

SPECIAL TOWN COUNCIL MEETING NO. 632, SEPTEMBER 30, 2003

ROLL CALL

Mayor Driscoll called the meeting to order at 8:33 a.m. Ms. Powell called the roll:

Present: Councilmembers G. Comstock, K. Comstock and Merk, and Mayor Driscoll
Absent: Councilmember Davis
Others: Town Attorney Sloan, Public Works Director Young, Dir. Admin Services Powell, and Dep. Clerk Hanlon

ORAL COMMUNICATIONS: None.

AGENDA

(1) Approval of Amendment No. 4 to Agreement with William Lettis & Associates, Inc.

Referring to the staff report of 9/23/03, Ms. Powell said Mr. Young was present to answer any questions about the proposal for further seismic investigations in the southwest vicinity of the Town Center. Councilmember Merk suggested that the first paragraph of the staff report be corrected to indicate what the previous investigations had determined. Councilmember G. Comstock suggested: "Previous investigations by William Lettis and Associates, Inc., have determined the location of the fault ~~through~~ relative to the existing softball field and tennis court areas."

Councilmember Merk said there was a lot of verbiage in the proposal about compacting, which had been an issue in the past. Responding, Mr. Young said there had been problems with the last trench in terms of sinking. He did not think the method of compacting used was correct; how it would be compacted would be negotiated at a later date. Once the trench was open, there might be some cost saving in having another contractor do the backfilling. He noted that the agreement included a 10% contingency because he did not agree with the figures for the compacting.

Responding to Councilmember K. Comstock, Mr. Young used the WLA map to show where the new boreholes would be dug on the other side of T-8. Responding to Councilmember G. Comstock, he explained how the boreholes were capped and then destroyed at a later date.

Mark Matteucci, 135 Fawn Lane, said it appeared that an extensive analysis had been done in the '70s. Nothing really definitive had been found. Now, the whole thing was being redone. The Council had a strong mind-set that the Town Center project would go ahead in some fashion; the latest proposal was to put the buildings in the back because that would be deemed safe. But, common sense said that we're on the San Andreas Fault here. You're not going to have that mitigation of risk that you want to achieve. With this site, \$15 million and a lot of time and a lot of interruptions did not pass the common sense test. If it was deemed too risky, the Town Center should be moved to a different site. In the analysis of the options, Nathhorst triangle sounded pretty good. He thought there needed to be a strong reality check. This latest proposal was for \$100,000 that would just go down the drain. The Town Council was running around paying consultants to tell them what they wanted to hear.

Bob Brown, Westridge, said this was another step in the Council's pursuit of policy that they did not want to announce to the public. That policy was to tear down these buildings and build new buildings out on the

soccer field and tennis courts. The Council was not willing to go to the public and say, "Give us \$15 million because this is what we want to do." Instead, we've spent \$200,000 here and \$200,000 there and now another \$100,000. Pretty soon, the Council would say the Town had already spent \$500,000 in improving this back part of the property, and therefore, we have to go ahead. He said it was time to stop this. The Council was apparently not willing to consider the current site that withstood the 1906 earthquake. Tests showed that this land up here had been stable for 2,000 years. To the geologists, it was an active earthquake fault. To an average person with some common sense, this was not an active fault and was perfectly good land. The reasonable thing to do was to look for a site for a new Town Hall--maybe right here in this parking lot, over in front of the MUR, or in the area of the 300-year-old mature oak trees. Instead, the Council was pursuing this stealth approach to a project.

Councilmember K. Comstock moved approval of Resolution No. 2080-2003 Approving and Authorizing Execution of Amendment No. 4 to Agreement for Contractor Services Between the Town and William Lettis and Associates, Inc. Councilmember Merk seconded the motion.

Councilmember G. Comstock said it was common sense to get the Town buildings off of the known fault line. It also seemed common sense to try to minimize the costs in redoing the Town Center. This beautiful site with 11 acres could provide for both buildings and playing fields on land that the Town already owned, as opposed to moving to some other site, such as the suggested Nathhorst triangle, which would mean a substantial additional expense. If we were to do that, we would probably have to get into substantial borrowing to carry out the project because the land acquisition would use up whatever reserves were set aside for this activity. The selection of this site made eminent good sense to him provided that the geologic investigations confirmed what was now suspected that there is a zone of adequate protection/distance from the faulting. It would be much more economical, and we would not be sacrificing playing fields in the long run to do it. Furthermore, it could be done on a pay-as-you-go basis. For those reasons, he strongly supported the motion.

Councilmember Merk said he supported Councilmember G. Comstock's comments. Mayor Driscoll concurred, and the motion carried 4-0.

WRITTEN COMMUNICATIONS

(2) Town Council 9/12/03 Weekly Digest: None.

(3) Town Council 9/19/03 Weekly Digest

(a) Town Center Citizen's Advisory Committee (TCCAC)

Responding to Councilmember Merk, Ms. Powell said she would add his name to the list of TCCAC members. Mayor Driscoll noted that he wrote a letter to the editor of *The Almanac* in response to opposition to the Town Center project.

(b) Comcast's Basic TV Customers

Referring to the letter to Ms. Howard from Comcast, Councilmember Merk discussed the one-time \$0.13 credit coming to basic cable customers. Mayor Driscoll noted that the Cable Committee felt that Comcast was making good progress on the system upgrade.

ADJOURNMENT

The meeting adjourned at 8:55 a.m.

Mayor

Town Clerk