, but given the six reports, the terms were very strong relative to the hazard. She questioned whether removing the dugout would entirely remove the hazard or solve the problem. Unfortunately, the Town was now put in the position of having to

act. She was not convinced that the tree would have enough of a lifespan remaining to warrant super human efforts. She would rather look at what the Town might do to memorialize it and think about planting some other trees. She favored making the hard but necessary decision to take the tree out or enough of it out to remove the risk. If there had been a different report from even one arborist, she might feel differently. But, the comments were universal and very straightforward about the risk of keeping the tree anywhere where there were people playing sports. The risk of injury to someone in the community outweighed her personal desire to keep the tree.

Councilmember Merk said he tended to agree. But, the arborists probably all had the same insurance carrier, which might have a lot to do with the kind of answer the Town received. Responding to Councilmember Merk, Mr. Silver said there appeared to be birds nesting in the hollow trunk. Councilmember Merk said they were probably titmouses or nuthatches. Both of those were declining species. If those birds were nesting in the tree, he would like to see the trunk left standing for a couple months so that the chicks could hatch and fly away. Even if the rest of the limbs were removed, they would come back to the nest after the people were gone. He did not want to spend \$900 on a 48" box tree. He suggested spending \$150 each on three 15-20 gallon trees. Valley oaks grew quite fast. Younger trees also did better when planted and were less likely to die. Ultimately, when the trunk was cut, it would be nice if the trunk was set over in the field. Kids could play or sit on it, look inside, etc.

Councilmember Driscoll said this tree was vulnerable to SOD. In the next two years, it might die naturally. Secondly, the Town would still have to deal with the backstop issue in the next couple of years. If the backstop was re-planned, he thought there should be a way to plan it around this tree with the notion that eventually, another tree would be put into that location. He was concerned about the immediate hazard and agreed that the dugout needed to be closed immediately. But, he was willing to study further whether the tree needed to be taken down. Councilmember Wengert said with six studies, all of the experts had been brought in. Councilmember Driscoll said 30-40 years ago, they probably would have given the same answer. This tree had had its death knell before and had been doing fine. He was hesitant to be the arbitrary executioner.

Mr. Silver said of the arborists' reports he read, none of them said the tree was on its last legs. He understood that the problem was that it was over a dugout. Even if there wasn't a dugout under it, there could be a person leaning on the tree when it fell. A low fence would be a simple way of dealing with that so that people didn't go in there. If the Town tried to protect itself from every tree that might fall, a lot of trees would be cut down on Town property. If the dugout was moved, it was important not to leave that area under the tree open. Also, it looked as though none of the weighty parts of the tree were over fair territory. If that was not the case, another low, temporary fence could be installed to keep players out of that area. He read an editorial in the 4/9/08 issue of *The Almanac* about plans to remove a 300-year-old oak tree at Oak Knoll elementary school. He felt the message that the Town should be sending was that the Council was willing to rope off an area, keep the tree, and save some birds that were a declining species. The obvious solution was to take down the tree, but the Town could work around it. He supported Councilmember Driscoll's suggestions.

Councilmember Wengert said there was a difference between the Oak Knoll situation and this tree. Taking down this tree was not in the name of progress. Everyone shared the same desire to preserve the tree if at all possible. When she saw the tree for the second time on Sunday morning, there were kids everywhere—under the tree and next to the tree. Reluctantly, she felt it should be removed and the issue addressed right now. The risk to the community should outweigh that single tree. There was a very high probability that a major portion of the tree might topple. She did not think the Town should be taking that risk for anybody—including outsiders using the field.

Councilmember Driscoll said by closing the dugout today, the immediate hazard problem would be addressed. Kids ran under old trees all the time, and the Town couldn't prevent that everywhere in Town.

He felt with further study, a better solution could be found. The backstop needed to be replaced, and that deserved to be looked at.

Councilmember Merk said Councilmember Driscoll was moving him over to his side. Mayor Derwin agreed. She had been prepared to kill the tree, but now thought further study was warranted. Councilmember Wengert reiterated that two issues were being melded. Councilmember Driscoll said these were coincident and simultaneous issues. They would both have to be dealt with in the next couple of years. Councilmember Wengert said the Town had been given significant testimony from people who were very well versed and schooled on the condition of this tree. To take any measures to try to preserve it at this point would delay the decision in order to implement a temporary solution when the outcome would likely be the same. She was not sure that the tree was savable. Councilmember Driscoll wanted to let nature take its course.

Councilmember Merk said the tree had proved everyone wrong at least once and maybe twice in the past. That didn't mean it would do it again. The tree might be dead right now but didn't know it yet. He asked Councilmember Wengert if she would feel more comfortable taking out 50% of the foliage—particularly that which was on the leaning side. If the tree was healthy, it would sprout back.

Councilmember Wengert said if 50% of the canopy was removed in the direction it was leaning, she questioned what you would be left with. Councilmember Merk said it would be an ugly tree for a couple of years. But, it would respond and put out growth wherever there was light.

Councilmembers discussed whether a supporting pole was needed. Councilmember Wengert felt it would be a new hazard. Councilmember Merk said it could be part of the fence as suggested. He agreed that the dugout needed to be closed tomorrow.

Councilmember Driscoll moved to close the dugout, inform all playing teams that it was not to be used, and wire or fence it off. Councilmember Merk seconded, and the motion passed 4-0.

Councilmember Merk moved to direct staff to have the tree pruned to 40-50% and install a post support as part of the fence. Councilmember Driscoll seconded the motion. Responding to Councilmember Wengert, Ms. Lambert used the photos to show which limb would be removed and where the post would go. Councilmember Merk said when it was trimmed in the 1980s, it looked unsightly for a couple of years and then filled out. Responding to Councilmember Wengert, Ms. Lambert said there wouldn't be any remaining branches hanging over the field. Mayor Derwin called for the question, and the motion carried 4-0.

Councilmember Driscoll suggested that the liaison take the dugout and backstop issue to the Parks and Rec Committee. Ms. McDougall noted that at the last Committee meeting, the budget was discussed. There was \$10,000 in the current budget to look at needed improvements to Ford Field. That would include the backstop. Mr. Silver discussed access to the field when the dugout was closed. Councilmember Driscoll asked staff to ensure there was an appropriate and safe opening in the fence for access.

(9) Change in Cable and Undergrouding Committee Charter

Referring to the Committee's memo, Councilmember Driscoll said the Committee wanted to increase their membership from 5 to 7 members. They had 7 interested members, and more work was being done on undergrounding issues than in the past. Councilmember Merk noted that since the change in the State law, less work was required on supervising the cable franchisee. Council agreed with the request.

(10) Proposed Revision of Town Policy on Memorials

Ms. Howard reviewed Councilmember Toben's memo of 4/3/08 on Town policy regarding memorials and

honorary recognitions. Referring to his [Toben's] proposed revision of the existing policy (p. 2), Councilmember Merk said "...on Town property" should be replaced with "...on Town property or easements." With that change, he supported the revised policy.

Councilmember Wengert said she originally felt there should be some passage of time after the honoree had expired. After more thought, she questioned whether it should be allowed at all. Fifty or 100 years from now, woods and hiking trails could be full of plaques and memorials to people that no one knew anything about.

Councilmember Driscoll said he did not feel that the plaques and memorials would be there forever. During his time in Town, a bench on Toyon had disintegrated and was not replaced; the trail itself moved slightly down the hill. He thought the focus should be on benches that were not made of concrete and not permanent. The natural process of aging would allow it to rot away. By the time the bench rotted away, most people wouldn't remember who the people were.

Councilmember Wengert suggested eliminating any benches that were made of materials that were more lasting. Councilmember Merk suggested "... (1) will not place a burden of perpetual maintenance upon the Town and shall be made of biodegradable materials..." Mayor Derwin suggested deleting "permanent" from the third line of the policy. Councilmembers agreed.

On the waiting period, Councilmember Wengert said a waiting period would allow people to get over the period of heightened sensitivity of a recent loss. Memorials should be for people who made major contributions to the Town as opposed to an emotional reaction. Councilmember Driscoll said he did not think that had been a problem in the past. Councilmember Wengert said she felt it would be rational to include a time period. Councilmember Driscoll said he could support that but didn't want to go overboard with it. Mayor Derwin suggested two years. Councilmember Wengert suggested adding, "Requested memorials will not be accepted within the first two years of the passing of the honoree" after the statement about having several sponsors. She also suggested deleting "perpetual" from "perpetual maintenance." Councilmember Driscoll noted that the policy was now consistent with the Town's policy of having the Town be subservient to the land. Councilmember Wengert said the Town might consider other activities such as encouraging native planting. Ms. Howard said the revised policy would be placed on a future consent agenda.

(11) Status of Town Center Project

Ms. Howard said the library was being insulated with shredded old jeans. There had been two walk-throughs for the bid packages, and there was a lot of interest. The bids would come to the Council on April 30 at a special meeting. Today, Councilmember Driscoll and Mr. Young met with the Church to present the proposed plans for the creek, the modification to their property, and timing. Councilmember Driscoll said they were very supportive and cooperative. They had also been invited to come to the ADT meetings for the next couple of months while these issues were being discussed. Ms. Howard said the baseball field should be opened in two weeks.

Councilmember Driscoll said there were two tennis courts proposed and an all sports court. There was a lot more of one of the tennis courts under an oak tree than had been envisioned. It was a really nice oak, and he had been working with Mr. Strain and Mr. Young to come up with an alternative. The all sports court was not as long as a tennis court and could be flipped with the tennis court to partly alleviate the problem. One alternative was to move the tennis court out. Another alternative was to eliminate one of the courts, which could be controversial. The ADT would continue to work on a solution.

(12) Reports from Commission and Committee Liaisons

(a) Trails Committee

Councilmember Driscoll said the Committee would like the Council to discuss a proposed new trail on the Kersten property. Nicholas Targ was willing to designate an easement in return for an agreement that the trail would be referred to as the Joan Targ Trail or Loop. It would be a very nice trail, which he described.

Councilmember Driscoll said the signage for Coal Mine Ridge was undergoing revision. Additionally, there was a problem brewing on Lake Road at the boundary with Los Trancos Woods. A presentation had been made by the Los Trancos Water District; they were planning a viewing point for the lake and wanted to have an open rail fence to allow wildlife to get in and out. The person who owned the property at the end of Lake Road had built fences on Town property and sheds on County property, and put a gate across the road. A letter had been written to the Trails Committee by the neighbor that should have come to the Council. Issues included: 1) what the Trails Committee wanted to do to improve the entrance to Old Spanish Trail as it came off of the Los Trancos area; and 2) the neighbor who not only built the fence but was dumping chips, etc., on Town property. Mr. Young was investigating.

(b) Community Events

Councilmember Merk said the Committee discussed using Blues and BBQ for the ribbon cutting for the Town Center. There were some concerns about how big it would be. SallyAnn Reiss would be approaching the Council. She felt LEEDs people, politicians, green companies, and donors all might want to attend. Councilmember Merk said there might need to be another committee as well as another budget. The Committee didn't mind combining the events, but wanted it segregated. Their biggest concern was that the Blues and BBQ remain a community event. The ribbon cutting was a community event, but it could easily become a much bigger event.

Councilmember Driscoll said PVCF also discussed this at their meeting on Tuesday. Ms. Reiss volunteered to be the coordinator for the ribbon-cutting event and to make a proposal about what she envisioned it would be. She thought it would be like the groundbreaking event with a local focus that was relatively subtle. Politicians would not be invited to speak. The PVCF would budget for it in the 3rd quarter.

Councilmember Merk said the Committee would like to have Gary Nielsen be the honoree for Blues and BBQ. They also wanted suggestions from the Council for an honoree for the holiday party.

Councilmember Merk said there had been a lot of concerns expressed about the organization of Zots to Tots at the Town picnic last year. The Committee was concerned about how Parks and Rec would be handling it in the future. Ms. McDougall noted that there had been a meeting today relative to Zots to Tots about what went right and wrong last year and how to move forward. She said she would keep the Mayor informed.

(c) Traffic Committee

Councilmember Merk said the Committee discussed the Mapache/Cervantes/Westridge intersection in terms of stop signs, sight distances, etc.

(d) Nature and Science Committee

Councilmember Merk said Yvonne Tryce indicated she would stop teaching in July and wanted to know when she could move into the community hall and where she could store some of her items. Ms. Howard said that had been taken care of. Responding to Councilmember Merk, she said there was no nature and

science room in the new community hall building. Ms. Tryce needed to be reminded that she was one of the tenants and that the room needed to be restored after her use.

(e) Emergency Preparedness Subcommittee Meeting

Councilmember Merk said a subcommittee met with Larry Whitney who was the volunteer fire chief of La Honda volunteer fire department. He also had a consulting company that specialized in audiovisual system integration for EOCs. The Town would need a lot more electrical connections, data ports, telephone lines, quad plugs, etc., in the conference room for the EOC. Depending on the kind of situation, there could be liaisons from the fire department, sheriff's department, PG&E, Cal Water, Fish and Game, Cal Fire and CA Office of Emergency Services all in one room. Where the array would be for the electronics was also an issue. The subcommittee also went on a field trip. There would be more information about this after the next committee meeting.

(f) Green Workshop

Councilmember Merk said the workshop was interesting but there were some serious issues. The room was freezing cold, and the projection system was very poor. He left before it broke into small groups, and he left feeling a little bit disappointed. He described some of the architects' presentations. He felt there had been some mixed messages.

Mayor Derwin said she and Councilmember Wengert also attended. She thought it was fantastic and commended Councilmember Toben for pulling it together. Ms. Lambert and Ms. Borck also worked very hard on the workshop. When people broke up to do the smaller groups, it really came together. People seemed very excited about it, and there were lots of ideas discussed. The tour of the green house at the Ranch was amazing. She thought another workshop should be held. Councilmember Merk concurred. Councilmember Wengert agreed it went well.

(g) Library

Mayor Derwin said the Friends held their reception at the Schoolhouse for Pat Brown that went very well. Additionally, there had been a meeting with the Friends and a representative from the JPA to settle the question of what space the Friends would have in the library.

(h) Council of Cities Meeting

Mayor Derwin said she, Ms. Howard and Councilmember Wengert attended the meeting in Pacifica. The topic was "Is the Municipal Labor Market Out of Control." There were three excellent speakers, which she described. Ms. Howard added that firefighters and police had such incredible benefit packages, the towns and cities employing those services couldn't sustain them.

(i) Schools

Mayor Derwin said she participated in the interview panel for the new principal at Corte Madera School. The person selected would be announced tonight.

(j) Town Website Design

Councilmember Wengert said there had been a number of interview sessions on what people wanted to see on the web site. There was a first preliminary draft of the site architecture, and there would be another session to review that. It was moving along very well.

WRITTEN COMMUNICATIONS

(13) Town Council 3/28/08 Weekly Digest

(a) Plug-in Bay Area Regional Purchase Order

Referring to Ms. McDougall's memo of 3/26/08, Councilmember Merk said he felt the Town should support the regional purchase order program for plug-in vehicles to be used throughout the Bay Area by cities and towns. Ms. Howard said staff had taken care of it.

(b) Fire Emergency Egress on Wayside Rd. Through Open Space

Referring to Byron Shaw's letter of 3/27/08, Councilmember Driscoll said the Trails Committee considered the request to widen the trail on the recently donated Kersten property to allow for a 4WD vehicle to facilitate egress during a fire. The Committee did not agree the trail should be made wider to accommodate 4WD vehicles. Woodside residents, where the access would lead, were adamantly opposed to that concept. Ms. Sloan noted that in return for the donation, the Town agreed to quitclaim all vehicular access through the Woodside neighbors' properties. Councilmember Merk noted that the Fire Department would do whatever it needed to to get to a fire. He suggested that the response to Mr. Shaw indicate that there had historically been some kind of connection for Wayside residents to the top of Santa Maria.

(c) Mobile Catering Trucks

Referring to Ms. Lambert's memo of 3/21/08, Councilmember Driscoll suggested agendizing the item for discussion. Responding to Councilmember Merk, Ms. Sloan said there was not much the Town could do other than require business licenses; but, she would look into it. Councilmember Driscoll suggested having a road use fee for mobile businesses. Responding to Councilmember Merk, Ms. Lambert said the general business license fee was \$100; a peddler or someone selling goods was \$25/day. Councilmember Wengert suggested seeing what other towns were doing.

(14) Town Council 4/4/08 Weekly Digest

(a) Parks and Rec Meeting on 3/24/08

Councilmember Merk referred to Clair Jernick's letter that recounted the way she was treated at the Parks and Rec meeting. He said the matter needed to be addressed. Mayor Derwin said she and Ms. Sloan met with two Committee members today. Ms. Sloan added that when the letter was received, Mayor Derwin spoke with Ms. Jernick. She [*Sloan*] also spoke with Ms. McDougall who attended the meeting. There was no Council liaison at the meeting. She felt the Committee members had been very receptive. Mayor Derwin, Councilmember Toben, Ms. Howard and Ms. McDougall would be meeting with the Chair of the Committee to discuss ways to structure and conduct the meetings so that this situation would not come up again. Mayor Derwin said she would be attending the next Committee meeting. Councilmember Merk said he would also like some clarification about liaison responsibilities. Ms. Sloan said if a liaison was not available, she recommended that the meeting not be held.

ADJOURNMENT

The meeting adjourned at 10:35 p.m.

Mayor

Town Clerk