

TOWN COUNCIL MEETING NO. 640, FEBRUARY 11, 2004

ROLL CALL

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

Present: Councilmembers Davis and Merk, and Mayor G. Comstock
Absent: Councilmembers Toben and Driscoll
Others: Town Attorney Sloan, Planning Manager Lambert, and Dep. Clerk Hanlon

ORAL COMMUNICATIONS

Susan Thomas, Co-Chair Cultural Arts Committee, presented the Council with reproductions of Herb Dengler's watercolors. Councilmembers thanked Ms. Thomas for the gift.

Danna Breen expressed her hope that the appointment of the new ASCC member would occur quickly.

CONSENT AGENDA

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

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

- (1) Warrant List of February 11, 2004, in the amount of \$127,534.23.
- (2) Second Reading of Title, Waive Further Reading, and Adopt Ordinance No. 2004-355 Re-numbering Chapter 8.10 to Chapter 8.9 in Former Ordinances Relating to Recycling and Diversion of Construction and Demolition Debris.

REGULAR AGENDA

- (3) Proposed Dog Park

Ms. Lambert reviewed the staff report of 2/2/04 on the proposed dog park. Responding to Bill Lane, Councilmember Davis said Mary Smith had written a letter suggesting that the Town have a dog park close to Ford Field. The letter had been forwarded to three committees. Two of the committees liked the idea and location but had some concerns about the impacts of fencing on the scenic corridor. The Conservation Committee members had not liked the idea or the location and were concerned about Town resources for upkeep and the impacts of a dog park in general. Councilmember Merk added that the Conservation Committee was more concerned about the location than this kind of use. Use of the CTETA Training Center had been suggested because there was already a dog facility there.

Mary Smith said she felt the proposed location could be kept essentially what it was now except for some fencing. She supported the Town's view of open space but felt there was a need in Town for a place where dogs could run off leash. She obeyed the leash laws, but a lot of people didn't--especially at Town Center. She did not think the Town Center and Town fields should be used by dogs unless doggie bags were provided and people cleaned up after their pets.

Councilmember Davis noted that there had been a petition signed by a number of people a while back for a dog park at Town Center. Ms. Smith noted that everything at Town Center was on hold; what she was proposing was an alternative.

Mr. Lane said there had been problems with Little League parking along Alpine Road and safety concerns due to people picking up speed on the straight-aways. He thought parking and safety would also be a concern if a dog park was located there. Additionally, he did not think the Council should commit to a dog park at Town Center at this point in time.

Jon Silver, 355 Portola Road, said he was one of the leaders of the petition drive supporting a dog park at Town Center. One of the good things about dog parks was that there was a synergy between getting dogs together to run free/socialize and people socializing. The petition group had looked at possible locations in Town, and he had not supported the proposed site for the same reasons the Conservation Committee objected. It was a very natural area, and areas with foxtails and wild oats should be avoided. He preferred to wait and try to do it at Town Center. He noted that dog parks could be flexible in terms of size and shape--they just needed to be fenced. He did not think it should be limited to Portola Valley residents unless that became necessary.

Marge DeStaebler, Conservation Committee, added that the Committee felt that that field area was the entry into Portola Valley and was in a natural setting. To have fencing would make it less natural and a less appealing entry into Town. There was also concern about what the dog activity would do to the vegetation that was there. The Committee was unanimous in feeling it was not an appropriate site.

Alice Falconer, 30 Quail, felt strongly about the need for a dog park. This was a rural area with open space and yet she had to travel to Menlo Park, Palo Alto or Mountain View to use their dog parks; those parks seemed to work very well. They were very clean places, and it was fun socializing for both the dogs and the people. It was frustrating because the Town Center was on hold. To the comments that the Ford Field location was the entrance to the Town, she said there was also the Ladera Oaks swim/tennis club and shopping center in addition to Ford Field, which was totally fenced in as a baseball diamond; none of those were natural. She felt a fence could be installed that was less obvious than a cyclone fence. With plenty of open space and a large dog population, she thought the Town was lagging behind everyone else.

Responding to Ms. Breen, Mayor Comstock said he felt trying to lease some land on the Stanford Wedge for a dog park would be a very big negotiation. Ms. Breen discussed the entrance to Windy Hill that people in the Corte Madera neighborhood took their dogs to. She did not, however, think that area should be fenced. There were also foxtails and ticks.

Ms. Smith felt mowing the grass at the proposed Ford Field location would eliminate a lot of the foxtails. She felt there was a real need. She also objected to having "No Dogs" signs posted but allowing dogs. The rules needed to be obeyed; if they weren't obeyed, then there shouldn't be leash laws and "No Dogs" signs.

Lynne Davis, Trails Committee, said the Committee constantly tried to enforce the prohibition of dogs on certain trails. Even where dogs were allowed, they were supposed to be on leash, and they weren't. The Committee supported the dog park concept but was concerned about the proposed location. It would need to be shielded both visibly and audibly from the trail that ran behind it. Because it was only a concept at this point, she asked that the Trails Committee have the opportunity to review the specifics.

Councilmember Merk said Alpine Road from Corte Madera School uphill had a 60' or more right of way. The Town also owned a wide section where the curve was by the Ranch House of the Ranch. There was a fence up near the pavement, but the Town actually owned another 40+ feet for a long part of that curve.

There was

also the area above the green gates. When Portola Valley Ranch was approved, the land on the downhill side of Alpine Road was dedicated to the Town. He liked the idea of a dog park but was concerned about the proposed location. He was also unclear on what kind of fence would be needed. With respect to keys and use by Town residents, he said the tennis courts used to be keyed. It was a big job for staff and ended up being fairly expensive. He thought other locations should be investigated and more information obtained. He also agreed that Town Center was the best place. He did not think it would take ten years to complete; at worst, it might be 3-4 years and hopefully less.

Councilmember Davis said he also had a negative reaction to keying/locking the gates. Dog parks were a social place where people met and dogs socialized. He did not think fence heights were that important; it was more of a demarcation line. With the two committee meetings he attended, there had been some positive reactions but also concern about the actual execution. He suggested asking the Parks and Rec Committee to: 1) survey locations; and 2) put forward a specific proposal.

Councilmembers unanimously concurred. Councilmember Davis thanked Ms. Smith for her interest/offer and asked that she continue to participate.

(4) Minutes of Town Council Meeting of January 28, 2004 (Removed from Consent Agenda)

Councilmember Merk submitted changes to the minutes of the 1/28/04 meeting. By motion and second, the minutes were approved as amended by a vote of 3-0.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(5) Memorial for Jane Gallagher

Nancy Lund, Cultural Arts Committee, reviewed the Committee's memo of 2/5/04 and the request to use the Schoolhouse for a reception to honor the life of Jane Gallagher and her many contributions to the community. She said Councilmember Toben had agreed to be the Council liaison. She said it was also requested that refreshments be allowed in the building. Responding to Councilmember Merk, she said a sponge mop would be available in case of spills. Council unanimously supported the request and agreed to waive all fees.

(6) Proposed Conservation Guidelines

Marge DeStaebler, Conservation Committee, reviewed the Committee's letter of 2/2/04 to the Council on the Conservation Guidelines.

Mayor Comstock said he was delighted with the project. Councilmember Davis agreed and felt the work was excellent. It had the right imagery and attitude. He noted that he found a few factual errors. He also thought some things could be added like the Town's clean-up day. He suggested sending the Guidelines to the staff and a couple of the committees for review and suggestions.

Councilmember Merk said as liaison he had watched this develop. He described the process and praised the Committee for what he felt was the greatest thing since the Design Guidelines. Having this document go out in the Portola Valley welcoming packet would be fabulous. He agreed that some review by staff/the Town Planner's office, etc., would be helpful.

Councilmember Davis thought the finalized version should be sent to all residents and not just new-comers.

Councilmember Merk agreed and thought it would be worthwhile to spend a little bit on the printing and do a nice job. Responding to Councilmember Davis, Ms. Breen said beginning quotes for printing were about

\$3,500 for 3,000 color copies. She said she had just started to look into it but wanted to get Council's input first. Councilmembers Davis and Merk thought it would be money well spent.

Dan Eckstrom suggested that the print quality be similar to the Town's newsletter (i.e., glossy and all color). The illustrations in the Guidelines were originally color illustrations.

Ms. Breen discussed the Committee's budget. Councilmember Merk said he did not think the printing of the Guidelines should come out of the Committee's budget. This was for the whole Town. There also might be other resources outside the Town government. After discussion, Council asked the Committee to work with staff and investigate costs. With respect to the review of the document, Councilmember Davis suggested forwarding the document to the staff, the Planning Commission, ASCC, and the Trails Committee.

With respect to content, Mayor Comstock suggested there be something about discouraging fences and gates in the Views section. Secondly, in the Energy section, he thought the statement about installing solar panels could be expanded to carry the suggestion for both water heating and photovoltaics.

Ms. Breen asked for comment about the format and size. Councilmembers said the format was fantastic; it was succinct, easy, intuitive, and interesting. Councilmember Davis suggested that the Guidelines also be put in .pdf format for the Website so that it could be downloaded.

(7) Reports from Commissions and Committee Liaisons

(a) Emergency Services

Councilmember Merk said training was being offered by OES on Disaster Recovery and Mitigation, which looked worthwhile. He said he wanted to attend and thought some staff members should attend as well. He described the topics covered in the six workshops scheduled for April/May. He said he would also bring this to the Emergency Preparedness Committee.

With respect to the Emergency Services Council, Councilmember Merk said the new microwave system was complete and came in about 10% under budget. The builders guaranteed that it would work 99.9% of the time. That meant it might be down for a maximum of 7 seconds. Additionally, on April 22, the County planned to have a big exercise simulating a large earthquake in the north part of the County. It might be good for the Town to get involved in that exercise as well.

Responding to Councilmember Davis, Councilmember Merk described the recent drill put on by the Emergency Preparedness Committee. He said he and the Committee came to the drill not knowing what they needed to do. The Committee learned that training was needed, but some things had been learned. He discussed the required forms, use of runners, radios, etc. Additionally, he said he learned that the units from the County dispatched to help with the fires in southern California last fall had worked for 48 hours without any support. The fires spread so fast, the logistics couldn't keep up with them.

(b) ASCC

Councilmember Davis said the ASCC had not held an election for the Chair because only three members were present at the last meeting.

WRITTEN COMMUNICATIONS

(8) Town Council 1/30/04 Weekly Digest

(a) Signs for Ban on Smoking

Referring to Ms. Sloan's memo of 1/26/04 on the ban on smoking within 20' of public buildings, Councilmember Merk said he thought the signs that had been posted were ugly. Ms. Sloan said different signs could be ordered. When the law was passed, the company that provided the signs sprang into action, and Ms. Howard had ordered the signs from them.

(9) Town Council 2/6/04 Weekly Digest

(a) Crime Activity Report

Referring to the Crime Activity Report for last quarter, Councilmember Merk pointed out an incident that was listed for Portola Valley but occurred in Woodside on Manzanita Way. He noted that there were a lot of unlicensed drivers cited in Portola Valley.

(b) SB 744

Mayor Comstock referred to his letter of 2/4/04 opposing SB 744. He asked if Councilmembers would be willing to sign additional letters to each of the Assemblymen listed in the League's posting of 1/30/04. Councilmember Merk questioned whether letters would help but said he would be willing to send letters similar to the Mayor's letter. Councilmember Davis said he would speak with State Senator Sher. He noted that the group that represented the Town was adamantly opposed to the measure. The Council of Cities was also adamantly opposed. What was disturbing was that it was deflecting the State from fixing the housing problem.

(c) Month-End Financial Report

Referring to the month-end financial report for January 2004, Mayor Comstock said the graph he used to prepare was now being prepared by Ms. Nerdahl. He asked that it be included with the monthly financial report.

(d) Council of Cities Meeting

Mayor Comstock referred to the announcement of the Council of Cities meeting on 2/20/04 and asked how important it was that someone from the Town attend. Councilmember Davis described the meetings he attended, issues discussed, attendance by other jurisdictions, and purpose/influence of the group. He felt it was a wonderful opportunity for dialogue. After discussion, Mayor Comstock and Councilmember Davis agreed to attend the 2/20/04 dinner meeting. Ms. Sloan read the applicable section of the Brown Act that permitted more than two Councilmembers to attend Council of Cities meetings.

ADJOURNMENT

The meeting adjourned at 9:22 p.m.

Mayor

Deputy Town Clerk