

TOWN OF WOODSIDE

TOWN COUNCIL MEETING AGENDA

September 9, 2008

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

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and will be approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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: Regular Meeting of July 25, 2006, July 22, 2008, and Special Meeting of June 9, 2008.
2. Resolution Approving Fifteenth Amendment to Town Manager's Employment Agreement. Resolution No. 2008 - ____
3. Resolution Authorizing the Town Manager to Proceed with the Purchase of a New Wood Chipper. Resolution No. 2008 - ____
4. Monthly Financial Report for July and August of 2008.

NEW BUSINESS

5. Resolution Creating the Barkley Fields and Park Operations Oversight Committee and establishing Committee Charter and Membership. Resolution No. 2008 - ____
6. Resolution Approving a Covenant to Retain Portion of Town Property as Open Space and Authorizing the Mayor to Execute the Covenant on Behalf of the Town (Woodhill Drive, APN 068-322-390). Resolution No. 2008 - ____
7. Town Manager's Report to Town Council.
8. Review, Discussion, and Approval of 2008-09 Work Plan.

REPORTS

9. Mayor and Councilmember Communications.

COMMUNICATIONS

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

September, 9, 2008

SUBJECT: MINUTES FOR APPROVAL

The minutes of the Regular Town Council Meetings of July 25, 2006, July 22, 2008, and the Special Town Council Meeting of June 9, 2008, are attached for review and approval.

Attachment

CALL TO ORDER

Mayor Gordon called the Meeting to order at 6:15 P.M.

ROLL CALL

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

Absent: None

Staff Present:

Susan George, Town Manager (invited in at 7:20 P.M.)

Jean Savaree, Town Attorney

CLOSED SESSION

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

The Closed Session was adjourned at 7:32 P.M.

REGULAR SESSION

The Meeting was reconvened at 7:35 P.M.

Staff Present:

Susan George, Town Manager

Jean Savaree, Town Attorney

Kent Dewell, Town Engineer/Assistant Town Manager

Hope Sullivan, Planning Director

Janet Koelsch, Town Clerk

REPORT FROM CLOSED SESSION

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

PLEDGE OF ALLEGIANCE

Councilmember Boynton 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 June, 2006.
3. Resolution Authorizing the Town to Become a Member of a County-Wide Sub-Region for Purposes of Administering the Association of Bay Area Governments (ABAG) Regional Housing Needs Allocation Process. Resolution No. 2006 - 6591
4. Approval of Minutes: Town Council Meetings of June 28, 2005 and July 11, 2006, and Special Meetings of February 23, 2006 and June 12, 2006.

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5. Resolution Amending the 2006-07 Adopted Budget to Provide Appropriation Authority for the Barkley Fields and Park Construction Project. Resolution No. 2006 - 6592
7. Resolution: (1) Approving Plans and Specifications for the 2006 Road Rehabilitation Project and (2) Authorizing the Town Manager to Advertise for Bids and to Execute a Contract with the Lowest Responsible Bidder, in an Amount Not to Exceed \$675,000, Plus a Ten percent Contingency. Resolution No. 2006 - 6594
8. Recommended Response to the 2005-06 Grand Jury Report and Recommendations Regarding Disaster Preparedness and FCC-Mandated Changes in County Law Enforcement Radio Networks.
9. Resolution Authorizing the Town Manager to Execute a Revocable Encroachment Permit from the City of Redwood City for the Construction and Use of a Private Sewer Main at 1700 Fernside Drive. Resolution No. 2006 - 6595
10. Consideration and Approval of the Trails Committee's Proposed Letter to the Midpeninsula Regional Open Space District Regarding Trails in the Thornewood Open Space Preserve.

Councilmember Goeld requested that Item 6 be removed from the Consent Calendar.

Councilmember Sinclair moved approval of Items 1, 2, 3, 4, 5, 7, 8, 9 and 10 of the Consent Calendar.

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

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

6. Resolution Authorizing the Town Manager to Accept an Equestrian and Pedestrian Trail Easement along the Fleishhacker Property on Manuella Avenue. Resolution No. 2006 - 6593

Councilmember Goeld thanked the Fleishhacker Family for their dedication of the trail easement along Manuella Avenue.

There was no public comment.

Councilmember Goeld moved adoption of a Resolution Authorizing the Town Manager to Accept an Equestrian and Pedestrian Trail Easement along the Fleishhacker Property on Manuella Avenue.

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

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

NEW BUSINESS

11. Review of Raymundo Drive Designation as a "No Parking Zone" and Consideration of Alternatives Open to the Town.

Ms. George acquainted the Council with the background of the parking ban which was implemented at the request of the Raymundo Road residents. She noted recent requests received by staff from residents of other areas of Woodside to consider options to enable parking for access to the Crystal Springs Trail.

Brian Pinkerton, Glenwood Avenue, stated that the Crystal Springs Trail provides immediate incredible access to Huddart Park and requested that a system be

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implemented to provide a few parking spots. He requested that the legality of the unofficial "no parking" signs be clarified.

In response to an inquiry regarding the legality of establishing a parking area on a public road for the sole use of Woodside residents, Ms. Savaree discussed preferential parking for residents through the purchase of parking permits.

Bill Miller, Glenwood Avenue, suggested providing three or four well patrolled parking spots for recreational activities.

Susan Doherty, Highland Terrace, urged the Council to open up the restrictions by instituting a permit parking system that would provide identification for Woodside residents.

Paul Poletti, Raymundo Road, explained that 15 years ago he petitioned the Town for no-parking signs and, at that time, the Town installed signs that he had purchased. He expressed concern that, in the event of a fire, the ingress for emergency vehicles and the egress for residents would be restricted by parked cars.

Michael Clark, Raymundo Road, urged the Council to address the parking situation as a life and safety issue. He stated that, before the ban, there was parking on both sides of the street and on the horse trail.

Wini Monroe, Old La Honda Road, supported providing parking in the area and suggested that reporting illegally parked cars would cut down on problems.

Susan Clark, Raymundo Road, opined that restricting parking on Raymundo Road did not deny access to Huddart Park.

Page Kurnie, Toyon Court, spoke in support of installing a couple of permitted parking spots on Raymundo Road.

Betsy Miller, Glenwood Avenue, thanked the Town for picking up the Crystal Springs Trail easement so that the trail could be reopened. She suggested that effective patrolling would enable installation of a limited number of restricted parking places.

Alan Fitch, Raymundo Drive, stated that since the parking ban the severe problems experienced in the neighborhood have ceased and urged the Council not to undo something that solved a major problem. He explained how patrolling the area for illegal parking would burden the Raymundo Drive residents.

Janet Estep, Raymundo Drive, explained the difficulty fire engines had accessing her house during a fire and noted that there was still congestion on the road because vehicles are parked further down near Marva Oaks Drive. Ms. Estep discussed safety issues caused by parties and illegal fires in Huddart Park.

Melinda Fitch, Raymundo Drive, stated that all enforcement was from the residents and that she felt that she was threatened by having to report incidents. She discussed the safety issues of having cars parked on the road, including the dangers to equestrians caused by cars parking on the horse trail.

Eric Kurnie, Toyon Court, suggested marking off a few spaces for parking during daylight hours.

Ed Storm, Raymundo Road, spoke against installing parking spaces, suggesting it would stimulate interest in the area.

Janet Estep, Raymundo Drive, pointed out that the Woodside Municipal Code specifies "no parking" in areas of the Woodside Glens due to the fact that people were parking to access the Joan Olson Preserve and Kite Hill.

Brian Pinkerton, Glenwood Avenue, suggested that a safety study be undertaken regarding parking because of the narrow width of all Town roads.

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Ms. Savaree stated that, if the Council provided her with examples of suggested parking regulations, she would research the California Vehicle Code regarding the Town's ability to designate preferential parking for residents. She confirmed that there was limited ability to restrict access on a public street.

Ms. George noted that representatives of the Sheriff's office had confirmed that the current parking ban has worked well. She stated her agreement with the Town Engineer's assessment that there probably are not many places to earmark for parking. Ms. George opined that parking permits would be difficult to enforce and that it was unrealistic for the Town to expect the Sheriff's Department to patrol that area every night.

In response to an inquiry, Mr. Dewell confirmed that it would be difficult to create parking spaces on Marva Oaks Drive.

The Council discussed safety issues on Raymundo Road and the cost and difficulty involved with patrolling parking.

Councilmember Romines moved that the current parking ban on Raymundo Road be retained for the time being and that staff be directed, in conjunction with the Woodside Fire Protection District, to report back to the Council in 60 days on the results of an investigation regarding whether any safe parking spaces can be identified.

Motion seconded by Mayor Gordon.

After discussion by the Council, Councilmember Romines withdrew his motion.

The Council directed staff, in coordination with the Woodside Fire Protection District, to determine in 60 days whether any legal parking spaces could be established.

The Meeting was recessed for two minutes.

12. Adoption of an Ordinance Amending Chapter 91 (Animals) of Title IX of the Woodside Municipal Code.

Ms. George stated that she had discussed the Council's concern with the definition of "vicious animal" and that she had confirmed from the sergeant at the Peninsula Humane Society that a very common sense approach is taken with complaints. She added that the proposed ordinance has more protection and due process rights for owners of animals accused of being dangerous.

Stephanie MacDonald, Woodside Road, urged the Council to postpone adoption of the ordinance, pointing out the four day impound limit, the lack of definition for "lawful act" and the leash requirement in unenclosed premises.

Ms. George explained that the proposed ordinance has to substantially conform to San Mateo County's ordinance to provide uniform rules throughout the County and commented that the same language has been in effect since 1987.

Wayne Truitt, Oak Hill Lane, stated that the proposed ordinance would impose more fencing over a period of time.

Peter Mason, Old La Honda Road, requested an insertion allowing for invisible fencing.

Virginia Dare, Old La Honda Road, questioned the implication of not being in control of your horse if you fall off.

Ms. George pointed to the County's position about using a common sense approach.

Councilmember Sinclair moved reintroduction of an Ordinance Amending Chapter 91 (Animals) of Title IX of the Woodside Municipal Code as amended:

91.08 Prohibited conduct

No owner or possessor of any animal shall cause or permit it to do any of the following:

(a) To be upon any public street, sidewalk, park, school ground, or any public property, ~~or upon any unenclosed premises~~ in this jurisdiction...

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

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

13. Recommended Response to the 2005-06 Grand Jury Report and Recommendations Regarding the Town's Development Review Process.

Ms. George noted that a draft letter to the Superior Court had been prepared in response to the 2005-06 Grand Jury Report.

Debbie Dodge, Dodge and Associates, discussed the noted increase in Public Records Requests and the Town's policy on recommending consultants.

Ms. George clarified that specific recommendations included in the Grand Jury's report will be discussed in association with the Town's Development Review Process.

The Council discussed the Grand Jury's findings regarding the Planning/Building Department processes.

Councilmember Sinclair moved approval of the proposed letter from the Mayor in response to the 2005-06 Grand Jury Report. Additionally, Councilmember Sinclair moved that the Town Manager be directed to incorporate items presented by the Grand Jury into the subsequent Development Review Process.

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

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

PUBLIC HEARING

14. 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 Ordinance.

Ms. Sullivan provided a background on the proposed ordinance prepared by the Council subcommittee and presented six changes recommend by staff.

Stephanie MacDonald, Woodside Road, Vice-Chair of the Conservation and Environmental Health Committee, confirmed that the permit process encourages the protection of the Town's native trees. She compared the proposed ordinance to ordinances from nearby municipalities and similar communities. She explained why the committee supported using a "significant tree" list rather than a blanket 30 inch circumference for all tree removal permits, noting the smaller size of the Blue Oaks at maturity. She urged that provisions be added to identify winter deciduous trees and to control work within the drip line area.

George Harris, representing the Menlo Country Club, expressed concern with any fees required for tree removal permits.

Debbie Mendelson, Sheridan Way, requested that the ordinance require courtesy neighbor notification and mandatory replacement for tree removal.

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Ms. Sullivan commented that, if there is an expectation of referral to the Architectural and Site Review Board, the ordinance should specify the distance for notification of neighbors.

Wayne Truitt, Oak Hill Lane, spoke in support of using the definition of "significant tree" proposed by the Conservation and Environmental Health Committee.

Jason Mendelson, Sheridan Way, supported confirming through the permit approval process that trees are actually dead and not just appearing to be dead.

Ed Storm, Raymundo Drive, spoke in support of allowing removal of 10 percent of the trees on a parcel for site planning.

Virginia Dare, Old La Honda Road, supported having a list of "significant trees" and urged that the ordinance contain a provision for protection of significant stands of trees.

Ms. MacDonald pointed out the importance of preserving significant stands of trees and noted that the California Native Plant Society has identified the Blue Oaks as the only significant stands of trees in Woodside.

Peter Mason, Old La Honda Road, supported using a list of "significant trees" and increasing the circumference/diameter measurement for redwood trees.

Teresa Dentino, Mountain Home Road, spoke in support of a streamlined process and recommended providing a list of Frequently Asked Questions (FAQ) on the Town's website.

Ms. Sullivan summarized comments expressed:

Provide a definition for "significant stand of trees."

Modify the definition of "SIGNIFICANT TREE" from 30 inches to 24 inches.

Amend Section 153.170, Purpose, to include protection for significant stands of trees.

Amend Section 153.173, Permit - Required - "No person shall engage in tree destruction, whether the tree is alive or presumed dead, without first obtaining a permit."

Amend Section 153.175, Permit - Application Review -

A. "They are **dead**, significantly diseased and..

~~Factors in addition to the above... The Planning Director may also require tree replacement, as provided in Section 153.177. A~~
replacement tree will be required, as provided in Section 153.177, unless the Planning Director determines that it is not necessary.

Specify neighbor notification requirement if application for tree removal is referred to the Architectural and Site Review Board or the Conservation and Environmental Health Committee.

Amend Section 153.176.A.- Protection of SIGNIFICANT TREES During Site Development and Construction -

(II) Permits for construction within a drip line of any SIGNIFICANT TREES shall include:~~...prohibition of cuts and fills within four feet of a tree base~~ provision for cuts and fills within the drip line, but greater than four feet from the tree base;...

Include both circumference and diameter measurements in the SIGNIFICANT TREE table in accordance with industry standards.

Amend Section 153.178, Violations - Penalty

Any person or property owner violating provisions of this ordinance with respect to the protection of SIGNIFICANT TREES ~~that~~ where such violation is not fully curable within...

Provide that removal of trees that are a part of a significant stand of trees be referred to the Conservation and Environmental Health Committee, Architectural and Site Review Board or the Open Space Committee, if a conservation easement is appropriate.

The Public Hearing was closed.

Councilmember Sinclair moved that the items summarized by the Planning Director be submitted to the subcommittee composed of the Conservation and Environmental Health Committee Chair and Vice-Chair, George Offen and Stephanie MacDonald, and Councilmembers Gordon and Sinclair, to be evaluated and resubmitted to the Town Council.

Motion seconded by Councilmember Goeld and carried by voice vote.

REPORTS

15. Mayor and Councilmember Communications.

Councilmember Tanner discussed methods to have the meetings end at an earlier time.

Ms. George reminded the Council of the "Burn the Mortgage" Party to be held on August 2nd.

COMMUNICATIONS

ADJOURNMENT

The Meeting was adjourned at 11:48 P.M.

TOWN OF WOODSIDE

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

June 9, 2008

CALL TO ORDER

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

ROLL CALL

Present: Councilmember Boynton, Hodges, Mason, Tanner, Mayor Romines
Absent: Councilmember Burow, Gordon

Staff Present:
Susan George, Town Manager
Jean Savaree, Town Attorney
Paul Nagengast, Town Engineer
Kevin Bryant, Assistant to the Town Manager
Janet Koelsch, Town Clerk

PLEDGE OF ALLEGIANCE

Lon Mattmann, Cañada 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**

Councilmember Hodges moved approval of the Consent Calendar as presented.

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

AYES: Councilmember Boynton, Hodges, Mason, Tanner, Mayor Romines
NOES: None
ABSENT: Councilmember Burow, Gordon

NEW BUSINESS

2. **Introduction of an Ordinance Requiring the Designation of Very High Fire Hazard Severity Zones in the Town of Woodside.**

Ms. George acquainted the Council with the background of the Town's December 2007 adoption of the 2007 California Building Standards Code including Chapter 7A, Wildland Urban Interface Building Standards, which will be effective July 1, 2008. She reviewed the draft September 2007 State of California Fire Hazard Severity Zones Map and noted that, on the current May 2008 map, Very High Fire Severity Zones had been expanded from recommendations submitted by the Woodside Fire Protection District (WFPD). Ms. George pointed out that one area recommended for inclusion by the Fire Marshal, Woodside Glens, was rejected.

Denise Enea, Fire Marshal, Woodside Fire Protection District, explained that the State map is based on fire history, the national fuel model, ember propagation and continuity to other very high fire areas. Ms. Enea reviewed the Town's Urban Wildland Interface Zone Map, created by the WFPD, which was utilized previously for permitting roofs and eaves and pointed out that this map was created using indicators such as access, fuel load, topography, and ember propagation. She opined that this more restrictive map could be adopted by the Town as its official Chapter 7A map. She reviewed the WFPD's concerns with different areas of Town, including Woodside Glens. Ms. Enea suggested

that a study be undertaken on the addition of areas and a new map created. She pointed out the safety measures contained in Chapter 7A, and noted that these changes would insure safety in future years.

Steve Lubin, Palm Circle, questioned why the State map included the flat, fairly damp area of Tripp Road, Kings Mountain Road and Smoke Tree Lane but did not include the more rugged Greer Road area.

Ms. Enea confirmed that data used for mapping was provided by the State.

Referencing Section 4291 of the Public Resources Code, Mr. Lubin commented on the impact of vegetation removal on small lots.

Ms. George noted that a recommendation of the Town's Fire Management Plan was to revise the Town's Design Guidelines because the current guidelines do not meet fire safety standards.

Ms. Enea confirmed that the Public Resources Code is applied to State responsibility areas. She continued that the WFPD enforces the Government Code---100 foot defensible space and a very specific 30 foot perimeter clearance---not clear cutting.

Thalia Lubin, Palm Circle, expressed concern that the look of Woodside would be changed through enforcement of these provisions and urged that the map designations be examined closely.

Ms. George confirmed that sections of the Government Code specify that single species or well maintained trees can be in compliance.

Armando Muela, Fire Chief, Woodside Fire Protection District, described how the District works with property owners on an individual basis.

Steve Patrick, West Glen Way, opined that adopting the additional Very High Fire Severity Zones suggested by the Fire Marshal would be a good idea.

The Public Hearing was closed.

The Council discussed adding areas to the Fire Hazard Severity Zones Map; clarifying the criteria used by the State to determine the Very High Fire Severity Zones; and providing substantiation to add Woodside Glens and other areas to the map.

In order to add areas to the Very High Fire Severity Zones map, Ms. George explained that the Town would request that the Fire Marshal supply a description of the boundaries of the proposed areas and a justification that the proposed areas should be designated Very High Fire Severity.

Ms. Savaree advised the Council on the process for introducing changes to the State's map.

Mayor Romines requested that the analysis for adding Woodside Glens to the map be done sooner rather than later.

Thalia Lubin, Palm Circle, requested that information on the legality of the proprietary maps used by insurance companies be investigated.

Councilmember Boynton moved Introduction of an Ordinance Requiring the Designation of Very High Fire Hazard Severity Zones in the Town of Woodside in compliance with the State of California Fire Hazard Severity Zones Map dated May 2, 2008.

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

AYES: Councilmember Boynton, Hodges, Mason, Tanner, Mayor Romines
NOES: None
ABSENT: Councilmember Burow, Gordon

REPORTS

3. Mayor and Councilmember Communications.

COMMUNICATIONS

ADJOURNMENT

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

TOWN OF WOODSIDE

TOWN COUNCIL MEETING MINUTES

July 22, 2008

Independence Hall, 2955 Woodside Road, Woodside

CALL TO ORDER

Mayor Romines called the Meeting to order at 6:00 P.M.

ROLL CALL

Present: Councilmember Burow, Boynton, Gordon, Hodges, Mason, Tanner, Mayor Romines
Absent: None

CLOSED SESSION

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

Staff Present:
Susan George, Town Manager (called in at 7:10 P.M.)
Jean Savaree, Town Attorney

The Closed Session was adjourned at 7:33 P.M.

REGULAR SESSION

The Regular Session was reconvened at 7:40 P.M.

Staff Present:
Susan George, Town Manager
Jean Savaree, Town Attorney
Paul Nagengast, Town Engineer
Kevin Bryant, Assistant to the Town Manager
Janet Koelsch, Town Clerk

REPORT FROM CLOSED SESSION

Mayor Romines stated that there was nothing to report from the July 22, 2008, Closed Session.

Mayor Romines reported from the Closed Session held on June 24, 2008, that the Council by a vote of 6-0, with Councilmember Gordon absent, authorized a severance agreement and release between the Town and Hope Sullivan. He noted that the severance agreement has been executed by both parties and that it is available for inspection upon request to the Town Clerk.

PLEDGE OF ALLEGIANCE

Paul Nagengast, Town Engineer, led the Pledge of Allegiance.

COMMUNICATIONS

Mayor Romines presented the Woodside Trails Legacy Award to the Fleishhacker Family in recognition of their donation of the Green Gables Trail. Mayor Romines expressed the Council's gratitude to the Fleishhacker Family and acknowledged the importance of this link to the Town's trail system.

David Fleishhacker and Delia Fleishhacker Erlich accepted the award on behalf of the Fleishhacker family.

CONSENT CALENDAR

- 1. Approval of Minutes: Regular Meeting of July 8, 2008.

2. Monthly Investment Report for June, 2008.
3. Resolution Consenting to the Annexation of Land to the Fair Oaks Sewer Maintenance District for 630 Woodside Drive (APN 069-141-120). Resolution No. 2008 - 6705
4. Resolution Amending the Town's Salary Schedule and Classification Plan. Resolution No. 2008 - 6706
5. Resolution Authorizing the Town Manager to Execute an Agreement for Executive Search Services with Management Partners, Inc., in an Amount not to Exceed \$22,500. Resolution No. 2008 - 6707
7. Resolution Approving the First Amended Joint Powers Agreement for HEART and Authorizing the Mayor to Execute the Agreement on Behalf of the Town. Resolution No. 2008 - 6708
9. Resolution Accepting Completion of the Barkley Fields and Park Restroom and Storage Building Project and Filing the Notice of Completion. Resolution No. 2008 - 6710
10. Resolution Authorizing the Town Manager to Proceed with the Purchase of Two Alternative Fuel Vehicles and Modifying the 2008-09 Adopted Budget. Resolution No. 2008 - 6711
11. Resolution Adopting a Revised Conflict of Interest Code. Resolution No. 2008 - 6712

Councilmember Burow requested that Item 6 be removed from the Consent Calendar. Councilmember Gordon requested that Item 8 be removed from the Consent Calendar.

Councilmember Mason moved approval of Items 1, 2, 3, 4, 5, 7, 9, 10, and 11 of the Consent Calendar.

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

AYES: Councilmember Burow, Boynton, Gordon, Hodges, Mason (abstained from Item 1), Tanner, Mayor Romines
NOES: None
ABSENT: None

6. Recommended Response to the 2007-08 Grand Jury Report and Recommendations Regarding Awareness of Reporting Requirements for Non-Pension Post-Employment Benefits (GASB 45).

Ms. George explained that, in each subsequent fiscal year, the Town would disclose its GASB 45 obligations in the financial statements and would provide needed funding in the budget.

Mr. Bryant suggested amending the letter to note that Recommendation 3 would be implemented in 2009-10 and subsequent years.

Councilmember Mason moved approval of the response to the 2007-08 Grand Jury Report and Recommendations Regarding Awareness of Reports, modifying Paragraph 3 as follows "the Town will implement Recommendation 3 in Fiscal Year 2009-10 and subsequent years..."

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

AYES: Councilmember Burow, Boynton, Gordon, Hodges, Mason, Tanner, Mayor Romines
NOES: None
ABSENT: None

8. Resolution Accepting Completion of the Barkley Fields and Park Project and Filing the Notice of Completion. Resolution No. 2008 - 6709.

Ms. George explained that augmentation to the drainage system and installation of gopher proofing mesh at Barkley Fields and Park caused a cost increase.

Councilmember Gordon moved adoption of a Resolution Accepting Completion of the Barkley Fields and Park Project and Filing the Notice of Completion.

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

AYES: Councilmember Burow, Boynton, Gordon, Hodges, Mason, Tanner, Mayor Romines
NOES: None
ABSENT: None

NEW BUSINESS

12. Town Manager's Report to Town Council.

Ms. George noted that a proposal for revision of the Town's Residential Design Guidelines had been received from Planning Consultant, Stephen O'Connell, and added that he also has a background in landscape architecture.

The newly designed Woodside Glens sign was displayed.

Ms. George stated that the County Parks Director will apprise Town staff when projects in Huddart Park, which are of concern to the Town, are scheduled to be implemented. Ms. George pointed out that most of these projects are in the 5 to 10 year implementation range.

Mr. Bryant stated that he would follow up with County staff on a suggestion to open the parking lot at Huddart Park at 6:00 A.M.

Ms. George confirmed that staff from the Building and Planning Department and the Woodside Fire Protection District will make a presentation in September to the Architectural and Site Review Board (ASRB) on the Basics of Chapter 7A.

Mayor Romines expressed the Council's appreciation to Kevin Bryant for his willingness to take on all the new projects assigned to him.

13. Resolution Appointing the Town's Voting Delegate and Voting Alternate to the League of California Cities Annual Conference. Resolution No. 2008 - 6713

Ms. George noted that the item was continued from the last meeting in order to determine if any Councilmembers had planned to attend the session.

The Council discussed whether the Mayor could substitute a delegate by providing a letter over his signature.

Ms. Savaree confirmed that she was not attending the session and suggested that, if a member of her firm attends, that individual could be the voting delegate.

Councilmember Hodges moved that Mayor Romines be designated as the Town's voting delegate and that Jean Savaree or a member of her firm be designated as an alternate delegate.

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

AYES: Councilmember Burow, Boynton, Gordon, Hodges, Mason, Tanner, Mayor Romines
NOES: None
ABSENT: None

PUBLIC HEARING

14. Pursuant to Woodside Municipal Code, Section 10.44, Appeal of a Notice of Intent to Record a Code Violation for Installation of an Unpermitted Solid Wood Fence (Bullock - 3573 Tripp Road).

Item 14 was continued to a date uncertain at the request of the applicant.

APPOINTMENTS

15. Report and Recommendation from the Town Council Committees Appointments Subcommittee:
- a. Bicycle Committee
 - b. Open Space Committee

Councilmember Boynton reported that the Town Council Committees Appointments Subcommittee recommended appointment of Randy Kehrberg to the Bicycle Committee for a two-year term expiring in February 2010 and appointment of Nancy Reyring to the Open Space Committee for a one-year term expiring in February 2009.

Councilmember Hodges moved acceptance of the recommendation of the Town Council Committees Appointment Subcommittee.

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

AYES: Councilmember Burow, Boynton, Gordon, Hodges, Mason, Tanner, Mayor Romines
NOES: None
ABSENT: None

REPORTS

16. Mayor and Councilmember Communications.

Councilmember Burow requested that staff provide the Council with a report on Sudden Oak Death incidents in Woodside.

COMMUNICATIONS

There were no Communications.

The Meeting was adjourned to Closed Session at 8:10 P.M.

CLOSED SESSION

The Closed Session was reconvened at 8:15 P.M.

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

ADJOURNMENT

The Meeting was adjourned at 9:40 P.M.

TOWN OF WOODSIDE

Report to Town Council
From: Susan George, Town Manager

Agenda Item 2
September 9, 2008

**SUBJECT: RESOLUTION APPROVING FIFTEENTH AMENDMENT TO TOWN MANAGER'S
EMPLOYMENT AGREEMENT**

RECOMMENDATION

It is recommended that the Town Council adopt the attached resolution, approving the fifteenth amendment to the Town Manager's employment agreement.

DISCUSSION

On July 22, 2008, the Town Council completed its annual review of the Town Manager's performance for the preceding fiscal year. Based upon that review, amendments to the Town Manager's Employment Agreement have been mutually accepted by the Town Council and the Town Manager in Closed Session. Specifically, the Town Manager's base salary will be raised to \$185,000, retroactive to July 1, 2008. The agreement also indicates that the Town Council has awarded a \$12,500 bonus to the Town Manager for the 2007-08 fiscal year and it provides for a potential bonus of up to \$12,500 for fiscal year 2008-09, the amount of which is to be determined at the Town Council's sole discretion in July of 2009.

CONCLUSION

In order to implement the agreement reached by the Town Council and the Town Manager, the Town Council must adopt the attached resolution and both the Mayor and the Town Manager must execute the actual amendment, included as an attachment to the resolution.

Attachment

RESOLUTION No. 2008 - _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE
APPROVING THE FIFTEENTH AMENDMENT TO THE TOWN MANAGER'S EMPLOYMENT
AGREEMENT**

WHEREAS, the Town of Woodside and Susan Elizabeth George entered into an Employment Agreement on February 17, 1993, which appointed Ms. George as Town Manager for the Town of Woodside; and

WHEREAS, the Town Council has evaluated the performance of the Town Manager, as provided for in the Employment Agreement each succeeding year and has amended the Employment Agreement by mutual consent from time-to-time; and

WHEREAS, the Town Council completed its most recent performance review on July 22, 2008; and

WHEREAS, the Town Council and the Town Manager have agreed to certain amendments to the Employment Agreement and those amendments have been prepared pursuant to the direction of the Town Council and are incorporated into the "Fifteenth Amendment to Employment Agreement", attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Woodside, California, that the Town Manager's Employment Agreement, last amended as of October 25, 2007, is hereby amended, as outlined in "Exhibit A".

* * * * *

Passed and adopted by the Town Council of the Town of Woodside, California, at a meeting thereof held on this 9th day of September, 2008, by the following vote of the members thereof:

AYES, and in favor thereof, COUNCIL MEMBERS:

NOES, COUNCIL MEMBERS:

ABSENT, COUNCIL MEMBERS:

ABSTAIN, COUNCIL MEMBERS:

MAYOR OF THE TOWN OF WOODSIDE

ATTEST:

CLERK OF THE TOWN OF WOODSIDE

FIFTEENTH AMENDMENT
TO EMPLOYMENT AGREEMENT

This Fifteenth Amendment is to the Town Manager Employment Agreement dated February 17, 1993, as previously amended.

The following modification is made:

1. This Fifteenth Amendment is effective July 1, 2008.
2. Section 3.1 is modified to provide a base salary of \$185,000 per Town fiscal year. The Town Manager shall also be paid \$12,500 as a bonus for the fiscal year 2007-2008.
3. Section 3(b) is modified to read as follows:

The Town Manager shall be eligible to receive a bonus of up to \$12,500 for the Town fiscal year of July 1, 2008- June 30, 2009. The amount of bonus shall be determined by the Town Council in its sole discretion at its annual review in July 2008 of the Town Manager's performance. In the event the Town Manager's employment with the Town shall cease for any reason prior to the end of the fiscal year, the Town Council shall conduct a performance review and determine any bonus payable with the maximum bonus being a pro rata amount based on length of employment during that fiscal year. The Town Manager may elect to have any part of the bonus awarded paid into her deferred compensation plan.

4. In all other respects the Agreement is confirmed.

DATED: _____

TOWN OF WOODSIDE,
a municipal corporation

By _____
Mayor

DATED: _____

TOWN MANAGER

SUSAN ELIZABETH GEORGE

TOWN OF WOODSIDE

Report to Town Council

Agenda Item 3

From: Kevin Bryant, Assistant to the Town Manager

September 9, 2008

Reviewed by: Susan George, Town Manager

SUBJECT: RESOLUTION AUTHORIZING THE TOWN MANAGER TO PROCEED WITH THE PURCHASE OF A NEW WOOD CHIPPER

RECOMMENDATION

It is recommended that the Town Council adopt the attached resolution, which authorizes the Town Manager to proceed with the purchase of a new wood chipper.

DISCUSSION

The 2008-09 Adopted Budget includes \$30,000 to support the purchase of a new wood chipper to replace the Town's 15-year-old chipper. Pursuant to Woodside Municipal Code Section 34.13, the Town Council must award contracts for goods that cost in excess of \$20,000. The Public Works Department received four bids for a new chipper, with the lowest being \$24,700. In order for the staff to move forward and implement the budget with regard to the purchase of the chipper, it is necessary for the Town Council to authorize the Town Manager to award a contract(s) to the lowest bidder.

CONCLUSION

In order to ensure timely implementation of the purchase of a new wood chipper, as is provided for in the 2008-09 budget, adoption of the attached resolution is recommended.

Attachment

RESOLUTION NO. 2008 -

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE
AUTHORIZING THE TOWN MANAGER TO PROCEED WITH THE PURCHASE OF A NEW
WOOD CHIPPER

RESOLVED, by the Council of the Town of Woodside, that:

WHEREAS, the 2008-09 Adopted Budget was approved on June 24, 2008;
and

WHEREAS, the budget includes funds to support the purchase of a new
wood chipper; and

WHEREAS, in order for the purchase to proceed in a timely fashion,
it is necessary for the Town Council to authorize the Town Manager to
award the sales contract on its behalf.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN COUNCIL
OF THE TOWN OF WOODSIDE that the Town Manager is authorized to proceed
with the purchase of a new wood chipper by awarding the sales contract
on behalf of the Town Council.

* * * * *

Passed and adopted by the Town Council of the Town of Woodside,
California, at a meeting thereof held on the 9th day of September 2008,
by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

Mayor of the Town of Woodside

ATTEST:

Clerk of the Town of Woodside

TOWN OF WOODSIDE

Report to Town Council

Agenda Item 4

By: Kevin Bryant, Assistant to the Town Manager

September 9, 2008

Reviewed by: Susan George, Town Manager

SUBJECT: MONTHLY FINANCIAL REPORT FOR JULY AND AUGUST OF 2008

RECOMMENDATION

It is recommended that the Town Council review and accept the Monthly Financial Report for July and August of 2008.

BACKGROUND

The Monthly Financial Report for July and August, 2008, 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 July 31 and August 31, 2008.

DISCUSSION

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

- The Town's cash position for all funds as of August 31, 2008, was \$8,514,877. The cash balances for the year have been:

AS OF	CASH BALANCE
07/31/08	\$9,254,461
08/31/08	\$8,514,877

Cash balances at August 31, 2007, were \$8,655,479.

- Total expenditure activity for all of the Town's funds, including interfund transfers, was \$1,375,868 or 16.1% of the total annual budget. For comparison purposes, expenditure totals at August 31, 2007, were \$1,310,501 or 16.5% of budget. By month, and compared to fiscal year 2007-08 expenditures, the following expenditures have occurred:

MONTH	2008-09	2007-08
July	\$ 430,490	\$ 354,527
August	945,378	955,974
Total	\$ 1,375,868	\$ 1,310,501
Budget	\$ 8,570,024	\$ 7,959,596
% of Budget	16.1%	16.5%

- Total revenues, including interfund transfers, for the same two-month period was \$994,359 or 7.4% of annual anticipated revenues. Total revenues at August 31, 2007, were \$548,736 or 7.4% of budget. By month, and compared to fiscal year 2007-08 patterns, the following revenues have been received:

MONTH	2008-09	2007-08
July	\$ 746,450	\$ 362,971
August	247,909	185,765
Total	\$ 994,359	\$ 548,736
Total Budget	\$ 7,538,409	\$ 7,409,898
% of Budget	13.2%	7.4%

Revenues as of August 31, 2008 are higher than at the same point in 2007 in large part because the Town has received \$400,000 in Proposition 1B project funds. Proposition 1B was passed by voters in 2006 and provides funds for local transportation projects, including road maintenance. Additionally, fees and permits, including road impact fees, are approximately \$45,000 ahead of the same time last year.

Attachment A to this report presents summaries by fund of revenues and expenditures through August 31, 2008, compared to budget.

The General Fund as of August 31, 2008

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

Category	2008-09	8/31/2008	
	Adopted Budget (\$000)	Actual (\$000)	% of Total
Revenues			
Property Taxes	2,395.0	5.4	
Sales Taxes	407.2	49.4	
Transfer Taxes	130.0	10.5	
Franchise Fees	305.1	25.8	
Business Licenses	136.0	17.6	
Fees & Permits	750.0	222.9	
Interest Income	175.0	-	
Other Agencies	580.0	2.0	
Charges for Service	115.0	9.9	
Interfund Transfers	209.0	-	
Other Revenue	23.0	0.8	
Total	5,225.3	344.3	6.6%
Expenses			
Salaries & Benefits	2,369.6	328.0	
Services & Supplies	2,029.7	589.9	
Equipment/Capital	155.0	-	
Road Fund Contribution	500.0	-	
Other Contributions	152.5		
Total	5,206.8	917.9	17.6%
Net Position	18.5	(573.6)	

The General Fund's cash balances/reserves remain healthy, with over \$2.3 million on hand as of August 31, 2008. This position ensures that no cash flow borrowing will be needed. A portion of this amount is earmarked as a General Fund reserve, pursuant to Town Council Financial Policy #2. That policy requires that adequate reserves must be developed and maintained, including a minimum reserve level of fifteen percent of estimated operating revenues for the Town's General Fund. Fifteen percent of estimated operating revenues equates to about \$750,000.

- The 2007-08 General Fund expenditure and revenue pattern thus far has been:

MONTH	REVENUES	EXPENDITURES	NET POSITION
July	\$ 173,086	\$ 346,747	\$ (173,661)
August	171,182	571,188	(400,006)
Total to Date	\$ 344,268	\$ 917,935	\$ (573,667)
Total Budget	\$ 5,225,346	\$ 5,206,782	\$ 18,564
% of Budget	6.6%	17.6%	

For comparison purposes, as of August 31, 2007, the General Fund had experienced revenues of \$313,951 and expenditures of \$500,780, which was 6.2% and 10.0% of budget, respectively. The Town has paid for the first quarter of the contract for police services, while at this time last year no billings had been submitted by the County. The current year's performance is within anticipated levels.

Attachment B to this report includes summaries of General Fund expenditure performance by department as of August 31, 2008. It highlights significant trends or variances, for the Town Council's review.

All Other Funds at August 31, 2008

No unanticipated trends have developed during the first two months of the fiscal year for any of the Town's remaining funds.

Appropriation Adjustments

No appropriation adjustments are necessary at this time.

CONCLUSION

The Town's financial position at the end of the first two months of operation is in line with budgetary expectations.

Attachments

TOWN OF WOODSIDE
 2008-09 AS OF 8/31/2008
 ALL FUNDS

ATTACHMENT A

FUND	REVENUES BUDGET	REVENUES ACTUAL	% OF TOTAL	EXPENSES BUDGET	EXPENSES ACTUAL	% OF TOTAL
101 - GENERAL	5,225,346	344,268	6.6%	5,206,782	917,935	17.6%
105 - TRAILS	75,500	22,808	30.2%	75,500	8,074	10.7%
135 - RECREATION	79,900	5,148	6.4%	83,449	4,061	4.9%
150 - BARKLEY O&M	80,000	0	0.0%	80,000	52,435	65.5%
151 - BARKLEY CONSTRUCTION RESERVE	35,000	0	0.0%	0	0	--
204 - TRAFFIC SAFETY	32,200	5,391	16.7%	27,700	5,944	21.5%
206 - GAS TAX CONSTRUCTION	29,100	0	0.0%	30,433	3,170	10.4%
207 - GAS TAX MAINTENANCE	82,600	0	0.0%	95,531	11,345	11.9%
210 - MEASURE A	757,300	438,267	57.9%	1,638,565	44,806	2.7%
242 - ROAD IMPACT FEE	407,500	104,463	25.6%	402,831	40,582	10.1%
243 - PUBLIC SAFETY GRANT	90,500	0	0.0%	90,500	0	0.0%
244 - CLEEP	0	0	--	0	500	--
250 - LIBRARY OPERATIONS	60,000	0	0.0%	136,952	8,226	6.0%
365 - BARKLEY PARK CONSTRUCTION	0	0	--	0	62,547	--
428 - TC PUMP RESERVE	750	0	0.0%	0	0	--
429 - TC PUMP DEBT	94,827	2,005	2.1%	94,827	85,827	90.5%
441 - WR/WHR PAD DEBT RSRV.99	2,000	0	0.0%	0	0	--
450 - WR/WHR PAD DEBT	133,828	0	0.0%	133,828	100,638	75.2%
525 - CANADA SEWER	9,618	0	0.0%	26,706	0	0.0%
528 - SEWER UTILITY	162,000	82	0.0%	235,916	11,503	4.9%
529 - TC PUMP SEWER	5,000	14,250	285.0%	27,295	0	0.0%
537 - SEWER CAPITAL	21,440	4,455	20.8%	9,209	(403)	-4.4%
TOTAL OPERATING	7,384,409	941,137	12.7%	8,396,024	1,357,190	16.2%
900 - DEPOSITS	154,000	53,222	34.6%	174,000	18,678	10.7%
TOTAL	7,538,409	994,359	13.2%	8,570,024	1,375,868	16.1%

GENERAL FUND BY DEPARTMENT AS OF 8/31/2008

ATTACHMENT B-1

	BUDGET	ACTUAL	% OF TOTAL
TOWN COUNCIL			
SERVICES/SUPPLIES	24,000.00	6,137.64	25.6%
TOTAL	24,000.00	6,137.64	25.6%
ADMINISTRATION			
SALARIES/BENEFITS	809,090.00	108,532.32	13.4%
SERVICES/SUPPLIES	270,500.00	52,700.76	19.5%
TOTAL	1,079,590.00	161,233.08	14.9%
PLANNING AND BUILDING			
SALARIES/BENEFITS	1,134,250.00	179,685.78	15.8%
SERVICES/SUPPLIES	244,825.00	105,881.87	43.2%
TOTAL	1,379,075.00	285,567.65	20.7%
BUILDINGS & GROUNDS			
SALARIES/BENEFITS	20,155.00	2,173.12	10.8%
SERVICES/SUPPLIES	98,000.00	10,496.33	10.7%
EQUIP/CAPITAL	65,000.00	0.00	0.0%
TOTAL	183,155.00	12,669.45	6.9%
TOWN-WIDE OVERHEAD			
SALARIES/BENEFITS	54,000.00	3,733.65	6.9%
SERVICES/SUPPLIES	280,310.00	107,694.64	38.4%
EQUIPMENT	90,000.00	0.00	0.0%
TOTAL	424,310.00	111,428.29	26.3%
SAFETY SERVICES			
SERVICES/SUPPLIES	1,106,626.00	296,369.50	26.8%
TOTAL	1,106,626.00	296,369.50	26.8%
TRAILS			
TRANSFERS OUT	37,500.00	0.00	0.0%
TOTAL	37,500.00	0.00	0.0%
PUBLIC WORKS			
SALARIES/BENEFITS	352,126.00	33,906.21	9.6%
SERVICES/SUPPLIES	5,400.00	10,623.61	196.7%
TRANSFERS OUT	500,000.00	0.00	0.0%
TOTAL	857,526.00	44,529.82	5.2%
BARKLEY O&M			
TRANSFERS OUT	115,000.00	0.00	0.0%
TOTAL	115,000.00	0.00	0.0%
TOTAL FUND			
SALARIES/BENEFITS	2,369,621.00	328,031.08	13.8%
SERVICES/SUPPLIES	2,029,661.00	589,904.35	29.1%
EQUIP/CAPITAL	155,000.00	0.00	0.0%
TRANSFERS OUT	652,500.00	0.00	0.0%
TOTAL	5,206,782.00	917,935.43	17.6%

**GENERAL FUND BY DEPARTMENT
AS OF 08/31/08**

GENERAL COMMENTS:

1. As of August 31, 2008, 16.7% of the fiscal year had elapsed.
2. For Salaries and Benefits, expenditures should be at about 14.2% of budget. As of August 31, 2008, 3.7 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 generally within expected expenditure levels.

Administration: This departmental budget is within expected expenditure levels.

Planning and Building: This departmental budget reflects the accrual and separation payout for the Planning & Building Director, which was paid in July.

Buildings and Grounds: This departmental budget is 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 August 31, 2008, the Town had been billed for the first quarter of the fiscal year.

Trails: See Note 4.

Public Works: This departmental budget is generally within expected expenditure levels.

Barkley Fields and Park: See Note 4.

TOWN OF WOODSIDE

Report to Town Council

Agenda Item 5

Prepared By: Kevin Bryant, Assistant to the Town Manager

September 9, 2008

Approved By: Susan George, Town Manager

SUBJECT: RESOLUTION CREATING THE BARKLEY FIELDS & PARK OPERATIONS OVERSIGHT COMMITTEE AND ESTABLISHING COMMITTEE CHARTER AND MEMBERSHIP

RECOMMENDATION

It is recommended that the Town Council adopt the attached resolution which creates the Barkley Fields & Park Operations Oversight Committee and establishes the Committee's Charter and membership.

BACKGROUND AND DISCUSSION

On June 2, 2004, the Planning Commission approved a Conditional Use Permit to establish a community park. In May 2005, the Town received a gift deed for the land that would be developed as Barkley Fields & Park, and entered into an Agreement Governing the Donation of the Property. The Use Permit and Agreement included several provisions governing the construction, operation, and maintenance of the park.

Conditional Use Permit. To complete compliance with the Conditional Use Permit, a deed restriction designating the Town's adjacent parcel as open space in perpetuity, which is on this agenda for consideration, needs to be recorded.

The Town is also working with Woodhill Estates to complete the landscaping along the park frontage on Woodhill Drive. When the landscaping is in place, the Town will need to grant an encroachment permit to Woodhill Estates to maintain the landscaping.

On an ongoing basis, staff reports to Woodhill Estates on the reservations and use of the playing fields, as required by the Use Permit.

Finally, the Conditional Use Permit requires the Town to go before the Planning Commission in the fall of 2009 to review the actual impact of park operations on the Woodhill Estates neighborhood. The impact analysis is to focus on traffic and noise impacts.

Agreement Governing the Donation of Property. All of the provisions of the Agreement Governing the Donation of Property have been met, except for those that are required on an ongoing basis.

As required by the Agreement, the Town has established an operating fund, a capital maintenance fund, and a reserve fund to carry out routine and periodic capital maintenance, as well as keeping a "rainy day" resource for the park. No later than 120 days after the close of each fiscal year (October 29), the Town is required to prepare and provide to the Donor or successors in interest annual financial reports on the three funds. The first of these reports is due this year.

The Agreement also calls for the establishment of an **Operations Oversight Committee**. As prescribed in the agreement, the Committee's purpose is to oversee the Town's operation and maintenance of Barkley Fields & Park. This includes reviewing the Town's operation and maintenance activities after the end of each fiscal year, and determining whether the Town is adequately maintaining the Park and operating it within the restrictions and limitations of the Agreement and any Conditional Use Permit in effect. Pursuant to the Agreement, the first report

to the Oversight Committee will be due within 60 days of the close of Fiscal Year 2009 (August 30, 2009).

The Oversight Committee is charged by the Agreement to make findings about whether the Town is adequately maintaining the park and operating within the restrictions of the Agreement and Use Permit. The Agreement outlines a procedure to follow should the Committee find that the Town is not adequately maintaining and operating the park. This procedure includes working with the Town to correct any deficiencies. Ultimately, the Committee makes the final determination about the Town's performance.

The Agreement specifies that the Committee shall be made up of three members: one appointed by the Town, one appointed by the property donor or its successor in interest, and one appointed by the other two members. Though not specified in the Agreement, staff recommends that the members of the Oversight Committee have knowledge and/or experience with park operation and maintenance.

As a standing committee, the Oversight Committee would be subject to the Brown Act, meaning all meetings would be open to the public and subject to noticing requirements. Additionally, the Oversight Committee would be governed by the operating procedures that are outlined in the *Town's Handbook for Members of the Planning Commission, the Architectural & Site Review Board and the Citizen Advisory Committee*.

CONCLUSION

The Town continues to comply with both the Conditional Use Permit for Barkley and the Agreement Governing the Donation of Property.

The attached resolution would formally create the Barkley Fields & Park Operations Oversight Committee in compliance with the Agreement and would facilitate the appointment of the Town's Committee member.

ATTACHMENT

RESOLUTION NO. 2008 -

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE
CREATING THE BARKLEY FIELDS & PARK OPERATIONS OVERSIGHT COMMITTEE AND
ESTABLISHING COMMITTEE CHARTER AND MEMBERSHIP

WHEREAS, the Town of Woodside entered into an agreement, effective May 1, 2005, to accept the donation of real property from Woodhill LLC for the purpose of developing a community park and sports field facility; and

WHEREAS, the agreement between the Town of Woodside and Woodhill LLC includes the establishment of an Operations Oversight Committee to oversee the Town's operation and maintenance of Barkley Fields & Park; and

WHEREAS, the agreement between the Town of Woodside and Woodhill LLC specifies the membership and purpose of the Operations Oversight Committee.

NOW, THEREFORE BE IT RESOLVED THAT, the Town Council of the Town of Woodside does hereby create the Barkley Fields & Park Operations Oversight Committee and further resolves that the charter, membership, and meeting dates are adopted as stated in Exhibit "A".

* * * * *

PASSED AND ADOPTED by the Town Council of the Town of Woodside, California, at a meeting thereof held on the 9th of September 2008 by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers:
NOES, Councilmembers:
ABSENT, Councilmembers:
ABSTAIN, Councilmembers:

Mayor of the Town of Woodside

ATTEST:

Clerk of the Town of Woodside

“EXHIBIT A”

BARKLEY FIELDS AND PARK OPERATIONS OVERSIGHT COMMITTEE

MEMBERSHIP: Three members, appointed as follows: one member appointed by the Town Council, one member appointed by the Barkley property donor or its successor in interest, and one member appointed by the other two members.

TERM: Three years, staggered.

DESIRED TRAITS: Knowledge of and/or experience with park operation and maintenance.

MEETING DATES: Annually, more if needed at call of chair.

OPERATING PROCEDURES: Governed by the Town of Woodside *Handbook for Members of the Planning Commission, the Architectural & Site Review Board and the Citizen Advisory Committees.*

COMMITTEE CHARTER: Pursuant to the Agreement Governing the Donation of Property to the Town of Woodside for Barkley Fields & Park (“Agreement”), the Barkley Fields and Park Operations Oversight Committee shall oversee the Town’s operation and maintenance of Barkley Fields and Park.

Each year, the Oversight Committee shall make findings, based on a report provided by the Town and any physical inspections, as to whether the Town is adequately maintaining the park and operating it within the restrictions and limitations imposed by the Agreement and any Conditional Use Permit in effect at the time. If the Committee finds the Town is not performing according to the Agreement or Use Permit, the process outlined in Section 12 of the Agreement shall be followed to correct any deficiencies. Pursuant to the Agreement, the Oversight Committee’s final determination shall be binding.

TOWN OF WOODSIDE

Report to Town Council

Agenda Item 6

Prepared By: Kevin Bryant, Assistant Town Manager

September 9, 2008

Approved By: Susan George, Town Manager

SUBJECT: RESOLUTION APPROVING A COVENANT TO RETAIN PORTION OF TOWN PROPERTY AS OPEN SPACE AND AUTHORIZING THE MAYOR TO EXECUTE THE COVENANT ON BEHALF OF THE TOWN (WOODHILL DRIVE, APN 068-322-390)

RECOMMENDATION

It is recommended that the Town Council adopt the attached resolution which approves a covenant to retain the Town property adjacent to Barkley Fields & Park as open space and authorizes the Mayor to execute the covenant.

BACKGROUND

On June 2, 2004, the Planning Commission approved a Conditional Use Permit to establish a community park at Farm Hill Boulevard and Woodhill Drive. Condition 23 of the Use Permit stated that "A deed restriction shall be placed upon the Town's current parcel on Woodhill Drive (APN 068-322-390) designating that the parcel shall be maintained as open space in perpetuity, with no improvements other than the walking path and utility line associated with the initial construction of the park."

The Open Space Element of the Town's General Plan identifies the subject property as one of the open space lands for the preservation of natural resources. The parcel is open space Area 7, a 1.7 acre parcel that "provides additional protection for the adjacent Serpentine Landscape Province (the adjacent State owned property) and serves as a staging area for visitors." The action for preservation included in the General Plan is that "the Town should plan for and develop a parking area and pathway for visitors."

The property is zoned OSN (Open Space for Preservation of Natural Resources) on the Town's Zoning Map. Permitted uses and structures in the OSN District are beekeeping, conservation easements, ecologic study, fences, planting of native vegetation, scenic easements, hiking and pedestrian trails, and uses of historical and cultural value. Conditional uses and structures allowed in the OSN District are animal keeping (only with a caretaker on the premises), public and private parking, ornamental garden structures, private stables, public and private parks, public utilities and service structures, reservoirs, noncommercial stables and barns, and small storage buildings.

DISCUSSION

The Covenant to Retain Portion of Property as Open Space would limit the Town's use of the subject parcel to open space purposes consistent with the General Plan Open Space and Conservation Elements. The Covenant specifies that improvements, structures, or appurtenances shall not be placed on the property, with the exception of the existing pathway and water line that runs along the south-easterly boundary of the property. The Covenant would also permit landscaping on the property.

The Covenant would restrict some of the permitted and conditionally permitted uses and structures that are listed in the Zoning Ordinance. However, the Town has had no plans to do any improvements on the subject property, and leaving the property in an undeveloped state would be

consistent with the Open Space Element of the General Plan.

CONCLUSION

The attached resolution would authorize the execution of the Covenant to retain the Town-owned parcel adjacent to Barkley Fields & Park as Open Space, consistent with the Town's General Plan and would satisfy Condition 23 of the Use Permit for Barkley Fields & Park.

ATTACHMENT

RESOLUTION NO. 2008 -

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE
APPROVING A COVENANT TO RETAIN PORTION OF TOWN PROPERTY AS OPEN SPACE
AND AUTHORIZING THE MAYOR TO EXECUTE THE COVENANT ON BEHALF OF THE TOWN
(WOODHILL DRIVE, APN 068-322-390)

WHEREAS, the Town of Woodside was granted a Conditional Use Permit on June 2, 2004, to establish a public park at Farm Hill Boulevard & Woodhill Drive; and

WHEREAS, Condition 23 of the Conditional Use Permit required that "a deed restriction shall be placed upon the Town's current parcel on Woodhill Drive (APN 068-322-390) designating that the parcel shall be maintained as open space in perpetuity, with no improvements other than the walking path and utility line associated with the initial construction of the park".

NOW, THEREFORE BE IT RESOLVED THAT, the Town Council of the Town of Woodside does hereby approve a Covenant to Retain Portion of Town Property as Open Space, attached as Exhibit "A", and authorizes the Mayor to execute the Covenant on behalf of the Town.

* * * * *

PASSED AND ADOPTED by the Town Council of the Town of Woodside, California, at a meeting thereof held on the 9th of September 2008 by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers:
NOES, Councilmembers:
ABSENT, Councilmembers:
ABSTAIN, Councilmembers:

Mayor of the Town of Woodside

ATTEST:

Clerk of the Town of Woodside

TOWN OF WOODSIDE

Report to Town Council

Agenda Item 7

From: Susan George, Town Manager

September 9, 2008

SUBJECT: TOWN MANAGER'S REPORT TO THE TOWN COUNCIL

Here's what has been happening since my July 22nd report to you.

Fire-related Issues

We are targeting the September 23rd Town Council meeting for consideration of proposed amendments to the Town's designation of "Very High Fire Severity Hazard Zones" within the Town. As you may recall, when the Council made its first designation of these areas in June, it directed the staff to work with the fire district to develop additional areas for designation and the findings needed to support the designation. We believe that an ordinance will be ready for the Town Council's review during the September 23rd meeting, dependent upon the Fire Marshal's availability. We will provide notice to all neighborhoods that may be impacted. That same evening, the Town Council will have an ordinance before it that deals with the definition of a "new building" and will be applicable to issues related to the Town's fire sprinkler regulations, Chapter 7A, and the enforcement of the Fire Code, as governed by the pending Memorandum of Understanding (MOU) with the fire district. I am also preliminarily scheduling the MOU for that same evening.

Year-end Closing and the Annual Audit

Two full weeks of the recess were spent with the auditors in residence. They finished their work on August 15th. Kevin and I had completed a preliminary close of the books by the end of the first week of August. Everything went fairly smoothly. I completed my draft of "Management's Discussion and Analysis" (MD&A) for inclusion in the published Basic Financial Statements, which should be released by the auditors later this month. The MD&A is required by GASB 34. I have attached a copy for your perusal and will be happy to answer any questions you may have. The books are now completely closed and 2007-08 is history.

Changes and New Faces at Town Hall

There are two new faces at the front desk in Town Hall. First, welcome to Lynn Shortsleeve, who has joined us as an Administrative Technician, replacing Linda Larson, who took a position with the City of Palo Alto in July. Lynn brings years of financial experience with her and has taken on the Town's Human Resources responsibilities, as well as the payroll. Second, welcome to Sandy Fontana, a longtime Woodside resident who is now working as the afternoon receptionist. It is a pleasure to have both Lynn and Sandy on the front line and providing critical support to all of us.

Another addition during August came about with the return of Irwin Kaplan to the staff. Irwin agreed to come and serve as Interim Planning Director while the Town recruits for a new Director. Irwin started on August 4th. He is working Mondays through Wednesdays. He has met with each Councilmember since he started and has begun the process of meeting with Planning Commissioners, as well. Irwin brings a breadth of experience and capability to the role of Interim Director. He has already become a valued member of my senior staff and has

developed a good working relationship with his staff. You will be seeing him at Town Council meetings and Planning Commission meetings starting this month.

An organizational change has been implemented at Town Hall during August, at least for the interim period. The Deputy Building Official and Building Inspector have been reassigned and now report to Town Engineer Paul Nagengast. Paul has overseen Building Departments in past positions, including Half Moon Bay. This move balances the responsibility for development services between the Planning Director and the Town Engineer. The Interim Director and the Town Engineer have instituted joint weekly staff meetings with their key staff members to ensure open communication and problem-solving. They are working on developing dependable turnaround times for review of submittals and on modifying how resubmittals are reviewed as they enter the process. The permanent nature of this move will be considered after a short list of Planning Director candidates is available.

Promotion for Kevin Bryant

Kevin has served as Assistant to the Town Manager since February of this year and he has exceeded all of my expectations. Originally a finalist for the Assistant Town Manager position, my agreement with Kevin when he came on board was that I would reconsider him for that position after he had shown me what he was made of. Well, he has, and effective September 4th, Kevin is now Assistant Town Manager. Kevin was a wonderful addition to the staff and has taken on an eclectic array of day-to-day and special assignments. My initial reservation that he did not have sufficient financial experience has been completely squashed by his ability to learn quickly and to grasp the big picture with relative ease. He is a valued and valuable member of the senior staff and of the full staff at Town Hall. Congratulations to Kevin!

Planning Director Recruitment

This effort is well underway. Advertisements have now appeared in all major journals and professional magazines. The executive search firm handling this for the Town has set the end of September as the deadline for resumes, although they will continue to accept applications from qualified candidates as long as possible. The firm will screen all applications and narrow the field for interviews. No dates have yet been set, but it is likely that we will have a short list of candidates by mid-to-late October.

Planning Commission Resignation

Sara Jorgensen called me last week to let me know that she has decided to resign from the Planning Commission for several reasons, including time constraints. Sara has served on the Commission for many years, first as the out-of-district representative for District 6 and, then as the representative of her own District 1. We will formally note her service at an upcoming Town Council meeting. Sara has been a real asset to the community and she will be missed. The Town Clerk will advertise for applicants for the position this month.

Honor the Stop Campaign

The campaign gets underway officially on September 21st, in tandem with the "Tour for Woodside" event, which benefits the Woodside High School Foundation Endowment. Marc Evans, the "Honor the Stop" creator, has arranged to distribute wristbands to motorcyclists, with assistance from the California Highway Patrol and members of a Bay Area Motorcycle Club, near the intersection of Highways 84 and 35 late that morning. He will then head to Town Center, where wristbands will be distributed to pedestrians and other roadway users.

His efforts have been coordinated with the Town's Bicycle Committee and staff. The "Honor the Stop" campaign was the recent subject of a New York Times piece. I will provide anyone interested with a link to the article.

Monthly Investment Reports

We provide an Investment Report to the Town Council every month and bring the Investment Policy to you once a year for reaffirmation. This is done because State law mandated it after the Orange County financial fiasco in the mid-1990's. The Monthly Investment Report for the Town, as you know, is pretty simple, since the Town invests all of its idle cash in the Local Agency Investment Fund (LAIF). The annual reaffirmation of the Investment Policy is also very simple, since we only invest in LAIF and haven't changed the policy in over ten years.

A comment by the auditors raised my interest in the State mandate. The auditors noted that the Town was not providing all of the information required by the State statute and was not fully complying with the reporting requirements of the law, which mandate transmission of quarterly investment reports and investment policies to the State Treasurer. When I took another look at the statutes, I discovered that the State had made all investment reporting discretionary a few years ago, thereby eliminating the need for the State to provide reimbursement to local agencies for a State mandated activity. The catch is that if a local investment officer (the Town Manager, in this case) decides to voluntarily provide investment reports and investment policy reviews to the local legislative body, then all State Treasurer reporting requirements are still in effect.

The State reporting is time-consuming and essentially meaningless, especially for an agency like Woodside, with a limited investment policy. I have decided to forego the Monthly Investment Reports and the annual investment policy review. We will discuss investment results in each Quarterly Budget Review and/or Monthly Financial Report and will indicate with each report that we are in compliance with the Town's Investment Policy. If the policy requires modification, an amendment will be brought to the Town Council. The net effect is that the Town Council will still have the same level of information available, but that staff will not have to provide reports to the State.

Staff Trail Ride

On August 4th, Kevin, Paul, and I were lucky enough to be treated to a Woodside trail ride. Don Pugh, Mike Raynor, Fentress Hall, and Becky Witter took us out for a few hours of meandering the Town's beautiful trail system. The experience is always terrific and provides an entirely different side of the beauty of the Town. It was worth the saddle sores that resulted. We are going to look for a date for a Town Council trail ride within the next month or so. The ride was especially useful for Kevin and Paul, who had not been on the trail system before and who provide primary support to the Trails Committee. Fentress was gracious enough to open her home to us mid-ride for a needed rest stop. Thanks to everyone for a great afternoon.

Water Reclamation Project

This Town Center project is on track for implementation later this year. We issued a Request for Proposals for the design and specifications for the project and have awarded a contract for the work. We will be coming to the Council in the very near future to discuss an added component. It appears that now may be the right time for Town Hall to go solar - something on the Work Plan. Integration of a solar component into the water reclamation project may

make the most sense and we are working on the details and on a cost-benefit analysis. More to come.

2008-09 Road Rehabilitation Project

The project was put out to bid earlier this summer. The successful bidder was G. Bortolotto, a contractor the Town has previously engaged for road work (and for the Town Hall parking lot). The work got underway the week of August 25th. The contract specifies that the work must be completed by December 1st. The current schedule calls for completion by October 17th. A list of roads and their scheduled dates is attached.

Library Garden Project

The rear garden at the Woodside Library is a beautiful Native Plant Garden that the Atherton-Woodside Garden Club maintains. It is in need of some renovation and refreshment, as time has taken its toll on some of the railway ties that form the planting beds. The Town Engineer and staff, working with suggestions from the Garden Club, developed a bid packet and solicited bids from area companies to do the work. The Town's contract landscape maintenance firm, G&J Landscape, was the lowest responsive bidder and has been given a notice to proceed with the work. G&J has developed a great working relationship with the Town and with the Woodside Landscape Committee. G&J not only handles the maintenance in Town Center (including the front library garden), but it maintains the non-field landscape areas at Barkley Fields and Park. We have total confidence that the project in the rear garden at the library will be a success.

Town Center Sewer Line Cleaning

One of the projects funded in the 2008-09 Adopted Budget is the cleaning of the sewer lines in Town Center. These lines, which feed to the pump station behind the Gilbert Center, have become filled with grease in recent years. The project was designed to flush the lines and collect the grease for disposal. There are five restaurants and a bar that deposit waste into these lines. The project was successfully completed late in August. The Town Engineer is going to coordinate with the County Health Department to ensure that needed inspections of the grease traps at these facilities are working efficiently, a task that is the County's responsibility.

New Woodside Library Branch Manager

I recently received word that a new Woodside Library Branch Manager has been appointed and will begin his tenure on September 8th. Alan Couch, who will also manage the Portola Valley Branch, received his Bachelor's in History/Anthropology and Master's in Library and Information Science from the University of Alabama. Prior to moving to the Bay Area, he served as the Director of the Chester Springs Library in Pennsylvania. His previous experience also includes working at the Information Desk at the University of Alabama's Gorgas Library. Welcome to Alan.

Temporary Closure of Cañada College's "Rear" Entrance

Cañada College's President, Tom Mohr, called to let us know that the rear entrance to the college, off of Cañada Road, will be closed to traffic because of construction activity. The closure will be effective for two weeks, starting on September 15th. The college plans to erect

informational signs and to ask *The Almanac* to include a mention in an upcoming issue, but President Mohr wanted the Town to know in advance.

It was a busy recess for us. We look forward to your return to the normal schedule on September 9th. See you then. As always, please call or e-mail me if you have questions or would like more information on any of these items during the upcoming meeting.

Susan George
Town Manager

Attachments

TOWN OF WOODSIDE
2008 PAVING SCHEDULE

Please note that these dates are **approximate**, and could change without notice.

August 25 – 29	Brookwood Road Cinnabar Road Cragmont Way Crest Road Croyden Way Lynn Way Mabury Place Normandy Lane Northridge Lane Oakford Road Oakhaven Way Summerhill Lane Wildwood Way	Otis Avenue Ravine Drive Ridge Court Toyon Court
	September 15 – 19 Albion Way Audiffred Lane Kings Mountain Road Manuella Avenue	
	September 22 – 26 Manzanita Way Mountain Home Road Winding Way Woodview Lane	
September 2 – 5	Glencrag Way Jefferson Avenue Rocky Way Southdale Way Tum Suden Way	Sept. 29 – Oct. 3 Farm Road Old La Honda Road Portola Road Ranch Road Skywood Way Stadler Drive
September 8 – 12	Alta Mesa Road Cañada Road Glenwood Avenue Highland Terrace Hillside Drive Laning Drive	October 6 – 10 Farm Road Old La Honda Road October 13 – 17 Miscellaneous clean-up work

**Item 8 will be an
oral report from the
Town Manager**