

TOWN COUNCIL MEETING NO. 596, JANUARY 9, 2002

ROLL CALL:

The meeting was called to order by Mayor Davis at 8:00 p.m. Ms. Howard called the roll:

Present: Councilmembers G. Comstock, K. Comstock, Driscoll (arr. 8:30) and Merk, and Mayor Davis
Absent: None
Others: Town Attorney Sloan, Town Administrator Howard, Public Works Director Rohani, and Deputy Town Clerk Hanlon.

ORAL COMMUNICATIONS: None

CONSENT AGENDA

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

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

- (1) Minutes of the Town Council Meeting of December 12, 2001, with Councilmember Merk abstaining.
- (2) Warrant List of January 9, 2002, in the amount of \$142,306.94.
- (3) Warrant List of December 19, 2001, in the amount of \$225,298.50.
- (4) Resolution No. 1964-2002 Approving the December 4, 2001, Proposal by Nolte Associates, Inc. for State Transportation Improvement Program (STIP) Road Repair and Resurfacing, per Public Works Director's memo of 1/3/02.

REGULAR AGENDA

- (5) Award of Bid - Shady Trail Repair and Restoration Project (Removed from consent agenda)

Councilmember Merk said he previously expressed concern about the scope of this project; he continued to have those concerns. While some of those concerns were ameliorated because Peter Garratt would be doing the work, he was still concerned about the environmental impact of the project on the riparian habitat along the trail. He did not feel comfortable voting in favor of the project.

Councilmember K. Comstock said this had been discussed at some length by the Trails Committee, and the Committee was firmly in favor of the project. Additionally, he personally inspected the trail on Monday and found it was in need of repair due to erosion and drainage problems. As reflected in the Public Works Director's memo of 1/3/02, he said the bid was in line with what was budgeted, and he supported the recommendation of the Trails Committee to move forward with the project. He also agreed that Mr. Garratt was a good selection.

By motion of Councilmember K. Comstock, seconded by Councilmember G. Comstock, Council approved (3-0-1) Resolution No. 1965-2002 Awarding the Contract for the Shady Trail Repair and Restoration Project (#2000-PW13) to Summit Springs Design, with Councilmember Merk abstaining.

(6) Amendment to Construction Traffic Road Fee Ordinance

Ms. Howard reviewed her memo of 1/3/02 on the recommended changes to the Construction Traffic Road Fee Ordinance to ensure that all types of new construction and remodels would be covered under the ordinance.

Councilmember K. Comstock moved first reading of title, waive further reading, and introduction of Ordinance No. 2002-339 Amending Section 10.72 (Construction Traffic Road Fees) to Title 10 (Vehicles and Traffic) of the Portola Valley Municipal Code. Mayor Davis seconded.

Responding to Councilmember G. Comstock, Ms. Howard said landscaping projects that required issuance of a site development permit would be covered by the ordinance. Councilmember Merk noted that large landscaping projects that didn't require a permit could involve the importation of many truckloads of topsoil, flatbed trucks carrying boxed trees, etc. Responding, Ms. Sloan pointed out that if a permit was not required, staff would not be aware of whatever was going on in order to impose the fee.

Mayor Davis said the ordinance was fundamentally aimed at building construction. He suggested that if the Council wanted to broaden the ordinance, that be considered separately from the proposed clarification of the ordinance in place. He called for the question, and the motion carried 4-0.

After discussion, Council agreed that the appropriate triggering mechanism for this ordinance was the issuance of a permit.

(7) Bay Area Alliance for Sustainable Development

Ms. Howard reviewed her memo of 1/3/02 and recommendation that Council support the Bay Area Alliance's principles of sustainability and regional growth management as set forth in the Draft Compact for a Sustainable Bay Area. She noted that the Resolution attached to the memo had been modeled after the resolution prepared by Woodside on this issue.

Councilmember K. Comstock moved adoption of Resolution No. 1966-2002 Acknowledging the Work of the Bay Area Alliance for Sustainable Development and Its Efforts in Developing the Draft Compact for a Sustainable Bay Area. Mayor Davis seconded.

Councilmember Merk said he had listened to the tape of the meeting when Mary Griffin made her presentation and had read the minutes. While the goals and work of the organization were laudable, the Council had in the past refrained from adopting these kinds of resolutions. He was surprised that staff time had been spent on this issue and that the Council was spending time discussing it. Responding, Mayor Davis said the Town's effort had been minimal and that the goals expressed were in common with the Town's own General Plan.

Councilmember G. Comstock questioned what concrete actions were planned by the Town to move in support of the goals set forth by the coalition. Councilmember Merk said preserving open space and trying to create affordable housing in Town were examples of things the Town was doing. Mayor Davis felt the Town was as close as any community to implementing the principles set forth. While there were some contradictory aspects to the coalition's proposal, he was comfortable with the resolution as drafted.

Councilmember G. Comstock asked what was being done to, for example, promote agriculture. Councilmember K. Comstock noted that a contract had recently been approved under the Williamson Act that, basically, removed the tax penalties otherwise imposed on agricultural uses. There were other

possibilities in Town for doing that as well. Responding to Councilmember G. Comstock, Mayor Davis confirmed that the Targ Garden was still active.

Mayor Davis called for a vote on the Resolution, and it carried (4-0).

COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(8) Public Works Committee Charter

Ms. Howard reviewed her memo on the changes recommended by the Public Works Committee to their charter. She noted that Steve Hedlund was present to answer any questions.

Mayor Davis said he had attended the Committee meetings when the charter was discussed. He supported the changes. Responding to Councilmember Merk, Mr. Hedlund said the Committee was in full agreement with the amended charter.

Councilmembers discussed the Committee's work noting that members were called on by the Sheriff's Dept. in emergencies. Council unanimously concurred with the amended charter.

(9) 2002 Committee Membership

Mayor Davis referred to the January 2002 Committee membership list noting that interviews for the ASCC vacancy would take place on January 10. Councilmembers agreed that all Committee members should be commended for their willingness to serve. By motion of Councilmember Merk, seconded by Councilmember K. Comstock, Council approved the membership list for 2002.

(10) 2002 Committee Council Liaisons

Referring to the proposed list of Liaison Appointments, Mayor Davis said he felt the Committee liaisons were extremely important. To help that, he said time would be allotted during Council meetings in the future for liaisons to report on any of their committees' actions of significance.

(11) Job Description for Administrative Services Director

Reviewing her memo of 1/3/02 on the job description for the Director of Administrative Services position, Ms. Howard discussed differences in this position from the Assistant Town Administrator position.

By motion of Councilmember K. Comstock, seconded by Councilmember Merk, the Administrative Services Director's job description was approved by a vote of 4-0.

(12) Library JPA Funding

Councilmember K. Comstock discussed the State's budget shortfall and potential impacts on public library funding. He said all of the jurisdictions in the JPA needed to express themselves, and the various library groups were being organized to submit petitions to support funding for libraries. As indicated in his memo, he recommended drafting a resolution to the Governor and other representatives in the legislature asking them to support library funding. Responding to Mayor Davis, he noted that the legislature was now in session and would be making their decisions any day about the shortfall.

After discussion, Council asked staff to draft a resolution to include a recitation of what had happened in the

budget process, impacts on the JPA and communities, importance of libraries to the education of children, etc. Ms. Howard said the item/resolution could be added as an urgency item to the January 10 special meeting agenda.

WRITTEN COMMUNICATIONS

(13) Town Council 12/14/01 Weekly Digest

(a) Los Altos Garbage Company Contract

Ms. Howard noted that a letter (12/13/01) had been received from Bob Anderson in support of the current franchisee, LAGCo. She said four bids had been received as of the closing date.

(b) Petition to Oppose the Proposed Re-Zoning of the Nathhorst Triangle for Residential Development

Terrell Slawson, 4388 Alpine Road, asked Councilmembers to review the petition signed by those opposing the proposed re-zoning of the Nathhorst Triangle.

(14) Town Council 12/21/01 Weekly Digest

(a) Letter to Creekside Residents

Ms. Howard said 187 packets had been sent to creekside residents on December 18, 2001. Mayor Davis noted that he had received 5-6 positive responses.

(b) January Meeting Schedule

Councilmember Driscoll asked that Council liaisons be listed on meeting schedules.

(15) Town Council 1/4/02 Weekly Digest

(a) League of CA Cities Workshop

Referring to the announcement of the upcoming League workshop, Ms. Howard said the purpose of the workshop was to create good communications between the town administrator and his/her council. As indicated, the minimum number of participants from each city was three: two elected officials and the town administrator.

(b) Dogs on Playing Fields

Ms. Sloan said the Council had previously requested that staff draft an ordinance prohibiting dogs on parks. Referring to Bill Pickering's e-mail, she noted that he suggested that the issue be referred first to the Parks and Rec Committee.

After discussion, Council agreed the Committee should discuss the issue and make a recommendation to the Council. Councilmember Merk suggested staff be asked for input as well.

(16) Kevin Rohani

Noting that this would be Mr. Rohani's last meeting, Councilmember K. Comstock expressed appreciation

for

Mr. Rohani's contribution and service to the community. Councilmembers offered best wishes to Mr. Rohani in his new position.

ADJOURNMENT

The meeting was adjourned at 8:55 p.m.

Mayor

Town Clerk