

TOWN COUNCIL MEETING NO. 641, FEBRUARY 25, 2004

ROLL CALL

Mayor Comstock called the meeting to order at 8:01 p.m. and led the Pledge of Allegiance. Ms. Howard called the roll:

Present: Councilmembers Davis, Merk and Toben, and Mayor G. Comstock
Absent: Councilmember Driscoll
Others: Town Planner Mader, Sr. Planner Kristiansson, Town Attorney Sloan, Town Administrator Howard, and Dep. Clerk Hanlon

ORAL COMMUNICATIONS

SallyAnn Reiss, Golden Oak Dr., said she had received some feedback on the Town's RFQ for architectural services for the Town Center project. First, they didn't know how to interpret some of the information requested with respect to green building, awards for town hall work done in the past, etc.; they saw it as a very high bar. She hoped there would be some clarification of that during the walk-through meeting on Monday. Secondly, they wanted to make sure it would be a good government, fair process and that the project had not already been allocated to one Portola Valley architectural firm. Responding to Mayor Comstock, she confirmed that she referred these people to the Town Administrator.

(1) PRESENTATION - Recognition of Five Year Anniversary of Planning Technician, Carol Borck

Item continued due to recipient's illness.

(2) PRESENTATION - Housing Endowment and Trust of San Mateo County (HEAT-SMC) by Supervisor Richard Gordon

Supervisor Gordon reviewed the background/history of the proposed Housing Endowment and Trust of San Mateo County, as set forth in the documents entitled: 1) Development Group Final Report - November 2002; and 2) Model Staff Report. He discussed: a) governance of the Housing Endowment and Trust; b) funding; c) program; and d) next steps as set forth in the Final Report. He reviewed the list of existing JPA members and supporters as of 1/15/04 and the document entitled "3 'C's of JPA Membership Benefits." He noted that Proposition 46 had just made available \$2 million of State bond money to HEAT and that there was now a total of \$5 million in the bank. Using a mix of public and private funds, he said the Housing Endowment should be envisioned as a bank. HEAT would not dictate to any jurisdiction what they should do about their housing needs; the entity would help those jurisdictions that wanted to build affordable housing. It was also intended that the problem of housing in San Mateo County should be approached regionally rather than on a jurisdiction-by-jurisdiction basis. Some communities were far better equipped to build affordable housing due to transportation corridors and infrastructure. The intent was to work with the State's Housing and Community Development office and with the legislature to become a pilot county. The State would be asked to allow San Mateo County to meet the affordable housing goals regionally, with the Housing Endowment and Trust being the vehicle to bring money together to make that happen. The government entities that joined HEAT would help fund administrative costs; that was the cost of admission. He described proposed staffing and said the goal was to operate this entity for about \$150,000/yr. If every city in the County joined, the cost to each jurisdiction would be 20 cents per citizen; \$75,000 had already been committed from the County to cover initial administrative costs. Because of that, a discount for membership could be offered in the first year. He discussed the makeup of the JPA Board and Management Committee as set forth in the JPA, as well as opportunities for withdrawal by member

agencies.

Responding to Councilmember Davis, Supervisor Gordon said Assemblyman Mullin had introduced a piece of legislation, which would allow San Mateo County to be a pilot county. That bill said pooled redevelopment funds would be transferred into the Housing Endowment and Trust for redistribution. Additionally, there had been conversations with HCD; they were very interested in what San Mateo was doing.

Responding to Councilmember Toben, Supervisor Gordon confirmed that each of the jurisdictions would still need to indicate in their Housing Element how the housing goals would be met. What was being proposed here was to work together regionally/collectively to meet those goals.

Responding to Councilmember Davis, Supervisor Gordon explained how the staffing level had been determined and would be handled. It had been structured so that those who responded to the RFP would be asked to enter into negotiations; proposals were due back March 15. Responding to Councilmember Davis, he confirmed that the amount for Portola Valley to join would be 20 cents times the population. Responding to Councilmember Merk, he said two pots of money had been discussed: 1) one pot for administrative funds; and 2) the program money to meet the \$10 million/yr goal. On the administrative side, all of the public entities that joined the JPA would be asked to cover the administrative costs--or 20 cents per population. In terms of raising the \$10 million, one concept discussed had been to ask each jurisdiction to also contribute \$2 year/person; that had not been approved or adopted. How to raise the program funds would be debated over the next several months.

Councilmember Merk said he had a lot of questions. He did not see what Portola Valley would get for its 20 cents per person or \$2 per person, or for joining with other agencies in the County to, for example, undertake a bond to finance this thing. The documents also talked about all kinds of different taxes for funding. Responding, Supervisor Gordon said too much attention should not be focused on the proposal for \$2/person/year. It was an idea that was put on the table, but it had not had much weight. To the extent that HEAT could convince the State that we could work regionally, and to the extent that it was difficult for Portola Valley to meet its targets for affordable housing on its own, some assistance could be provided to the Town through the regional approach. That did not require the Town to give up trying to do things here, but there would be the option on getting some credit on a regional basis. Additionally, if there was a project that the Town wanted to do and the final package could not be put together, the Trust would be a source of funds that could be granted to Portola Valley to put together a package. Given the high price of land in this County, the land itself became one of the huge problems in getting affordable housing built. The Trust could make available to developers and communities funds to cover some of those land costs to help put the final package together. If you wanted to build affordable housing here, the Trust was a way for the Town to get funds for that project. He offered to speak with Councilmember Merk or any of the Councilmembers individually on any additional questions.

Responding to Mayor Comstock, Supervisor Gordon said providing assistance to some of the non-profit developers who worked on affordable housing had been talked about. The Trust might fund a non-profit entity to provide the management for an activity. HEAT was not looking to manage projects; the staff would help raise the money, help spend it, and help communities put packages together. Responding to Mayor Comstock, he said the money would go where it was needed. As an example, he described an agreement with the City of So. San Francisco and a private developer to build affordable housing on the county courthouse property in So. San Francisco that had been declared surplus. If the two could not come up with a package, the City of So. San Francisco could come to the Trust with the developer and ask for some assistance. At this point, it was fairly flexible in terms of looking at what would be the best way to help get things accomplished. The goal was to get housing built--at all levels and for all income types; the critical shortage was for rental housing at the low and moderate level. Responding to Mayor Comstock, he said whether NIMBY was an issue was on a project-by-project basis. He described work done by a group called

"Housing Nachos" who engaged people in dialogue about their objections to higher density and affordable housing.

Responding to Councilmember Merk, Supervisor Gordon said this entity was not saying that any community had to build any housing. It was saying that those jurisdictions that wanted to build housing would get assistance to do that. The County would have more population and needed to work collectively to plan to put people in places that worked best relative to the infrastructure, etc. A regional approach would help; currently, these discussions were going on in twenty separate cities and the unincorporated areas of the County.

Phyllis Quilter, Sioux Way, said she had worked with Supervisor Gordon on various boards. She felt he was a treasure for San Mateo County and recommended him highly. She said he knew where every penny he had ever spent went, and he had a heart and soul that was perfect for the County.

Jon Silver, Portola Road, agreed with Mrs. Quilter. To address the question of what Portola Valley would get from joining this type of organization, he said the lack of affordable housing affected every community and every citizen in the region. If the Town and other people agreed to contribute something, it would amount to a lot towards making something happen; the same applied to funding the administration of this organization.

He thought this group could facilitate local efforts and assist those communities that wanted to allow more housing within their jurisdiction or the County's unincorporated areas. He discussed why there was a lack of affordable housing, high housing prices, jobs, and reforming the tax structure in the Bay Area. He hoped that Portola Valley would be a part of this important regional activity.

Virginia Bacon, Golden Oak Dr., encouraged the Council to participate in the Housing Endowment and Trust. It was a drop in the bucket when you considered the school parcel tax, what would be spent on the Town Center, etc.

Responding to SallyAnn Reiss, Supervisor Gordon suggested she contact his office to obtain data on specific housing needs.

After discussion, Ms. Howard said the item would be agendaized for the 4/14/04 meeting.

CONSENT AGENDA

By motion of Councilmember Davis, seconded by Councilmember Merk, the consent agenda item listed below was approved by the following roll call vote:

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

(3) Warrant List of February 25, 2004, in the amount of \$71,635.43.

REGULAR AGENDA

(4) Minutes of Special Town Council Meeting of 2/9/04 (Removed from Consent Agenda)

Councilmembers Merk and Toben submitted changes to the minutes of the special Council meeting on 2/9/04. By motion of Councilmember Merk, seconded by Councilmember Toben, the minutes were approved as amended by a vote of 4-0.

(5) Minutes of the Town Council meeting of 2/11/04 (Removed from Consent Agenda)

Noting that he had not attended the 2/11/04 meeting, Councilmember Toben asked what was expected of the Parks and Rec Committee in terms of the dog park. Responding, Councilmember Davis summarized the discussion that took place during the meeting. By motion of Councilmember Davis, seconded by Councilmember Toben, the minutes of the 2/11/04 meeting were approved as submitted by a vote of 3-0, with Councilmember Toben abstaining.

(6) Review of Draft Housing Element

Karen Kristiansson reviewed the staff report of 2/18/04 on the draft Housing Element. She discussed: 1) background/history of the revision; 2) the recommendation to refer the draft to HCD; 3) State requirements for the Housing Element; 4) the Element's planning period and State assigned housing needs for the Town; and 5) changes to the Element. With respect to the Inclusionary Housing Program (Section 2414b, p. 5), she noted that the table would be updated. With respect to Employees and Incomes (Section 2428d, p. 14) she said this table would also be updated; the purpose of this table was to show the distribution of the incomes in the income categories. Referring to Sections 2471 and 2473, she used overheads to explain how the numbers/projections had been derived. Responding to Councilmember Davis, she said Ms. Lambert had gone through the actual building permit files and had been able to determine whether: 1) a new house was being built on a lot that previously had a house on it; or 2) it had been a vacant lot, which would count as new residential construction. She felt Ms. Lambert's research was more accurate and recommended using her numbers in the Element. That would change the chart/text in Section 2471d to show that 44 new units could be expected by June 2006; the text should be changed to show 5.8 new units per year. She distributed a revised chart for Section 2499a (p. 57) and described changes to the "Expected Housing Units for Portola Valley, 1999-2006."

Councilmember Davis said he was concerned about the recommendation to send the draft Element to HCD before: a) the Council had gone through it thoroughly; b) there were public hearings; and c) it was sent back to the Planning Commission. Secondly, he was concerned about some of the proposals within the document, such as the section on fee structures. If building fees were to be waived for people who met certain criteria, that should be restrictive in the write-up. Otherwise, everyone would want to have a no-fee structure if at least one of their buildings met the criteria. This was a policy question. Thirdly, the wording in some of the other policy sections created open-door activities. That needed to be discussed.

Responding, Town Planner Mader said the planning staff was not suggesting the draft Element go to the State before the Council and Commission were satisfied with it. The intent was to get comments on the programs and any changes that needed to be made and then have it come back to the Council. He asked that Councilmembers identify areas that were of concern so that staff could respond.

Referring to the staff report section that addressed housing for people with disabilities (p. 3), Ms. Kristiansson confirmed for Councilmember Merk that accessibility ramps were allowed to extend inside yard setbacks. Responding to Councilmember Merk, she confirmed that the definition in the staff report of "residential facility" was taken directly from State law. The "director" was the State Director of Welfare and Social Services.

Town Planner Mader pointed out that this section addressed a State requirement. Responding to Councilmember Davis, he said if these things weren't referenced in the Element, HCD would consider that a lack in the Element. Ms. Kristiansson added that there was a new requirement that an analysis of the constraints for housing for people with disabilities be done by each city to make sure that any potential constraints were identified. HCD had put out a number of guidelines on this section, which were available. Responding to Town Planner Mader, Ms. Sloan confirmed that the Town could be attacked for not

addressing any constraints in the zoning ordinance. Town Planner Mader felt that if it was in the General Plan, it should be in the zoning ordinance for consistency. Ms. Sloan added that 15 years ago, the law had been changed to say that if you were caring for children in a daycare center that had 6 or fewer children or 6 or fewer adults with disabilities, that was a permitted use in a residential zone. She had not recommended that the Town change the zoning ordinance when she arrived because it wasn't a problem. There were lots of things in the municipal code that probably should be updated, but no one had raised the issue. Now, it was more of an issue because you were required to address those issues in the Housing Element. Responding to Mayor Comstock, she said HCD was expanding this area, and something needed to be in the General Plan. Responding to Councilmember Davis, she said the Housing Element requirements had grown; planners in Sacramento were looking for the same things in every Housing Element. Ms. Kristiansson added that each city had a checklist to make sure the various things were included.

Responding to Councilmember Merk, Ms. Kristiansson confirmed that the Town's previous requirement was to require that 15% of all lots in new subdivisions with 7 or more lots be deeded to the Town for BMR housing. That had been dropped to 10% as a tradeoff for requiring developers to actually construct the units. Town Planner Mader added that that was a substantial burden; based on the track record so far, the Planning Commission thought the Town would come out ahead. Ms. Kristiansson noted that 10% of the floor area allowed for the market rate portion had to be built as BMR. Responding to Mayor Comstock, Councilmember Toben said this had been the subject of a lot of conversation with careful analysis of the tradeoffs. This scheme permitted a master developer to engage expertise that would be enlisted to do the affordable housing component of the project in a way that conformed to the Design Guidelines and all the requirements of the PUD. Town Planner Mader said the intent was to have the developer build the units and actually get quite a bit of units.

Referring to Section 2409 (p. 2), Councilmember Merk said he was uncomfortable with the sentence that said, "While these elements are believed to be consistent, the Town Council intends that the Housing Element shall take precedence if any inconsistencies do exist." He thought there could be all kinds of places where there would be conflicts because the General Plan in many places restricted things (e.g., not building houses on ridges.) The push of the Housing Element being forced on us by the State was to allow more. To say that any inconsistencies went in favor of Housing Element was like throwing the rest of the General Plan in the trash. Unless Ms. Kristiansson had found a need for that statement, Town Planner Mader suggested it be removed. If there was any inconsistency between the Elements, it could be worked out and a decision made later.

Responding to Councilmember Merk's question about Section 2412b and the single asterisk note on the chart for the Platt subdivision, Ms. Sloan said it had taken a long time to work out the BMR fee; it could have come in in 1999, which was after the timeframe shown on the chart. Ms. Kristiansson said she would double check when the fee was paid. Responding to Councilmember Merk, Ms. Kristiansson confirmed that the single asterisk next to "26" on the chart should be removed.

Referring to Section 2415a, Councilmember Merk said he did not think that there would be 50 additional units constructed at The Sequoias for multifamily affordable housing. Ms. Kristiansson said this was what had been reported in the previously adopted Element. Town Planner Mader said that might have been before the faulting information was available on the back part of the property.

Referring to Section 2424d, Councilmember Merk suggested the last sentence read, "The two of these programs to be kept are...." Referring to Section 2427, he asked where the number for "Population in Group Quarters" in the chart came from and what the definition of "group quarters" was. Ms. Kristiansson said staff had struggled with these numbers, which came from the U.S. Census. Councilmember Merk said so much of this came from the Census, and so much of it was extrapolation or interpolation from a very small

sampling. Responding to Councilmember Davis, Ms. Kristiansson said the Census tracks for Portola Valley were within the Town's boundaries. Town Planner Mader agreed it was hard to know what had been counted in the Census in terms of "group quarters." He suggested adding a footnote to clarify that the number probably didn't include The Sequoias. Ms. Kristiansson noted that there was also data from the Dept. of Finance that was even more confusing. Councilmember Toben felt it was problematic to utilize different sources of data. It was better to use a single standard even if that standard was crude in certain applications. Ms. Kristiansson reiterated that there were not good sources of data for a lot of this. The requirements for the Housing Element were very specific by State law. The best source of data staff could find was the Census.

Referring to Section 2428d.3, Councilmember Merk said she understood that one full-time Sequoias employee who lived in Town had a Portola Valley address but lived in Los Trancos Woods. Ms. Kristiansson said the data had come from The Sequoias. Town Planner Mader said this further illustrated the problem of trying to find information for the Housing Element from diverse sources; it was not a clean process.

Referring to Section 2431, Councilmember Merk said "...at or above the poverty level..." did not make sense. Ms. Kristiansson said it should read "...above the poverty level...."

Referring to Section 2435d, Councilmember Merk questioned what type of unit cost \$52,000 at The Sequoias. Ms. Kristiansson said this data was received from The Sequoias. She noted that they also had a program mentioned later in the Element whereby they gave credit to people; she said she would verify the data.

Referring to Section 2462e, Councilmember Merk said he had no problem making allowances for someone with a disability but questioned what would happen when that person moved out. Town Planner Mader said with the Town's current provisions, they would not have to take something out that had been built with a permit. It was a question of how far you wanted to go with some of these issues. Councilmember Toben said it should be left to the new homeowner. Town Planner Mader agreed, noting that a lot of people would probably want to remove ramps, etc.

Referring to Section 2469a, Councilmember Merk questioned what kind and where 15 multifamily affordable housing units would be built. Responding, Ms. Kristiansson said that number represented the 8 duplex units at The Sequoias and the 7 units built at the Priory. Responding to Councilmember Merk, she agreed that the 8 units at The Sequoias should not be shown as affordable and suggested changing the type of site to "Multifamily Housing."

Referring to Section 2471a, Councilmember Merk said he could not think of any vacant lot on Wyndham Drive. Unless Wyndham included the Sausal Creek subdivision, he questioned where a subdivision of 5 units would be on Wyndham Drive. Town Planner Mader said there were some lots tucked back in towards Woodside at the end of that loop that could not be seen from the street. He recalled that they were held in one ownership and could not be merged. Responding to Councilmember Davis, Ms. Kristiansson said the vacant lots shown in the chart had been looked at by the Town Planner and a decision made that, while difficult, it might be possible for something to be done. Town Planner Mader confirmed that it was not known for certain whether they were developable. Councilmember Davis questioned the number shown for existing vacant lots for Westridge. An analysis had been done, and he felt there was currently only one. Responding, Town Planner Mader said if someone owned two lots and their house was on one of the lots, the other would be counted; if the house straddled the line, it would not be counted. Ms. Kristiansson noted that this chart looked at the potential--forever. Responding to Councilmember Davis, Town Planner Mader said the chart overstated what might well happen if the owners of the properties continued the current

lifestyles with vineyards, horses, etc. Ms. Kristiansson said more could be added to the text if necessary to explain some of these situations. Councilmember Merk felt elaborating more on the nature of the constraints might be worthwhile. While the text referenced some of the older subdivisions in Town, it didn't indicate that the roads were substandard and could not be widened without tearing down houses. There might be constraints on the development even if there were a lot of vacant lots. Town Planner Mader pointed out that a detailed analysis would come up with different probabilities on what might happen, but that was a huge study; he questioned whether it was worth it for the Housing Element. He thought it was appropriate to add some qualifying language to indicate the numbers might be overstated, etc.

Virginia Bacon suggested simplifying the table by listing zoning categories, eliminating the neighborhood designations, and adding some disclaimers. Town Planner Mader said the residential areas were used a lot, and the numbers were the basic building blocks for keeping track of things. Responding to Councilmember Toben, he said he would check to see in what category the Sausal Creek project was included.

Referring to Section 2480c, Councilmember Merk suggested changing the second sentence to read, "This will provide some housing for larger families that are less likely to be accommodated in second units."

[Tape malfunction--missing dialogue. LN]

Referring to Section 2482.5, Councilmember Merk questioned the enforcement of the resale of BMR units. He assumed it would be done by a subcontractor. Ms. Sloan said this would be absolutely no problem; it had worked since 1978 in Palo Alto with deed restrictions. Referring to Section 2482.9, Councilmember Merk said he supported the requirements for the timing of permits.

Responding to Mayor Comstock, Ms. Sloan said the Density Bonus provisions (Section 2482.7) had been in the Housing Element since it was first adopted. Responding to Mayor Comstock, she said the provision applied to number of units. Town Planner Mader added that there was a formula that dealt with fractional units.

Councilmember Merk said he found a number of typos which he would call in.

[Tape malfunction--missing dialogue. LN]

Responding to SallyAnn Reiss's question about BMR resale, Ms. Sloan said the sellers could make a little money based on inflation and any improvements they put into the house. They could not, however, make a windfall.

Councilmember Merk said there would be another planning period after this one, and another after that, etc. There were maybe 5 subdivisions left in Town and "x" number of vacant lots that could be built on. It would not be long before the Town reached its buildout. He asked if the State would always require the Town to continue to build housing units. Town Planner Mader said no one had an answer to that question yet.

Councilmember Davis said that was why he was sensitive to "Existing Vacant Lots." Having attended meetings in Sacramento, that number triggered an immediate reaction, and the draft showed a total of 131. Town Planner Mader reiterated that staff would put in some more qualifications. Ms. Sloan said the tables on pages 40-41 needed to be looked at again. In addition to Councilmember Davis's concern, she had some concerns about these tables because of a new Assembly bill that said once you had a housing inventory that set the possible units, when you made administrative decisions, you could not reduce the number of those units. She said she would research the issue. Ms. Kristiansson said there was a new bill

that said if your Housing Element program section called for a lot to be developed at a given density, you couldn't approve a lower one. That wouldn't apply to the tables on pages 40-41. Responding to Ms. Sloan, Ms. Kristiansson said the non-site specific table (revised) on page 57 (Section 2499a) was the bottom line for HCD as it addressed whether the required number of units would be provided; the format for the table was also specified by HCD. The text in the program section explained where those units could come from. Those numbers were also in the site inventory section, which included numbers for both the total number of sites in the distant future of the Town and for the particular planning period.

Responding to Councilmember Davis, Ms. Kristiansson said the numbers shown on the revised chart (Section 2499a) reflected the number of units that were expected to be built during the planning period. She did not think that the units had to be completed; the State had accepted issuance of building permits in the past. Town Planner Mader confirmed that when a building permit was issued it could be counted. In terms of meeting the projections, he said in the next Element, these numbers would be looked at to see what had been done; if you didn't do it, you revised the next projections accordingly. Ms. Kristiansson added that the numbers weren't perfect in a lot of places, but they were the best that staff could come up with; that was what the State was looking for.

Councilmember Toben said from the discussion, he did not think a draft should be submitted to HCD before more public comment was received. That perception was reinforced by his sense that this community wanted to know more about what the Council was undertaking in a matter as important as housing policy. While he understood the advantages of doing as staff recommended, he suggested the refinements discussed tonight be brought back to the Council and the matter noticed for public hearing.

Town Planner Mader said the Council could certainly have a hearing to get more information. He noted, however, that there were a lot of details in the Element that were not big policy questions. For a public hearing, those things that were the essential issues should be zeroed in on in order to save time. Councilmember Merk said part of that process would be to educate people about the requirements imposed by the State. Town Planner Mader recommended it be focussed and deal with the fundamental issues.

Councilmember Toben suggested that a workshop might be more appropriate than a public hearing. The purpose was more in the nature of information sharing with the community at the high concept level with adequate publicity. Town Planner Mader said one consideration was the impact the Element had on people when it was adopted (e.g., liberalization of guesthouses over the years, Blue Oaks design, Priory, etc.). He did not feel there had been a lot of impacts so far but noted that Councilmember Davis had raised the issue of future impacts that might result from, for example, the fee structure.

After discussion, Mayor Comstock suggested that the revised version of the Element come back to the Council. At that point, the Council could decide on a workshop, whether to send it to the Planning Commission, etc. Town Planner Mader urged Councilmembers to think about what aspects were worthy of a workshop. He did not think there were a lot of big policy questions at this time. There were things in the Element that people did know about that had been in the General Plan for some time. Ms. Sloan noted that forty-five pages of this document described things. The goals, policy, and programs started on page 46, which was where the meat was because it would guide development in the future. Town Planner Mader hoped the Town could get through this in a reasonable fashion and not cause a lot more discussion than was necessary to achieve the objective.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(7) Memorial for Admiral Quilter

Ms. Howard referred to the memo from the Trails Association on the request for a memorial plaque to be placed at Town Center in honor of Admiral Joe Quilter. She described the plaque, noting that it would be installed on the tree stump next to the horse hitching post underneath the oaks. The plaque would be 6" x 8" and would read, "The Admiral Joe Quilter Memorial Hitchrack, 'Guardian of Our Trails.'" Councilmember Davis described an existing plaque, which the Trails Association had removed.

Councilmember Toben moved approval of the requested plaque and installation. Councilmember Davis seconded, and the motion carried 4-0.

(8) Field Use Policy

Referring to the staff report of 2/18/04, Councilmember Toben requested that the item be continued so that the Parks and Rec Committee could work with staff to iron out some of the kinks. Referring to the staff report (p. 1, item "c"), Councilmember Merk pointed out a grammatical error. Additionally, he questioned what the term "emergent maintenance" (p. 2, item "c") meant.

By motion and second, the item was continued to a date uncertain.

(9) REPORTS FROM COMMISSION AND COMMITTEE LIAISONS

(a) ASCC

Councilmember Davis said the ASCC elected Laura Chase as Chair and Bud Eisberg as Vice Chair.

(b) Conservation Committee

Councilmember Merk said the Committee was having difficulty with the Fire Management Plan for Blue Oaks. Every time they sprayed at Blue Oaks for fire management, they killed off all of the native plants; more broom, star thistle, and non-native weeds were coming in. He thought it would come before the Council at some point. Additionally, he asked that the appointment of a new member be agendized as soon as the letter was received.

Councilmember Merk said 16 valley oaks had been donated by Arrillaga to the Town with the request that the Cub Scouts plant them. The Committee recommended that the trees replace the junipers that were dying along Alpine Road at Ford Field. The Committee would supervise the planting.

Councilmember Merk said a 30-35' valley oak had been cut down during the night along Portola Road just this side of the Windy Hill parking lot. First it was cut off about 15' above the ground and then later cut off right at the ground--with grass/twigs carefully put over the stump. It was on the Town's property adjacent to Spring Ridge LLC or the panhandle of MROSD that came out to the road.

(c) C/CAG Meeting

Councilmember Davis said he and the Mayor attended the C/CAG dinner last Friday. It had been pointed out that the Town was the only community in all of San Mateo County that had not supported AB 1546. The Executive Director of C/CAG, Richard Napier, had offered to come and inform the Council why the Town should support the measure. Ms. Howard distributed a copy of a letter received from Mr. Napier that described the legislation. After discussion, Council agreed to agendize a presentation.

WRITTEN COMMUNICATIONS

(10) Town Council 2/13/04 Weekly Digest

(a) Peninsula Conflict Resolution Center

Referring to the PCRC report dated 2/13/04, Councilmember Davis noted that one resident had utilized PCRC during the first half of FY 2003-2004. Councilmember Toben said he felt the Town grossly underutilized the service. He felt it was the kind of service some of our neighbors in conflict with each other ought to make better use of. He hoped that the Town would continue its contract with PCRC. Responding to Mayor Comstock, Ms. Howard said information about PCRC was listed in all sorts of places including the website. Additionally, staff always recommended it to anyone who had an issue in Town--especially neighbor-to-neighbor issues, which were extremely time consuming for the staff. On occasion, staff called PCRC and tried to get them to instigate a mediation. Councilmember Toben said he would like to discuss this further with staff.

(b) Bay-Delta Newsletter

Councilmember Davis recommended Councilmembers read the article in the newsletter about volunteers.

(11) Town Council 2/20/04 Weekly Digest: None

ADJOURNMENT

The meeting adjourned at 11:09 p.m.

Mayor

Town Clerk