

TOWN COUNCIL MEETING NO. 612, OCTOBER 9, 2002

ROLL CALL:

The meeting was called to order by Mayor Davis at 8:04 p.m. Mayor Davis led the Pledge of Allegiance. Ms. Howard called the roll:

Present: Councilmembers Driscoll and Merk, and Mayor Davis
Absent: Councilmembers G. Comstock and K. Comstock
Others: Town Planner Mader, Town Attorney Sloan, Town Administrator Howard, and Admin. Services Dir. Powell.

ORAL COMMUNICATIONS

Mark Wieland, Westridge, said the Shady Trail had been a natural trail for 30 years. Unbeknownst to many in the community, the material used on the trail had changed to a petroleum-based, recycled material. He described the chunks of asphalt that had been strewn around the trail and creek bed by the contractor. He questioned how this material would help to maintain the rural character of the Town.

Beverly Lipman, Favonio Road, said she had heard about the Shady Trail project over a year ago while attending a Trails Committee meeting. The trail was not only very muddy in the winter and terribly dusty in the summer, but it also needed a lot of drainage work and repair. The Town Engineer had suggested repairing the drainage and using a different surface. While she had been concerned that the petroleum-based material might wash into the creek, he explained that the oil was leached out of the product; it was also soft underfoot and would allow horse use throughout the year. Without knowing all of the background, she too would have been surprised to see the new surface.

Jennifer Voevodsky, Goya, said she walked Shady Trail six days/week. She was concerned about the use of asphalt and the change of the natural beauty of the trail. The asphalt on the trail was not contiguous, and there were 10-15 unpaved spots--some as wide as 5'. These would become mud holes. She described drainage problems that would occur due to the dips in the trail. Additionally, the water bars were supposed to be weatherized Douglas fir. These problems had been pointed out to Howard Young, Public Works Director, but nothing was being done. Also, the RFP and contract itself indicated that the work was to be done in 45 days, with a \$200/day liquidated damage penalty. It was now five months, and the penalty had not been imposed. She questioned why: 1) the Town had adopted standards for the construction of trails which weren't being adhered to; and 2) why the Town was ignoring all of the terms of the contract. She felt the same contractor who worked on the Sequoias Trail should have been used. The contractor for the Shady Trail had made an unattractive mess with a lot of unpaved gouges going into the side of the creek where all of the vegetation had been pulled out. Additionally, the contractor's assistant had verbally assaulted her when she walked the trail with Dick Anderson. She hoped that the Town would not do business with this contractor again.

Mayor Davis said verbal assaults were unacceptable. He noted that the material on the Sequoias Trail was the same as that being applied to Shady Trail, but it had had a year to mature. Responding to Mayor Davis, Ms. Howard said the Shady Trail was near completion and would be before the Council for acceptance on October 23. Mayor Davis added that there had been some delays in obtaining the surface material, which was part of the recycling program in California.

A resident [*inaudible*] said she walked the Shady Trail today and agreed that the beauty of the trail had been

lost. Obviously, there was a need to have the drainage repaired. In the future, she suggested that the drainage be fixed but without the artificial surface. Responding, Mayor Davis said the objective for this trail was to make it an all-weather trail, which was a large engineering project. Construction, by its very nature, was ugly, and he felt in a year the trail would restore itself to a more natural appearance. The trail would be closed for the first season so that the material could settle; it had nothing to do with the size of the grinding or the timing of the construction.

Bill Lane, Westridge, said he had a lot of experience with horse trails and was on an advisory board for the national parks. Even though the material had been recycled, there was still some of the original product in it. Over a period of time, compaction would smooth out the surface and make it not very appropriate for horses. Experts in San Mateo County and Yosemite said they would never put this product on a horse trail. Also, for a \$110,000 investment, he did not think it had been managed well. He felt there had been an imbalance between the users of the trail/taxpayers and those making the decisions to change the trail dramatically. The drainage repairs need not have been handled as drastically as they had been. He hoped the Town could learn from this situation. He said he greatly admired those who devoted so much of their time and experience to the trails. He also questioned whether the Town needed to keep every trail open year-round for horses.

Councilmember Merk said the AC grindings on the Sequoias Trail were of a completely different quality from the AC grindings on Shady Trail. He felt the Town had received a bad batch. He said the previous Public Works Director wanted to use the grindings because they were free; they had to be trucked in and moved onto the trail just like the crushed rock base. Given the transportation charges, he did not think the cost was a lot less. With respect to the water bars, he said the redwood water bars did not have sapwood and should last longer than the pressure-treated ones; they were also better than what was called for in the contract. He added that he voted against this project when it came before the Council; he also did not think that the contract itself was clear about what was really going to be done to the trail.

PUBLIC HEARING

(1) Amendments to Trails and Paths Element

Town Planner Mader reviewed the staff report of 9/19/02 on the amendments to the Trails and Paths Element. As set forth in the 8/21/02 staff report, he described the proposed changes to the Plan text and two diagrams, and reviewed the definitions of the different facilities--including the new multi-use facility. He noted that the Council set the usage standards and decided where bikes might be used and where they might not. As recommended in the Plan, the Council would decide if all-weather surfaces on equestrian/hiking trails were appropriate in order for children on bikes to gain access to schools; the paved pedestrian paths and bike paths that would have served the schools were no longer part of the Plan.

Town Planner Mader discussed a system of trails shown on Stanford land within the Town's planning area, noting that Stanford University had objected to showing these trails. The Planning Commission recommended including the trails, and a letter (dated 9/18/02) had been forwarded to Stanford indicating the Commission's position. A response (dated 10/9/02) had been received from Stanford that reiterated Stanford's belief that the Plan extended beyond what should be considered the Town's planning area. Responding to Mayor Davis, Mr. Mader said a general horse route had always been shown in the Plan along Los Trancos and San Francisquito Creeks--not necessarily distinguishing which side of the creek it would be on. What was proposed was by and large new and had not been present before.

Town Planner Mader reviewed the e-mail (10/3/02) from Councilmember K. Comstock and the concern

about allowing all-weather surfaces on equestrian/hiking trails. As stated in the Plan, he said equestrian/hiking trails were generally not surfaced whereas the multi-use facility would always have an all-weather surface. Mayor Davis felt Councilmember K. Comstock's concern had primarily to do with "usage creep of bicycles" on equestrian/hiking trails. Town Planner Mader added that a letter had also been received from Marilyn Walter about all-weather surfaces on equestrian/hiking trails and opening up those trails for off-road bicycle use.

Responding to Councilmember Driscoll, Town Planner Mader confirmed that the Plan did not say that the trails shown on Stanford land--or on other private lands that had not been subdivided--would only come into existence if those lands were developed. He discussed the C-1 trail issue noting that once a resolution was reached, the Plan might need to be amended; that language was also not included in the Plan. Councilmember Driscoll suggested showing those trails that were future trails in a different way than existing trails. Town Planner Mader said this had historically not been done in the Plan. If that was done, the Plan would have to be changed each time development took place; this was difficult because of the technique used to prepare the maps. The GIS would make it possible to do that at a reasonable cost. Councilmember Driscoll suggested adding language in the text to indicate that when a trail was shown on an undeveloped piece of property where it did not exist, the intent was that the trail would be developed when the property was developed.

Mayor Davis opened the public hearing.

Beverly Lipman, Favonio Road, supported the Planning Commission's recommendation to leave bikes out of the hiking trail definition. Additionally, she was very reluctant to see conditional bike use on equestrian/hiking trails. If bikes were allowed on some of these trails, the only way it could be rescinded was after there had been environmental damage or someone was hurt. She discussed her experience with trail user conflicts. With multi-use trails, it was expected that there would be bicycles. The Town trails, however, were fragile and narrow, and she did not think it was safe to have bikes, hikers and horses on these trails. She submitted a letter dated 10/8/02.

Majda Jones, Longspur, said she would like to see a statement indicating that bicycles were not allowed on hiking trails. Secondly, in Section 3202.2, she preferred the equestrian/hiking trails be left as either dirt trails or with an appropriate natural surface for those who had trouble walking on asphalt.

Steve Halprin, Hawk View, said bicycles were incompatible with hiking and equestrian trails. He thought it was dangerous and uncomfortable. He did not want to see language in the Plan that burdened the Council with reviewing one trail at a time in terms of "should we or shouldn't we." He felt the Council should take the position that bicycles should not be allowed on hiking/equestrian trails. It would be easier to administer the trails in the future, provide a continuation of the beauty and safety of trails, and eliminate the liability to the Town of this kind of multi-use which was not needed. He did not think bikes should be allowed on equestrian/hiking trails other than to transport a child to school.

Nancy Wilke, Coyote Hill, agreed with the previous speakers with respect to bicycles on the equestrian/hiking trails. Also, she had noticed erosion on a Blue Oaks trail where there weren't supposed to be any bikes. The sides of the trail were being mashed away into the ravine. Aside from not wanting to come upon a biker or have one come behind her, the fun of the bikes was going fast and scooting around corners.

Marilyn Walter, Coyote Hill, said the Council needed to consider the responsibility they would be taking on by opening up these small trails in the context of the wider peninsula and the interest in mountain biking.

Having the word go out that there was the potential for mountain bikes in Town would bring mountain bikes here.

She had photographs of bikes on the trails. While the trails were well signed, there was no enforcement. She questioned whether the Town was prepared to take on: 1) the cost of personnel to enforce the rules; 2) the potential liability and insurance costs; and 3) the maintenance costs of widening the trails to make them usable for horses, hikers and bikes. She questioned why the sentence needed to be inserted into the definition of equestrian/hiking trails when there was a multi-use path definition in the Plan that covered the trails that the Town wanted the children to use to get to school and the library. All of the equestrian/hiking trails were unsurfaced, and this would open up a potential for trouble for the Town. Referring to Section 3209.1.g, she asked why the Town had to provide recreation for "mountain bikers"; she thought just "bikers" was adequate. She also questioned whether children getting to school and back was a recreation use.

Lynne Davis, Trails Committee, said the Committee agreed that the third and fourth sentences in Section 3208.2 should be removed. In Section 3221, the Committee wanted the last sentence removed since the multi-use definition covered that.

Dorothea Nell, Trails Committee, thanked all the speakers for coming; she agreed with the comments.

Beth Shaw, Wayside Road, agreed with the previous comments. One of the reasons she moved here was for the trails. She found it frightening to be on a trail with bicycles. She also preferred soft surfaces or dirt that were kinder to knees and ankles. She was also concerned about opening up the trails to the kind of inundation that the roads had. While she was happy to have the Town's neighbors enjoy biking, she did not want the rest of the Bay Area converging on Portola Valley and particularly on the trails.

Bill Lane, Westridge, thanked the Trails Committee members for their time, dedication and knowledge. He said the comments about mountain bikes were substantiated by his experience. By very subtle means, the Town could become an icon for a given activity. Additionally, he felt a distinction should be made between the Westridge trails and the Town trails; the Westridge trails were on private land and maintained by the people who owned the land. Those trails had been opened to the public by the Westridge property owners. He was concerned about welcoming mountain bikes and agreed with those who wanted to see the language removed from the Plan.

Mark Wieland, Degas Road., asked why a width of 6-8' had been selected for the multi-purpose trails. He felt that was wider than necessary for the Town. Responding, Town Planner Mader said the ad hoc committee and Trails Committee came up with this concept where people could walk next to each other or pass horses and where bikes would be allowed. In some of the discussions, it had been likened to a carriage road which was meant for everyone's use. Earlier, the Town had a 4' wide pedestrian path, a space, and a horse trail on the other side. That would equal about the same dimension. The standard that would go with the multi-use trail had not yet been adopted; the width and nature of the surface would need to be determined.

Ms. Lipman described the trails on Windy Hill which were open to biking and those that were for hiking and equestrian use only. On a number of occasions, the Mid-Peninsula Open Space District rangers had to be present to keep bikes off the prohibited trails; the signs were not being read or obeyed.

Responding to Councilmember Driscoll, Town Planner Mader suggested that those selected trail locations where children on bikes going to/from school were allowed could be a sub-category of the multi-use path concept which would have some sort of surface but of a lesser width. He added that the strong advocate on the Planning Commission for selective bicycle use on equestrian/hiking trails was Commissioner Toben who

felt it would be appropriate for the youth in Town to ride mountain bikes where it was deemed safe to do so. That had already been done by the Council in a few instances under the usage policy. He noted that Commissioner Toben had not advocated that all equestrian/hiking trails were to be open to bikes.

Commissioner Elkind said Commissioner McIntosh was also supportive of Commissioner Toben's position.

Councilmember Driscoll said the Town had a constituency that used mountain bikes. The Council needed to be sensitive to the fact that mountain bikes were rarely compatible with a quiet hiking experience, but he felt there should be some trails in Town that a mountain biker could use. What was being discussed would slam the door on mountain bikers, and he felt there should be some way for them to at least retain the trails that they now could use.

Ms. Walter said mountain bikers had a wonderful path up Windy Hill and a County trail that went up upper Alpine to Skyline Ridge. Councilmember Driscoll pointed out that the Windy Hill trail on the Town's map was an equestrian/hiking trail; the change Ms. Walter wanted would mean there would be no bicycles on that trail. He agreed there should be a new category for those trails that the Town or Midpen had determined were appropriate for bikes.

Town Planner Mader noted that the facilities on Midpen property and their regulations were not entirely consistent with what was shown on the Town's Plan; for example, the Town added some that had not yet been put in. Councilmember Driscoll said he did not think the Town's rules needed to be completely consistent with Midpen's standards. He did, however, think the Town should avoid making its Plan directly at variance with what Midpen had done on their trails. Town Planner Mader said if the text indicated that some equestrian/hiking trails could be used for bikes, that would be consistent with Midpen.

Mayor Davis said he wanted to make it difficult to open up trails to bikes. Additionally, the Windy Hill trail and trails around the schools had been opened up to bikes; he thought the Plan should represent the actuals. Responding to Mayor Davis, Town Planner Mader said the Plan had not been amended when bikes were allowed on the trails around the schools as that was a policy decision; he said there could be a separate map showing those. Mayor Davis reiterated that he wanted to set a high threshold for allowing bikes. Town Planner Mader said putting it in the Plan would require a public hearing process whenever a change was made. Mayor Davis supported that.

Councilmember Driscoll noted that the largest category of trails were equestrian/hiking trails--95% of which were equestrian/hiking trails with the rest deemed appropriate for bicycles. Rather than having a category like bike lanes which didn't exist in Town, he thought there should be a category that included the bike use explicitly and excluded it from the other categories. He thought there should be an equestrian/hiking/biking trail category. Town Planner Mader agreed that was a more orderly procedure for designating uses that were permitted on trails. Responding to Ms. Sloan, Councilmember Driscoll said the construction standards for the multi-use facility were different and included an all-weather surface. Town Planner Mader noted that two changes were being discussed: 1) a multi-use path with an all-weather surface of a narrower type which was in the vicinity of schools; and 2) an equestrian/hiking/biking facility which was a dirt facility.

Commissioner Elkind said she felt it should be made clear to everyone what the intended uses were. Otherwise, it would be up for grabs and a headache for the Council. After discussion, Council agreed there would need to be further discussion on this issue.

Councilmember Merk said there was no reference to what was being changed in the Plan document; he could not tell what was being omitted and what was being added. Additionally, for the last thirty years, the message from the Trails Committee was that horses and bicycles did not mix. Now these two things were

being put together in terms of a multi-use path, and he did not understand what was going on. He was also concerned that bicycle use was being discussed without any representation from the bicycle community. He thought it possible that there might be more mountain bike owners in Town than horse owners. Shady Trail

was being repaired so that horses could use it in the winter. He questioned whether that \$110,000 should have been spent in a way that addressed the needs of more of the taxpayers. He thought there was a bicycle lobby, and he wanted to hear from them before he made a decision about what the Town would allow in terms of mountain bike usage. He said he was concerned about the cost of all-weather trails over the years in terms of increased maintenance. He also wanted to hear more about the standard proposed for the multi-use facility.

Responding to Councilmember Merk, Town Planner Mader discussed bike lanes in the spheres of influence, noting that the definition needed to be retained. Councilmember Merk said he also had concerns about some of the definitions as well as enforcement issues. Referring to Section 3210.1.k, he questioned what "deviation onto local trails" meant. In Section 3210.u, he questioned what "undue interference with use" meant. He reiterated how difficult it was to understand what was being changed; the same was true of the maps.

Town Planner Mader said an underline/strike-out version was available. The maps were more difficult to handle in that same fashion, but he offered to sit down with any Councilmember and go over the maps. With respect to Standard No. 14 for the multi-use facility, he said the surface had been discussed by the Commission and with Mr. Young; the range of surfaces that could be used needed to be explored. Mr. Young was concerned about the maintenance costs as well. What that standard would be was a significant issue. Responding, Ms. Davis confirmed that the proposed standard was still being discussed by the Trails Committee and the Public Works Director.

After discussion, Councilmember Merk said he preferred to make the decision now about mountain bikes and to put it in the Plan rather than having this kind of question come to the Council again and again. As a next step, Town Planner Mader suggested preparing a memo that reflected the direction of the discussion but not revising the document at this point. Responding to Councilmember Driscoll, he said he hoped these would be the last Town maps that would be done in this fashion. He described the status of the GIS project.

By motion and second, the public hearing was continued to October 23, 2002.

CONSENT AGENDA

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

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

- (2) Minutes of Town Council Meeting of September 25, 2002, with Councilmember Driscoll abstaining.
- (3) Warrant List of October 9, 2002, in the amount of \$201,752.18.
- (4) Second Reading of Title, Waive Further Reading, and Adoption of Ordinance No. 2002-345 Amending Chapter 2.36 (Conflicts of Interest) of Title 2 (Administration and Personnel) of the Portola Valley Municipal Code.

- (5) Resolution No. 2020-2002 Approving and Authorizing Execution of an Agreement Between the Town and LSA Associates, per Dir. of Administrative Services memo of 9/30/02.

REGULAR AGENDA

- (6) Art Gallery Lease (Removed from Consent Agenda)

Referring to Ms. Powell's memo of 9/30/02 on the extension of the lease agreement with Stuart Givot, Councilmember Merk asked if there was a clause in the lease that addressed the relocation of Town Hall. Ms. Howard confirmed that all the leases had a 60-day notice clause. By motion of Councilmember Merk, seconded by Councilmember Driscoll, Resolution No. 2021-2002 Approving and Authorizing Execution of a First Amendment to Lease Between the Town and Stuart Givot was approved by a vote of 3-0.

- (7) San Francisquito Creek JPA Membership

Ms. Lambert reviewed the staff memo of 9/30/02 on membership in the San Francisquito Creek JPA. She said members of the staff had been working with the JPA on a regular basis through CRMPP and on other projects. As set forth in the memo, she discussed the cost of membership, noting that there had been some discussions about a cost-sharing arrangement for the Town and Woodside.

Cynthia D'Agosta, Executive Director of the JPA, reviewed projects the JPA was involved with including: 1) the Flood Management and Habitat Preservation Watershed Plan; 2) a Sediment Reduction Plan to meet State requirements for NPDES permitting jurisdictions; and 3) a levee restoration project from Highway 101 to the Bay. With respect to the grant funding application for the mapping project, she said the results would be known on November 1. She noted that the jurisdictions were working together on the mapping, and plans called for mapping the entire watershed with a coordinated GIS. With respect to the cost of the membership and cost sharing with Woodside, she said the Board was open to the concept of a split vote. There had also been some discussion about the upper watershed jurisdictions joining as associate members, but there was some hesitancy due to issues related to NPDES, overlapping General Plans, etc. She felt the best solution was to approach the two towns to talk about a joint membership.

Councilmember Driscoll said the Town had always been interested in the watershed. When the Town had eventually been approached about joining the JPA, the objection was that the Town was being asked to pay the full membership fee when it had a much smaller population base than the other members. He felt joining with Woodside was a good idea. He did, however, think it was important to have an equal voting right; he did not want a split vote with Woodside.

Referring to the JPA's budget, Councilmember Merk said if Woodside and Portola Valley joined and the membership totaled seven, the individual membership costs would drop to \$45,000. If Woodside and Portola Valley joined as a group, that would bring it down to \$50,000; dividing that by half would mean \$25,000 for the Town. He agreed with the concern about a shared vote; Woodside and Portola Valley might not agree on an item. As he had previously commented, he was also concerned about: 1) the inaccurate and poor descriptions of Portola Valley's creeks; 2) the lack of understanding of the dynamics of the local creeks; and 3) the expectation that upstream uses could change the impacts on poorly planned, downstream development. Referring to the Recitals section of the JPA agreement (item 3.f), he said San Francisquito Creek did not exist in the Town of Portola Valley, and "the creek" was referred to throughout the document. He could not imagine the Town joining a group that didn't have things like this straightened out. He had gone through the three thick booklets and was appalled at the assumptions made about upstream communities. He could not support joining the JPA until he saw some very different wording in the

agreement and in some of the publications. Responding to Ms. D'Agosta, he confirmed that he was referring to the Master Plan and Sediment Plan.

Ms. D'Agosta said there were a number of items that needed to be addressed in the agreement itself. This year, the JPA had its own legal consultant who would be looking at amendments to the agreement. She said Councilmember Merk's comments were timely and appreciated. Councilmember Merk added that the JPA budget was \$311,000. He questioned how the Town would feel about paying its share if the budget reached \$500,000, \$1.3 million, or \$4.7 million.

Mayor Davis said he had hoped that an idea would emerge on how the Town could join that addressed: 1) affordability; and 2) equal voting. What was being proposed didn't meet either of those requirements. Half of the current membership cost would be a good step, but he was concerned about a JPA budget increase in the future--with projects for the good of the downstream communities who had much larger budgets.

Ms. D'Agosta said most of the current members had the same concerns about where this agency was going and the impacts to their general funds. She encouraged the Town's participation in the discussions about the direction of the agency. There was no 5-10 year plan, and there was no decision about the growth of the agency. The direction had been moving towards a federal project and trying to define the agency based on that. That might not be what the community actually wanted or needed, and the Board recognized that.

Councilmember Merk noted that the jurisdictions were collectively responsible for the administrative costs. Referring to the agreement, he said item #8 indicated that member entities had the right to determine independently whether to participate in any capital improvement project. He did not feel the Town would be stuck for 1/7th of the cost of building, for example, a levee in Palo Alto. His concern was that administrative costs could balloon very easily. He reiterated that he was not against what the JPA was doing; he was in favor of protecting the creeks, but he wanted to protect the Town first. Councilmember Driscoll described the Town's efforts in protecting the riparian corridors and the community's response. Ms. D'Agosta agreed the overall approach needed to embrace the entire watershed and not just what was defined as San Francisquito Creek.

With respect to sediment, Councilmember Merk said tons of sediment went by his property every minute when the creek was running at full capacity. That sediment was coming from the mountains and the natural geologic processes. He could not make the connection between the tons of sediment that came down the creek every winter and the few pounds that came off individual homeowners lots. Ms. D'Agosta agreed it was a complex subject, noting that there were two schools of study on this issue. Mayor Davis thanked Ms. D'Agosta for attending.

(8) Grant of Easements for Blue Oaks Trails Extensions

Ms. Howard reviewed her memo of 9/27/02 on the grant of easements for the Blue Oak trail extensions from Portola Valley Ranch.

Referring to the Exhibit B maps, Councilmember Merk questioned what "Lands of Town of Portola Valley" referred to suggesting of an error on the maps. Ms. Sloan suggested continuing the item until the issue could be cleared up. Councilmember Merk noted that these trails were built almost a year ago and had not been maintained. Responding, Ms. Sloan said the trails were accepted as complete because the subdivider delivered them to the Town. Technically the Ranch was responsible for maintaining them. After discussion, the item was continued by a vote of 3-0.

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(9) Blues and BBQ Report

Marianne Plunder, Chair-Community Events Committee, said the Blues and BBQ event was a huge success. She reviewed the previous years' events noting that the proceeds went to the Open Space Acquisition Fund. She said about 50 volunteers were involved in putting on the event--with planning beginning in February. Noting that about 1,000 people attended, she said a Green Hills fundraiser had unfortunately been held on the same day. As set forth in her memo, she discussed budgeted amounts and the net profit of \$43,896.88; that was 64% of all receipts. She discussed the underwriting process and businesses that donated prizes and services. She requested that the transfer of the money from the general fund to the restricted Open Space Acquisition Fund occur on October 31.

Mayor Davis thanked the committee for a wonderful event. Responding to Mayor Davis, Ms. Plunder said beer donations would be sought next year and probably a little less would be spent on decorations. Responding to Councilmember Driscoll, she discussed the parking arrangements which were greatly improved over last year's event. Councilmember Driscoll suggested that car poolers be offered an extra ticket for the raffle next year.

Councilmember Merk said he had attended some of the organizational meetings and was very impressed by how well organized the group was. By motion of Councilmember Merk, seconded by Mayor Davis, Council approved (3-0) transfer of the net proceeds to the Open Space Acquisition Fund on October 31, 2002.

(10) Proposed ASCC Handout

Carter Warr, Chair-ASCC, reviewed his memo on the proposed handout "What to Expect from Design Review." He said the intent was to make the process more understandable for the applicant. He said the ASCC welcomed feedback.

Councilmember Merk said he watched the handout develop during ASCC meetings, and he felt the document would be very helpful. He also thought it might be an insert in the Design Review booklet.

Mayor Davis said this was a real quality piece of work. He suggested sending copies to every real estate agent that did business in Town. It not only prepared people for the ASCC but implied that you were walking into a town that had some rules and regulations. He asked that Steve Harrison and the rest of the ASCC be thanked. Council unanimously agreed to accept the document as a Town handout.

(11) Report from Ad-Hoc Town Center Committee

Councilmember Driscoll reviewed Town Planner Mader's report of 9/25/02 on the possible sites examined by the Ad-hoc Town Center Committee. He said the Committee had concluded that if the Town Center could be built on the existing Town Center property, it made the most sense. It was hoped that the trenching currently being done would indicate that building could take place in that area of the property. It was also felt that a project could be designed that would allow sequentially moving out of the existing buildings into new buildings over a period of years.

Mr. Warr said the committee process had been very successful. He noted that if the proposed site turned out to be a serious geological problem, there were other possibilities. Additionally, after seeing some massing studies, he said the Committee was excited about some of the opportunities this site provided. He discussed a potential entrance and long views that would exemplify what the Town was about. Responding

to Mayor Davis, he said if the geology was favorable, there was a lot of space inside the proposed footprint for the library, etc.

Councilmember Driscoll encouraged Councilmembers to inspect the current trenching with the geologists. He said the top 3-6' of soil was the result of massive erosion caused by the logging done in the 1880's. A very long trench had been dug; through 95% there was no sign of disturbance or breaking. There was one section by the redwood trees where there was some evidence of folding, and the geologists would feel more comfortable digging down another 3-4' in this one section. The perpendicular trench previously proposed might not need to be done, and the money for that trench could be used to do the additional digging. Councilmember Merk described the trenching and said he felt the additional digging was worthwhile--especially given the other options. Councilmember Driscoll noted that the geologists would also like to do some carbon dating. Responding to Councilmember Merk, Mr. Warr used the map to describe the location of the trench, the proposed entrance, and field locations. Mayor Davis complimented Kevin Schwarckopf on the Committee meeting reports.

Councilmember Driscoll and Town Planner Mader discussed conversations with Stanford on the Stanford Wedge.

(12) Reports from Commission and Committee Liaisons

(a) Teen Committee Meeting

Councilmember Merk said the Teen Committee recently held a Town dance that had been very successful; 200 kids attended at \$5 each. The Committee wanted to know how the profit would be handled and what fund the money would go into. Councilmember Driscoll questioned whether the event brought kids in from other communities. Councilmember Merk said the teens were very well chaperoned and everything seemed to be very well handled.

Ms. Howard said the policy was that all committees needed to give the Town all the funds they had. With most committees, their budget included a revenue fund with offsetting expense accounts. She said a revenue fund could be created for this Committee and that staff would contact the Committee Chair.

Councilmember Driscoll asked if Teen Committee profits could be put into recreational equipment, or something that the youth would use and enjoy. Councilmember Merk thought the Committee wanted to know whether the money could be spent towards another party. Ms. Howard noted that the dances were budgeted for.

(b) School District

Councilmember Merk said he attended a meeting with the School District which had been a positive experience. Four goals had been established and implementation committees would be formed to carry out the goals. He noted that one of the concerns was retention in administration and teaching. He had suggested that they work with the Town on BMR units. Councilmember Driscoll discussed on-going parking/traffic issues at the school and asked staff to investigate.

WRITTEN COMMUNICATIONS

(13) Town Council 9/27/02 Weekly Digest

(a) Microchips for Dogs

Referring to the announcement for the microchip event on September 21, Ms. Howard said an ad had been placed in *The Almanac* and that 12 dogs had been microchipped, three of which are from Portola Valley.

(14) Town Council 10/4/02 Weekly Digest

(a) Preserving Memorial Plaque at Little People's Park

Referring to Ms. Powell's letter of 9/30/02, Councilmember Merk asked how the memorial plaque and handprints would be handled during the Little People's Park renovation. Ms. Powell said she had discussed the issue with Mr. Young and suggested establishing some kind of a tickler file for these types of things. Ms. Howard suggested keeping a copy of the letter in the Little People's Park file.

(b) Pre-emergent Spray Program

Councilmember Merk said it was his understanding that the Trails Committee did not want to use pre-emergent spray but did want to use Roundup. With Roundup, you were left with a fire hazard; the only concern he could think of with respect to pre-emergent spray was an erosion problem. Ms. Powell said staff felt strongly that pre-emergent spraying should be done, but the Committee was in opposition to staff's recommendation.

After discussion, Mayor Davis suggested staff notify the Trails Committee that the staff's recommendation with respect to pre-emergent spraying differed from the Committee's and invite them to attend the Council meeting when it was discussed.

ADJOURNMENT

The meeting was adjourned at 11:20 p.m.

Mayor

Town Clerk