

REGULAR TOWN COUNCIL MEETING NO. 633, OCTOBER 8, 2003

ROLL CALL

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

Present: Councilmembers G. Comstock, K. Comstock, Davis and Merk, and Mayor Driscoll (arr. 8:20)
Absent: None
Others: Dep. Town Planner Vlastic, Town Administrator Howard, Town Attorney Sloan, Deputy Clerk Hanlon, Director of Administrative Services Powell, and Planning Manager Lambert

ORAL COMMUNICATIONS

Chuck Kinney, San Francisquito Creek JPA Board Chairman, reviewed his letter of 10/2/03. He thanked the Town for partnering with the JPA on the bank stabilization and revegetation study for Corte Madera Creek. He said Marge DeStaebler had been very instrumental in approaching the JPA about the project, which was awarded a \$72,000 grant to study creek erosion. He felt the project would be very beneficial for not only residents of the Town but other residents of the watershed as well. The project would also aid in the long-range plans for the watershed. He looked forward to future partnering opportunities with the Town.

Leslie Lambert, Planning Manager, said she and Kevin Murray, JPA project manager, conducted interviews with six outstanding consulting firms last week. The contract had been awarded to Philip Williams and Associates in connection with H.T. Harvey who would work with the Town to come up with revegetation and restabilization plans for Corte Madera Creek. The first meeting would be held October 14, 2003, 10:30 a.m., and she encouraged everyone to come, meet the team, and help set up a progress reporting system for the project.

Jerry Hearn, Watershed Council, said the Watershed Council was celebrating its tenth anniversary. He invited Councilmembers to attend an event at the Baylands Athletic Center on October 25, 2003. A more formal invitation would be forwarded next week. He thanked the Town for its participation in the Watershed Council--especially Leslie Lambert and Marge DeStaebler.

ASCC COMMISSIONER APPLICANT INTERVIEWS

(1a) Danna Breen

Mayor Driscoll noted that Ms. Breen's letter was dated 9/18/03. Danna Breen answered questions and discussed her experience reading plans, what she wanted to accomplish on the ASCC, the Town's Design Guidelines, her work with the Conservation Committee, her interest in serving on the ASCC and Planning Commission, her approach to architecture and design, potential conflicts of interest, the value of a landscape perspective on the ASCC, and homes in Town.

(1b) Rebecca Flynn

Rebecca Flynn's letter was dated 9/19/03. Ms. Flynn answered questions and discussed her experience on the Town Center Advisory Committee, familiarity with the Town's Design Guidelines, her architectural approach and appreciation of the Town's natural environment, homes in Town, dealing with

applicants/neighbors, the role of the ASCC, saying "no", time demands, making subjective judgements, plan reading, and her experience with planning and building departments.

Councilmembers thanked the applicants for their interest. Mayor Driscoll urged that both applicants continue to be involved, noting that a decision would be made later in the meeting.

CONSENT AGENDA

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

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

- (2) Warrant List of October 8, 2003, in the amount of \$124,873.47.
- (3) Resolution No. 2081-2003, as revised, Approving and Authorizing Execution of an Agreement Between the Town and West Bay Sanitary District to Raise Manholes to Grade, per Public Works Director's memo of 9/25/03.
- (4) Purchase of New Tractor Mower for Field Maintenance, per Public Works Director's memo of 10/1/03.
- (5) Second Reading of Title, Waive Further Reading, and Adopt Ordinance No. 2003-353 Amending Section 18.36.030 [Temporary Buildings and Uses] of Chapter 18.36 [Uses Permitted in All Districts] of Title 18 [Zoning] of the Portola Valley Municipal Code.
- (6) Second Reading of Title, Waive Further Reading, and Adopt Ordinance No. 2003-354 Amending Section 18.12.040 of the Municipal Code Regarding Second Units.

REGULAR AGENDA

- (7) Minutes of the Town Council Meeting of September 10, 2003 (Removed from Consent Agenda)

Mayor Driscoll submitted a change to the minutes of the September 10, 2003, Council meeting. By motion of Councilmember Merk, seconded by Councilmember G. Comstock, the minutes were approved as amended by a vote of 4-0, with Councilmember K. Comstock abstaining.

- (8) Minutes of the Special Town Council Meeting of September 30, 2003 (Removed from Consent Agenda)

By motion of Councilmember Merk, seconded by Councilmember K. Comstock, the minutes of the special meeting on September 30, 2003, were approved as submitted by a vote of 3-0, with Councilmembers Davis and K. Comstock abstaining.

- (9) Ratification of Warrant List of September 24, 2003 (Removed from Consent Agenda)

Referring to page 3 of the Warrant List of 9/24/03, Councilmember Merk asked about the payment to Carla Turner. Ms. Howard said the payment was for salary surveys and job descriptions for four positions:

Planning Technician II, Maintenance Worker II, Assistant Town Administrator, and Deputy Clerk (Finance). Councilmember Merk moved ratification of the Warrant List of 9/24/03. Councilmember K. Comstock seconded, and the motion carried by a vote of 5-0.

(10) Second Amendment to Art Gallery Lease (Removed from Consent Agenda)

Referring to Ms. Powell's memo of 9/15/03 on the Art Gallery lease renewal, Councilmember Merk said he was concerned about electrical consumption at the Art Gallery due to the large number of high intensity lights left on--often, with no one in the room. He suggested the Lessee be encouraged to turn lights off when there were no customers present. He estimated that the cost was about \$100/week for the lighting. Councilmember G. Comstock suggested putting in a separate meter, he had installed one that was around \$273 but with wiring etc., it would be more. Ms. Howard said she would speak with the Art Gallery and investigate the cost of a separate meter. Responding to Councilmember G. Comstock, Councilmember Merk said he felt the lease itself could be acted on.

By motion of Councilmember Merk, seconded by Councilmember K. Comstock, Resolution No. 2082-2003 Approving and Authorizing Execution of the Second Amendment to Lease Between the Town and Stuart Givot [Art Gallery] was approved by a vote of 5-0.

(11) San Mateo County Sheriff's Police Services Agreement

Ms. Powell reviewed the staff report of 9/25/03 on the proposals for basic and supplemental traffic enforcement services. She thanked representatives from the Sheriff's Dept. for their assistance in putting together the information about the contracts.

Greg Munks, Under Sheriff, introduced Lee Lazaro, Capt. John Cuneo, and Lt. Jones. Mr. Munks gave a presentation on the law enforcement contracts and discussed: 1) the arrangement for services with the Town, Woodside and the unincorporated area; 2) what basic service included (i.e., patrols, detective assignments, County public safety dispatch center, and patrol supervision and management); 3) additional services included at no additional charge such as dignitary visits, special investigations and enforcement, special event traffic support, bicycle deputies around schools, the DARE program at Corte Madera School, and safety programs at Ormondale; 4) workload indicators; 5) citations issued; 6) arrests and traffic enforcement stops; 7) calls for service, which were increasing 2-5% per year; and 8) number of alarm calls. Responding to Mayor Driscoll, he said of the 400 alarm calls received, 390 were probably false alarms, which the Town did not charge for. He felt the computer aided dispatch system and records management system could be used to monitor alarms; he said he would be glad to work with the Town on this. Continuing the presentation, he discussed: 9) costs for basic services; 10) increase in the public safety dispatch costs, which the Sheriff's Dept. had no say over; and 11) increase in labor costs since the last contract. As had been done in the past, the proposal was to average the increase over the three-year life of the contract. That would save the Town over \$61,000. As noted in the staff report, that was contingent on approval of the cost averaging by the Board of Supervisors. With respect to the supplemental traffic enforcement services, he reviewed the two options set forth in the staff report.

Responding to Councilmember G. Comstock, Mr. Munks said the two additional deputies provided for supplemental traffic enforcement would be day shift only; the two positions that were funded by COPS money from the two towns were placed on two day teams that were opposite each other. There were two deputies between the two towns during the day. Under the basic services, there was one deputy during the day serving both towns. Under Option 1, there would be two, which essentially doubled the coverage during the daytime hours.

Continuing with the presentation, Mr. Munks said the Town had expressed concern about the extra \$30,245 needed to augment the COPS money. Eliminating the additional funds would require eliminating one position and trying to get as much overtime out of the COPS \$100,000 as possible. He felt there were a number of shortcomings to that proposal. Woodside had already approved the contract with the full-time extra position and was willing to pay for it out of its general fund. If the Council chose Option 2, that position would become a Woodside deputy and not available to switch back and forth with the Town. That undermined the collaborative free flow use of resources that was currently in place. Another problem would be that both Towns would have to bear the cost of separate vehicles, which would also eat into the \$100,000. That would mean about \$75,000 of overtime could be used to put someone on the street for 3 8-hour shifts/week to compensate for the loss of the extra car. The one deputy that remained under the basic plan through the 3-year contract still needed to spend time half-and-half. Essentially, half of the time everyday, there would be no deputy in Town. On three days a week, you could put someone on the street on overtime--provided someone would sign up for it. You would probably have different people much of the time; that person might or might not know the community or their way around, and might not be interested in writing tickets. Another advantage of Option 1 is that two people on the day shift would be guaranteed even if someone was sick. Other advantages that would be eliminated under Option 2 are: 1) only 1 deputy in Town half of the day; 2) response times for both emergency calls and routine calls would be increased; 3) the presence at the two schools would be reduced except when there was someone on overtime; 4) the bicycle patrols would be cut back significantly because that person would be running back and forth from town to town; 5) the Town would have to take over the responsibility for moving the radar trailer, which currently took 2 deputies; and 6) overtime shifts could not be guaranteed and continuity would be lost. He noted that the Sheriff's office had had the contract since the Town's inception.

Continuing with the presentation, Mr. Munks reviewed comparative costs for law enforcement services per person. He pointed out that the big expense in dealing with public safety was the cost of the people hired. He reviewed comparative costs with the three agencies the Town had considered using. He felt that the ability to move the resources between Portola Valley, Woodside, and the unincorporated area allowed the Town's cost to be kept down. Other Sheriff's Departments used a system whereby if an additional car came into town, the town was charged for every minute. He discussed a recent incident in Town and the Sheriff's response which required two deputies.

Mayor Driscoll asked for public comment.

Chris Buja, Traffic Committee, said the Committee had reviewed the situation and unanimously recommended that the level of service be continued. Having children be able to safely bike or walk to school and having officers around the schools was an integral part of continuing service.

Mary Smith, Traffic Committee, said the Town's top priority should be the safety of its residents and the security that people felt in Town; \$30,000 would not be an issue for any resident. She felt the Sheriff's Dept. had done an outstanding job. To have anything less would be outrageous.

Jason Schmidt, Sioux Way, referred to his letter and said the Town received an extraordinary value from this Department. He said it would be nothing short of silly not to invest \$30,000 on this in order to have sufficient coverage.

Eva Gal, Ormondale School Principal, thanked Mr. Munks for the presentation. She said she had no idea how complex the planning was to ensure the Sheriff's presence near a school. Since the Sheriff's presence had been higher, she felt much more comfortable. Traffic had calmed a little bit, which she thought was due

to Sheriff's presence on a regular basis. She noted that the Board expressed its regret for not being present because there was a simultaneous School Board meeting going on. She felt it would be a tragedy not to have full presence of the Sheriff--both for the traffic enforcement and safety.

Ron Hennefarth, Cervantes, said he was in agreement. If the Town wanted to donate money to something, this was something he could definitely support. Having two deputies gave you more value than just a sole deputy all alone in some situations.

John Gardner, Naranja Way, said he used to help Wil Patterson and Bob Anderson put the radar trailer out. The Town took it over and subsequently the Sheriff's Dept. took it over. One of the most interesting things was when a mother would come by with a carload of kids, honk and wave and say, "Thanks a lot!" This Town appreciated the police services it now had. It was a great system. People deserved and liked it. This Town could afford this \$30,000. The Town was spending \$700,000 to have Alpine Road repaired, the soccer field was being built for \$400,000, and a lot of things were being done that cost a lot of money. This was a bargain, and he thought the Town should absolutely go with the present services it had.

Dean Babcock, Cervantes, said he came from a police family. Professional criminals who tended to work in areas like Woodside and Portola Valley were very aware of the level of police coverage. They kept track of where the Sheriff's cars were. With only one car between the Town and Woodside, a professional criminal would know when it was not in Town. With two cars, it would be much harder for criminals to keep track of.

Bob Anderson, Police Commissioner, congratulated the Council and staff for digging into this. He felt some doubts had been allayed since the last meeting when this was discussed. He also congratulated the Sheriff's office for responding to the requests that the staff had made and justifying what they felt was the best for the Town. He said he wouldn't repeat the caveats of Option 2 since Mr. Munks had given a good presentation. He implored the Council to accept Option 1 and maintain the current standard of police services, at least through June 30, 2004. What went after that remained to be seen. Since 1972 when he started as Police Commissioner, he felt this was the best deal that the Town had ever had; the people were outstanding. They not only did the patrols and traffic enforcement, but their interplay with the residents in Town was outstanding. It would be a shame to see that lost.

Councilmember K. Comstock said there was no question that the Town wanted the basic services provided. He moved to adopt Resolution 2083-2003 Approving and Authorizing an Agreement for Basic Law Enforcement Services for Fiscal Years 2003-2004 Through 2005-2006 Between the Town and the County of San Mateo Sheriff's Office. Councilmember Merk seconded, and the motion carried 5-0.

Councilmember K. Comstock said the options were before the Council because the staff had been asked to present options that represented different financial disciplines. Neither the Council nor the staff was trying to undermine the service provided. The staff had done its job and comments had been heard from residents. Having been the Council liaison to the Traffic Committee, he had heard a lot of discussion about this. The Traffic Committee had reached a consensus that Option 1 would provide the kind of protection, service and presence wanted for the Town. He agreed with that recommendation. The overall value from that was clear.

Councilmember Davis thanked the Sheriff's representatives and the staff for what had been a painful process. The Council had undergone some sticker shock and had asked the staff to work with the Sheriff's Dept. to see if there was a lower cost option. The presentation had been enlightening. From the comments he heard, he felt the Town was blessed with one of the most excellent law enforcement services he had the pleasure to be associated with. He would vote in favor of sustaining services.

Councilmember Merk also offered thanks. He had been shocked by the increased sticker price and had not understood some of the increases, which had now been explained. The material also explained the difference in having a position here versus the cost of overtime. It was clear to him that the Town needed to go with the first option and not the second. He asked: 1) why the staff had recommended Option 2; and 2) if Option 1 was chosen, where the \$30,000 would come from. Responding, Ms. Powell said although there was a strong lobby for COPS money in Sacramento, it was possible that the Town would not receive this money in the future. Staff was concerned about setting up the Town for a \$130,000 expenditure from the general fund if there was no COPS money. Whenever these things came up, she said the staff tried to evaluate it objectively and see if there was another option.

Ms. Howard added that at no time was this a question about service. She noted that she was very conservative on the Town's budget. She felt that if you were getting "x" amount of money, that was how much you should be spending. She had hoped there would be a better option for spending just \$100,000; but, clearly, that was not possible. Even though from a monetary point of view it made sense to live within your budget, in this case, clearly, \$30,000 was very well spent. As far as where it would come from, she said the full amount had been budgeted for so that it would be there if the Council decided to choose that option. The Council had approved the money with a few thousand dollars difference.

Councilmember Merk described how professionally officers on bicycles had dealt with rolling stops, etc., at Portola Road and Alpine Road. Secondly, he said a friend of his had been ticketed for speeding on Alpine Road some 30 years ago; she said she wanted to thank the officer who had been so polite. That showed the consistency of the standard of service over the years. He supported Option 1.

Councilmember G. Comstock said he was in agreement with all that had been said about the desirability of Option 1. Also, it was comforting to know that the money was already in the budget. However, the concern that he developed that favored Option 2 was due to looking at the current financial performance. He distributed and reviewed his charts and tables showing the Revenue Expense and Revenue Budget from November 2001 through August 2003. Referring to the numeric tables, he said a column on the right showed the cumulative actual surplus of revenue over expense. Last year, \$182,000 was the August figure in terms of surplus; this year, there was a deficit of \$25,000 in July and a deficit cumulative for July and August of \$91,000. To the extent that he was able to pinpoint the historic performance of the Town, the Town was running a surplus last year whereas this year, it was running a deficit. That led him to wonder whether this was a phenomenon that was likely to continue or whether it was strictly a matter of the vicissitudes of calendarization or bill paying and so forth. But, it led him to be more cautious than usual with respect to expenditures. That said, in this particular instance, he thought that the arguments in favor of spending the \$30,000 won the case. Budgets aside, if really pressed to the wall, the Town could dip into the general reserve account to pay that \$30,000 for this year.

Responding to Mayor Driscoll, Ms. Howard said last year at this time, Mr. Young was not onboard and the Town was very much behind in doing major projects. This year, the street resurfacing had begun, Rossotti's was just finishing up, and a lot of bills were coming in. Also, the Town accrued back much of its income for July and August to the previous fiscal year because it was for services in the previous fiscal year. July and August tended to show lower income than the rest of the year. June would show a big bump when it was adjusted. Additionally, the Town did not have a flat income scale; it bumped dramatically in December when property taxes came up and dipped dramatically during the winter when big projects were not being done. As a small community, most of the capital improvement projects were streets and field projects that occurred during the summer.

Mayor Driscoll said he was in favor of Option 1 as well. He hoped residents understood the need for the

Council to carry out its fiduciary responsibility with a sole-source contract. There were not a lot of other options, and it was important to ask these questions. That did not mean the Sheriff was not supported and appreciated.

Councilmember K. Comstock moved approval of Resolution 2084-2003 Approving and Authorizing an Agreement for Supplemental Traffic Enforcement Services (Option 1), for FY 2003-2004 Between the Town and the County of San Mateo Sheriff's Office. Councilmember Merk seconded, and the motion carried 5-0.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(12) Appointment of ASCC Commissioner

Councilmember K. Comstock said it was unfortunate that there were not two openings. Councilmembers discussed the applicants' experience, skills, and prior service to the Town. After discussion, by motion of Councilmember K. Comstock, seconded by Councilmember Merk, Danna Breen was unanimously appointed to the ASCC to fulfill Steve Harrison's four year term.

Praising Ms. Flynn's work on the Town Center Advisory Committee, Mayor Driscoll said he would telephone Ms. Flynn and suggest she apply for the Conservation Committee opening.

(13) Discussion of Increasing the Maximum Square Footage of Second Units

Mayor Driscoll noted that the staff report by Ms. Lambert was dated 9/30/03.

Councilmember G. Comstock said he had suggested that the Council take a look at the maximum square footage of second units. The reason for it was the issue of compliance with State BMR requirements and the possibility of second unit rentals being a component of that compliance. He said his basic point was that a single individual, such as a lone caretaker, would certainly find 750 sf adequate. But, for someone with a couple of kids, 750 sf would be a problem. He suggested considering opening up the limits to 1,000 sf for lots that were more than 2.5 acres. The question was whether you could put some kind of conditions on it that would encourage such units to be offered as BMR rentals. He said the material in the packet was good at pointing out the history and background of how we arrived at where we are. But, it didn't really examine the pros and cons of the present situation.

Responding to Councilmember Davis, Mr. Vlastic said the rate of units per year (i.e., 4.1/yr) listed in the staff report was accurate; the anticipated 520 additional units was a projection of what could result if everyone who possibly could have a second unit did. Councilmember Merk noted that a change in the economy could change the yearly rate drastically; he did not think that the 520 figure was out of the question--even if it was unlikely.

Councilmember K. Comstock suggested that this discussion be held at a later date. The second reading and adoption of the Second Unit Ordinance had just occurred, and he thought there should be some time to see how that worked.

Responding to Mayor Driscoll, Mr. Vlastic estimated that 9-10 new homes were built in Town each year. In terms of what was classified as second units, he said a number of structures that were not used as second units that were intended to be second units fell within the definition of the accessory structure policy statement. In many instances, the floor area that was devoted to this was a residual after people maximized

what they wanted in the main house. Even though people might have an opportunity to carve out 750 sf, it

was in many instances much less than 750 sf because people wanted to reserve that for their house or other features. There was a great deal of design flexibility at 750 sf to accommodate two bedrooms and even 2 bathrooms with a living area.

Mayor Driscoll said second units were generally new construction on a lot with structures. Most of the new residences being built were teardowns and rebuilds. For new square footage popping up in Town, he felt an appreciable percentage was in the form of second units. Suddenly allowing them to be 33% larger might have a bigger effect than anticipated because of the tendency of people to push the limits. He did not see a crying need to increase the maximum.

Councilmember Merk said he thought this was a case of apples and oranges. He did not think that most of the second units being built were being built as BMR units, or rented as BMR units if they were rented. Additionally, he felt increasing the size would increase the overall density of the various zoning districts. That would increase the number of cars and parking that was needed. He was hesitant to change a number that he thought was working well for the Town until he saw some indication that there was a real need, or that by doing so, the Town would benefit from the number of BMRs it would get. Councilmember Davis agreed.

Councilmember G. Comstock said he was concerned about where the teachers and Town employees would live. He thought it was worth investigating. Also, he had heard that the Town had met the State BMR requirements by various interpretations of what we already have. But, he questioned how close the Town was to crossing over that borderline and no longer being in compliance. Responding, Mr. Vlasic said the Planning Commission would be dealing with a revised Housing Element. Currently, the Housing Element was certified. As part of the update, compliance was judged with what the objectives were, which was pretty close. A detailed count had been made of the second units; there was an assumption that those could be used to offset the BMR requirement. All of the information put together would undergo a final accounting by the Planning Commission. A lot of the Housing Element's review effort was to try to satisfy the State's perspective on what could work against the BMR requirements. Some things would be monitored this go-around, and others the next go-around. Based on the evaluation of the second units and the survey that was done, staff thought the Town's objectives could be supported.

Councilmember Davis said from the State's way of calculating, larger units would be disadvantageous. A larger facility would cost more, and it was harder to get it into the characterization of a below market rate. Mr. Vlasic added that it depended on what the rent was, household income, etc. Councilmember Davis noted that he attended a presentation by a County taskforce on BMRs. They demonstrated that, fundamentally, the only things in this area that met the BMR requirements were a lot of people stuffed into relatively small areas. It would be hard to get a 3-4-bedroom facility that met the criteria. Unfortunately, the criteria had been developed for LA. If you were shooting for BMRs as opposed to just increasing the number of stock for affordable, professional people, it was fighting an administrative uphill battle.

Councilmember G. Comstock said the headmaster at the Priory told him that they were having difficulty recruiting faculty because of housing problems. The seven units approved at the Priory helped but with that only 30% are able to live on site; 70% had to come from elsewhere.

Mayor Driscoll suggested the Planning Commission be asked to do some evaluation of where the various service providers lived in Town and whether that subset was being underserved to the disadvantage of the Town in terms of traffic, etc. Councilmember K. Comstock noted that the Planner's office was currently

working on the Housing Element. He suggested Mr. Vlasic convey the Council's comments to the Planning Commission. Councilmember G. Comstock said that was agreeable.

(14) Teen Committee Appointment

Referring to the recommendation from the Teen Committee, Mayor Driscoll appointed Brooke Ellison to the Teen Committee. By motion and second, Council unanimously concurred.

(15) Change to Teen Committee Charter

Alex Zaffaroni, Chair-Teen Committee, reviewed his memo of 9/15/03 asking that the Council approve a change to the meeting time to "as needed." He said the Committee would meet when there was relevant activity or an event to plan and supervise. He noted that an article would be included in the next newsletter soliciting greater participation in the Committee. He discussed ongoing projects such as the development of a Teen Committee website.

By motion of Councilmember K. Comstock, seconded by Councilmember Merk, the charter change regarding meeting times was approved by a vote of 5-0.

(16) Reports from Commission and Committee Liaisons

(a) Traffic Committee

Councilmember K. Comstock said the Traffic Committee was struggling with the Cervantes intersection by Ormondale School. They would be coming to the Council with a recommendation in November.

(b) Cultural Arts Committee

Councilmember K. Comstock said the Committee had 10 members and only 3 attended the last meeting. They discussed committee size and mission and would be having another meeting to look at these issues.

(c) Library JPA

Councilmember K. Comstock said he had attended the Library JPA meetings for the last two years. He said this was a terrific group, but the originally proposed life of the JPA had been reached. The Board was facing some major issues such as funding. He anticipated that the Town would be receiving a lot of correspondence and suggested agendaizing a discussion for the 10/22/03 meeting. He described improvements made to the library system and said it would be a crime to lose the momentum.

(d) Conservation Committee

Councilmember Merk said the Conservation Committee had selected 4:30 p.m., October 25, for the Herb Dengler dedication ceremony at Triangle Park.

(e) Historic Resources Committee

Councilmember Merk said the Historic Resources Committee was continuing to work on the Martinez archives. The Committee was also interested in finding someone fluid in Spanish to help with the documents.

(f) Emergency Services Council

Councilmember Merk said he learned that during the last presidential visit to the Bay Area, the Sheriff's Dept. used 350 personnel to cover the visit. Councilmembers discussed presidential visits to the Town in the past. Councilmember Merk said the Emergency Services Council had also discussed water issues. Evidently, each city was going to need to have a water coordinator. Cities would also need to designate a site for the distribution of water and a site for receiving water from vendors. This water had to be in bulk and bottled for drinking. There would need to be 2 gallons of water per person per day. They indicated that the towns would be responsible for providing water to the schools within the town. They also stressed the importance of people personally having a 72-hour supply of water on hand.

(g) Encroachment Permits

Councilmember Merk discussed an encroachment permit that had been granted to put in a temporary driveway to Portola Road. That area was now being used as a parking lot, and he asked staff to follow up.

(h) Town Center Citizens Advisory Committee

Mayor Driscoll said two members on the Committee had made a strong case for using a charrette process to design the Town Center. The Council had agreed that the process used by the Town was sufficient. But, he had received a letter from Planning Commissioner Toben encouraging the Council to re-examine that. He [Toben] suggested the Council hear a presentation from some people who had participated in a charrette process before. After discussion, Council agreed to agendaize a presentation for 10/22/03.

(i) Goal Setting Meeting

Ms. Howard said 12/05/03 appeared to be open for everyone to attend a goal setting meeting. Councilmembers agreed on the date.

WRITTEN COMMUNICATIONS

(17) Town Council 9/26/03 Weekly Digest

(a) Signing in Portola Valley

Responding to Councilmember Merk, Ms. Howard said pictures had been forwarded along with the letter from Bill Lane about signing in Town. She described the photos.

Responding to Mayor Driscoll, Ms. Sloan said the Town's ordinance about political signs was out of date. It prohibited political signs on public property and public utilities, but there were no restrictions on size or number on private property. She said Ms. Lambert was not too concerned because traditionally, political signs came in a certain size. There was also something in the ordinance that asked people to take them down shortly after the election.

Councilmember Merk said he thought more real estate signs were starting to appear. Contractor signs were also getting bigger and bigger. Responding to Councilmember Davis, Mr. Vlasic confirmed that the zoning

ordinance allowed one real estate sign not exceeding 4 sf to be placed on each piece of property that was for sale; there was no provision for a second sign. Construction signs could be installed if a construction project was going on. Directional/event signs are permitted for public or semi-public uses. Ms. Sloan reiterated that the sign ordinance needed work. Council agreed it should be looked at.

(b) Mass Mailing and Prohibited Activities Near Polls

Ms. Sloan referred to her memo on mass mailing and prohibited activities near polls. Additionally, she said the League of Women Voters was moderating a discussion on Measure H next week at The Sequoias. Some fliers had been dropped off at Town Hall, and a resident had complained about the content. She agreed with the resident who claimed that the flier could be read as one-sided, which deemed it to be campaign literature sitting at city hall. The fliers had been removed from the counter and returned, and another flier had been prepared by the League of Women Voters. At the same time, people opposed to Measure H brought in a flier, which was also taken off the counter and returned. Both the League and the opponents had been informed that campaign literature could be put up on the public bulletin board.

Responding to Councilmember Davis, Ms. Sloan said the resident had complained about the two middle paragraphs of the League's flier. When the existing zoning was described, things were talked about in terms of square feet and parking for 126 cars. In the next sentence, the description of the new zoning switched to percentages; it also made no reference to parking, and the carport issue had been a big deal to opponents of Measure H. It would be better not to deal with substantive issues in the flier and just advertise the event, which was what had just been done.

With respect to campaign contributions, she said the Town had no role in policing that; those complaints went to the FPPC. Councilmembers and Ms. Sloan discussed contributions/complaints regarding Measure H.

(18) Town Council 10/3/03 Weekly Digest

(a) AB 1160 Regarding Second Units/Density Bonuses/Housing on School Sites

Referring to the League of California Cities letter of 4/28/03 [sic] on proposed new legislation regarding second units, etc., Mayor Driscoll said he had asked staff to draft a letter supporting the League's opposition to AB 1160.

CLOSED SESSION

(19) Public Employee Performance Evaluation (Govt. Code Sec. 5495757)
Title: Town Administrator

REPORT OUT OF CLOSED SESSION [None]

ADJOURNMENT

The meeting adjourned at 11:20 p.m.

Mayor

Town Clerk