

TOWN COUNCIL SPECIAL MEETING NO. 657, OCTOBER 13, 2004

ROLL CALL

Mayor Comstock called the meeting to order at 7:40 p.m. and led the Pledge of Allegiance. Ms. Howard called the roll:

Present: Councilmembers Davis, Driscoll, Merk and Toben, and Mayor G. Comstock
Absent: None
Others: Town Attorney Sloan, Town Administrator Howard, Dir. of Admin Services Powell, and Deputy Clerk Hanlon

ORAL COMMUNICATIONS: None.

REGULAR AGENDA

(1&2) Presentations by Architectural Design Team and Director of San Mateo Library Services

Larry Strain reviewed the progress report of 10/8/04 and discussed: 1) direction provided by the Council at the 9/8/04 meeting; and 2) committee and user group feedback since the 9/8/04 meeting. Using slides, he discussed changes made to the new master plan dated 10/8/04.

Responding to Councilmember Driscoll, he said there were different levels of building safety required by the Code. All buildings had to be designed to keep the building from collapsing on people; the minimum was that people had to be able to get out of the building after an earthquake. Essential facilities like the emergency operations center (EOC) had to be designed so that the building still functioned after an earthquake. This involved foundation design as well as anchoring equipment, having redundant systems, etc.

Bill Lane said he fully supported safety for the Town Hall. The whole project was based on perceived threat. There was plenty of precedent that the Town Hall would probably be the center of direction and supervision. It should have some sort of alternate electricity that would keep it functioning. With respect to the corporation yard, he thought it should be in close proximity to the command center. Emergency services would come into help and would require a lot of extra parking capacity. Responding, Mr. Strain said the thought was that the activity associated with the maintenance facility didn't belong close to the Town Hall. After an earthquake, communication was generally handled by cell phones. With little expense, he felt there would be an opportunity to make that building the same level of safety as the EOC; it might also hold redundant equipment. Jim Goring noted that the emergency personnel had indicated that the EOC was for people who were on cell phones and radios; they didn't want to be near the areas that were providing the actual services. Some separation was advantageous. Ms. Marzuola added that there was a trailer that contained emergency supplies within the maintenance area.

Bob Brown, Westridge, said he did not think getting out of a two-story building would be safer than getting out of the existing one-story buildings. He also thought there would be a gaping hole after an earthquake that would have to be crossed; water, gas lines and electric utilities would all be disrupted. Mr. Goring said civil and structural engineers had been consulted early on with the question of how the buildings could be served after an earthquake. The EOC would have an emergency generator, and essential services would be sustained for three days.

SallyAnn Reiss complimented the design team on their work. She reviewed a report prepared by Rebecca

Flynn of the Parks and Rec Committee entitled "Indoor Recreation Needs in Portola Valley" that supported a larger MUR/gymnasium than what was proposed.

Sharon Refvem said Portola Valley was an example for other communities in terms of the seismic code, etc. Making the Town Center an example of sustainable building had also been discussed. She asked what would be done on the site to support that. Responding, Mr. Strain, noting that the buildings had not yet been designed, discussed energy use on the site. He said the new project would have more energy efficient buildings and lighting. He described sun angle studies and shading, noting that the buildings all opened out and had good cross ventilation. The buildings would be around 75% day lit, which was a lot of energy savings. The site layout attempted to keep hardscape around the perimeters with the whole center space being green. The hardscape could drain into bio-swales which could filter the water; right now, storm drains dumped water right into the culvert without any treatment. He discussed options to address runoff. A keynote of the team's sustainable approach was to make the buildings last a long time using very durable materials. Some of the timber/decking from the old buildings would also be used. The goal was to make the buildings as energy and water efficient as possible. When mechanical systems had to be added for air handling, they would be very efficient systems, which he described.

Responding to Yvonne Tryce, Mr. Strain said the activity rooms would be about the same size as the current classrooms. As proposed, there was 3,600 sf for 4 activity rooms. Responding to Ms. Tryce, he said parking on the same side of the street, as the buildings had not been ruled out at this point.

Using slides, Ms. Marzuola discussed phasing. If Phase 1 had limited funding, one approach would be to start with the library and Town Hall, as well as the infrastructure and utilities to the new building site. Part of that would be the demolition or deconstruction of the MUR, Town Administration building, and perhaps the artists' studios so that some of the existing wood and materials could be used for the new buildings. The tennis courts and the ball fields would be lost during that time. It would also require building the road, at least from the point of entry that would be independent of the existing point of entry. If funding was available, the community hall and activity rooms could also be done. The second phase could be the site improvements, which would include the baseball field, tennis courts, maintenance yard, re-positioning of the soccer field, and the new parkland and trails. The activity rooms would be lost but could be relocated into temporary buildings where the current temporary Town Hall was; the Town Hall would have moved which would free up that site. The MUR would be lost during that time. Phase 3 could be the completion of the Town plaza, MUR and activity rooms, and the creek. She confirmed for Mayor Comstock that this was one of many possible phasing programs.

Bernie Bayuk, Paloma Rd., said he was concerned that the buildings would be demolished before the funds were in hand to replace them. He thought there might be periods of time—maybe years—when the current buildings no longer existed, but there was not enough money to replace them. In any phasing scheme, he asked that the Council not do without the existing attributes for many years while money was being collected.

Responding to Councilmember Driscoll, Mr. Strain said the estimator had been out of Town and had not been able to revise the cost estimate. He said the design had not gotten more expensive. What had changed was the construction climate since the spring. Cost estimators were adjusting their baseline costs by 15-20%. The site and incidental costs would be rolled into a percentage on top of the building costs; 30% had been added to every building cost and 25% added to all site costs to cover site development, site infrastructure, soft costs, etc. It would all be separated out to show where everything went; the original amount was about right, but it wasn't displayed in great detail. Material costs such as concrete, steel, plywood had gone up a huge amount, not to mention worker's compensation insurance, etc. Responding to

Councilmember Driscoll, he said the estimated cost was \$13-15 million. It might be 20% higher due to the construction climate. Responding to Councilmember Driscoll, Ms. Marzuola said a rough estimate for what

was shown as Phase 1 was around \$8 million. Mayor Comstock noted that the Public Works Director had been very successful in bringing in construction projects under estimates. Mr. Goring added that it was hoped that the 20% increase was a spike and might be a worst case projection.

Ms. Howard reviewed her memo of 10/5/04 on the library's Space Needs Assessment report. Jannette Engel, interim Library Director for the San Mateo County Library System, discussed increases in library services and programs, which continued to increase each year. Some libraries experienced an increase in uses of 55% in the last few years. Kathy Page, author of the report, discussed her methodology. As set forth in the report, she discussed: 1) the library's services/programs and use; 2) space limitations; 3) community needs; 4) space requirements; 5) guidelines used by library planners; 6) square footage calculations; and 7) recommendations (pp. 11-17).

Thom Ball, branch library manager, said Ms. Page's findings reflected the library staff's observations and experience. He felt there could be a number of shared uses such as a shared meeting space. Currently, the City of Brisbane was doing a music concert series in collaboration with the Friends of the Library; all of the proceeds benefited the library. He saw that happening in Portola Valley as well and would love to see more cultural activities taking place in Town; the library could be a very logical place for that to happen. The annual poetry contest was a very popular event, and there could be more poetry readings, etc. There were a lot of local authors who would love to do author-reading programs. Wall space could also be used to display local artists' work. He saw a natural blending with the Town's history room and the science room. Additionally, all new libraries were building homework centers, and it had been demonstrated that there was a need for that at the Portola Valley library. The library was a focus for the cultural life of the community.

Responding to Mayor Comstock, Mr. Strain said the main floor footprint for the library was 6,800 sf, including the 1,000 sf reading room. The area that would have two floors was in the neighborhood of 2,500-3,000 sf; that area might contain the history archives, an additional activity room, etc. The library staff had indicated that a few of the private offices might go upstairs. The feedback was that the overall library really needed to be on one level; the homework room might be on the second floor. When the square footage was laid out, some of the numbers might go up and some might go down, but he thought the design team was in the ballpark. Responding to Councilmember Driscoll, he confirmed that the library would have an elevator.

Library staff discussed the practicality of having a homework room on the second floor. Mr. Strain suggested that an adult reading lounge might make more sense. Responding to Councilmember Driscoll, Mr. Strain said the library needed some height on the site in order for it to be a significant building.

With respect to the MUR, Councilmember Toben said the Council had authorized the design team to do a bit more modeling on what a larger MUR might look like. The Parks and Rec Committee reviewed that on Monday night. Rebecca Flynn had assembled a detailed analysis of unmet indoor recreation needs in Portola Valley. He wanted to acknowledge the care in which she and the Committee had studied the possibilities and unmet needs in the community. One of the more persuasive comments in the analysis had to do with new after-school activities for young teens. An organized recreational program might be a great benefit to teens that were otherwise adrift in the community after school. The other unmet recreational needs identified by the Committee that could be addressed by a larger structure included adult basketball, volleyball, and indoor soccer. A larger structure would also enable dual use of a space by using a partition. Responding to Councilmember Toben, Mr. Strain said most of the feedback about the MUR from the other committees and user groups was that a larger MUR was too big. The smaller MUR could do a lot but could not do indoor sports very well. The dual use MUR was tricky to do well; it was difficult to divide a room acoustically and have it still work. It had also been pointed out that the current MUR was underutilized in the

community. Having a large room that could be turned into two rooms this size did not make sense. Additionally, the smaller MUR had a 16' plate height and went up to about 34' at the ridge. Parks and Rec felt

the larger MUR could have a 25' plate height, with 42' at the ridge. He confirmed that if there was a need for indoor athletics, it would not be met by what was proposed. He used the model and slides to illustrate the massing of the larger MUR, relationships with other structures, footprint, effects on parking, and impacts on views.

Bernie Bayuk, Paloma Rd., was concerned about a barn-like appearance of the buildings. He did not want to see buildings that looked like boxes with a sloped roof. Responding, Councilmember Toben noted that this phase involved the master planning process--not a design process. Materials, forms, shapes, etc., would all be discussed later. Mr. Goring noted that the design team appreciated Mr. Bayuk's concern; there would be a lot of work done to come up with the types of buildings the Town wanted.

Jon Silver, Portola Road, agreed with a smaller MUR. This was already an expensive project, and a bigger building would cost more. He also felt the use of the new MUR could be increased over the use of the current MUR. He agreed that the library was the keystone of the site.

Virginia Bacon, Golden Oak Dr., said she would like to see more space dedicated to cultural arts. She felt there should be some permanent art space for workshops, lectures, etc.

Marge DeStaebler, Santa Maria, said the Conservation Committee had unanimously stated that they hoped the footprint of the developed part of the Town Center would be minimized so that the open, undeveloped parkland could be enjoyed by everyone. Having a very large MUR/gym would increase the footprint and impermeable surfaces and make the buildings the main focus as opposed to the open space.

Referring to the Design Team's progress report, Mayor Comstock suggested the Council take up the outstanding issues set forth on pages 3 and 4. With respect to the second access from Portola Road, Councilmember Driscoll said the negotiations with the church would be on-going for a couple of more weeks. Councilmember Davis supported a more central entry point. Councilmember Merk agreed. He felt there should be two--even if it meant the removal of an oak tree. Council agreed to: 1) pursue negotiations with the church; and 2) pursue a second access.

With respect to the size of the baseball field, Mayor Comstock supported preserving the existing trees and having a smaller baseball field. Council agreed to stay with the 230' baseball field.

To the size of the MUR, Councilmember Driscoll said some uncomfortable decisions would need to be made because of cost. He supported the smaller MUR for now but wanted to preserve space around it so that in the future it might be made somewhat larger. Councilmember Davis said the Town was small. What was being described as a large MUR would be more appropriate for a large, urban city. Even if the finances were available, he would argue against a large MUR. The Town rejected monster homes, and he felt the large MUR should be rejected--despite the compelling arguments for increased utilization.

Councilmember Merk said the Town had made a conscious decision to force itself to jump through the same hoops that everyone who built had to jump through. A 25' plate was 2.5 times the height of the side walls of the current MUR. That left three feet for the roof under the Town's existing 28' maximum height limit. To follow the rules, he was against the larger size MUR. Cost was also a major factor. He agreed a small, rural town should not include a huge building as part of its Town Center. He said the Parks and Rec Committee by nature represented organized groups who were interested in having a full-size gymnasium. The Conservation Committee on the other hand represented the whole Town. He supported the Conservation

Committee's recommendation and favored a smaller facility that was more in keeping with the General Plan and principles of the incorporation of the Town.

Councilmember Toben said the Parks and Rec Committee had marshaled the best case they could for a larger facility. A dual-use concept was intriguing to him, but the comments this evening indicated there would be challenges. Essentially, it represented two times the current MUR space, which seemed like a lot. He appreciated Councilmember Merk's comments about the principles of the Town that were embedded in the General Plan and zoning ordinances. He agreed that a larger structure would dominate as opposed to being subordinate to the site on which it was located. He felt a great many--but not all--uses proposed for the building could be met in a properly designed smaller structure. While he was sympathetic with the Parks and Rec Committee's recommendation, he supported a smaller MUR.

Mayor Comstock supported a smaller MUR. He discussed possible simultaneous uses of the facility by the use of partitions. Based on a well-executed dual use concept, he did not think a full scale basketball court should be included. He also thought that it might be possible to defer building the activity rooms if the MUR could be divided into two separate activity spaces. He also was impressed by Councilmember Merk's comments about following the Town's processes. He noted that both the ASCC and Planning Commission did not recommend a larger facility; close attention needed to be paid to their recommendations. With respect to Mr. Bayuk's concern about barn-like structures, he could not think of a more rural and appealing structure than a barn.

To the suggestion that the MUR might be located so that it could be made larger in the future, Mr. Strain said he thought that might be difficult. It would have to be moved back, and it was also difficult to make a large meeting room grow. Mayor Comstock said he did not want to see any more money spent on the development of the master plan. He did not support any additional studies by the architect.

With respect to the preschool issue, Mayor Comstock supported planning for the activity rooms with the idea that one might subsequently be appropriate for a preschool. Responding to Councilmember Davis, Mr. Strain said the plan could accommodate that in the future. There was some open space behind the MUR that could serve as the yard. As indicated in the progress report, there was no support for a preschool at the committee meetings. Responding to Councilmember Davis, he said if the Council did not support a preschool, the master plan would not change. That use could be accommodated if desired.

Ms. Sloan noted that the Town Planner was thinking about starting the environmental review. A preschool would make a difference in the traffic analysis. If the Town wanted to keep the possibility of a preschool, a traffic analysis with that use would have to be done along with an analysis without that use.

Councilmember Driscoll said the issue of the preschool was about the Town building a structure for one thing. He thought the Council had decided months ago not to do that. Flexible space usable by a variety of potential tenants was what was wanted. The focus should be on the kinds of activities that the Town should provide for its citizens and not providing a building for a particular preschool. He felt the current plan should allow for activity centers that were appropriate for all age groups. He did not think the environmental review should include a traffic analysis for a preschool. If the preschool applied to be a tenant, another environmental review should be done. Council agreed.

With respect to the size of the library, Councilmember Merk said the report meshed well with the ideas that had been presented by the architect. He supported the larger library, which was the most important building on the site. He also thought the Town should think about designing it so that it could be used immediately after an earthquake. Mr. Strain said the design team supported higher levels of seismic design because it made them greener. Having to tear down buildings after an earthquake did not make them very green

buildings. The building would be safer for people but would also be a good investment for the community.

Councilmember Davis said he felt the library report was one of the best he had ever seen. He agreed the library was the heart and center, and he was delighted by what was proposed.

Councilmember Driscoll said he also supported the proposed size. It was important to look at the library as more than just stacks of books and reading rooms. It was a cultural center. He did not envision a doubling of the number of stacks. He thought there might be some challenges in designing the building to have flexible use of space. Councilmember Toben concurred with Councilmembers' comments.

Councilmember Driscoll said as the plan was fleshed out in the next couple of weeks, the cost issue must be brought to the fore. The Council, staff and design team had to now focus on how this would be paid for. Councilmembers agreed.

(3) Second Amendment to the GreenWaste Recovery, Inc., Agreement

Ms. Powell reviewed the staff report of 10/1/04 on the franchise agreement amendment and rate adjustment for GreenWaste Recovery, Inc. She noted an additional memo dated 10/11/04 had been distributed to reflect correct rate increases; the attached resolution had been revised to reflect the correct numbers. She noted that the effect of the increase on residents would be minimal. Responding to Councilmember Merk, she said the base calculations that GreenWaste would be using were the figures shown in the July 1, 2004, table. GreenWaste was not currently benefiting from the cost of living increase because the CPA was so low. However, if the CPI increased dramatically, they would have a more significant raise.

Councilmember Merk noted that he had not received any notice from GreenWaste about the next clean-up day on October 30th. Ms. Powell said a town-wide mailing would be going out tomorrow. Councilmember Merk felt GreenWaste should send out the notices. Responding to Mayor Comstock, Ms. Powell said she would post a notice on the Website tomorrow.

Councilmember Davis moved approval of Resolution No. 2142-2004 Approving and Authorizing Execution of Second Amendment to the Franchise Agreement for Collection of Garbage, Recyclables and Yard Trimmings Between the Town and GreenWaste Recovery, Inc., per staff report dated 10/1/04. Councilmember Merk seconded, and the motion carried 5-0.

Councilmember Davis moved approval of Resolution No. 2143-2004 Allowing a Rate Increase Under the Franchise Agreement for Collection of Garbage, Recyclables and Yard Trimmings Between the Town and GreenWaste Recovery, Inc., per staff report dated 10/11/04. Councilmember Merk seconded, and the motion carried 5-0.

CONSENT AGENDA

By motion of Councilmember Davis, seconded by Councilmember Driscoll, the consent agenda items listed below were approved by the following roll call vote:

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

(4) Warrant List of October 13, 2004, in the amount of \$183,308.00.

(5) Resolution No. 2144-2004 Approving the Execution of First Amendment to Agreement Between the

Town and Nichols Consulting Engineers, Chtd., per Public Works Director's memo of 10/7/04.

REGULAR AGENDA

- (6) Minutes of the Town Council Meeting of September 22, 2004 (Removed from Consent Agenda)

Mayor Comstock and Councilmember Merk submitted changes to the minutes of the 9/22/04 meeting. By motion and second, the minutes were approved as amended by a vote of 5-0.

- (7) PUBLIC HEARING: Approval of Non-Disposal Facility Element Revision to the County of San Mateo's Integrated Waste Management Plan

Ms. Powell reviewed the staff report of 9/28/04 on the Non-disposal Element revision to the County's Integrated Waste Management Plan.

Mayor Comstock opened the public hearing, and there were no comments.

By motion of Councilmember Driscoll, seconded by Councilmember Merk, the Council adopted Resolution No. 2145-2004 Approving the Town's Non-disposal Element Revision to the San Mateo County Integrated Waste Management Plan by a vote of 5-0.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

- (8) Reports from Commission and Committee Liaisons

- (a) Emergency Preparedness Committee

Councilmember Merk asked for a volunteer to attend a pancake breakfast at the Woodside Fire House on Saturday at 9 a.m. to introduce people to the fire workers and learn about the fire department program. Additionally, he said the Offices of Emergency Services would be conducting an exercise for public works workers next February in the southern part of the County. They realized that public works people would be very involved if an emergency happened. Also, the schools would be doing a disaster drill on October 20th.

- (b) Conservation Committee

Councilmember Merk said the Committee had requested an arborist's report on the 5-6 heritage trees on the site that were slated to be removed because of the construction. The design team had also suggested that an arborist study those trees to see if they were worth moving.

- (c) Trails Committee

Councilmember Driscoll discussed the Town's improvement of a section of a trail along Portola Road using grindings from the Portola Road resurfacing project. Mr. Young was investigating the Town's boundary, as the trail might be technically in Woodside. Mr. Young also planned to put grindings on a section of trail along Westridge from Portola Road. Councilmembers discussed trails where grindings had been applied.

WRITTEN COMMUNICATIONS

- (9) Town Council 9/24/04 Weekly Digest: None

(10) Town Council 10/1/04 Weekly Digest

(a) Appeal of Planning Commission's Decision to Approve Amendment to CUP, Variance, Site Development Permit and CEQA Findings, The Sequoias

Ms. Howard referred to Ms. Lambert's memo of 10/1/04 on Jon Silver's appeal of the Planning Commission's decision on applications submitted by The Sequoias to allow a new assisted living center.

Jon Silver, Portola Road, said he now realized that many steps had been taken by The Sequoias and the Town to harmonize, to the extent possible, the design of the new building with the site. He had been pleased that the Council had considered taking up the matter; it was an important decision. An appeal seemed the only way to bring the issue to the Council and perhaps improve the ultimate decision. However, he had communicated with a number of the people involved and had come to understand the real distress that would be caused by having the decision re-opened. Noting that he had met with the Residents' Council at The Sequoias, he read a letter to the Town Council withdrawing his appeal. He recommended the process be changed to allow the Town Council more time to decide whether to review important Planning Commission decisions. Secondly, he encouraged the Town to ensure that these types of uses grew in the right way.

Bill Lane commended Mr. Silver for his service to the Town, his voicing of his opinion, and his willingness to change his opinion based on obtaining more information. He also commended the planning staff, Planning Commission, Town staff, committees and The Sequoias for their work on the applications.

Councilmember Merk noted that he had brought this issue to the Town Council after the Planning Commission's decision. While he was not against the proposal, he had been concerned about possible impacts. He probably would not have supported a Council decision to take it up, but he agreed the appeal process should be revised to make it easier for the Council to discuss a Planning Commission decision. Additionally, if the Town had not spent any money on the appeal, he recommended that Mr. Silver's deposit be refunded. Mr. Silver noted that he had spent about an hour with the Town Planner.

(b) Resignation from ASCC

Referring to Bud Eisberg's resignation letter, Ms. Howard said a notice of the vacancy would be posted next week, with the cutoff for applications November 19.

(11) Town Council 10/8/04 Weekly Digest

(a) Proposed Easement Through Christ Church

Referring to Rev. Scott Hayashi's letter of 10/5/04, Councilmember Driscoll said a lot of dialogue had gone on since the letter. A subcommittee of church members would be meeting with the design team in late October to work out what the access might look like and what measures could be taken to address concerns about noise, safety, and control.

(d) Ladera Tennis Court Lighting

Ms. Howard noted that the parties involved in the Ladera tennis court lighting issue would be using mediation as indicated in Mr. Decker's e-mail of 10/7/04. They were asking the Town to split the cost of the mediation, which was apparently not covered under the Town's contract. Mayor Comstock said the estimate

was \$720 divided three ways. After discussion [*inaudible*], Councilmembers agreed to pay one-third of the cost.

(e) Request to Use Schoolhouse for Memorial

Ms. Howard said she had just received a request to use the Schoolhouse for a memorial for someone who once lived in Los Trancos Woods. Councilmember Merk said this did not fit with the policy for Schoolhouse use. He did not want to make an exception. Ms. Howard reviewed the policy. After discussion, Council agreed to deny the request.

ADJOURNMENT

The meeting adjourned at 11:10 p.m.

Mayor

Town Clerk