

TOWN OF WOODSIDE

TOWN COUNCIL MEETING AGENDA

December 8, 2009

Independence Hall, 2955 Woodside Road, Woodside

7:30 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

Persons wishing to address the Council on any matter not on the posted agenda are invited to do so. Please note, however, that the Council is not able to undertake extended discussion or to act on non-agendized items. Such items can be referred to staff for appropriate action, which may include placement on a future agenda. This communication period is limited to five persons, three minutes each. Any additional persons wishing to be heard will be scheduled at the end of Regular Business.

CONSENT CALENDAR - A

All items on the Consent Calendar are considered to be routine and will be approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.

1. Approval of Minutes: Meetings of May 11, 2004, March 14, and November 14, 2006, and June 26, July 24, and September 11, 2007

NEW BUSINESS - A

2. Resolution Declaring Results of Consolidated Municipal Election, November 3, 2009. Resolution 2009 - _____

ADMINISTRATION OF OATHS OF OFFICE

Administration of Oaths of Office to Councilmembers-elect Deborah Gordon, Dave Tanner, and Anne Kasten.

ACKNOWLEDGEMENTS - A

Commendation for Carroll Ann Hodges in Recognition of Her Service as a Member of Woodside Town Council.

REORGANIZATION OF TOWN COUNCIL

Election of Mayor and Mayor Pro Tem

ACKNOWLEDGEMENTS - B

Commendation for Peter Mason in Recognition of His Service as Mayor of the Town of Woodside

CONSENT CALENDAR - B

All items on the Consent Calendar are considered to be routine and will be approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.

3. Monthly Financial Report for October and November of 2009.
4. Annual Road Program Report.

NEW BUSINESS - B

5. Demonstration of the Town's New Permit Tracking and Management System (Trakit) and Geographic Information System (GIS).

REPORTS

6. Mayor and Councilmember Communications.

COMMUNICATIONS

RECESS TO CLOSED SESSION:

Conference with Legal Counsel - Existing Litigation {Government Code
Section 54956.9 (a: Uphold Our Heritage vs. Town of Woodside, San Mateo
Superior Court Case #444270

REPORT FROM CLOSED SESSION

ADJOURNMENT

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITY ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE TOWN CLERK AT (650) 851-6790. NOTIFICATION IN ADVANCE OF THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING.

PLEASE NOTE THAT PURSUANT TO THE STATE OF CALIFORNIA'S OPEN MEETING RULES, THIS MEETING IS BEING AUDIO TAPED.

ANY WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE TOWN COUNCIL REGARDING ANY ITEM ON THIS AGENDA WILL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE ADMINISTRATION COUNTER AT TOWN HALL LOCATED AT 2955 WOODSIDE ROAD DURING NORMAL BUSINESS HOURS.

TOWN OF WOODSIDE

Report to Town Council

Agenda Item 1

From: Janet Koelsch, Town Clerk

December 8, 2009

SUBJECT: MINUTES FOR APPROVAL

The minutes of the Town Council Meetings of May 11, 2004, March 14, and November 14, 2006, and June 26, July 24, and September 11, 2007, are attached for review and approval.

Attachment

TOWN OF WOODSIDE

TOWN COUNCIL MEETING MINUTES

September 11, 2007

Independence Hall, 2955 Woodside Road, Woodside

CALL TO ORDER

Mayor Boynton called the Meeting to order at 6:35 P.M.

ROLL CALL

Present: Councilmembers Goeld, Gordon, Hodges, Romines, Sinclair, Tanner,
Mayor Boynton
Absent: None

Staff Present:
Susan George, Town Manager
Jean Savaree, Town Attorney

CLOSED SESSION

Public Employment Performance Evaluation: Town Attorney (Government Code
Section 54954.5(e))

The Closed Session was adjourned at 7:30 P.M.

REGULAR SESSION

The Meeting was reconvened at 7:30 P.M.

Staff Present:
Susan George, Town Manager
Jean Savaree, Town Attorney
Hope Sullivan, Director of Community Design and Development/Assistant Town Manager
Kent Dewell, Town Engineer
Janet Koelsch, Town Clerk
Tara Sanders, Deputy Town Clerk

REPORT FROM CLOSED SESSION

Mayor Boynton stated that there was nothing to report from Closed Session.

PLEDGE OF ALLEGIANCE

Councilmember Tanner led the Pledge of Allegiance.

INTERVIEW OF CANDIDATE(S) FOR AND APPOINTMENT TO ARCHITECTURAL AND SITE REVIEW BOARD

Councilmember Tanner recused himself due to a potential conflict of interest and left the room.

The Council continued its interview of Chris Anderson and Martha Putnam for appointment to the Architectural and Site Review Board.

Councilmember Sinclair nominated Martha Putnam for appointment to the Architectural and Site Review Board. Motion seconded by Councilmember Hodges.

Councilmember Goeld nominated Chris Anderson for appointment to the Architectural and Site Review Board. Motion seconded by Mayor Boynton.

The Council appointed Martha Putnam to the Architectural and Site Review Board for a term expiring in February 2009 by the following vote of the Council:

Councilmembers Gordon, Hodges, Romines and Sinclair voted to appoint Martha Putnam.

Councilmembers Goeld and Mayor Boynton voted to appoint Chris Anderson. Councilmember Tanner was recused.

The Council thanked the applicants for their interest in serving the Town.

Councilmember Tanner returned to the Meeting.

COMMUNICATIONS

Karen Bowe, Jefferson Avenue, requested that the speed limit on Jefferson Avenue be enforced to mitigate noise and accidents. She suggested installation of a stop sign on Glencrag Way.

The Council thanked Ms. Bowe for bringing the matter to its attention.

CONSENT CALENDAR

1. **Monthly Investment Report for July and August, 2007.**
2. **Monthly Financial Report for July and August of 2007.**
3. **Resolution Approving an Agreement Granting Permission to Enter Upon Town Property Between the Town of Woodside, Wallace Baldwin and Jon Kazanjian, and Authorizing the Town Manager to Execute the Agreement on Behalf of the Town. Resolution No. 2007 - 6648**
4. **Consideration of a Resolution Vacating a Ten-foot Wide Public Utility and Equestrian Easement Located at 580 Patrol Road. Resolution No. 2007 - 6649**
5. **Consideration of a Resolution Vacating Five-foot Wide Public Utility Easements Located at 1439 Portola Road. Resolution No. 2007 - 6650**
6. **Resolution Indicating the Town's Desire to Extend the Term of its Franchise Agreement with GreenWaste Recovery, Inc. for a Minimum of Three Years, Pursuant to Section 2.02 of the Agreement, and Authorizing the Town Manager to Negotiate an Extension of up to Five Years with the Franchisee. Resolution No. 2007 - 6651**
7. **Approval of Minutes: Regular Meeting of April 24, 2007, and Special Meeting of August 22, 2007.**

Councilmember Sinclair moved approval of the Consent Calendar as presented.

Motion seconded by Councilmember Tanner and carried by roll call vote:

AYES: Councilmember Goeld, Gordon, Hodges, Romines, Sinclair, Tanner, Mayor Boynton
NOES: None
ABSENT: None

NEW BUSINESS

8. **Presentation and Discussion of LAFCo's Draft Municipal Services Review.**

Martha Poyatos, Executive Officer of the Local Agency Formation Commission, presented the Municipal Service Review of the Town of Woodside.

There was no public comment.

The Council thanked Ms. Poyatos for providing the report.

9. **Discussion of Issues Arising from August 2, 2007 Forum on Sudden Oak Death and Determination of Appropriate Role for the Town in Addressing these Issues.**

Ms. George explained that inquiries arose from the Conservation Committee regarding whether the Town could facilitate a group purchase of the application treatments recommended for Sudden Oak Death (SOD), whether the Town could track reported cases of Sudden Oak Death and make that information available publicly, and could ascertain the County's actions regarding Sudden Oak Death in Huddart and Wunderlich Parks.

George Offen, Raymundo Drive, representing the Conservation and Environmental Health Committee, thanked staff for its help in staging the forum. He stated that, although there is no cure for Sudden Oak Death, the spread can be reduced or prevented. Mr. Offen opined that this could be accomplished through use of the recommended treatment, adding that volunteers have offered to organize a group purchase and conduct training for application of the material.

Ms. George noted that she was not sure of an advantage of mapping cases of SOD on private property without the data regarding Huddart and Wunderlich Parks where people tend to walk and ride.

Virginia Dare, Old La Honda Road, pointed out the web site that tracks SOD in San Mateo County.

Judy Romines, Otis Avenue, confirmed that a representative of the County will inspect trees at residences. She pointed out all the steps involved in applying the spray, and suggested additional training sessions and more involvement by the Town.

George Offen noted that a list of trained service providers is available.

The Council discussed that many of the trees infected with Sudden Oak Death were the responsibility of private property owners and that the project to train and distribute chemicals has the potential to overwhelm the Town; that information should be provided to residents on the Town's web site; that the Town would take care of its own trees and report cases of Sudden Oak Death to the County; that the Town can proactively be of service to the community through education, detection, treatment and prevention.

Ms. George described the Town's two prong approach, including inspection and care of the Town's trees, and public outreach, including providing training notification and inclusion of information on the Town's web site. She confirmed that staff would work with the Conservation and Environmental Health Committee and report instances of Sudden Oak Death to the County.

Item 11 was heard out of order.

11. Consideration and Approval of Proposed Response to and Comments Concerning the Draft Environmental Impact Report (DEIR) on the Huddart and Wunderlich Parks Master Plan.

Ms. George provided the Council with the background of the Environmental Impact Report (EIR) prepared by San Mateo County for the Master Plan for Huddart and Wunderlich Parks. She discussed the Town's concerns regarding the Valley-to-Skyline Bicycle Trail, the expansion of the Zwierlein picnic area and concerns raised by the Open Space Committee. Ms. George confirmed that all public comment will be responded to and that the County will hold public hearings on the final EIR.

Robert Susk, Greer Road, representing himself as a property owner and also attorney representing Greer Road resident, Betty Flood, explained that the EIR mis-describes Greer Road and the its current utilization and completely ignores obvious impacts, dismissing impacts as non-existent or insignificant. He detailed inaccuracies contained regarding ownership of the trail on the Flood property and iterated that the property was private, not public property. He noted Huddart Park's one-half mile common boundary with the Flood property and the Greer Gate within 75 feet of the Flood property and pointed out impacts of

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increased usage. On behalf of the Greer Road neighbors, he stated that Greer Road is a limited service access road—not a secondary entrance to Huddart Park. Mr. Susk described the increased use of the Greer Road entrance by service vehicles and bicycles which he opined has presented conflicts with equestrians, pedestrians and the residents. He urged the Council to demand the County accurately portray Greer Road, accurately portray the Flood property, accurately address the impacts on the Flood property and the Greer Road neighbors and acknowledge that the Park should be enforcing the limited historical access through the Greer Road gate.

Virginia Dare, Old La Honda Road, Chair of the Open Space Committee, pointed out the significant increase in usage of Huddart Park associated with the proposed creation of a year-round rental facility. She stated that, the finding that increased parking costs results in a less than significant impact, does not consider the impact of additional parking on the surrounding neighborhood. She urged that the County be request to remove Old La Honda Road from the Master Plan as a potential route for the Valley-to-Skyline Bicycle Trail.

Ms. George confirmed that at the last County Parks Commission Meeting, the Parks Director acknowledged that it should be Alpine Road.

Rob Flint, Bear Gulch Road, representing the Open Space Committee, requested that the Town require the County to use pervious paving in Wunderlich Park for the expansion of the parking lot and have minimal tree removal along Woodside Road.

Susan Lang, Hardwick Road, representing the Open Space Committee, requested that the Town encourage the County to realize that the stone walls in Wunderlich Park that were built by Chinese artisans in the mid-1800's are incredibly important cultural resources. She pointed out the need for the County to have a well-thought out plan for treatment of and information about the location of Sudden Oak Death in the parks and for the Town to encourage the County to have a fire fuel plan for dealing with the number of dead oaks. She noted the discrepancy between the Master Plan and the EIR regarding proposed night lighting of the large arena in Wunderlich Park.

Marilyn Voelke, Roan Place, confirmed that the Greer Road gate previously was always closed until about five or six years ago and urged the Town to take a hard stance on maintaining this closure. She expressed concern regarding increased traffic due to the proposed increase use of the event facility in Huddart Park.

Jon Kopic, Greer Road, stated that the Town is incurring road maintenance costs for the steady stream of heavy trucks and equipment using the Greer Road gate.

Pam Hildebrandt, Josselyn Lane, described safety issues with bicyclist use of the Greer Road gate. She opined that the additional volume of rain runoff to West Union Creek from the proposed building and paving will cause flash flooding and undercutting of the banks. She mentioned that increased usage of the barbeque and picnic areas could mean people wandering into the creek and exploring the neighboring private property.

Janet Estep, Raymundo Drive, discussed the creek crossing which borders both the Estep and Flood properties and emphasized that, if the County breaks into the creek crossing, it will be breaking a State Plan trail, a County Plan trail a Town Plan trail and a private trail system which has served the community for well over 100 years. She reviewed the background of bicycle usage of Richard's Road in Huddart Park. Ms. Estep noted the increased usage of Huddart Park with the proposed year round rental.

Rick DeBenedetti, Portola Road, representing Woodside Trails Club, reiterated that the trail on the Flood property is a private permissive trail. He requested that, due to the potential of closing, the EIR address sedimentation at the Crystal Springs and Flood crossings. He continued that adding traffic to Greer Road will not make the trail safe or pleasant for equestrians to gain

access to the park.

Louis Germani, Greer Road, addressed Greer Road safety issues due to increased traffic.

Vicky Coe, Greer Road, stated that adding traffic to Greer Road was unsafe.

Scott Mitchell, Greer Road, pointed out that Greer Road is a substandard road and reiterated that it would be unsafe to increase traffic.

The Council expressed concern that the County had been advised previously of the Town's concerns and that changes were not made, and encouraged residents to attend the follow up meetings the County will hold.

The Council discussed the findings that parking on the streets created no impact, the lack of analysis provide to support conclusions especially regarding the sedimentation in the creek and the expansion of use on the land, assuring that an EIR is prepared for any future Valley-to-Skyline Bicycle Trail, and addressing the Sudden Oak Death situation in the park.

Ms. George confirmed that she would write to the County on the Council's behalf outlining the public's and the Open Space Committee's concerns and remind the County that the Town wants to participate on the Blue Ribbon Committee for the Valley-to-Skyline Bicycle Trail.

The Council held a recess.

The Meeting was reconvened at 10:30 P.M.

PUBLIC HEARING

- 12. Appeal of the Planning Commission's May 2, 2007, Decision that an Existing Non-conforming Accessory Structure is a Garage with an Accessory Dwelling Unit on the Second Floor, and that the Issuance of Building Permits to Change the Garage to Finished Space Constitutes a Change of Use in Violation of the Provisions of Section 153.300(C) of the Woodside Municipal Code - Jerrell Jimerson and Alison Pape, 205 Eleanor Drive.**

Ms. Sullivan explained the Town's rules regarding maintenance and rebuilding of non-conforming structures. She acquainted the Council with the background of the proposed project noting that staff determined that a change of use could not be allowed because the building was non-conforming. She confirmed that the staff determination was upheld by the Planning Commission.

Joan Gallo, attorney representing the appellant, opined that there was no change of use and pointed out that the Town's Municipal Code does not address the issue of use of garages for storage. She explained that the permit issued called the structure an accessory living quarters, treating the accessory living quarters portion and the garage as one. Ms. Gallo detailed instances of changes to other legal non-conforming structures. She concluded that there was nothing in the code, the record, or precedence that has treated an attached garage in an accessory living quarter as a separate use and stated that if the owner wants to use a garage for a family room, allow the remodel to facilitate the way the residents are living on their property.

Ms. Savaree provided the Council with the Municipal Code definitions of "use" and "garage."

Debbie Dodge, representing the appellant, clarified that the accessory living quarters was built in 1986.

Anne Kasten, Eleanor Drive, opined that remodeling the structure by removing the garage appearance would be an improvement to the neighborhood.

Ms. Sullivan confirmed that if a non-conforming structure is scraped and

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rebuilt, the owners must retain the same use, pointing out that if an applicant wants to change the use, a conforming structure must be built.

Marilyn Voelke, Roan Place, reiterated that the intent of the ordinance was not to change the use of non-conforming buildings.

Jerrell Jimerson, appellant, stated that, to his knowledge the garage has not been used for parking, and reiterated that there was no change of use of the accessory living quarters.

The Public Hearing was closed.

The Council discussed that the intent of the ordinance was to enable non-conforming structures to be replaced in the event of a disaster, noting that the issue was not so much use but not increasing the non-conformity with a replacement structure, applying the law flexibly because the project falls into a gray area; that changes in the Town's code caused the non-conformity, that changing a garage to living space is something routinely allowed on houses as long as there is adequate parking on the property. Additionally, the Council discussed that changing the garage doubles the size of the accessory living quarters in a non-conforming structure and enables this use to exist into perpetuity.

The Council requested that staff provide the size of the structure to determine if the present structure would exceed the size of a conforming structure.

Ms. Sullivan noted that a letter provided this evening to the Council by the appellant's attorney had not been reviewed by staff and recommended continuance of the item.

Councilmember Gordon moved that the item be continued.

Motion seconded by Councilmember Sinclair and carried by roll call vote:

- AYES: Councilmember Goeld, Gordon, Romines, Sinclair, Tanner, Mayor Boynton
- NOES: Councilmember Hodges
- ABSENT: None

Item 10 was heard out of order.

10. Discussion of National Conversation on Climate Action Day, October 4, 2007, and Authorization of the Town's Participation in a Joint Event with Menlo Park, Atherton, and Portola Valley.

Councilmember Gordon acquainted the Council with the concept to hold scientific discussions on global warming with Menlo Park, Atherton and Portola Valley.

The Council supported participation in the discussions.

REPORTS

13. Mayor and Councilmember Communications.

COMMUNICATIONS

ADJOURNMENT

The Meeting was adjourned at 11:40 P.M. in memory of Calvin Gunn, who served on the Planning Commission from June 1986 to June 1992.

TOWN OF WOODSIDE

TOWN COUNCIL MEETING MINUTES

July 24, 2007

Independence Hall, 2955 Woodside Road, Woodside

CALL TO ORDER

Mayor Boynton called the Meeting to order at 7:30 P.M.

ROLL CALL

Present: Councilmember Goeld, Gordon, Hodges, Romines, Tanner, Mayor Boynton
Absent: Councilmember Sinclair

Staff Present:

Hope Sullivan, Director of Community Design and Development/Assistant Town Manager
Jean Savaree, Town Attorney
Kent Dewell, Town Engineer
Janet Koelsch, Town Clerk
Tara Sanders, Deputy Town Clerk

PLEDGE OF ALLEGIANCE

Alexis Bartlo, Chair of the Livestock and Animal Control Committee, led the Pledge of Allegiance.

ACKNOWLEDGEMENTS

Mayor Boynton presented a Commendation to Claudia Marshall for her Services to the Community as a Member of the Architectural and Site Review Board.

PRESENTATION

Sgt. John Diggins, Area Office of Emergency Services and Homeland Security, San Mateo County Sheriff's Office, explained the background and advantages of the San Mateo County Community Alert Network, a digital paging system for use by the Sheriff's Office, fire districts and cities in advising residents of various types of alerts.

The Council discussed the importance of the system for advising residents of emergency situations. The Council thanked Sgt. Diggins for the presentation.

INTERVIEW OF CANDIDATE(S) FOR AND APPOINTMENT TO ARCHITECTURAL AND SITE REVIEW BOARD

The Council interviewed Chris Anderson, Martha Putnam, and Magalli Yoho for appointment to the Architectural and Site Review Board (ASRB).

Appointment to the Architectural and Site Review Board for a term to expire in February 2009 was continued to the Council Meeting scheduled for September 11, 2007, due to a tie vote:

Councilmembers Goeld, Tanner and Mayor Boynton voted to appoint Chris Anderson.
Councilmembers Gordon, Hodges and Romines voted to appoint Martha Putnam.
Councilmember Sinclair was absent.

The Council thanked the applicants and confirmed their availability for the September 11th Meeting.

COMMUNICATIONS

Stephanie MacDonald, Woodside Road, advised the Council of a series of Low Cost Micro-Chipping Clinics, sponsored by Citizens Emergency Response Preparedness Program (CERPP), starting on July 28th. She stated that the purpose of the clinics is to provide positive identification for dogs and cats in the event of

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an emergency and confirmed that clinics to micro-chip horses would be held at a later date.

Anne Kasten, Eleanor Drive, presented a recommendation from the Architectural and Site Review Board (ASRB) requesting the Town to contact the landscape division of Caltrans and request them to design and implement a plan to beautify the area at the intersection of Woodside Road and Interstate 280 which is currently in an unkempt state. Ms. Kasten discussed her dismay with the landscaping and overflowing trash in the Park and Ride.

Ms. Kasten acquainted the Council with the Port of Redwood City's proposal to develop a new Marine Aggregate receiving, storage and distribution terminal. She pointed out impending adverse impacts for Woodside residents due to increased noise from truck traffic traveling from the Port to Interstate 280 on Woodside Road. She requested that this project be looked into by the Town.

CONSENT CALENDAR

1. **Approval of Waiver of Full Reading of Ordinances, per Government Code Section 36934**
2. **Monthly Investment Report for June, 2007.**
3. **Resolution Authorizing the Town Manager to Negotiate and Execute Agreements for Services for the Operation and Maintenance of Barkley Fields and Park. Resolution No. 2007 - 6642**
4. **Recommended Response to the 2006-07 Grand Jury Report and Recommendations Regarding Electronic Communication Among City Officials.**
5. **Resolution Changing the Regular Meeting Time of the Conservation and Environmental Health Committee. Resolution No. 2007 - 6643**
6. **Resolution Requesting the State of California's Department of Transportation to Reduce the Posted Speed Limit from 40 MPH to 35 MPH on a Section of Westbound State Route 84. Resolution No. 2007 - 6644**
7. **Resolution Consenting to the Annexation of Land to the Fair Oaks Sewer Maintenance District for 300 Ridgeway Road (APN 069-361-160). Resolution No. 2007 - 6645**
8. **Resolution Increasing the Town Manager's Contract Authority for the 2007 Road Rehabilitation Project by \$190,000, to a total of \$920,000 Including a Ten Percent Contingency. Resolution No. 2007 - 6646**

Councilmember Gordon moved approval of the Consent Calendar as presented.

Motion seconded by Councilmember Hodges and carried by roll call vote:

AYES: Councilmember Goeld, Gordon, Hodges, Romines, Tanner, Mayor Boynton
 NOES: None
 ABSENT: Councilmember Sinclair

NEW BUSINESS

9. **Introduction of an Ordinance Amending Chapter 115: Stables of the Woodside Municipal Code.**

Ms. Sullivan noted that the proposed ordinance was heard by the Council on June 26th and detailed the Council's changes which were incorporated into the new proposal. She pointed out changes made regarding removal of waste, parking, and penalties. Ms. Sullivan noted the Livestock Committee's request to reinsert language regarding non-conforming uses, but advised against it because the language is currently incorporated in the Zoning regulations. She recommended that transferability of Conditional Use Permits for Professional

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Stables be determined by the Planning Commission and, regarding Professional Stable setback requirements, noted a request expressed on June 26th to change the setback requirements, to increase the size of barns and eliminate the floor area ratio in calculating a covered arena, noting that the Council may want to discuss these items further.

Lexi Bartlo, Woodside Way, Chair of the Livestock Committee, reviewed the Livestock Committee's goals in overhauling the current ordinance, pointing out the Committee's focus on Private Stable regulations. She reviewed the proposed changes to the June 26th version, noting that "boarder" should refer to the owner of a horse rather than a horse and proposed correcting the definition or eliminating the definition. She objected that "weekly" removal of waste was unenforceable and should be changed to "regular" removal. Ms. Bartlo recommended not prohibiting parking on the right-of-way because there have not been any problems, using the Town's present fencing requirements—all turnouts shall be enclosed by an adequate fence in accordance with Town requirements—because the fencing proposal is too non specific to livestock and to horses, retaining Section 115.32, Non-Conforming Livestock Use, in the stable ordinance which states that the right to continue a nonconforming livestock use shall run with the land, provided, that such right shall lapse if the use shall be abandoned for a period of one year or more. Ms. Bartlo noted that, with the exception procedure in place, the Committee backed off on reducing the minimum acreage, and agreed to keep the 600 square foot minimum turnout size and described the 20 percent ground slope requirement as ambiguous and open ended.

Mike Mendez, owner representative for 5001 Woodside Road, concurred that issues such as increasing barn size and providing a floor area ratio (FAR) allowance for covered arenas for Professional Stables should be addressed. He opined that the waste removal requirement should be what works for the facility and encouraged using "regular" waste removal, that live load weight for the floor structure in Section 115.040 (P) Floor Construction, should be determined in cubic volume, that Section 115.050 (H) Wood Shingles, should be defined as for use on roof or siding. He requested that the setback for Professional Stables be reduced to 50 feet from the property line.

In response to the previous comments, Ms. Sullivan pointed out that currently the Municipal Code refers to the horse as the "boarder." She continued that, regarding waste removal violations, it is difficult to prosecute with a subjective description such as "regular."

Ms. Savaree, stated that a better approach might be to require the premises be kept in a clean and sanitary condition and to define "clean and sanitary."

The Council suggested that a definition be created for "boarded horse." The Council discussed the criteria for waste removal indicating that "clean and sanitary" could be used as the criteria to replace "weekly" removal and noted the need to address concern from the Regional Water Quality Board regarding spreading of manure.

Ms. Sullivan interjected that the ordinance could mandate that the owner provide a waste disposal plan which demonstrates that the property will be maintained in a clean and sanitary condition.

The Council discussed parking and agreed that adequate on-site parking must be provided at the equestrian facilities for users, workers and guests.

Ms. Sullivan commented that an objective measure was to have fences comply with Section 153.051, Fences, Walls, Gates, Pylons and Berms, of the Zoning Code.

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The Council discussed fencing and agreed that the requirement should be that all turnouts shall be enclosed by an adequate fence that complies with the provisions of Section 153.051 of the Municipal Code.

Ms. Sullivan discussed her philosophy that regulations should not be repeated in the ordinance and recommended that land use regulations be contained in the Zoning Ordinance.

Lexi Bartlo pointed out that the objective of the Committee was to simplify the ordinance so that residents will not be afraid to apply for a Stable Permit.

The Council agreed that the Stable Ordinance should include a section entitled, "Non-conforming Livestock Use" to say that, "a non-conforming livestock use or building may continue as provide in the Zoning Ordinance." The Council discussed providing guidelines that cross reference all regulations from the Stable and Zoning Ordinances regarding stables and horses.

Ms. Sullivan stated that the Livestock Committee proposed eliminating all special setbacks for Private Stables.

Mike Mendez reiterated his request to change the setback for Professional Stables to 50 feet.

Nancy Atkinson, Old La Honda Road, urged the Council to retain the Professional Stable setback of 250 feet stating that a closer setback could be approved with a variance.

The Council directed staff to provide examples of the components of a Professional Stable so that impacts could be understood prior to a determination of the setback requirement.

Councilmember Hodges moved that Item 9 be continued and that staff be directed to incorporate Council's comments into a revised text.

Motion seconded by Councilmember Tanner and carried by voice vote.

10. Resolution Appointing the Town's Voting Delegate and Voting Alternate to the League of California Cities Annual Conference. Resolution No. 2007 - 6647

Ms. Sullivan noted that staff had not received notice that any Councilmember would be attending the League of California Cities (LCC) Annual Conference.

Ms. Savaree stated that she would be attending the conference and offered to represent the Town.

Councilmember Hodges moved adoption of a Resolution Appointing Jean Savaree as the Town's Voting Delegate to the League of California Cities Annual Conference.

Motion seconded by Councilmember Goeld and carried by roll call vote:

AYES: Councilmember Goeld, Gordon, Hodges, Romines, Tanner, Mayor Boynton
NOES: None
ABSENT: Councilmember Sinclair

REPORTS

11. Mayor and Councilmember Communications.

There were no Mayor or Councilmember communications.

12. Report from the Town Manager.

Mayor Boynton continued Item 12 to the September 11th Council Meeting.

COMMUNICATIONS

ADJOURNMENT

The Meeting was adjourned at 11:15 P.M.

TOWN OF WOODSIDE

TOWN COUNCIL REGULAR AND SPECIAL MEETING MINUTES
Independence Hall, 2955 Woodside Road, Woodside

June 26, 2007

CALL TO ORDER

The Town Manager, Susan George, called the Regular Meeting and Special Meeting to order at 7:30 P.M.

In the absence of the Mayor and Mayor Pro Tempore, Councilmember Sinclair nominated Councilmember Goeld to chair the Meeting.

Motion seconded by Councilmember Tanner and carried by voice vote.

ROLL CALL

Present: Councilmember Goeld, Hodges, Sinclair, Tanner
Absent: Councilmember Gordon, Romines, Mayor Boynton

Staff Present:
Susan George, Town Manager
Kent Dewell, Town Engineer
Jean Savaree, Town Attorney
Hope Sullivan, Director of Community Design and Development/Assistant Town Manager
Janet Koelsch, Town Clerk

PLEDGE OF ALLEGIANCE

Councilmember Sinclair led the Pledge of Allegiance.

COMMUNICATIONS

Bob Page, Woodside Road, noting the 2005 death of a bicyclist, urged the Council to fast track the request to reduce the speed limit from 40 mph to 35 mph on Woodside Road westbound before the intersection with I-280, pointing out that it would give motorists and cyclists the necessary time to weave as required to cross the bicycle path to enter northbound I-280.

Ms. George explained that, although this stretch of road does not survey for the reduced speed, CalTRANS is willing to consider the proposal. She confirmed that a request to CalTRANS would be agendized for the July Meeting.

CONSENT CALENDAR REGULAR MEETING

1. Approval of Waiver of Full Reading of Ordinances, per Government Code Section 36934
2. Approval of August Legislative Recess.
3. Resolution Modifying the Adopted Budget for 2006-07 Pursuant to the Results of the Final Budget Performance Review. Resolution No. 2007 - 6634
4. Resolution Approving a Program Proposal for the Citizens' Option for Public Safety (COPS) Program for 2007-08. Resolution No. 2007 - 6635
5. Approval of Minutes: Regular Meeting of June 13, 2006, and the Regular and Special Meetings of June 12, 2007.
6. Resolution: (1) Approving the Plans and Specifications for the 2007 Road Rehabilitation Project; (2) Authorizing the Town Manager to Advertise for Bids and to Execute a Contract with the Lowest Responsible Bidder, with a Total Contract Amount not to Exceed \$730,000 Including a 10%

Contingency; and (3) authorizing the Town Manager to Enter into a Service Agreement with an Inspection and Testing Company for Inspection and Testing Services, not to Exceed \$50,000. Resolution No. 2007 - 6636

CONSENT CALENDAR SPECIAL MEETING

1. **Consideration of a Request to Approve an Application for an Encroachment Permit to Conduct a Public Event on October 7, 2007 (Form Fitness).**

Councilmember Sinclair moved approval of the Regular Meeting and Special Meeting Consent Calendars as presented.

Motion seconded by Councilmember Tanner and carried by roll call vote:

AYES: Councilmember Hodges, Sinclair, Tanner, Mayor Pro Tempore Goeld
NOES: None
ABSENT: Councilmember Gordon, Romines, Mayor Boynton

PUBLIC HEARING

7. **Resolutions: (1) Adopting the Town Budget for Fiscal Year 2007-08 and Approving a Budget for 2008-09; (2) Determining the Appropriation Limit for Fiscal Year 2007-08; and (3) Approving the Town Salary and Classification Plan for 2007-08; (4) Increasing the Trails User Fee to \$50 Per Horse Stabled in the Town of Woodside; and (5) Requesting that the San Mateo County Tax Collector Collect the 2007-08 Sewer Service Fees for the Town Center Sewer Assessment District. Resolutions No. 2007 - 6637, No. 2007 - 6638, No. 2007 - 6639, No. 2007 - 6640, and No. 2007 - 6641**

Ms. George stated that the reduction to the Town Council budget that the Council had directed at the last Meeting has been incorporated into the implementing resolution.

Mayor Pro Tempore Goeld opened the Public Hearing.

Rick DeBenedetti, Portola Road, member of the Trails Committee and Trail Captain of the Woodside Trails Club, thanked staff for the work performed on the trails this year. He pointed out that \$93,000 had been spent maintaining the trails the past year and stated that the Trails Operations Fund could have been at a breakeven point if \$46,000 in the Trails Donation Fund had been transferred over for the work on the Crystal Springs and Manuella Trails. He urged that cost estimates be provided for proposed trail maintenance work before approving an increase in the Trails User Fee. Noting how horses benefit the entire community, Mr. DeBenedetti proposed that every home owner in Woodside pay a small fee for the benefit of having horses in the community.

Ms. George explained that donations are transferred to the Trails Operation Fund when work is completed and confirmed that donations are earmarked for certain trails when specified by the donor. Ms. George noted that all residents contribute to the trails system through the contribution of General Fund monies to the Trails Operation Fund.

Fentress Hall, Mountain Home Road, spoke in support of pursuing the project involving the East Bay Conservation Corp matching grant. She expressed support for the increase in the Trails User Fee but noted that there has not been a unanimous feeling about the increase in the fee.

The Public Hearing was closed.

The Council discussed that the present fee has not kept up with inflation, the necessity to accumulate funds for increased trail repairs after a few bad winters, the Town-wide contribution to the trails through the General Fund contribution, and the availability of an exception to the Trails User Fee for

equestrians who are non-trail users.

Councilmember Sinclair moved adoption of Resolutions (1) Adopting the Town Budget for Fiscal Year 2007-08 and Approving a Budget for 2008-09; (2) Determining the Appropriation Limit for Fiscal Year 2007-08; and (3) Approving the Town Salary and Classification Plan for 2007-08; (4) Increasing the Trails User Fee to \$50 Per Horse Stabled in the Town of Woodside; and (5) Requesting that the San Mateo County Tax Collector Collect the 2007-08 Sewer Service Fees for the Town Center Sewer Assessment District.

Motion seconded by Councilmember Tanner and carried by roll call vote:

AYES: Councilmember Hodges, Sinclair, Tanner, Mayor Pro Tempore Goeld
NOES: None
ABSENT: Councilmember Gordon, Romines, Mayor Boynton

Mayor Pro Tempore Goeld thanked Ms. George and the staff for its work on the budget.

Ms. George left the Meeting.

NEW BUSINESS

8. Introduction of an Ordinance Amending Chapter 115: Stables of the Woodside Municipal Code.

Ms. Sullivan advised the Council that after this hearing on the proposed ordinance, the Council should refer the matter to the Town Attorney to review the ordinance from a legal perspective.

Ms. Sullivan explained that the overall goal of the Livestock Committee was to clarify the ordinance and streamline the process. She outlined the proposed amendments including Organizational Change, "Commercial Stable" Proposed to be "Professional Stable," Appeals, Definitions, Inspections, Transferability, changes to the Private Stable Regulations, Public Nuisance Abatement, Partially Enclosed Stable, Storage of Vehicles, and Penalties. She reviewed staff's recommendations regarding Nonconforming Livestock Use, Transferability, Minimum Size, Turnouts, and Topography.

Lexi Bartlo, Woodside Way, Chair of the Livestock Committee, thanked staff for its work on the ordinance. She opined that "transferability" already exists and that it can insure that a permit issued previously for a non-conforming property can be passed onto the new owner. Ms. Bartlo addressed anonymous complaints and stated that, if there is a situation which requires investigation, a written complaint should be submitted. She argued against the 20 percent or less slope grade rule, noting that the Committee has no way to ascertain the grade and pointed out that, even with a 20 percent grade, a property could have an adequate level area for horses to be maintained. Ms. Bartlo explained that 600 square feet for a turnout is an arbitrary number with no horse keeping literature to substantiate it. She concluded that there was no sense to impose micro managing requirements on horse owners.

Bud Barnes, Cañada Road, reiterated that the Livestock Committee has no means to confirm 20 percent slope. Regarding transferability, he opined that the stable permit should go with the property. Mr. Barnes questioned why existing barns could not be used for storage of vehicles.

Mike Mendez, owner representative for 5001 Woodside Road and 3000 Portola Road, proposed that the 20 percent ground slope requirement for turnouts at Professional Stables be reviewed. He stated that the existing setback requirements for Professional Stables were restrictive. Mr. Mendez advocated allowing a barn larger than 3000 square feet on properties where the primary use of the land is keeping horses, noting that operationally it was easier to care for horses in a larger facility rather than multiple smaller structures.

In response to the previous comments, Ms. Sullivan confirmed that the Municipal Code does not distinguish the size of a private barn from that of a professional barn. She confirmed that currently the code requires a "written" complaint, but advised that Section 10.40 of the Municipal Code, Code Compliance, Judicial and Administrative Remedies, states that citizens have a right to expect effective compliance without confrontation between neighbors. Ms. Sullivan continued that, in her opinion, staff has an obligation to investigate allegations and if a violation is identified, it is staff's obligation to get compliance—not pit neighbor against neighbor. Ms. Sullivan stated that a barn can be converted to a garage unless the size exceeds 1500 square feet or is in a non-conforming location. Regarding determining the 20 percent ground slope, she pointed out that enforcement is a shared responsibility between the Livestock Committee and staff. She confirmed that the technical requirements in Professional Stables can be worked with to avoid extra layers of regulation, including differentiating between building sizes for private and professional stables. She discussed floor area ratio (FAR) problems associated with construction of an arena at professional stables and suggested allowing one or two arenas which would not count toward the FAR.

Fentress Hall, Mountain Home Road, pointed out instances of barn abuse describing her experience with barns being used for basketball courts and guest houses.

The Council discussed reasons "written" complaints should not be required including confidentiality for the complainant; that setbacks for Private Stables adjacent to a property with a non-conforming residence should be the total of the setback normally required from the barn to the residence; whether to retain the 250 foot setback from an adjacent residence for Professional Stables because a greater setback is needed for a facility with more horses or whether the setback could be reduced; allowing larger size barns for Professional Stables; retaining the one acre minimum lot size for horse property because it maintains the concept of rural lots—a half acre lot strains the separation for non-horse people; that exceptions to the one-acre rule can be approved by the Livestock Committee; not allowing permits to be transferable so that new owners will understand the rules, the appropriateness of the 20 percent slope limit with regard to horses tearing up the land and vegetation and causing erosion or whether a 35 percent slope would be appropriate as long as the horses are not permanently stabled on the sloped area; that conversion of barns to other uses is not appropriate because the Town allows barns to encourage people to keep horses—not cars.

Additionally the Council discussed that the 600 square foot turn out should be retained, an emergency lead line should be available even if the horse has a halter, and supporting and encouraging professional stables by making setbacks less restrictive and eliminating FAR calculations for one arena.

The Council directed the Director of Community Design and Development and the Town Attorney to review the proposed changes and agendize the ordinance introduction for a future meeting date.

Councilmember Hodges commended the Livestock Committee for its perseverance and dedication to the cause.

REPORTS

9. Mayor and Councilmember Communications.

Mayor Pro Tempore Goeld reported from the recent Emergency Services Council Meeting that residents can sign-up to receive alerts by telephone, e-mail, et cetera, of emergency situations in the County by accessing www.smcountyalert.info.

Mayor Pro Tempore Goeld announced that the County's Preparedness Day will be held on September 29th.

COMMUNICATIONS

ADJOURNMENT

The Meeting was adjourned at 9:20 P.M.

TOWN OF WOODSIDE

TOWN COUNCIL MEETING MINUTES

November 14, 2006

Independence Hall, 2955 Woodside Road, Woodside

CALL TO ORDER

Mayor Gordon called the Meeting to order at 6:30 P.M.

ROLL CALL

Present: Councilmember Boynton, Goeld, Hodges, Romines, Sinclair (arrived 6:35 P.M.), Tanner, Mayor Gordon

Absent: None

Staff Present:

Susan George, Town Manager

Jean Savaree, Town Attorney

CLOSED SESSION

1. Conference with Legal Counsel - Anticipated Litigation {Government Code Section 54956.9(b)}: Three Potential Cases
2. Conference with Legal Counsel - Existing Litigation {Government Code Section 54956.9 (a)}:
 - a. JUDI KIEL v. TOWN OF WOODSIDE, A Municipal Corporation; HALF MOON BAY GRADING & PAVING, INC., a California corporation; DOES 1-30, inclusive - Case No. CIV448643
 - b. LARRY BRIDGMAN AND EILEEN BRIDGMAN v. TOWN OF WOODSIDE, a municipal corporation, and DOES 1 through 100, inclusive - Case No. CIV436441
 - c. TOWN OF WOODSIDE, a municipal corporation v. JOHN F. GIFFORD and RHODINE R. GIFFORD and DOES 1 through 10, inclusive - Case No. CIV429473
 - d. TOWN OF WOODSIDE, a municipal corporation v. ROBERT B. RUBIN, PATRICIA M. RUBIN, Trustees of the Robert B. Rubin 1981 Trust dated June 11, 1981, and DOES 1 through 10, inclusive - Case No. CIV434053
 - e. UPHOLD OUR HERITAGE v. TOWN OF WOODSIDE; STEVEN JOBS and DOES 1 to 10; Real Parties in Interest - Case No. CIV444270

The Closed Session was adjourned at 7:40 P.M.

REGULAR SESSION

The Meeting was reconvened at 7:46 P.M.

Staff Present:

Susan George, Town Manager

Jean Savaree, Town Attorney

Hope Sullivan, Director of Planning and Building

Richard Chiu, Senior Civil Engineer

Janet Koelsch, Town Clerk

REPORT FROM CLOSED SESSION

Ms. Savaree reported that a settlement was authorized in Judy Kiel versus Town of Woodside, with dismissal of a cross complaint against Duran and Venables and BKF Engineers.

Ms. Savaree also reported the settlement of potential litigation against the County of San Mateo regarding prior years' Tax Equity Allocation and ERAF payments.

PLEDGE OF ALLEGIANCE

Tony Sinclair, Old La Honda Road, led the pledge of allegiance.

COMMUNICATIONS

There were no Communications.

CONSENT CALENDAR

1. Approval of Waiver of Full Reading of Ordinances, per Government Code Section 36934
2. Monthly Investment Report for October, 2006.
3. Monthly Financial Report for October of 2006.
4. Approval of Minutes: Regular and Special Town Council Meetings of September 27, 2005, and the Regular Town Council Meetings of April 11, and October 24, 2006.
5. Resolution Amending the Town's 2006-07 Salary Schedule and Classification Plan. Resolution No. 2006 - 6608
6. Resolution Approving New Bylaws for the San Mateo County Council of Cities and Authorizing the Mayor or Her Designee to Vote in Favor of the Amended Bylaws through the City Selection Committee. Resolution No. 2006 - 6609
7. Resolution Designating a Segment of the Town's Trail System as the Rich Delucchi Trail, in Recognition of the Many Years of Dedicated Service that Rich Delucchi has Provided on Behalf of the Town's Trails. Resolution No. 2006 - 6610
8. Acceptance of 2005-06 Audited Basic Financial Statements, Proposition 111 Appropriations Limit Review, and Town Manager's Report on the Town's 2005-06 Financial Self Assessment.

Councilmember Sinclair moved approval of the Consent Calendar as presented.

Motion seconded by Councilmember Tanner and carried by roll call vote:

AYES: Councilmember Boynton, Goeld, Hodges, Romines, Sinclair, Tanner,
Mayor Gordon
 NOES: None
 ABSENT: None

NEW BUSINESS

9. Review of Requested Changes to Municipal Code Section 72.15 - No Parking on the Roadway in Specified Areas - Woodside Glens.

Councilmember Romines recused himself due to the proximity of his residence to the area under discussion. Councilmember Romines left the room.

Ms. George reviewed the history of the "no parking" designation of the area on Otis Avenue and advised that owners of the adjacent property have requested removal of the "no parking" designation. She stated that staff was not supportive of the proposal due to narrow road conditions and a blind turn, and that it was the Town Engineer's assessment that the "no parking" area serves as a turn out for the blind turn.

Robin Cornyn, Glenwood Avenue, pointed out that her front door is located on Otis Avenue. She opined that the "no parking" area on Otis Avenue is inconsistent with other non-pavement gravel turnouts throughout the Woodside Glens area that are used to provide residents, visitors and delivery vehicles a place to safely park without parking on the pavement. Ms. Cornyn illustrated a variety of similar areas

which allow parking. She continued that the "no-parking" restriction on the space was not supported by any evidence that it is unsafe when a vehicle is properly parked and shared a neighborhood story that the "no parking" regulation was put into effect to eliminate the continuous parking of a dilapidated truck. She presented a petition from neighbors supportive of eliminating the no parking designation. Ms. Cornyn concluded that preventing parking in the space forces people to park on the paved road which flies in the face of the safety policies of the Glens Specific Plan and urged the Council to treat it like similar areas until there is evidence that the space is unsafe. She suggested that striping the spot would insure that cars park properly.

Ron Romines, Otis Avenue, opined that the main reason to leave the area "no parking" is to facilitate the flow of traffic on Otis Avenue. He continued that the Fire Marshal inspected the area from the perspective of allowing free ingress and egress for emergency vehicles and determined that a fire truck could negotiate the turn with a vehicle parked in the area. Mr. Romines stated that the Fire Chief and Fire Marshal have indicated that they would encourage vehicles to park in the spot rather than areas where there is less clearance. Mr. Romines spoke in support of temporary parking restrictions. Mr. Romines again left the room.

Joshua Bloom, Otis Avenue, spoke in support of a temporary parking situation to allow loading/unloading, noting that this compromise would meet safety requirements and the requirements of the residents. He requested that the Town consider signage more characteristic of the rural neighborhood.

Christina Benitez, Otis Avenue, pointed out that she has been able to maneuver past an oncoming car even with a car parked in the "no parking" area. She reiterated that delineating parking spots in the area would make sense.

Ms. Cornyn supported rural signage to designate the "no parking" areas.

Ms. George clarified that signage design was dictated by the State. She noted that staff's understanding of the rationale for designating the "no parking" area was to allow for a turn out for opposing traffic due to a traffic safety issue.

The Council discussed the background for the designation, the ability of emergency vehicles to pass, the ability to enforce temporary parking regulations, allowing parking for one vehicle to accomplish the goal of providing for deliveries and a temporary drop off place, prohibiting overnight parking, removing the current signage, and the health and safety issues associated with allowing parking.

Councilmember Sinclair moved that staff be directed to prepare an ordinance amendment for timely implementation to re-sign the area to allow one parking space in the middle that allows no overnight parking (defined as staff thinks is appropriate to enforce) and that the current signage not be removed in the meantime.

Motion seconded by Councilmember Boynton and denied by roll call vote:

AYES: Councilmember Boynton, Sinclair, Mayor Gordon
NOES: Councilmember Goeld, Hodges, Tanner
ABSENT: None
RECUSED: Councilmember Romines

Councilmember Goeld moved that the motion be amended to direct staff to prepare an ordinance amendment for timely implementation to resign the area to allow one parking space in the middle that allows no overnight parking (defined as staff thinks is appropriate to enforce) and that the current signage be removed immediately.

Motion seconded by Councilmember Sinclair and carried by roll call vote:

AYES: Councilmember Boynton, Goeld, Hodges, Sinclair, Mayor Gordon
NOES: Councilmember Tanner
ABSENT: None
RECUSED: Councilmember Romines

Councilmember Romines returned to the Meeting.

10. Consideration of a Request from California Water Service Company for Full Closure of Portola Road from Forrest View Road to Woodside Road to Facilitate Construction of a Water Main.

Ms. George provided information on the requested road closure of Portola Road from Forest View Road to Woodside Road during the period of construction of a water line.

Darrin Duncan, District Manager of the Bear Gulch District, California Water Service Company, presented a history of the water situation in Woodside, a summary of improvements starting in 2000, and explained the benefits of the proposed Portola Road pipeline, including fire protection, increased pressure, circulation and reliability. Mr. Duncan detailed reasons for closing the road and opined that this was the best option.

Mr. Chiu advised that keeping the road open would have less impact on the community.

Ms. George explained the problems associated with noise during a night closure of the road.

Marty Roberts, construction superintendant, California Water Service Company, explained that during the proposed 15 day road closure, the actual road closure to lay the pipe might only be five to seven days.

There was no public comment.

The Council discussed night closure, implementing a hybrid closure with 10-minute intervals during commute hours and closure during mid-day, and providing traffic control at Kings Mountain Road to handle the increased traffic on Woodside Road.

Councilmember Sinclair moved that staff be directed to work with California Water Service Company to allow a mid-day closure of the road from approximately 9:30 A.M. to 2:30 P.M. based on avoiding the commute hours of the Woodside Elementary School, with closures restricted to ten minute intervals at other times.

Motion seconded by Councilmember Tanner and carried by roll call vote:

AYES:	Councilmember Boynton, Goeld, Hodges, Romines, Sinclair, Tanner, Mayor Gordon
NOES:	None
ABSENT:	None

PUBLIC HEARING

11. Introduction of an Ordinance Amending the Woodside Municipal Code by Amending Section 153.005 - Definitions, Deleting Section 153.060 - Prohibited Uses and Activities in All Districts, and Adding Sections 153.170 to 153.178 - Tree Protection.

Ms. George noted that, after two previous hearings, there are still unresolved items, the most significant of which is agreement on a "significant tree" definition. She advised that staff was supportive of the simpler version of the definition of "significant tree" and not supportive of the fine structure that includes a penalty based upon per inch determination.

Stephanie MacDonald, Woodside Road, Vice Chair of the Conservation and Environmental Health Committee, spoke in support of a "significant tree" list detailing its importance in protection of the native tree species, pointing out the ecological necessity for the tree list to be included in the ordinance, reviewing genetic based benefits to having the significant tree list, discussing disease resistance and suggesting that the list will provide ease of use for residents and staff.

Councilmember Sinclair described that, since the Woodside area had previously been clear cut, all the present growth of trees grew up at the same time creating an unhealthy forest that would benefit from thinning. He opined that, rather than list 14 species of trees, a less onerous approach was to measure the circumference of a tree—30 inches—at chest height to determine if a tree removal permit is required. He continued that the subcommittee agreed on basically all issues, including larger tree replacement size and adding a provision to protect stands of trees. Councilmember Sinclair agreed with staff's recommendation to remove the inches from the fine structure but supported retention of the significant fines. He concluded that keeping the ordinance more straightforward accomplishes the goal and creates a process of enforcement without making the rules more onerous for citizens.

Councilmember Gordon agreed that the Town would be setting itself up for failure in protecting trees if the ordinance was very difficult. She noted that the subcommittee was trying to make sure that rules are understandable, enforceable and provide a framework to protect the trees.

Debbie Mendelson, Sheridan Way, Chair of the Conservation and Environmental Health Committee, spoke in support of including the significant tree list.

Keith Simon, Chairman of Building and Grounds, Menlo Country Club, requested that the Country Club be exempted from the tree ordinance citing the Club's unique management of its trees for design of the course.

Rob Flint, Bear Gulch Road, representing the Conservation and Environmental Health Committee, disagreed with the "one-size-fits-all" concept and opined that an ordinance mentioning specific species would be not be onerous.

Jason Mendelson, Sheridan Way, representing the Conservation and Environmental Health Committee, spoke in support of the Conservation and Environmental Health Committee's version of the ordinance.

Anne Kasten, Eleanor Drive, spoke in support of including the significant tree list in the ordinance. She noted the importance of providing educational materials at the counter and on the Town's web site.

The Public Hearing was closed.

The Council discussed balancing between the interest of convenience and simplicity and ease of enforcement, resources available to identify the variety of trees, acting as stewards of the land for those who come after, eliminating trees in their fertile period risks having only mature trees which do not reproduce effectively, closing the loop hole in definition of tree destruction, support for staff recommendations, removing dollars per inches from fine because the provision is not enforceable, whether to remain with the high dollar fine or have those funds provide for a larger tree replacement, improving the process for obtaining a permit, educating citizens in preparing property with respect to ordinance, and providing an explanation of the Woodside forrest on the Town's web site.

Councilmember Sinclair moved introduction of an Ordinance Amending Sections 153.005 - Definitions, deleting Section 153.060 - Prohibited Uses and Activities In All Districts, and adding Sections 153.170 to 153.178 - Tree Protection, as amended:

Section 153.005 - Definitions, Tree Destruction: ...or placing fill within the drip line, or other action which threatens the life of the tree, or other willful actions that result in premature death of the tree.

Section 153.178 - Violations - Penalty

(B) Pay the following fines:

- (a) ~~\$5000 plus \$150 per inch of circumference above that specified as the minimum circumference of a significant tree for the first significant tree~~
- (b) ~~\$7500 plus \$250 per inch of circumference above that~~

~~specified as the minimum circumference of a significant tree for the second significant tree
(c) \$10000 plus \$350 per inch of circumference above that specified as the minimum circumference of a significant tree for each additional significant tree~~

Section 3 should be changed to read: "Sections 153.170 to 153.178 - Tree Protection - is added to the Woodside Municipal Code as follows:"

Section 153.172 - Emergencies: "a Town of Woodside official" should be deleted and "the Town Manager or his/her designee" should be added.

Section 153.175.B: the parenthetical "e.g., weak root structure, leaning, decay, etc." should be deleted and ", including but not limited to weak root structure, leaning, and decay" should be added.

Within Section 153.175, first paragraph following subsections A through E: the sentence that ends with "etc." should be rewritten as "The Planning Director may issue a permit but require that the removal be delayed for reasons including, but not limited to, habitat preservation and avoiding damage to other trees."

Section 153.177: add "California" before the words "native tree species" and change the word "should" to "shall" in the last sentence.

Section 153.178: change the word "curable" to "cured" in the first sentence, eliminate the sentence that reads "The amounts and conditions for these fines may be changed from time to time by the Town Council by resolution," and add "of the Woodside Municipal Code" after the words "Chapter 10" in the final sentence.

Motion seconded by Councilmember Goeld and carried by roll call vote:

AYES: Councilmember Boynton, Goeld, Hodges, Romines, Sinclair, Tanner, Mayor Gordon
NOES: None
ABSENT: None
ABSTAIN: None

The Councilmembers thanked the Conservation and Environmental Health Committee for its work on the ordinance.

Mayor Gordon thanked the subcommittee members, George Offen, Stephanie MacDonald and Councilmember Sinclair, for the work that went into the rational for crafting the ordinance. She complimented Stephanie MacDonald's work on tree identification posted on the Town's web site.

The Council directed staff to work with the Conservation and Environmental Health Committee to provide further educational materials.

REPORTS

11. Mayor and Councilmember Communications.

There were no Mayor or Councilmember communications.

COMMUNICATIONS

ADJOURNMENT

The Meeting was adjourned at 11:38 P.M.

TOWN OF WOODSIDE

TOWN COUNCIL MEETING MINUTES

March 14, 2006

Independence Hall, 2955 Woodside Road, Woodside

CALL TO ORDER

Mayor Gordon called the Meeting to order at 7:33 P.M.

ROLL CALL

Present: Councilmember Boynton, Goeld, Hodges, Romines, Tanner, Mayor Gordon
Absent: Councilmember Sinclair

Staff Present:
Susan George, Town Manager
Kent Dewell, Assistant Town Manager/Town Engineer
Jean Savaree, Town Attorney
Hope Sullivan, Director of Planning and Building
Janet Koelsch, Town Clerk

PLEDGE OF ALLEGIANCE

Robert Susk led the Pledge of Allegiance.

COMMUNICATIONS

Mayor Gordon announced that the vote on Consent Calendar B would be taken at the same time as Consent Calendar A.

INTERVIEW AND APPOINTMENT OF CANDIDATES FOR PLANNING COMMISSION SEAT FOR DISTRICTS 3 AND 4

The Council interviewed Sandra Thompson for appointment as Planning Commissioner for District 3.

Fentress Hall, Mountain Home Road, expressed that the job of a Planning Commissioner is to implement the General Plan.

Councilmember Goeld moved appointment of Sandra Thompson to the Planning Commission, representing District 3, for a term ending February 2010.

Motion seconded by Councilmember Romines and carried by roll call vote:

AYES: Councilmember Boynton, Goeld, Hodges, Romines, Tanner, Mayor Gordon
NOES: None
ABSENT: Councilmember Sinclair

The Council interviewed Kyle McDevitt for appointment as Planning Commissioner for District 4.

Fentress Hall, Mountain Home Road, spoke in support of appointing Kyle McDevitt to the Planning Commission.

Councilmember Tanner moved appointment of Kyle McDevitt to the Planning Commission, representing District 4, for a term ending February 2010.

Motion seconded by Councilmember Hodges and carried by roll call vote:

AYES: Councilmember Boynton, Goeld, Hodges, Romines, Tanner, Mayor Gordon
NOES: None
ABSENT: Councilmember Sinclair

CONSENT CALENDAR A

- 1. Monthly Financial Report for February, 2006.**

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2. **Monthly Investment Report for the Month of February 2006.**
3. **Resolution Decreasing the Membership of the Woodside History Committee and Establishing Quorum Requirements. Resolution No. 2006 - 6557**
4. **Resolution Approving Annual Rate Adjustment for Solid Waste and Recycling Collection Services for GreenWaste Recovery, Inc. for 2006-07. Resolution 2006 - 6558**
7. **Consideration of Comments from the Town of Woodside on the Draft Environmental Impact Report (DEIR) Regarding the Sand Hill Road Hotel and Office Development Project.**
8. **Resolution Granting an Extension of the Cable Television Franchise Agreement with Comcast of California IX, Inc., to April 30, 2006. Resolution No. 2006 - 6559**

CONSENT CALENDAR B

14. **Resolution: (1) Consenting to the Extension of Public Sewer Service by the Fair Oaks Maintenance District to the Property at 490 Moore Road (Douglas) within the Town Corporate Limits; (2) Consenting to the Annexation of the Subject Property into the Fair Oaks Sewer Maintenance District; and (3) Authorizing the Town Manager to Execute Agreements or Documents Needed to Implement the Town Council's Direction, at no Cost to the Town. Resolution No. 2006 - 6560**

Mayor Gordon requested that Items 5 and 6 be removed from Consent Calendar A.

Councilmember Goeld moved approval of Items 1, 2, 3, 4, 7 and 8 of Consent Calendar A and Item 14 of Consent Calendar B.

Motion seconded by Councilmember Hodges and carried by roll call vote:

AYES: Councilmember Boynton, Goeld, Hodges, Romines, Tanner, Mayor Gordon
NOES: None
ABSENT: Councilmember Sinclair

5. **Consideration of Approval of Three Public Events during May 2006.**
6. **Consideration of a Request to Approve an Application for an Encroachment Permit to Conduct a Public Event (American Diabetes Association Tour De Cure).**

Ms. George acquainted the Council with the request in Item 5 for approval of three different Public Events during May and pointed out that the Town's Municipal Code limits approval to two per month. She continued that Item 6 was approval of the American Diabetes Association's application for an Encroachment Permit to Conduct a Public Event on May 21, 2006.

David Aziz, representing the South Peninsula Hebrew Day School, noted that the proposed fund-raising bicycle ride had been held last year in May and added that, since both rides were proposed on the same day, the organizations were working together to share support staff.

Allyson Schloming, representing the American Diabetes Association, described the proposed Tour de Cure ride, including the revised route on Woodside Road. She confirmed that the routes had been approved by the Bicycle Committee and that Mountain Home Road would not be used for the 50 K ride. She pointed out that participants are advised of the rules of the road, and that SAG vehicles patrol the riders.

Laura Nowicki, Fox Hollow Road, expressed her concern with approving the events, noting that the proposed routes conflict with the routes to the Town's main equestrian venues. She described a personal equestrian accident with

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bicycle involvement and urged the Council to consider the safety of its citizens first.

Susan Doherty, Highland Terrace, representing the Bicycle Committee, pointed out that the behavior of the organized fund raising rides is different from the pack rides and urged the Council to approve an exception to the two-event per month limit. Noting that the Bicycle Committee had evaluated the routes for the two events and was satisfied that the events could be held on the same day, Ms. Doherty stated that the Committee proposed creating a scheduling system for groups planning to apply for permits to avoid this problem next year.

Bob Page, Woodside Road, stated that the number of bicyclists would not be doubled and estimated the increased bicycle traffic to be about 20 to 25 percent on Cañada and Whiskey Hill Roads between 10:00 and 2:00 p.m.

Barb Roux, Olive Hill Lane, urged the Council to make the residents a priority rather than the special interest groups noting that the residents are discouraged from taking advantage of the reasons they live in Woodside. She added that Bicycle Sunday on Cañada Road adds to the number of bicyclists riding through Woodside.

Alexis Bartlo, Woodside Way, suggested that the Town get in front of the issue before it gets much larger by developing a policy which will govern bicycle events.

Jean Carley, Glenwood Avenue, reiterated that there are differences between the organized charity rides and the packs that do not follow the rules of the road.

Bud Barnes, Cañada Road, opined that the paramount issue of the Council should be the safety of the citizens.

Virginia Dare, Old La Honda Road, stated that the residents are experiencing "bicycle fatigue" and becoming less tolerant of even the good causes and that the Town should investigate the root cause of the problem. Pointing out that the proposed route passes the Horse Park on Sand Hill Road, Ms. Dare requested that the issue of whether a horse show is scheduled be investigated.

Robert Susk, Greer Road, described the potential for conflict and safety issues for children bicycle riding in Woodside. He suggested that organizations can have fund raising rides in communities that are not as horse intensive and that are more welcoming.

Philip Whalen, Preston Road, reiterated the issue of "bicycle fatigue" by describing how bicyclists block his road and display rude behavior when asked to move. He concluded that 500 additional bicyclists will accelerate the problem.

Christine Southgate, Raymundo Road, stated that she trailers her daughter to Pony Club on Tripp Road because of fear of her being on the road with bicyclists. She requested that the Town notify residents by mail or e-mail of major bicycling events scheduled in the Town and questioned whether the Town was tracking major hot spots for pack riders.

Jo Egenes, Olive Hill Lane, questioned how many riders from the organized rides come back as pack riders.

Vicki Coe, Greer Road, suggested that installing signs requiring bicyclists to ride single file would help the problem of packing.

Paul Giurata, Bardet Road, described data suggesting that Woodside has become a regional destination site for bicyclists and opined that the Town does not have the ability to support this.

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Rick DeBenedetti, Portola Road, asked for confirmation on whether one of the bicycle rides was using Highway 84 to reach Skyline Boulevard.

Susan Doherty, Highland Terrace, described that the Bicycle Committee had a process for reviewing applications and assuring that the roads were not overused.

David Aziz stated that entrants with the South Peninsula Hebrew Day School Ride are instructed to ride single file in any traffic and to obey the California Vehicle Code.

Ms. George confirmed that the Council made an exception last year to allow three events in May, but stated that she did not know of any previous approval of two events in one day.

The Council discussed the need to address Woodside's increasing desirability for destination bicycling and organized rides and the impact on the Town's infrastructure and facilities. Additionally, the Council discussed the necessity for the charitable organizations to avoid scheduling conflicts, the precedent of permitting two major events on the same day, assuring safety for all users of the roads, and the role model that members of an organized bicycling event provide and the necessity of changing the misbehavior of bicyclists.

Councilmember Goeld moved approval of the application for a permit for a Public Event for the American Diabetes Association and denial of the application for a permit for a Public Event for the South Peninsula Hebrew School, making the finding that having both events on the same day would be a safety issue for the Town and its citizens due to traffic safety and overuse of the road.

The Town Clerk confirmed that the application from the American Diabetes Association had been received by the Town prior to receipt of the application from the South Peninsula Hebrew Day School.

Councilmember Goeld's motion was seconded by Councilmember Hodges and carried by roll call vote:

- AYES: Councilmember Goeld, Hodges, Romines, Tanner
- NOES: Councilmember Boynton, Mayor Gordon
- ABSENT: Councilmember Sinclair

NEW BUSINESS

9. Consideration of a Request for Waiver of Fees for Reinstatement of Building Permit: Lovazzano, 1700 Fernside Street.

Ms. George acquainted the Council with Mr. Lovazzano's permit and inspection history. She explained that the only precedent for waiving fees was one exception granted for youth related equestrian facilities owned by the Town and that other requests for waiver of fees had been denied by the Council.

Bruce Lovazzano, Fernside Street, stated that his priorities were not on completion of the house during his wife's illness and requested that all or part of the permit reinstatement fee be waived.

There was no public comment.

The Council discussed precedent for waiving fees.

Councilmember Goeld moved denial of the request for waiver of fees for the reinstatement of the building permit based on the fact that it is not a hardship for the applicant.

Motion seconded by Councilmember Boynton and carried by roll call vote:

AYES: Councilmember Boynton, Goeld, Hodges, Romines, Mayor Gordon
NOES: Councilmember Tanner
ABSENT: Councilmember Sinclair

10. 2006-08 Annual Roads Program and Project Funding.

Ms. George noted that the proposed recommendations for road maintenance and improvement projects for the next two-year period would be included in the budget for 2006-07. She explained that all moving vehicle fees from tickets issued are put into the Traffic Safety Fund and must be used for road improvements.

Mary Zvirblis, Martinez Road, commended the Council on the continuing use of General Fund monies toward road maintenance.

Millo Fenzi, Cañada Road, complimented the Town Engineer, Kent Dewell, on his response to the Bicycle Committee's road maintenance requests.

Councilmember Romines moved preliminary adoption of the recommendations for the project funding for the Road Program 2006-08.

Motion seconded by Councilmember Goeld and carried by roll call vote:

AYES: Councilmember Boynton, Goeld, Hodges, Romines, Tanner, Mayor Gordon
NOES: None
ABSENT: Councilmember Sinclair

11. Presentation of Results of the Woodside Community Safety Survey.

This item was continued to a date uncertain.

12. Review and Approval of a Formal Position Regarding the Revised Huddart-Wunderlich Parks Master Plan, including a Proposed Valley Floor-to-Skyline Bicycle Trail.

Ms. George reviewed the Council's five point position taken last June on the draft Huddart-Wunderlich Parks Master Plan, based upon the joint recommendation of the Town's Trails and Bicycle Committees. Ms. George emphasized modifications made by the County Parks Department staff in September to the proposed Valley-to-Skyline Bicycle Connection which essentially added an option beginning at the lower end of Huddart Park at Greer Road and terminating at Skyline Boulevard. She noted that no extensive analysis was done by the County for the proposed new trail. Ms. George confirmed that the Greer Road trail entrance was being proposed to the County Parks Commission as the preferred option. She recommended that the Council endorse having various potential routes explored collaboratively by the groups which have a stake in the eventual construction of the trail.

Robert Susk, Greer Road, presented an overview of the impacts on the 13 residents of Greer Road from the proposed Valley-to-Skyline Bicycle Connection. He described the limited access to Huddart Park at the end of Greer Road highlighting that there is no legal bicycle access. He opined that providing bicycle access from Greer Road would create dangerous conditions and disturb the privacy of the residents. Mr. Susk detailed the additional problems for Greer Road residents and the Town in opening Huddart Park to bicyclists. He urged the Council to protect the rights of Woodside residents by closing Greer Road to the public.

David McMullin, Greer Road, stated that the park is not staffed to enforce bicycle problems.

Paul Giurata, Bardet Road, opined that shared use by equestrians, hikers and mountain bicyclists was not a safe situation and that residents have expressed that the area which includes Greer, Tripp and Kings Mountain Roads is a dangerous area and access to the park from Greer Road would increase risks. He

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stated that having the Town used as a regional recreational site is not consistent with the requirements of the residents.

Bob Page, Woodside Road, stated that the County Parks and Recreation Commission has proposed further studies on last year's joint recommendation of the Trails Committee and Bicycle Committee to determine if it is a feasible idea. He described the County's recommendation as reasonable—rather than studying nine recommendations, some of which are not located in Huddart Park. Mr. Page urged the Council to support this recommendation.

Karen Offen, Raymundo Drive, objected to the proposed trail construction noting that there is no compatibility on trails between horses and bicycles. Ms. Offen thanked the Town Manager, Susan George, for her efforts in expediting a solution for the Raymundo Trail.

Rebecca Witter, Montelena Court, pointed out that the recommendation from the Trails Committee included a walled-off trail completely separate from Huddart Park. She pointed out that hikers are also affected by bicyclists. Ms. Witter discussed bicycling attitudes toward illegal use of the trails and stated that introducing bicyclists in San Mateo County Parks would change the nature of the parks, impact them environmentally and impact the economic nature of the horse community.

Jean Carley, Glenwood Avenue, pointing out that safe places are needed for situations with young horses and new riders, urged the Council to take a hard stand against allowing bicyclists in Huddart, Wunderlich and Edgewood Parks.

Susan Lang, Hardwick Road, described that riders are forced onto the asphalt on Tripp Road because the horse trails are blocked by vehicles driven to Woodside by bicyclists. She continued that cyclists have 170 miles of trails in San Mateo County and urged the Council to recommend to the Parks and Recreation Commission that the Master Plan be implemented as originally written with no bicyclists allowed in Huddart Park.

Donna Poy, Woodside Road, stated that Huddart Park is a natural park in the midst of an urbanized area and requested retaining the prohibition against bicyclists because of the negative impact caused by the cyclists to the land and wildlife. She pointed out negative impacts to Woodside from the proposed trail and the inability of the County to enforce regulations and urged the Council to oppose the proposed trail.

Rick DeBenedetti, Portola Road, urged the Council to address the impact on Kings Mountain Road from the proposed rental facility at Huddart Park. He added that the need for trailer parking at Huddart and Wunderlich Parks must be addressed.

Barb Roux, Olive Hill Lane, opined that if trail safety is lost the horse community will be diminished.

Fentress Hall, Mountain Home Road, reiterated that any Valley-to-Skyline Connection that involves property in the San Mateo County Parks should be designed and constructed in such a manner that access to other parts of the park is totally precluded. She pointed out that there is no separation associated with the proposed plan.

Noel Moody, horse boarder on Cañada Road, reiterated problems with cars parking on the horse trails on the weekends on Raymundo Drive and Cañada Road. She supported barring bicycles from the San Mateo County Parks.

Mike Raynor, Kings Mountain Road, Chair of the Trails Committee, noted that he would welcome a bicycle trail for local use but stated that the County Master Plan placed the burden on Woodside for parking, infrastructure, sanitary facilities, and litter removal. Mr. Raynor requested that the Council address equestrian concerns of having hundreds of bicyclists riding at high rates of speed and abusing the area. He described that the equestrian community developed the trail system through private property donations, public funding,

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and volunteer horse patrols and suggested that the bicycle community would have to follow the same example. Mr. Raynor thanked the staff and Council for their prompt action on securing the Crystal Springs Trail.

Millo Fenzi, Cañada Road, discussed the need for safe bicycle trails and pointed out the importance of leaving the Master Plan open to provide the opportunity for a future Valley-to-Skyline Bicycle Trail.

Jon Kepecs, Greer Road, supported continuing the prohibition on bicycle usage in Huddart Park.

Sue Sheehan, Glen Crag Way, thanked Ms. George for opening the Crystal Springs Trail and pointed out that the only safe place for equestrians to ride was the parks.

Public Comment was closed.

Ms. George suggested that the five points included in the Council's June position paper remain but that comments regarding the Crystal Springs Trail, bridge crossings and the Valley-to-Skyline Bicycle Connection be added.

The Council discussed eliminating the option to provide a bicycle trail in Huddart Park, using Alpine Road as an option for access to Skyline Boulevard, preserving a limited resource for equestrians, whether developing an effective plan to segregate mountain bikers from the rest of the park is a realistic alternative, the contradictions contained in the County plan, and holding to the Town's position to require the parks to be accountable for good planning, including reviewing other options for an access road.

Additionally, the Council noted that only two out five commissioners voted for the plan and that they ignored their own Master Plan which reads in part that one of the broad goals of the Master Plan for Huddart and Wunderlich Parks is to ensure continued equestrian presence in the area; that adding bicycle trails would effectively eliminate the viability of these parks for equestrian use due to safety concerns and would disturb the tranquil setting that many pedestrian park users highly value.

Councilmember Hodges moved that the element of Ms. George's report with the exception of Item 3 (Valley-to-Skyline Connection) be retained and that it be made clear that the Council does not condone this particular route for a bicycle trail in Huddart Park and, indeed, the Council condones no bicycle trails in Huddart Park; that the Town will continue to work with the list of stakeholders, including Portola Valley; and that all other options that have been listed, with the exception that Old La Honda Road is changed to Alpine Road, be retained.

The Council discussed that Options 1 and 2 of the Valley-to-Skyline Bicycle Connection involve entrances from Greer Road to either Richard's Road or the Campground Trail and should be precluded.

Councilmember Hodges amended her motion to direct staff to develop a revised position statement on the Master Plan that retains the elements of the Council's former plan, with the exception of the Valley-to-Skyline Bicycle Connection, changed to make it clear that the Council will not condone any bicycle trails in Huddart Park whether there is a barrier or not, thus totally eliminating this new proposal and Items 1 and 2 in the Master Plan which propose use of Greer Road.

Motion seconded by Councilmember Goeld and carried by roll call vote:

AYES: Councilmember Boynton, Goeld, Hodges, Romines, Tanner, Mayor Gordon
NOES: None
ABSENT: Councilmember Sinclair

Ms. George confirmed that she would discuss the lack of infrastructure and the burden falling to the Town in the supporting commentary.

PUBLIC HEARING

13. Pursuant to Woodside Municipal Code, Section 10.44, Appeal of Notice of Intent to Record a Notice of Code Violation for Construction of Terraced Retaining Walls and a Fence in Violation of the Standards of Woodside Municipal Code, Sections 151.20 and 153.051 (Vellequette, 163 Otis Avenue).

Item 13 was continued to a date uncertain to provide sufficient time to review recently reported activities by the property owner.

REPORTS

15. Mayor and Councilmember Communications.

ADJOURNMENT

The Meeting was adjourned at 12:30 a.m., March 15, 2006.

TOWN OF WOODSIDE

TOWN COUNCIL MEETING MINUTES

May 11, 2004

Independence Hall, 2955 Woodside Road, Woodside

CALL TO ORDER

Mayor Goeld called the Meeting to order at 7:34 P.M.

ROLL CALL

Present: Councilmember Boynton, Hodges, Putnam, Sinclair (arrived 8:07 P.M.), Tanner, Mayor Goeld
Absent: Councilmember Gordon

Staff Present:
Susan George, Town Manager
Kent Dewell, Assistant Town Manager/Town Engineer
Robert Lanzone, Town Attorney
Hope Sullivan, Director of Planning and Building
Janet Koelsch, Town Clerk

PLEDGE OF ALLEGIANCE

Planning Commissioner, Sara Jorgensen, led the Pledge of Allegiance.

COMMUNICATIONS

There were no Communications.

INTERVIEW AND APPOINTMENT OF CANDIDATES FOR PLANNING COMMISSION SEAT FOR DISTRICT 3

The Council interviewed Richard Anderson for the Planning Commission to represent District 3 for a term to expire in February 2006.

Councilmember Boynton moved appointment of Richard Anderson to the Planning Commission to represent District 3.

Motion seconded by Councilmember Hodges and carried by roll call vote:

AYES: Councilmember Boynton, Hodges, Putnam, Tanner, Mayor Goeld
NOES: None
ABSENT: Councilmember Gordon, Sinclair

CONSENT CALENDAR

- 2. Monthly Investment Report for the Month of April, 2004.
- 3. Monthly Financial Report for April, 2004 and Resolution Amending the 2003-04 Adopted Budget. Resolution No. 2004 - 6444
- 4. Resolution: (1) Approving First Restated Joint Powers Agreement Between the County of San Mateo and the Cities of Atherton, Belmont, Brisbane, East Palo Alto, Foster City, Half Moon Bay, Millbrae, Pacifica, Portola Valley, San Carlos, and Woodside, Relating to Library Services; (2) Approving the Agreement Between the County of San Mateo and the San Mateo County Library Joint Powers Authority for Staff and Services; and (3) Authorizing the Mayor to Execute the First Restated Joint Powers Agreement on behalf of the Town. Resolution No. 2004 - 6445
- 5. Consideration of a Request to Approve an Application for an Encroachment Permit to Conduct a Public Event (Tour de Menlo Bicycle Ride).

Councilmember Tanner requested that Item 1 be removed from the Consent Calendar.

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Councilmember Putnam moved approval of Items 2, 3, 4 and 5 of the Consent Calendar.

Motion seconded by Councilmember Hodges and carried by roll call vote:

AYES: Councilmember Boynton, Hodges, Putnam, Tanner, Mayor Goeld
NOES: None
ABSENT: Councilmember Gordon, Sinclair

1. Approval of Minutes: Town Council Meeting of February 10 and April 13, 2004.

Councilmember Tanner requested clarification regarding Councilmember Sinclair's vote on the appointment to the Planning Commission at the April 13th Meeting.

Staff clarified that Councilmember Sinclair arrived late and was absent during the vote on the appointment to the Planning Commission.

Councilmember Putnam moved approval of Item 1 of the Consent Calendar.

Motion seconded by Councilmember Hodges and carried by roll call vote:

AYES: Councilmember Boynton, Hodges, Putnam, Tanner (abstained from April 13, 2004 minutes), Mayor Goeld
NOES: None
ABSENT: Councilmember Gordon, Sinclair

NEW BUSINESS

6. Consideration of Request from Property Owners at 469 Eleanor Drive (Glass) that the Town Financially Participate in the Upgrade of Storm Drainage Facilities on and in the Vicinity of their Property.

Ms. George noted that Item 6 was continued at the request of the applicant.

7. Resolution: (1) Vacating a Fifteen-foot Equestrian Trail Easement and a Thirty-foot Equestrian Trail Easement and Accepting an Offer of Dedication for a Twenty-foot Equestrian Trail Easement and a Fifteen-foot Equestrian Trail Easement, Subject to Conditions; (2) Authorizing the Town Engineer to Approve Trail Construction Plans and Specifications for those Trail Easements; and (3) Authorizing the Town Manager to Execute All Legal Documents on Behalf of the Town, for the Properties Located at 1302 Cañada Road, 1270 Cañada Road, 250 Albion Avenue, and 278 Albion Avenue (Coast Oak Property Management Trust, Charles J. Keenan III Trust, and W. Dexter Paine III And SL TRS.).

Councilmember Hodges recused herself and left the room citing the fact that her property is located within 500 feet of the applicants' properties.

Ms. Sullivan acquainted the Council with the background for the easements connecting Cañada Road and Albion Avenue and the for Dry Creek trail easement. She described the location of the proposed easement vacation and dedication. She noted that the Planning Commission had made the finding of General Plan consistency subject to conditions of approval. Ms. Sullivan requested that the Council amend the proposed resolution to add, "Whereas, the easement proposed for vacation is unnecessary for present or prospective use provided a new trail is dedicated and the trail may be vacated pursuant to Streets and Highways Code Section 8330(a)."

Ann Bass, Cañada Road, detailed plans for future use of the contiguous properties. She noted security and safety concerns with the existing easement and urged approval of the application.

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Robert Bass, Cañada Road, stated that the principle reason to request relocation of the east-west trail was to avoid bisecting the properties at 1302 and 1308 Cañada Road and jeopardizing the enjoyment and safety of the properties. He continued that the logical route along the southern property line was now possible due to ownership of the adjoining property at 250 Albion Avenue. Mr. Bass reviewed specifics of the Trails Committee and the Planning Commission hearings. He illustrated the existing and proposed easements and enumerated the benefits of the proposed trail. Mr. Bass requested the following modifications to the conditions of approval: Condition 3 be modified to specify that the section of the north-south trail be closed to the public until the trail is complete to Olive Hill Road or some other public right of way; Condition 3 be modified to strike wording requiring property owners to pay the future cost of building the north-south trail on the existing easement; Condition 2 be struck because screening is being provided for 222 Albion Avenue; Conditions 1 and 6 be modified eliminating the requirement for submission of construction drawings due to the fact that the trail has been built. Citing safety concerns, he requested expeditious review of drawings. Mr. Bass reviewed statistics regarding use of the proposed trail and described initial objectives in designing the proposed trail.

Helen Miller, Cañada Road, read a letter on behalf of applicants, Mr. and Mrs. Keenan, supporting the proposed east-west easement relocation and endorsing retaining the north-south easement on their property.

Randy Livingston, Albion Avenue, read a letter on behalf of applicant, Dexter Paine, supporting the proposed easement relocation citing correction of safety issues.

Don Horsley, San Mateo County Sheriff, supported the proposed easement noting safety and security issues.

Sheriff Horsley read a letter from Superior Court Judge, Tom Smith, supporting relocation of the easement.

Amy Umpelbe, Mountain Home Road, supported the proposed easement.

Fentress Hall, Mountain Home Road, opposed the proposed easement relocation, stating that the decision making process did not adequately represent many people concerned.

Sara Jorgensen, Highland Terrace, stated that on-going construction, installation of a chain link fence and lack of maintenance destroyed the existing trail, causing poor drainage and erosion. She pointed out the danger associated with the high solid fences for the proposed trail. She urged the Council not to vacate the trail noting that the Bass property consists of two separate parcels.

Susan Lang, Hardwick Road, suggested that a lack of collaboration and communication in the planning phase led to construction of the trail without a broad-based consensus. She noted that the unanimous approval of the trail was obtained after the trail was constructed and urged the Council to be open to an alternative solution.

Carol Studder, Cupertino, Angela Sherman, Menlo Park, and Jessica Ehrenson, Menlo Park, representing the BoK Ranch, spoke in favor of the proposed trail.

Rick Vaccaro, La Questa, detailed dangers involved with riding the existing trail and opined that the proposed trail was a greater asset to the Town.

Nan Nagle, Cañada Road, presented a compromise trail proposal for consideration, noting that the compromise also provided an option to hook up in the future with the Dry Creek trail to the north. She supported development of an interior trail as an alternative to the Cañada Road trail.

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Jo Egenes, Olive Hill Lane, expressed concern regarding the safety of the proposed trail in the pasture section and the fenced section. She urged consideration of the compromise trail.

Ms. Egenes presented a letter for the record from Jim Bibbler, Olive Hill Lane, urging the Council to deny the request.

Malcolm MacNaughton, Miramontes Road, provided historical perspective on the original easement dedication from Cañada Road to Albion Avenue. He pointed out safety improvements of the proposed trail.

Don Pugh, Glenwood Avenue, representing the Trails Committee, stated that the proposed trail is a safer trail, an easier route, and sufficiently equivalent to the existing. He opined that the proposal is an exchange of easements and urged approval.

Kimberly McMorro, Mountain Home Road, stated that the new trail is safer, noting the reduced asphalt, slope, hanging trees and barking dogs.

Howard Boone, Redwood City, pointed out that the reduction in asphalt riding surface made the new trail safer.

Alexis Bartlo, Woodside Way, provided historical perspective on the original dedication of the easement across 278 Albion Avenue. She maintained that the proposed driveway egress onto Albion Avenue was more dangerous than the present egress and urged the Council to consider a compromise route.

Bill Nagle, Cañada Road, objected to the fact that the trail was built before the Trails Committee hearing and that no alternatives were considered. He urged the Council to consider the compromise proposal, which additionally promotes a north-south connection as an alternative to riding on Cañada Road.

Carroll Ann Hodges, Cañada Road, suggested that, if the trail was abandoned, the Town should get a trail at least as good if not better in return. She expressed disappointment that options better fitting the General Plan were not investigated and suggested that an option for the Bass' privacy and enhancement of the riding experience would be to dedicate an easement over 1308 Cañada Road. Ms. Hodges addressed the issue of solid fencing and safety issues regarding the trail. She urged the Council to consider the value of the easement to be vacated and the consequences for the future of the trail system.

Helen Miller, Cañada Road, noted that her daughter uses the proposed trail because it is safer. She supported the Bass' desire for security.

Jody Gessow, Albion Avenue, urged the Council to approve the proposed trail, referencing the intense usage of the proposed trail and safety issues with the existing trail.

Rick DeBenedetti, Portola Road, representing the Trails Committee, expressed support of Don Pugh's statement. He confirmed that, during the Trails Committee review period, alternative plans could have been submitted. He questioned whether the alternative plan would require two creek crossings. He urged approval of the proposed trail stating that it followed the General Plan and provided a connection between Cañada Road and Albion Avenue.

Randy Livingston, Albion Avenue, dispelled rumors that the Besses are absentee owners.

Ursula Eisenhut, La Questa Way, urged consideration of the alternate proposal and discussed safety issues associated with the solid wood fencing on the proposed trail.

Michael Goldberg, Cedar Lane, stated that the proposed trail is safer than the existing trail. He noted that the emotional tie to the existing trail is not a compelling reason to deny the vacation and urged approval as recommended.

The Council recessed at 11:30 P.M. and reconvened at 11:40 P.M.

Jay Crandall, Josselyn Lane, asserted that the applicants' chart showing trail usage spoke for itself and urged that the application not be challenged on the basis of process.

Upon motion by Sinclair/Putnam, the Public Hearing was closed.

Ms. Sullivan clarified that no provision was made for an easement to encompass the existing north-south trail because initially the applicant proposed abandoning that easement. She detailed the process the applicant followed prior to review of the application by the Trails Committee.

Mr. Dewell discussed problems associated with the trail construction at the Albion Avenue driveway.

Mr. Dewell agreed that construction plans would be necessary for only the areas with existing issues, not for the entire trail.

The Council discussed the process followed by the applicant and Trails Committee to develop the trail, consistency of the trail with the General Plan, safety of the proposed trail, relocation of the current easement to reflect the location of the existing north-south trail, the importance of preserving a north-south easement to provide access to Dry Creek Lane or Olive Hill Lane to avoid dangerous conditions on Cañada Road for equestrians, and provision of an easement over 1308 Cañada Road to provide a future link for the north-south trail.

Councilmember Sinclair moved approval of a Resolution: (1) Vacating a Fifteen Foot Equestrian Trail Easement and a 30 Foot Equestrian Trail Easement and Accepting an Offer of Dedication for a Twenty Foot Equestrian Trail Easement and a Fifteen Foot Equestrian Trail Easement, Subject to Conditions; (2) Authorizing the Town Engineer to Approve Trail Construction Plans and Specifications for those Trail Easements; and (3) Authorizing the Town Manager to Execute All Legal Documents on Behalf of the Town, for the Properties Located at 1302 Cañada Road, 1270 Cañada Road, 250 Albion Avenue and 278 Albion Avenue (Coast Oak Property Management Trust, Charles J. Keenan III Trust, and W. Dexter Paine III and SL Trs.) subject to the following amended conditions:

1. That the applicant provide construction drawings for the new East/West equestrian trail for only those portions of the trail where construction issues have not been resolved to the satisfaction of the Town Engineer. Unresolved issues include, but are not limited to: (a) provision of a four-foot wide trail tread that does not cross any utility covers; (b) provision of landscaping within the easement compatible with the function of an equestrian trail; and (c) modification of the driveway at 250 Albion to meet the Town's requirements, pursuant to the Municipal Code, Section 151.44, as well as to eliminate conflicts between vehicles utilizing the driveway and the equestrian trail users.
2. Any improvement to the northern property line of 222 Albion Avenue agreed to by the applicant and the owner of 222 Albion Avenue shall be installed prior to the Town's acceptance of the easement.
3. (a) That the existing North/South equestrian trail parallel to Cañada Road on 1270 and 1302 Cañada Road be retained; however the dedicated trail easement shall be relocated so that it encompasses the existing area that has historically been used for the trail by equestrians. The relocated trail area shall be dedicated to the Town as an equestrian easement and that portion of the existing easement that will then be outside the relocated trail area shall be abandoned.

(b) That a new equestrian easement be dedicated at 1302 Cañada Road that provides a connection between the North/South equestrian easement and the proposed East/West equestrian easement.

(c) The existing trail referenced in Condition 3(a) may be closed by the applicant following the recordation of the proposed dedication and vacation; however at such time as this North/South equestrian easement connects to Olive Hill Lane or some other public right-of-way through other constructed trail segments, either permissive or dedicated, the Town, at its own expense and in its own discretion, may build the new trail referenced in Condition 3(b) and open both North/South trail segments at 1302 Cañada Road and 1270 Cañada Road.

4. That an equestrian easement be dedicated on the property identified as 1308 Cañada Road on either the property border or across the property, whichever the property owner chooses, to connect from the easement on 1270 Cañada Road, to the shared property line between 1250 and 1252 Cañada Road. At such time as this equestrian easement connects to Olive Hill Lane or some other public right-of-way through other constructed trail segments, either permissive or dedicated, the Town, at its own expense and in its own discretion, may build a trail within this easement and open it for use.
5. That no solid fencing be built along the portion of the proposed easement which is located between Cañada Road and the bridge.
6. That a two year landscape maintenance bond be posted at the time of trail acceptance to ensure that landscaping along the trail does not interfere with the function of the trail.
7. In order to facilitate the preparation of the necessary documentation for recordation, the applicants shall submit to the Town Engineer current deeds and documentation demonstrating who has the authority to sign on behalf of Coast Oak Property Management Trust.
8. That the existing easement not be vacated or the proposed easement be recorded until such time as: (a) the improvements on the new East/West trail have been installed to the satisfaction of the Town Engineer; and (b) applicant has complied with all of the conditions herein.

Motion seconded by Councilmember Putnam.

Ms. Sullivan clarified that Councilmember Sinclair's motion specified that an easement be dedicated on the property identified as 1308 Cañada Road on either the property border or across the property, whichever the property owner chose, to connect from the easement on 1270 Cañada Road, to the shared property line between 1250 and 1252 Cañada Road. She clarified that the deviation between the easement and the existing trail would be rectified by the most reasonable process for the property owner to the satisfaction of the Town Engineer. Ms. Sullivan reiterated staff's previous amendment for inclusion of an additional "whereas" in the resolution.

Councilmember Boynton moved to amend the motion to require that the fence constructed along the Beeby property line be non-solid.

There was no second for this motion.

The motion by Sinclair/Putnam was carried by the following vote:

AYES: Councilmember Putnam, Sinclair, Tanner, Goeld
NOES: Councilmember Boynton
ABSENT: Councilmember Gordon
RECUSED: Councilmember Hodges

Councilmember Hodges rejoined the Council.

APPOINTMENTS

8. Report and Recommendation from the Town Council Committees Appointments Subcommittee: Conservation and Environmental Health Committee

Councilmember Putnam reported that the Town Council Committees Appointments Subcommittee recommended appointment of Stephanie MacDonald to the Conservation and Environmental Health Committee.

Councilmember Sinclair moved appointment of Stephanie MacDonald to the Conservation and Environmental Health Committee. Motion seconded by Councilmember Putnam and carried by voice vote.

REPORTS

9. Mayor and Councilmember Communications.

There were no Mayor or Councilmember communications.

COMMUNICATIONS

ADJOURNMENT

The Meeting was adjourned at 11:55 P.M.

TOWN OF WOODSIDE

Report to Town Council
From: Janet Koelsch, Town Clerk

Agenda Item 2
December 8, 2009

**SUBJECT: RESOLUTION DECLARING RESULTS OF CONSOLIDATED MUNICIPAL
ELECTION, NOVEMBER 3, 2009**

RECOMMENDATION

It is recommended that the Town Council adopt the attached resolution declaring the results of the November 3, 2009, Consolidated Municipal Election.

DISCUSSION

The San Mateo County Clerk has certified the results of the November 3, 2009, Consolidated Municipal Election for three seats on the Woodside Town Council. Before the Councilmembers-elect can be sworn in, the currently seated Town Council must certify and declare the results of the election by adoption of the appropriate resolution. Following the adoption of the attached resolution, the three new members will take the Oath of Office.

Attachment

RESOLUTION NO. 2009 -

**A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF WOODSIDE DECLARING RESULTS OF
CONSOLIDATED MUNICIPAL ELECTION, NOVEMBER 3, 2009**

WHEREAS, a Consolidated Municipal Election was held and conducted in the Town of Woodside on Tuesday, November 3, 2009, for the purpose of electing three members to the Town Council; and

WHEREAS, it appears that notice of said election was duly and legally given, that voting precincts were properly established, that election officers were appointed and election supplies furnished, that in all respects said election was held and conducted and the votes cast thereat received and canvassed, and the returns thereof made, determined and declared in time, form and manner as required by the General Laws of the State providing for and regulating municipal elections in said Town; and

WHEREAS, said Council of said Town met in Independence Hall, 2955 Woodside Road, Woodside, California, on Tuesday, December 8, 2009, to canvass the returns of said election; and

WHEREAS, said canvass was duly completed and the results thereof are as hereinafter set forth.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. That said Consolidated Municipal Election was held and conducted in the Town of Woodside, County of San Mateo, State of California, on Tuesday, November 3, 2009, in the time and in the form and manner as required by law.
2. That seven voting precincts were established in said Town for the purpose of said held election.
3. That a canvass of the votes cast in said Town for the office of Town Councilmembers was duly held on Tuesday, December 8, 2009, in accordance with the law.
4. That the total number of ballots cast in said Town of Woodside at said election was 915.
5. That the names of the persons voted for, the offices for which they were voted, the number of votes received by said persons in said precincts and by absentee ballots, together with the whole number of votes which they received in the entire Town, are as shown on Exhibit "A", attached.

6. That the County Clerk of the County of San Mateo certified to this Council that the ballots cast have been counted as required by law. The total number of votes cast for the candidates for office is as herein before set forth.

7. That at said Consolidated Municipal Election held in the Town of Woodside on Tuesday, November 3, 2009, the following persons were elected to the following offices:

Deborah Cody Gordon was elected a member of the Council of the Town of Woodside from District 2 for a term of 4 years, from and after Tuesday, December 8, 2009, and until a successor shall have been duly elected and qualified.

David Tanner was elected a member of the Council of the Town of Woodside from District 4 for a term of 4 years, from and after Tuesday, December 8, 2009, and until a successor shall have been duly elected and qualified.

Anne Kasten was elected a member of the Council of the Town of Woodside from District 6 for a term of 4 years, from and after Tuesday, December 8, 2009, and until a successor shall have been duly elected and qualified.

8. The Clerk of the Town of Woodside shall impose an Oath of Office and have persons elected subscribe thereto.

* * * * *

PASSED AND ADOPTED by the Town Council of the Town of Woodside, California, at a meeting thereof held on the 8th day of December 2009, by the following vote of the members thereof:

- AYES**, and in favor thereof, Councilmember:
- NOES**, Councilmember:
- ABSENT**, Councilmember:
- ABSTAIN**, Councilmember:

Mayor of the Town of Woodside

ATTEST:

Clerk of the Town of Woodside
09ElecCert.Rsl

CERTIFICATE OF THE CHIEF ELECTIONS OFFICER

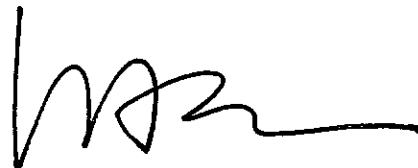
In the Matter of the Canvass of the Vote cast)
at the Consolidated Election)
held on November 3, 2009)

I, WARREN SLOCUM, Chief Elections Officer of the County of San Mateo, State of California hereby certify;

THAT an election was held within the boundaries of the Town of Woodside on Tuesday, November 3, 2009 for the purpose of electing one (1) Member each for Districts 2, 4 and 6 respectively to the Town Council for four (4) year terms each; and I caused to have processed and recorded the votes from the canvass of all ballots cast at said election within the boundaries of the Town of Woodside.

I HEREBY FURTHER CERTIFY that the record of votes cast at said election are set forth in Exhibit "A" attached hereto and incorporated herein by reference as though fully set forth at length.

IN WITNESS WHEREOF, I hereunto affix my hand and seal this 20th day of November, 2009, and file this date with the City Clerk of the Town of Woodside.



WARREN SLOCUM
Chief Elections Officer &
Assessor-County Clerk-Recorder

November 03, 2009

20	TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 2; TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 4; TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 6														
	Registration	Ballots Cast	Turnout (%)		TOWN OF WOODSIDE DEBORAH CODY GORDON		TOWN OF WOODSIDE DAVID TANNER		TOWN OF WOODSIDE ANNE KASTEN						
3801	980	197	20.1		131		135		146						
3802	868	217	25.0		141		127		136						
3803	206	63	30.6		40		43		56						
3804	920	267	29.0		183		167		178						
3807	74	23	31.1		14		15		15						
3808	515	107	20.8		79		82		85						
3810	133	41	30.8		24		25		31						
Early Voting Totals	3,696	2	0.1		2		2		2						
Absentee Totals	3,696	605	16.4		422		406		420						
Election Day Totals	3,696	308	8.3		188		186		225						
Grand Totals	3,696	915	24.8		612		594		647						

Early Voting Totals 20	TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 2; TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 4; TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 6														
	Registration	Ballots Cast	Turnout (%)		TOWN OF WOODSIDE DEBORAH CODY GORDON	TOWN OF WOODSIDE DAVID TANNER	TOWN OF WOODSIDE ANNE KASTEN								
14TH CONGRESSIONAL DISTRICT	3,696	2	0.1		2	2	2								
21ST ASSEMBLY DISTRICT	3,696	2	0.1		2	2	2								
3RD SUPERVISORIAL DISTRICT	3,696	2	0.1		2	2	2								
11TH SENATORIAL DISTRICT	74	0	0.0		0	0	0								
8TH SENATORIAL DISTRICT	3,622	2	0.1		2	2	2								
BOARD OF EQUALIZATION DISTRICT	3,696	2	0.1		2	2	2								
REDWOOD CITY SCHOOL DISTRICT	1,457	1	0.1		0	0	0								
SAN MATEO COUNTY	3,696	2	0.1		2	2	2								
SEQUOIA UNION HIGH SCHOOL	3,696	2	0.1		2	2	2								
TOWN OF WOODSIDE	3,696	2	0.1		2	2	2								
WOODSIDE ELEMENTARY SCHOOL	2,768	2	0.1		2	2	2								
Early Voting Totals	3,696	2	0.1		2	2	2								

November 03, 2009

Absentee Totals 20	TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 2; TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 4; TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 6														
	Registration	Ballots Cast	Turnout (%)		TOWN OF WOODSIDE DEBORAH CODY GORDON	TOWN OF WOODSIDE DAVID TANNER	TOWN OF WOODSIDE ANNE KASTEN								
14TH CONGRESSIONAL DISTRICT	3,696	605	16.4		422	406	420								
21ST ASSEMBLY DISTRICT	3,696	605	16.4		422	406	420								
3RD SUPERVISORIAL DISTRICT	3,696	605	16.4		422	406	420								
11TH SENATORIAL DISTRICT	74	0	0.0		0	0	0								
8TH SENATORIAL DISTRICT	3,622	605	16.7		422	406	420								
BOARD OF EQUALIZATION DISTRICT	3,696	605	16.4		422	406	420								
REDWOOD CITY SCHOOL DISTRICT	1,457	256	17.6		64	85	66								
SAN MATEO COUNTY	3,696	605	16.4		422	406	420								
SEQUOIA UNION HIGH SCHOOL	3,696	605	16.4		422	406	420								
TOWN OF WOODSIDE	3,696	605	16.4		422	406	420								
WOODSIDE ELEMENTARY SCHOOL	2,768	523	18.9		287	267	281								
Absentee Totals	3,696	605	16.4		422	406	420								

Grand Totals 20	TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 2; TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 4; TOWN OF WOODSIDE MEMBER, TOWN COUNCIL, DISTRICT 6														
	Registration	Ballots Cast	Turnout (%)		TOWN OF WOODSIDE DEBORAH CODY GORDON		TOWN OF WOODSIDE DAVID TANNER		TOWN OF WOODSIDE ANNE KASTEN						
14TH CONGRESSIONAL DISTRICT	3,696	915	24.6		612		594		647						
21ST ASSEMBLY DISTRICT	3,696	915	24.8		612		594		647						
3RD SUPERVISORIAL DISTRICT	3,696	915	24.8		612		594		647						
11TH SENATORIAL DISTRICT	74	23	31.1		14		15		15						
8TH SENATORIAL DISTRICT	3,622	892	24.6		598		579		632						
BOARD OF EQUALIZATION DISTRICT	3,696	915	24.8		612		594		647						
REDWOOD CITY SCHOOL DISTRICT	1,457	347	23.8		93		97		100						
SAN MATEO COUNTY	3,696	915	24.8		612		594		647						
SEQUOIA UNION HIGH SCHOOL	3,696	915	24.8		612		594		647						
TOWN OF WOODSIDE	3,696	915	24.8		612		594		647						
WOODSIDE ELEMENTARY SCHOOL	2,768	681	24.6		362		331		363						
Early Voting Totals	3,696	2	0.1		2		2		2						
Absentee Totals	3,696	605	16.4		422		406		420						
Election Day Totals	3,696	308	8.3		188		186		225						
Grand Totals	3,696	915	24.8		612		594		647						

TOWN OF WOODSIDE

Report to Town Council

Agenda Item 3

Prepared by: Kevin Bryant, Assistant Town Manager

December 8, 2009

Reviewed by: Susan George, Town Manager

SUBJECT: MONTHLY FINANCIAL REPORT FOR OCTOBER AND NOVEMBER OF 2009

RECOMMENDATION

It is recommended that the Town Council review and accept the Monthly Financial Report for October and November of 2009.

BACKGROUND

The Monthly Financial Report for October and November, 2009, has been prepared pursuant to the Town Council’s Financial Management Policies. It has been prepared by utilizing the fund balance reports and the detailed fund reports, as of October 31 and November 30, 2009.

DISCUSSION

The Town’s financial performance is within expected ranges as of the end of the first five months of the fiscal year. The key highlights include:

- The Town's cash position for all funds as of November 30, 2009, was \$6,930,312. The cash balances for the year have been:

AS OF	CASH BALANCE
07/31/09	\$7,528,349
08/31/09	\$7,613,336
09/30/09	\$7,207,355
10/31/09	\$7,110,310
11/30/09	\$6,930,312

Cash balances at November 30, 2008, were \$7,076,884. The Town’s cash balances remain very healthy, negating the need for any cash flow borrowing.

- Total expenditure activity for all of the Town's funds, including interfund transfers, was \$2,761,458, or 32.5% of the total annual budget. By month, and compared to fiscal year 2008-09, the following expenditures have occurred:

MONTH	2009-10	2008-09
July	\$ 335,695	\$ 430,490
August	890,072	945,378
September	585,640	884,440
October	485,599	877,936
November	464,452	979,284
Total to Date	\$ 2,761,458	\$ 4,117,528
Total Budget	\$ 8,490,498	\$ 9,519,339
% of Budget	32.5%	43.3%

About \$1.3 million more had been spent in 2008-09 than in the current year as of November 30th. Two projects account for this difference. First, the Town made final payments of about \$414,000 to the contractors involved with the construction of Barkley Fields and Park in the first quarter of 2008-09. Second, the Town had an unusually large Road Rehabilitation Project in 2008-09, due in part to the receipt of Proposition 1B bond funds from the State, and had spent about \$850,000 on the Roads Program by November 30, 2008. No progress payments have yet been made in 2009. The current year's expenditure level is well within expected and acceptable ranges.

- Total revenues, including interfund transfers, for the first five months were \$1,358,208 or 17.1% of annual anticipated revenues. This rate is within the range of normal revenue receipt patterns. By month, and compared to fiscal year 2008-09 patterns, the following revenues have been received:

MONTH	2009-10	2008-09
July	\$ 233,083	\$ 746,450
August	279,760	247,909
September	178,416	356,593
October	376,511	224,942
November	290,438	413,364
Total	\$ 1,358,208	\$ 1,989,258
Total Budget	\$ 7,948,468	\$ 7,635,409
% of Budget	17.1%	26.1%

In 2008-09, the Town received a \$400,000 one-time payment of Proposition 1B funds for the Road Program from the State of California. This largely accounts for the difference in revenues to date between the two years. **Attachment A** to this report presents summaries by fund of revenues and expenditures through November 30, 2009, compared to budget.

The General Fund as of November 30, 2009

- The 2009-10 General Fund expenditure and revenue pattern thus far has been:

MONTH	REVENUES	EXPENDITURES	NET POSITION
July	\$ 132,651	\$ 255,526	\$ (122,875)
August	204,036	679,138	(475,102)
September	94,614	298,833	(204,219)
October	220,565	360,781	(140,216)
November	207,967	343,977	(136,010)
Total to Date	\$ 859,833	\$ 1,938,255	\$ (1,078,422)
Total Budget	\$ 5,472,918	\$ 5,625,664	\$ (152,746)
% of Budget	15.7%	34.5%	

As of the end of the first five months, there are no unusual General Fund revenue or expenditure patterns to report. The General Fund is in its usual dry period as far as cash flow is concerned, with expenditures running ahead of revenues until the first substantial property tax revenues are received in December. Despite the current operating cash flow imbalance, the General Fund had cash on hand at November 30, 2009 of \$1.7 million, well above the level required by the Town Council's Financial Management Policies. The

current year's performance reflects normal patterns for this period in the fiscal year and is tracking within anticipated budgeted ranges. For comparison purposes, as of November 30, 2008, the General Fund had experienced revenues of \$945,176 and expenditures of \$1,990,312, which was 18.1% and 35.5% of budget, respectively.

- By category of revenue and expenditure, the General Fund has experienced the following financial activity through the first five months of the fiscal year:

	2009-10		
	Adopted	11/30/2009	
Category	Budget	Actual	% of
	(\$000)	(\$000)	Total
Revenues			
Property Taxes	2,574.5	189.3	
Sales Taxes	425.2	122.7	
Transfer Taxes	100.0	25.1	
Franchise Fees	348.4	45.9	
Business Licenses	136.0	43.0	
Fees & Permits	750.0	261.0	
Interest Income	90.0	8.1	
Other Agencies	624.4	4.0	
Charges for Service	144.9	94.3	
Interfund Transfers	251.5	62.9	
Other Revenue	28.0	3.5	
Total	5,472.9	859.8	15.7%
Expenses			
Salaries & Benefits	2,484.0	1,018.8	
Services & Supplies	2,424.2	910.0	
Equipment/Capital	20.0	-	
Road Fund Contribution	500.0	-	
Other Contributions	197.5	9.4	
Total	5,625.7	1,938.2	34.5%
Net Position	(152.8)	(1,078.4)	

Attachment B to this report includes summaries of General Fund expenditure performance by department as of November 30, 2009. It highlights significant trends or variances, for the Town Council's review.

Appropriation Adjustments

No appropriation adjustments have been proposed thus far in the fiscal year.

CONCLUSION

No new trends have surfaced since the Town Council's First Quarterly Budget Review. The next comprehensive budget review will be undertaken in January with the 2009-10 Mid-year Budget Review.

Attachments

TOWN OF WOODSIDE
 2009-10 AS OF 11/30/2009
 ALL FUNDS

ATTACHMENT A

FUND	REVENUES BUDGET	REVENUES ACTUAL	% OF TOTAL	EXPENSES BUDGET	EXPENSES ACTUAL	% OF TOTAL
101 - GENERAL	5,472,918	859,833	15.7%	5,625,664	1,938,255	34.5%
105 - TRAILS	66,800	37,496	56.1%	66,438	19,779	29.8%
135 - RECREATION	130,900	56,266	43.0%	126,800	57,532	45.4%
150 - BARKLEY O&M	125,000	3,490	2.8%	125,000	60,541	48.4%
151 - BARKLEY CONSTRUCTION RESERVE	35,000	244	0.7%	0	0	--
204 - TRAFFIC SAFETY	32,200	10,288	32.0%	27,700	12,971	46.8%
206 - GAS TAX CONSTRUCTION	29,100	9,127	31.4%	28,050	10,074	35.9%
207 - GAS TAX MAINTENANCE	82,600	26,610	32.2%	101,886	41,213	40.5%
210 - MEASURE A	922,300	91,874	10.0%	1,018,204	137,206	13.5%
242 - ROAD IMPACT FEE	332,500	166,221	50.0%	429,582	143,196	33.3%
243 - PUBLIC SAFETY GRANT	100,000	0	0.0%	100,000	0	0.0%
250 - LIBRARY OPERATIONS	125,000	7,510	6.0%	155,055	33,119	21.4%
428 - TC PUMP RESERVE	0	44	--	19,600	0	--
429 - TC PUMP DEBT	0	23	--	10,300	0	0.0%
441 - WR/WHR PAD DEBT RSRV.99	2,000	227	11.4%	0	0	--
450 - WR/WHR PAD DEBT	134,712	(43)	0.0%	134,712	103,683	77.0%
525 - CANADA SEWER	9,618	21	0.2%	28,160	15,012	53.3%
528 - SEWER UTILITY	166,500	4,136	0.0%	290,211	88,904	30.6%
529 - TC PUMP SEWER	7,500	1,086	14.5%	93,364	4,623	5.0%
537 - SEWER CAPITAL	19,820	11,139	56.2%	5,772	11,443	198.3%
TOTAL OPERATING	7,794,468	1,285,592	16.5%	8,386,498	2,677,551	31.9%
900 - DEPOSITS	154,000	72,616	47.2%	104,000	83,907	80.7%
TOTAL	7,948,468	1,358,208	17.1%	8,490,498	2,761,458	32.5%

GENERAL FUND BY DEPARTMENT AS OF 11/30/2009

ATTACHMENT B-1

	BUDGET	ACTUAL	% OF TOTAL
TOWN COUNCIL			
SERVICES/SUPPLIES	40,000.00	11,693.05	29.2%
TOTAL	40,000.00	11,693.05	29.2%
ADMINISTRATION			
SALARIES/BENEFITS	872,317.00	384,470.59	44.1%
SERVICES/SUPPLIES	296,800.00	132,056.69	44.5%
TOTAL	1,169,117.00	516,527.28	44.2%
PLANNING AND BUILDING			
SALARIES/BENEFITS	935,816.00	390,036.63	41.7%
SERVICES/SUPPLIES	402,525.00	80,179.89	19.9%
TOTAL	1,338,341.00	470,216.52	35.1%
BUILDINGS & GROUNDS			
SALARIES/BENEFITS	18,567.00	6,716.44	36.2%
SERVICES/SUPPLIES	98,000.00	57,811.35	59.0%
TOTAL	116,567.00	64,527.79	55.4%
TOWN-WIDE OVERHEAD			
SALARIES/BENEFITS	54,000.00	15,062.24	27.9%
SERVICES/SUPPLIES	272,000.00	212,827.77	78.2%
EQUIPMENT	20,000.00	0.00	0.0%
TOTAL	346,000.00	227,890.01	65.9%
SAFETY SERVICES			
SERVICES/SUPPLIES	1,187,467.00	318,577.00	26.8%
TOTAL	1,187,467.00	318,577.00	26.8%
TRAILS			
TRANSFERS OUT	37,500.00	9,375.00	25.0%
TOTAL	37,500.00	9,375.00	25.0%
PUBLIC WORKS			
SALARIES/BENEFITS	603,272.00	222,562.44	36.9%
SERVICES/SUPPLIES	127,400.00	96,885.60	76.0%
TRANSFERS OUT	500,000.00	0.00	0.0%
TOTAL	1,230,672.00	319,448.04	26.0%
BARKLEY O&M			
TRANSFERS OUT	160,000.00	0.00	0.0%
TOTAL	160,000.00	0.00	0.0%
TOTAL FUND			
SALARIES/BENEFITS	2,483,972.00	1,018,848.34	41.0%
SERVICES/SUPPLIES	2,424,192.00	910,031.35	37.5%
EQUIP/CAPITAL	20,000.00	0.00	0.0%
TRANSFERS OUT	697,500.00	9,375.00	1.3%
TOTAL	5,625,664.00	1,938,254.69	34.5%

**GENERAL FUND BY DEPARTMENT
AS OF 11/30/09**

GENERAL COMMENTS:

1. As of November 30, 2009, 41.7% of the fiscal year had elapsed.
2. For Salaries and Benefits, expenditures should be at about 40.8% of budget. As of November 30, 2009, 10.6 of 26 pay periods had been completed.
3. Equipment purchases are not made on any set schedule, so the expenditure performance varies.
4. Transfers between funds are generally done on a quarterly basis or as cash flow needs arise and are completed by the end of June of each year.

DEPARTMENTAL COMMENTS:

Town Council: This departmental budget is within expected expenditure levels.

Administration: This departmental budget is generally within expected expenditure levels.

Planning and Building: This departmental budget is within expected expenditure levels.

Buildings and Grounds: This departmental budget is generally within expected expenditure levels.

Town-Wide Overhead: This budget includes expenditures such as the insurance premium with ABAG PLAN, which was paid in July. This budget is within expected levels.

Safety Services: Most of this budget goes to support the contract for police services with the Sheriff's Office. As of November 30, 2009, the Town had been billed for the first quarter of the fiscal year.

Trails: See Note 4.

Public Works: This departmental budget includes the expenditures for outside plan check services. This budget is within expected levels.

Barkley Fields and Park: See Note 4.

TOWN OF WOODSIDE

Report to Town Council
From: Susan George, Town Manager

Agenda Item 4
December 8, 2009

SUBJECT: ANNUAL ROAD PROGRAM REPORT

RECOMMENDATION

It is recommended that the Town Council review this Annual Road Program Report, receive public input on its contents, and accept it for the public record.

BACKGROUND

The Town's Municipal Code specifies the requirements for the administration of the Town's Road Program. The Town Manager is required to submit a report to the Town Council in December of each year that details the status of the current year Road Program. The December report is also to include a recommended preliminary priority list of priorities for the Road Program for the coming fiscal year.

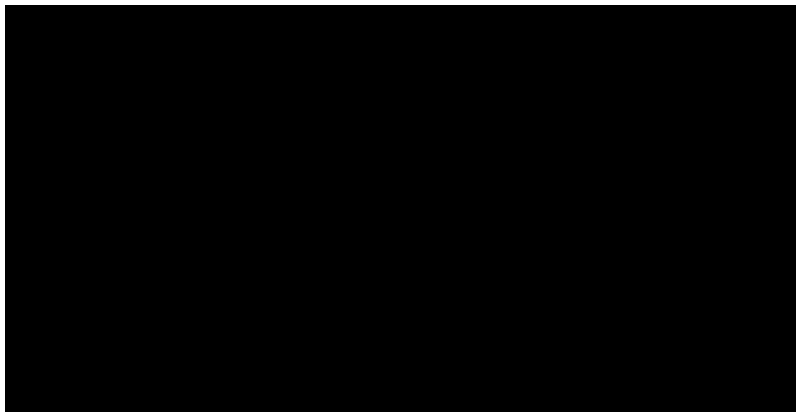
The December report is followed by a more comprehensive Road Program report, due to the Town Council by February 1st of each year. The February report is a detailed financial review of the prior eighteen months and is to include an updated five-year forecast and specific recommended projects for the next two-year period. It is to be the subject of a public hearing to be held in March.

This report is the first, or preliminary, Road Program Report for 2009-10, based upon the requirements of the Municipal Code. This report includes all required information and provides an overview of the financial basis of the Road Program.

DISCUSSION

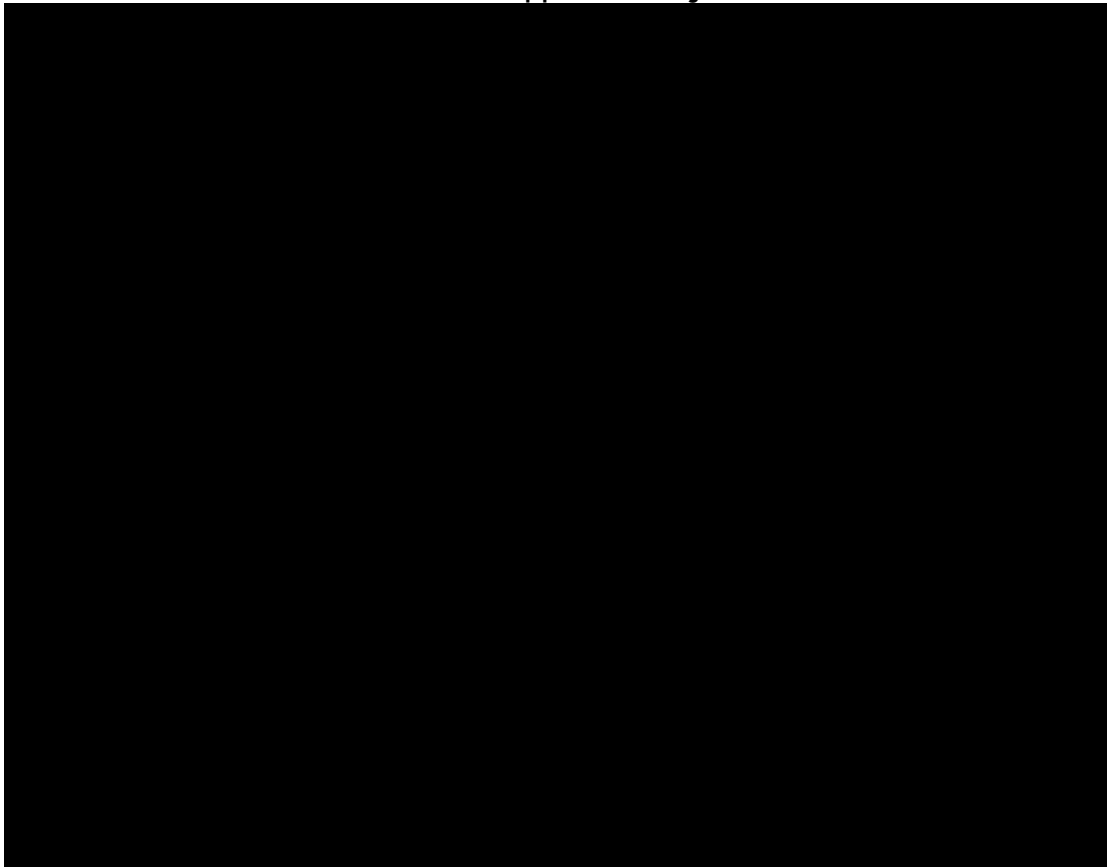
Road Program Funding Overview

The Town's Road Program is supported by revenue from nine separate sources, allocated to five separate Special Revenue Funds. For 2009-10, these sources and the funds to which they are allocated, include:



With the exception of the General Fund contribution, each source is subject to its own restrictions as to use and each is driven by different availability influences. The receipt of grant funds fluctuates from year-to-year, depending upon State and federal funding availability. These funds are categorical in nature, meaning they can be spent only as the authorizing agency approves. These available funds are allocated to the various uses outlined in the next table:

2009-10 Approved Projects



About 49% of the total Road Program budget for 2009-10 is allocated to major road rehabilitation projects and for repair or replacement of related infrastructure. In addition to these projects, Road Program expenditures are made for other important purposes. The Town's maintenance crew and the engineering staff provide day-to-day maintenance, oversight, and basic road engineering services. The materials and supplies used by the staff are charged to the program, including asphalt, rock, signs, paint, and equipment maintenance. Additionally, the Road Program supports street sweeping, drainage maintenance, and tree clearance costs. An emergency reserve of at least 10% of the program revenues is maintained, pursuant to the Town's Municipal Code.

Status of the 2009-10 Road Projects

The 2009-10 road projects are in varying stages of completion and are progressing on the schedule originally projected by the Town Engineer. The table that follows provides a brief summary, by project or project category, of the current status of each 2009-10 project.

2009-10 Project Status

Project	Status
Crack Sealing	Completed
Striping	To be completed with General Rehabilitation Project
Pavement Dig-outs	Completed
General Rehabilitation	To be completed by late December, 2009
Bridge Rehabilitation & Analysis	Ongoing

As the chart demonstrates, most of the work slated for 2009-10 will have been completed by the end of the calendar year or early in 2010.

The 2010-11 Preliminary Road Program

The Town Engineer has historically identified three categories of needed road repair work, as follows:

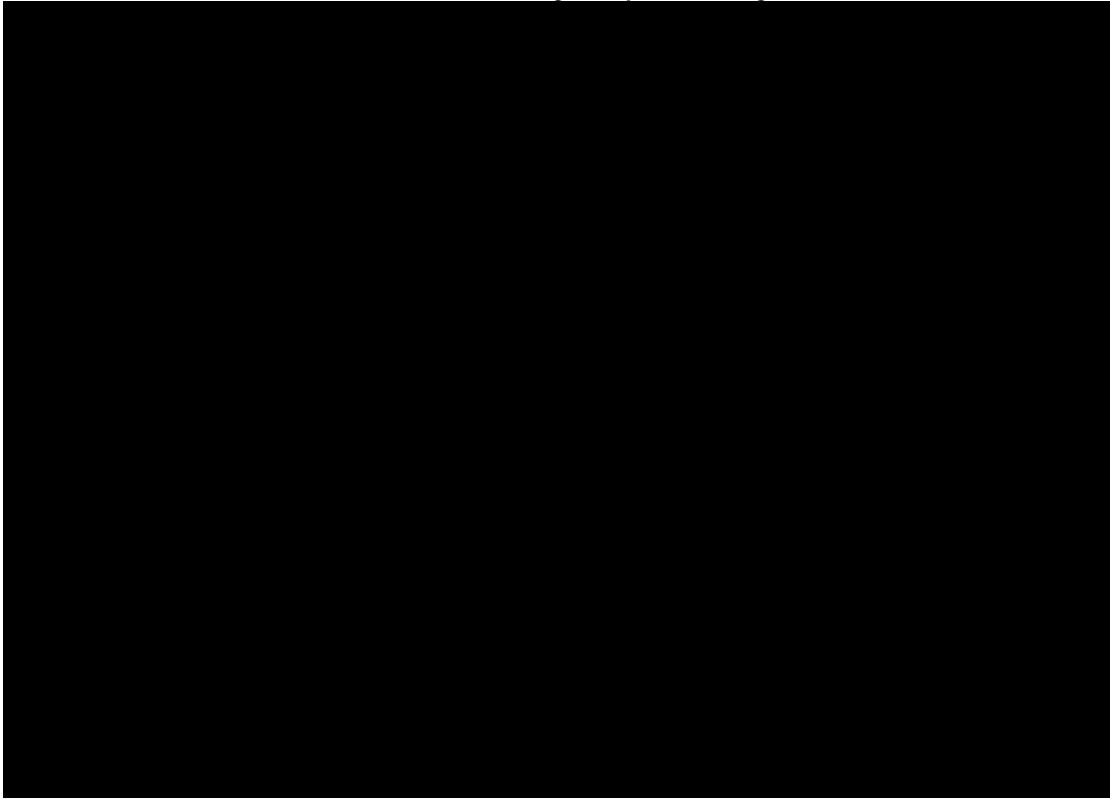
Crack Seal: This is a general maintenance category, calling for the sealing of cracks in asphalt pavement to stop further deterioration.

Rehabilitation: This is a broad category of more intense repair and maintenance work. It can include reconstruction of failed pavement with the installation of new pavement varying from five to eight inches in depth. It can also include fabric overlays, where failed pavement is replaced by installing geotextile fabric and an inch and a half overlay to provide for a new structural surface. Chip sealing is also included in this category, calling for replacement of failed pavement by installing a coat of hot asphalt covered by a layer of chips approximately 1/4 inch in size. Slurry sealing also falls into this category, with the installation of a layer of asphalt mixed with sand to provide a surface that protects the pavement and base. All of these treatments include necessary drainage improvements and traffic control. These treatments vary in cost. The full report binder provides more detail as to the extent of inclusion of each treatment.

Dig-outs: This category includes the isolation of segments of roadways which may be subject to the other treatments described in the foregoing sections, but which may require more immediate or separate repair. Sections of the road are removed and replaced independently of the final treatment of the balance of the road.

Based upon the Town Engineer's working knowledge of the condition of the Town's roadways, a continuing computerized survey of the roads, and the availability of grant funds, a comprehensive program is proposed to the Town Council annually, which includes the categories of road project previously described. The Road Program Five-year Forecast is taken into account as each year's proposals are developed. A preliminary list of road projects for the year 2010-11 was included in the 2009-11 Road Program Report, delivered to the Town Council in March of 2009. The following table summarizes the recommendations that were made at that time and which remain as the recommended projects for the next fiscal year.

2010-11 Preliminary Proposed Projects



The Town Engineer will update and revise this recommendation, as needed, prior to the Town Council's consideration of the second Road Program Report, which is due to the Council in February of 2010, for review during the first meeting in March. That report will more closely analyze the underlying program funding rationale and the projected financial status of the Road Program, including available funding for 2010-11.

CONCLUSION

The Town continues to invest in its road system, with the General Fund supporting over thirty percent of the total budget. The next report due to the Town Council on the Road Program will be ready in early February of 2010, for discussion at a March Town Council meeting. It will provide an updated five-year financial forecast and project recommendations for 2010-12.