

TOWN OF WOODSIDE

TOWN COUNCIL MEETING AGENDA

November 27, 2007

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.

NEW BUSINESS - A

1. Resolution Declaring Results of Consolidated Municipal Election, November 6, 2007. Resolution 2007 - _____

ADMINISTRATION OF OATHS OF OFFICE

Administration of Oaths of Office to Councilmembers-elect Sue Boynton, David Burow, Peter Mason, and Ron Romines.

ACKNOWLEDGEMENTS

Commendation for Paul Goeld in Recognition of His Service as a Member of Woodside Town Council.

Commendation for Pete Sinclair in Recognition of His Service as a Member of Woodside Town Council.

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and will be approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.

2. Approval of Minutes: Regular Meetings of October 10, 2006, and October 23, 2007, and Special Meetings of October 18, and October 29, 2007. **(Approves minutes for specified Town Council meeting dates.)**
3. Monthly Financial Report for October, 2007 **(Provides a status report on the Town's finances as of October 31, 2007.)**
4. Monthly Investment Report for the Month of November, 2007 **(Provides the Council a statement of interest income for the referenced month, pursuant to State law.)**
5. Acceptance of 2006-07 Audited Basic Financial Statements, Proposition 111 Appropriations Limit Review, Memorandum on Internal Control Structure, and Town Manager's Report on the Town's 2006-07 Financial Self Assessment. **(Transmits the referenced reports for acceptance and filing as part of the formal public record.)**
6. Approval of Conservation and Environmental Health Committee's Request to Submit an Application with the State Department of Forestry for Tree City USA Designation/Recognition on Behalf of the Town
7. Resolution Approving Vacation of a Ten-foot Wide Public Utility Easement at 376 Mountain Home Court. **(The Council will decide whether it wishes to abandon this unneeded utility easement at the noted location.)**

8. Resolution Modifying the Town's Salary Schedule and Classification Plan. Resolution No. 2007 - _____ **(Reclassifies the position of Assistant Town Manager by creating a multi-position range, allowing the position to be filled at any of several different levels of required experience and skills.)**
9. Approval of Waiver of Full Reading of Ordinances, per Government Code Section 36934 **(Allows Ordinances to be introduced or adopted by the Town Council without the full ordinance language being read into the record.)**

NEW BUSINESS - B

10. Report from the Woodside Fire Protection District on Ordinance 8 of the District's Board of Directors Concerning Adoption of the 2006 International Fire Code and 2007 California Amendments and Direction to Staff Regarding the Future Agendizing of this Ordinance before the Town Council. **(The Fire Chief and Fire Marshall from the Woodside Fire Protection District will present key aspects of the newest version of the Fire Code to be adopted by the fire district's Board of Directors and the Town Council will give direction to staff about the Council's future consideration of the ordinance.)**
11. Introduction of an Ordinance Amending Chapter 150 of the Woodside Municipal Code, and Adopting by Reference the California Code of Regulations Title 24, 2007 Edition of the California Building Standards Code including the Following Parts: Part 1 California Administrative Code, Part 2 California Building Code including Selected Appendices, including Modifications Regarding Fire Retardant Roofing Materials and Automatic Fire Sprinklers, Part 3 California Electrical Code including Selected Appendices, Part 4 California Mechanical Code including Selected Appendices, Part 5 California Plumbing Code including Selected Appendices, Part 6 California Energy Code, Part 7 California Elevator Safety Construction Code; Part 8 California Historical Building Code, Part 10 2007 California Existing Building Code Appendix Chapter A1, Part 12 California Referenced Standards, Uniform Code for the Abatement of Dangerous Buildings (1997 Edition), Portions of the Uniform Housing Code (1997 Edition), and Portions of the 2001 California Building Code. **(In the first of two meetings to discuss the proposed ordinance and referenced code adoption, the Council will accept public input and discuss the impact of the Uniform Codes.)**
12. Report on the Status of Negotiations with the City of Redwood City Concerning the Affordable Housing Allocation of the Cañada College Housing Project and Possible Request for Town Council Direction. **(The Planning Director and Councilmember Gordon will provide the Town Council with an update on the activities associated with the de-annexation of a portion of the college's property from the Town and seek Council direction, as appropriate.)**

REPORTS

13. 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.

TOWN OF WOODSIDE

Report to Town Council
From: Janet Koelsch, Town Clerk

Agenda Item 1
November 27, 2007

SUBJECT: RESOLUTION DECLARING RESULTS OF CONSOLIDATED MUNICIPAL ELECTION, NOVEMBER 6, 2007

RECOMMENDATION

It is recommended that the Town Council adopt the attached resolution declaring the results of the November 6, 2007, Consolidated Municipal Election.

DISCUSSION

The San Mateo County Clerk has certified the results of the November 6, 2007, Consolidated Municipal Election for four 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 four new members will take the Oath of Office.

Attachment

TOWN OF WOODSIDE

Report to Town Council
From: Susan George, Town Manager

Agenda Item 3
November 27, 2007

SUBJECT: MONTHLY FINANCIAL REPORT FOR OCTOBER OF 2007

RECOMMENDATION

It is recommended that the Town Council review and accept the Monthly Financial Report for October of 2007.

BACKGROUND

The Monthly Financial Report for October, 2007, 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, 2007.

DISCUSSION

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

- The Town's cash position for all funds as of October 31, 2007, was \$7,752,211. The cash balances for the year have been:

AS OF	CASH BALANCE
07/31/07	\$9,247,733
08/31/07	\$8,655,479
09/30/07	\$8,129,141
10/31/07	\$7,752,211

Cash balances at October 31, 2006, were \$6,692,556. The Town's cash balances are very healthy, negating the need for any cash flow borrowing.

- Total expenditure activity for all of the Town's funds, including interfund transfers, was \$3,131,711, or 33.1% of the total annual budget. By month, and compared to fiscal year 2006-07, the following expenditures have occurred:

MONTH	2007-08	2006-07
July	\$ 354,527	\$ 2,262,738
August	955,974	570,918
September	1,014,416	1,247,188
October	806,794	638,342
Total to Date	\$ 3,131,711	\$ 4,719,186
Total Budget	\$ 9,452,596	\$ 12,985,768
% of Budget	33.1%	36.3%

The current year's expenditure level is well within expected and acceptable ranges.

- Total revenues, including interfund transfers, for the first four months were \$1,192,069 or 16.1% of annual anticipated revenues. This rate is within the range of normal revenue receipt patterns. By month, and compared to fiscal year 2006-07 patterns, the following revenues have been received:

MONTH	2007-08	2006-07
July	\$ 103,971	\$ 119,507
August	185,765	289,883
September	492,290	871,598
October	410,043	336,149
Total	\$ 1,192,069	\$ 1,617,137
Total Budget	\$ 7,409,898	\$ 9,886,024
% of Budget	16.1%	16.4%

Attachment A to this report presents summaries by fund of revenues and expenditures through October 31, 2007, compared to budget.

The General Fund as of October 31, 2007

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

Category	2007-08		% of Total
	Adopted Budget (\$000)	10/31/2007 Actual (\$000)	
<u>Revenues</u>			
Property Taxes	2,339.2	8.3	
Sales Taxes	368.7	114.8	
Transfer Taxes	130.0	27.9	
Franchise Fees	305.1	33.0	
Business Licenses	136.0	34.9	
Fees & Permits	720.0	290.4	
Interest Income	150.0	64.0	
Other Agencies	547.5	-	
Charges for Service	115.0	66.3	
Interfund Transfers	202.9	50.7	
Other Revenue	23.0	2.6	
Total	5,037.4	692.9	13.8%
<u>Expenses</u>			
Salaries & Benefits	2,281.5	635.4	
Services & Supplies	2,003.2	698.5	
Equipment/Capital	180.0	0.6	
Road Fund Contribution	500.0	-	
Other Contributions	152.5	9.4	
Total	5,117.2	1,343.9	26.3%
Net Position	(79.8)	(651.0)	

- The 2006-07 General Fund expenditure and revenue pattern thus far has been:

MONTH	REVENUES	EXPENDITURES	NET POSITION
July	\$ 83,939	\$ 259,659	\$ (175,720)
August	230,012	241,121	(11,109)
September	212,669	543,436	(330,767)
October	166,315	299,720	(133,405)
Total to Date	\$ 692,935	\$ 1,343,936	\$ (651,001)
Total Budget	\$ 5,037,367	\$ 5,117,154	\$ (79,787)
% of Budget	13.8%	26.3%	

As of the end of the first four 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 property taxes are received. Despite the current operating cash flow imbalance, the General Fund had cash on hand at October 31, 2007 of almost \$3 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 October 31, 2006, the General Fund had experienced revenues of \$593,380 and expenditures of \$3,178,905, which was 12.8% and 44.5% of budget, respectively.

Attachment B to this report includes summaries of General Fund expenditure performance by department as of October 31, 2007. It highlights significant trends or variances, for the Town Council's review.

Appropriation Adjustments

No appropriation adjustments are proposed at this time. **Attachment C** provides a summary of approved 2007-08 adjustments to date.

CONCLUSION

No new trends have surfaced since the Town Council's First Quarterly Budget Review in October. The next comprehensive budget review will be undertaken in January with the 2007-08 Mid-year Budget Review.

Attachments

TOWN OF WOODSIDE
 2007-08 AS OF 10/31/2007
 ALL FUNDS

ATTACHMENT A

FUND	REVENUES BUDGET	REVENUES ACTUAL	% OF TOTAL	EXPENSES BUDGET	EXPENSES ACTUAL	% OF TOTAL
101 - GENERAL	5,037,367	692,935	13.8%	5,117,154	1,343,936	26.3%
105 - TRAILS	75,500	33,624	44.5%	75,500	20,135	26.7%
120 - OPEN SPACE	0	(4)	--	0	0	--
135 - RECREATION	91,900	45,330	49.3%	95,248	43,044	45.2%
150 - BARKLEY O&M	80,000	402	0.5%	80,000	5,600	7.0%
151 - BARKLEY CONSTRUCTION RESERVE	35,000	463	1.3%	0	0	--
204 - TRAFFIC SAFETY	32,200	8,324	25.9%	27,700	22,823	82.4%
206 - GAS TAX CONSTRUCTION	29,100	7,186	24.7%	28,970	9,422	32.5%
207 - GAS TAX MAINTENANCE	82,600	23,476	28.4%	95,706	26,815	28.0%
210 - MEASURE A	747,300	73,513	9.8%	987,824	89,234	9.0%
242 - ROAD IMPACT FEE	382,500	178,050	46.5%	557,554	180,557	32.4%
243 - PUBLIC SAFETY GRANT	100,500	(183)	-0.2%	100,500	43,334	43.1%
244 -CLEEP	0	0	--	43,000	37,600	--
250 - LIBRARY OPERATIONS	60,000	13,574	22.6%	129,567	20,628	15.9%
365 - BARKLEY PARK CONSTRUCTION	0	0	--	1,350,000	891,438	--
428 - TC PUMP RESERVE	750	239	31.9%	0	0	--
429 - TC PUMP DEBT	148,547	1,258	0.8%	148,547	143,013	96.3%
441 - WR/WHR PAD DEBT RSRV.99	2,000	782	0.0%	0	0	--
450 - WR/WHR PAD DEBT	132,576	(422)	-0.3%	132,576	97,392	73.5%
525 - CANADA SEWER	9,618	307	3.2%	26,664	2,550	9.6%
528 - SEWER UTILITY	162,000	4,816	3.0%	165,302	49,481	29.9%
529 - TC PUMP SEWER	5,000	6,221	124.4%	86,933	3,015	3.5%
537 - SEWER CAPITAL	21,440	7,834	36.5%	29,851	10,290	34.5%
TOTAL OPERATING	7,235,898	1,097,725	15.2%	9,278,596	3,040,307	32.8%
900 - DEPOSITS	174,000	94,344	54.2%	174,000	91,404	52.5%
TOTAL	7,409,898	1,192,069	16.1%	9,452,596	3,131,711	33.1%

GENERAL FUND BY DEPARTMENT AS OF 10/31/2007

ATTACHMENT B-1

	BUDGET	ACTUAL	% OF TOTAL
TOWN COUNCIL			
SERVICES/SUPPLIES	30,350.00	14,157.24	46.6%
TOTAL	30,350.00	14,157.24	46.6%
ADMINISTRATION			
SALARIES/BENEFITS	724,476.00	203,529.59	28.1%
SERVICES/SUPPLIES	306,036.00	139,315.79	45.5%
TOTAL	1,030,512.00	342,845.38	33.3%
PLANNING AND BUILDING			
SALARIES/BENEFITS	1,319,400.00	362,170.91	27.4%
SERVICES/SUPPLIES	213,400.00	92,307.70	43.3%
TOTAL	1,532,800.00	454,478.61	29.7%
BUILDINGS & GROUNDS			
SALARIES/BENEFITS	17,428.00	5,624.99	32.3%
SERVICES/SUPPLIES	121,000.00	31,553.24	26.1%
EQUIP/CAPITAL	150,000.00	0.00	0.0%
TOTAL	288,428.00	37,178.23	12.9%
TOWN-WIDE OVERHEAD			
SALARIES/BENEFITS	54,000.00	8,672.63	16.1%
SERVICES/SUPPLIES	275,310.00	180,646.40	65.6%
EQUIPMENT	30,000.00	584.06	1.9%
TOTAL	359,310.00	189,903.09	52.9%
SAFETY SERVICES			
SERVICES/SUPPLIES	1,034,621.00	236,699.00	22.9%
TOTAL	1,034,621.00	236,699.00	22.9%
TRAILS			
TRANSFERS OUT	37,500.00	9,375.00	25.0%
TOTAL	37,500.00	9,375.00	25.0%
PUBLIC WORKS			
SALARIES/BENEFITS	166,183.00	55,464.76	33.4%
SERVICES/SUPPLIES	22,450.00	3,834.50	17.1%
TRANSFERS OUT	500,000.00	0.00	0.0%
TOTAL	688,633.00	59,299.26	8.6%
BARKLEY O&M			
TRANSFERS OUT	115,000.00	0.00	0.0%
TOTAL	115,000.00	0.00	0.0%
TOTAL FUND			
SALARIES/BENEFITS	2,281,487.00	635,462.88	27.9%
SERVICES/SUPPLIES	2,003,167.00	698,513.87	34.9%
EQUIP/CAPITAL	180,000.00	584.06	0.3%
TRANSFERS OUT	652,500.00	9,375.00	1.4%
TOTAL	5,117,154.00	1,343,935.81	26.3%

**GENERAL FUND BY DEPARTMENT
AS OF 10/31/07**

GENERAL COMMENTS:

1. As of October 31, 2007, 33.3% of the fiscal year had elapsed.
2. For Salaries and Benefits, expenditures should be at about 30.0% of budget. As of October 31, 2007, 7.8 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:

Administration: This departmental budget is within expected expenditure levels.

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

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 October 31, 2007, one quarter's billing had been submitted by the County.

Trails: See Note 4.

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

Barkley Fields and Park: See Note 4.

TOWN OF WOODSIDE

Report to Town Council
From: Susan George, Town Manager

Agenda Item 4
November 27, 2007

SUBJECT: MONTHLY INVESTMENT REPORT FOR THE MONTH OF OCTOBER, 2007

RECOMMENDATION

It is recommended that the Town Council review and accept this report.

DISCUSSION

The Town Treasurer (whose duties have been delegated to the Town Manager) is required by State law to report to the Town Council on the investment activities of the Town. This report has been prepared in accordance with that requirement.

The Town only receives investment income from the Local Agency Investment Fund (LAIF), which is managed and administered by the State of California's Treasurer. This investment income is received on a quarterly basis, for the quarters ending March 31st, June 30th, September 30th, and December 31st. The Town receives an investment income statement and the cash from the State in the month following the end of the involved quarter. Thus, such revenue is actually received in July, October, January, and April. The July receipt is recognized on an accrual basis as June revenue for the previous fiscal year. Thus, to date in 2007-08, one quarter's interest has been received.

	Month	Interest Rate	QTD	FYTD
July	-			
August	-			
September	-			
Quarter Total			-	-
October	112,818.15	5.24		
November	-			
December	-			
Quarter Total			112,818.15	112,818.15
January				
February	-			
March	-			
Quarter Total			-	112,818.15
April				
May	-			
June	-			
Quarter Total			-	112,818.15
Total	\$ 112,818.15		\$ 112,818.15	\$ 112,818.15

CONCLUSION

This report is provided to the Town Council each month to meet State reporting requirements.

SUBJECT: ACCEPTANCE OF 2006-07 AUDITED BASIC FINANCIAL STATEMENTS, PROPOSITION 111 APPROPRIATIONS LIMIT REVIEW, MEMORANDUM ON INTERNAL CONTROL STRUCTURE, AND TOWN MANAGER'S REPORT ON THE TOWN'S 2006-07 FINANCIAL SELF ASSESSMENT

RECOMMENDATION

It is recommended that the Town Council accept into the public record the 2006-07 Basic Financial Statements, Proposition 111 Appropriations Limit Review, Memorandum on Internal Control Structure, and the Town Manager's Report on the Town's Financial Self Assessment for 2006-07.

DISCUSSION

The annual audit was conducted during a three-week period in August of this year. The Town's independent audit firm, Maze & Associates, transmitted the various reports for the 2006-07 fiscal year to the Town in October of 2007. This is the fourth year that the Town's financial statements have been issued in accordance with Governmental Accounting Standards Board Statement No. 34 (GASB 34). Note 2B to the Basic Financial Statements describes the impact of GASB 34 on the presentation of financial information. Besides the impact upon this presentation, GASB 34 also requires the financial manager of the governmental agency to provide Management's Discussion and Analysis (MD&A). The MD&A can be found beginning at page 3 in the attached financial statements. This twenty-two page narrative overview of the results of the Town's fiscal operations is written by the Town Manager. It explains critical financial events and attempts to address questions that may arise during the casual reader's examination of the Basic Financial Statements. The key points of emphasis for 2006-07 include:

- The Town's total net assets increased by over \$4.7 million during 2006-07, attributable primarily to three factors, including the receipt of about \$1.2 million from the County of San Mateo in settlement of all outstanding claims concerning prior years' Tax Equity Allocation funds, the addition of the Barkley Fields and Park construction-in-progress to the Town's capital assets account, and the retirement of the Town's \$1,846,531 in General Fund debt. Net assets are defined as total assets, net of debt.
- Cash fund balances for the Town's governmental funds were \$7.1 million as of June 30, 2007.
- The General Fund reserve was just over \$3.7 million as of June 30, 2007, well in excess of the level mandated by the Town Council's Financial Management Policies.
- Note 7 to the Basic Financial Statements reports the repayment of all outstanding General Fund debt.
- The Town was able to overcome the problem it experienced in 2005-06 with its legal appropriation limit through the repayment of the General Fund debt and the outlay of funds for the Barkley Fields and Park construction project.

This last point merits additional discussion. All governmental agencies in the State of California are subject to an Appropriation Limit, pursuant to California State Constitution Article XIII B. The Appropriation Limit was mandated in 1979 by voter-approved Proposition 4, also known as the Gann Limit. The Appropriations Limit is adopted each year by the Town Council, using approved adjustment factors to the prior year's limit. The original limit was based upon the Town's proceeds of taxes in the base year of 1978-79. Article XIII B requires the Town to determine its proceeds of taxes each year and compare the total to the adopted Appropriations Limit. If the total proceeds of taxes are less than the limit, then the Town is in compliance. If the total exceeds the limit, then one of three possible actions

must be taken to come into compliance: (1) the Town Council may request a majority of the voters to approve an override to temporarily increase the Appropriations Limit for a period not to exceed four years; (2) the Town may return the amount of excess proceeds of taxes to the taxpayers either through lower tax rates or lower user fees; or (3) the Town may carryover the excess into the next fiscal year, as long as it will be below the Appropriations Limit by an amount equal to or greater than the excess amount experienced in the year under review.

The Town's Adopted Appropriation Limit for 2005-06 was \$2,988,872. The Appropriation Limit is actually a limit on tax proceeds and not on appropriations per se. In order to determine where the Town is in relationship to its limit, all actual proceeds of taxes must first be calculated (including property taxes, sales taxes, real property transfer taxes, and funds allocated by the State). This total is then adjusted downward by an amount equal to the cost of qualified capital projects and debt service. The resulting number is then compared to the Appropriation Limit. In 2005-06, the Town's net "proceeds of taxes" was \$3,820,497, \$831,625 over the adopted limit. The auditors booked an accrued liability of this amount and reduced total property tax receipts for the fiscal year to reflect the fact that until the Town remedies the fact of the excess, the funds are not yet earned. The Town exceeded its limit in 2005-06 because of the extraordinary level of property taxes received from the County of San Mateo when it corrected its practices and came into compliance with the Tax Equity Act (TEA). The Town received a one-time windfall of \$1.6 million of prior year property taxes, which caused the problem with the Appropriation Limit.

For 2006-07, the Town's Appropriation Limit was \$3,125,762. The total "proceeds of taxes" was \$5,602,162, offset by \$2,365,356 in qualified capital project costs and \$1,915,332 in debt service, for net proceeds of taxes of \$1,321,474, sufficiently under the Appropriation Limit of \$3,125,762 to "absorb" the 2005-06 excess. Future year projections reveal no further issues with the Appropriation Limit.

Included as **Attachment A** is the Town Manager's Report on the Town's Financial Self Assessment, which was completed in compliance with the Town Council's seventeenth Financial Management Policy, which states:

"The Town's compliance with these Financial Management Policies will be assessed on an annual basis as part of the annual audit and presentation of the audited General Purpose Financial Statements and Management Letter."

The Town's Audit Committee will receive copies of the same materials currently being transmitted to the Town Council. The Committee has not provided a report to the Town Council since July of 2004, when it reported on the 2002-03 audited financial statements. The MD&A included with the published Basic Financial Statements is in effect a more comprehensive version of prior years' Audit Committee Reports.

CONCLUSION

It is appropriate for the Town Council to accept these various reports at this time so that they become a part of the formal public record, available for public review.

Attachments

TOWN OF WOODSIDE

Report to Town Council
From: Susan George, Town Manager

Agenda Item 6
November 27, 2007

SUBJECT: APPROVAL OF CONSERVATION AND ENVIRONMENTAL HEALTH COMMITTEE'S REQUEST TO SUBMIT AN APPLICATION TO THE STATE DEPARTMENT OF FORESTRY FOR TREE CITY USA DESIGNATION/RECOGNITION ON BEHALF OF THE TOWN

RECOMMENDATION

It is recommended that the Town Council approve the Conservation and Environmental Health Committee's request to submit an application to the State Department of Forestry that the Town of Woodside be designated as a "Tree City USA" as established by the National Arbor Day Foundation.

DISCUSSION

The Conservation and Environmental Health Committee has long been desirous of securing "Tree City USA" status for the Town. In 1999, the Town Council authorized the Committee to submit an application on behalf of the Town. Although that application process was not successful, the Committee gained insight into the process and has been working to strengthen the Town's position in the ensuing years. Key among the activities that the Committee has spearheaded was the adoption by the Town Council earlier this year of a Tree Protection Ordinance.

The National Arbor Day Foundation, in cooperation with the U.S. Forest Service and the National Association of State Foresters, recognizes towns and cities across the country that meet the standards of the TREE CITY USA program. The program is designed to recognize those communities that effectively manage their public tree resources and encourages the implementation of community tree management based on four TREE CITY USA standards. The four standards are:

- ✓ A Tree Board or Department.
- ✓ A Community Tree Ordinance.
- ✓ A Community Forestry Program with an annual budget of at least \$2 per capita.
- ✓ An Arbor Day Observation and Proclamation.

Staff is working with representatives of the Committee to ensure the Town's compliance with these standards. The application must be made to the State Department of Forestry by December 31st. The State will evaluate the application and forward it to the National Arbor Day Foundation. The Town will receive notice by February 15, 2008, whether it qualifies for the requested recognition. The Town Manager will execute the application on behalf of the Town.

CONCLUSION

In order for the Conservation and Environmental Health Committee to once again seek TREE CITY USA designation for the Town, the Town Council's approval to submit an application to the State Department of Forestry is necessary.

**TOWN OF WOODSIDE
Report to Town Council**

Meeting Date: November 27, 2007
Prepared By: Hope V. Sullivan, Director of Planning & Building
Approved By: Susan George, Town Manager

Agenda Item: 7

SUBJECT: RESOLUTION APPROVING THE VACATION OF A TEN-FOOT WIDE PUBLIC UTILITY EASEMENT AT 376 MOUNTAIN HOME COURT

Location: 376 Mountain Home Court

APN: 072-190-830

Property Owner: Edward and Karen Gilhuly

OVERVIEW

The applicant is seeking to vacate an existing ten foot wide public utility easement. This easement is not currently utilized by any utility companies. In accordance with Sections 65400 – 65403 of the California Government Code, the Town Council may vacate the easement provided that the Planning Commission has determined that the requested vacation is in conformity with the adopted General Plan. At its meeting of July 31, 2007, the Planning Commission made a finding of General Plan consistency.

RECOMMENDATION

It is recommended that the Town Council accept public input on the request and, if the Council finds the proposed vacation acceptable, that it adopt the attached resolution approving the request.

PROJECT DESCRIPTION

The subject property originally had a ten foot wide public utility easement that ran along a former southern property line. The easement created a connection between Mountain Home Court and Parcel 3: Lands of Cook. The Cooks have submitted a letter indicating support for the request.

Additionally, at its meeting of April 4, 2007, the Planning Commission approved a lot line adjustment which modifies things such that the easement no longer runs along the property line. There are no utilities in the easement and all utility providers have provided documentation that they do not need the easement.

Diagrams and legal descriptions of the easement vacation proposed by the applicant are included as Attachment 2.

GENERAL PLAN

Goal 1 of the Public Utilities Element of the General Plan is:

“To assure that the occupants of the Woodside Planning Area have access to utility services of a quality and quantity which will protect their health and safety.”

At its meeting of July 18, 2007, the Planning Commission found that given there are no utilities in the easements and no plans to install utilities in the easement, the requested vacation will not

impact the service level in the Town. Therefore, the Commission found that the requested abandonment is consistent with the Town's General Plan.

STAFF ANALYSIS

The subject easement is not utilized. The applicant has supplied letters from California Water Service Company, Comcast, American Telephone and Telegraph (AT&T), and Pacific Gas and Electric Company stating that these utility providers do not currently utilize the easement, do not have plans to utilize the easement, and do not object to the vacation of the easement. Therefore, staff finds the vacation to be acceptable.

OPTIONS

- (A) Adopt the attached resolution Approving the Vacation of a Ten-foot Wide Public Utility Easement on Property Located at 376 Mountain Home Road.
- (B) Take no action on this application, thus not vacating any easements.
- (C) Continue the matter and request additional information.

RECOMMENDATION

Option A

ATTACHMENTS

- 1. Resolution
- 2. Legal Description and Plat
- 3. Letter Dated April 10, 2007 from Signe Ostby and Scott Cook
- 4. Letter Dated May 1, 2007 from PG&E
- 5. Letter Dated May 1, 2007 from Comcast
- 6. Letter Dated May 8, 2007 from California Water Service Company
- 7. Letter Dated May 25, 2007 from AT&T

RECORDING REQUESTED BY
AND RETURN TO:

Town Clerk
Town of Woodside
P. O. Box 620005
Woodside, CA 94062
Exempt from Fee Pursuant to Street
and Highways Code, Section 8325

RESOLUTION NO. 2007 -

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE
APPROVING THE VACATION OF A TEN-FOOT WIDE PUBLIC
UTILITY EASEMENT AT 376 MOUNTAIN HOME COURT.**

WHEREAS, a 10-foot wide public utility easement was recorded on the property at 376 Mountain Home Court (San Mateo County Assessor's parcel number 072-190-830), with such easement more particularly described in attached Exhibit "A"; and

WHEREAS, no utility improvements were ever constructed within the public utility easement; and

WHEREAS, the vacation of the easement will not adversely impact the service level currently enjoyed by Woodside residents; and

WHEREAS, the Planning Commission has determined that the requested vacation is consistent with the Town's General Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Council of the Town of Woodside does hereby approve the vacation of the public utility easement as described in attached Exhibit "A".

* * * * *

PASSED AND ADOPTED at a regular meeting of the Town Council of Woodside held on the 27th day of November 2007, 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
Gilhuly7easementvacation

SUBJECT: REPORT FROM THE WOODSIDE FIRE PROTECTION DISTRICT ON ORDINANCE 8 OF THE DISTRICT'S BOARD OF DIRECTORS CONCERNING ADOPTION OF THE 2006 INTERNATIONAL FIRE CODE AND 2007 CALIFORNIA AMENDMENTS

RECOMMENDATION

It is recommended that the Town Council receive a presentation from representatives of the Woodside Fire Protection District on that agency's recent adoption of a new version of the Uniform Fire Code.

DISCUSSION

On October 29, 2007, the Board of Directors of the Woodside Fire Protection District introduced Ordinance No. 8, a draft copy of which is attached to this report. It is anticipated that the Board will adopt this ordinance at its November 26, 2007 meeting. Following adoption, the ordinance will be forwarded to the Towns of Portola Valley and Woodside, pursuant to State law, for subsequent ratification by the elected bodies of the two towns. It is anticipated that the Woodside Town Council will consider this ratification action on December 11, 2007.

Staff has invited representatives of the Woodside Fire Protection District to present an overview of the contents of Ordinance No. 8 to the Town Council during the November 27, 2007 Town Council meeting in order to identify any points that may warrant specific analysis or discussion prior to the December meeting.

CONCLUSION

The Woodside Fire Protection District and the towns that it serves share an array of interests and concerns. The adoption and subsequent enforcement of the Fire Code represent a critical area of mutual interest and it would be a useful exercise for the Town Council to hear a presentation from the District on the version of the code that it considers most appropriate.

Attachment

**TOWN OF WOODSIDE
REPORT TO THE TOWN COUNCIL**

Meeting Date: November 27, 2007 Agenda Item: 11
Prepared by: Hope V. Sullivan, Assistant Town Manager/Community Design and
Development
Approved by: Susan George, Town Manager

SUBJECT: INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 150: BUILDING REGULATIONS OF THE WOODSIDE MUNICIPAL CODE.

RECOMMENDATION

It is recommended that the Town Council conduct a hearing and introduce the attached ordinance amending Chapter 150: Building Regulations of the Woodside Municipal Code. The ordinance will be brought back to the Town Council for a public hearing and potential adoption in December.

BACKGROUND

On January 1, 2008, the 2007 California Building Standards Code, also known as the California Code of Regulations (CCR) Title 24, will go into effect. These regulations, which include the California Building Code, are applicable to all occupancies, in all municipalities in California. These codes provide the minimum uniform standards for health and safety related to construction and for their enforcement through a system of plan review, permits, and inspections. Each municipality in California must enforce these codes. The 2007 California Codes will automatically become effective on January 1, 2008 (with the exception of Chapter 7A). However, by adopting the codes, the Town has the ability to amend the codes. Municipalities may adopt amendments to the codes that are more restrictive due to climatic, geological, or topographical conditions. Municipalities may not adopt amendments that yield a standard that is less restrictive than the State codes.

DISCUSSION

Framework

The State is not an author of the building codes, but rather takes the model codes published by the International Code Council, National Fire Protection Association, and International Association of Plumbing and Mechanical Officials, and adopts, amends and repeals sections according to its purpose. No one set of model codes serves to cover all aspects of the permitting, administrative and construction process. Consequently, there is a model code for each discipline such as building, plumbing, electrical, and mechanical.

Local Regulations/Amendments

The Town's building regulations are housed in Chapter 150 of the Woodside Municipal Code. Chapter 150 adopts the various states codes by reference and specifically identifies local amendments. The proposed ordinance does not add any new local amendments. A local amendment concerning fees is no longer required as the State codes no longer call out fees. Also, the residential fire sprinkler exemption for factory built (modular) homes is proposed to be

deleted. This will result a requirement that fire sprinklers be installed in factory built homes in excess of 1000 square, a requirement already applicable to "stick built" homes.

Current (and proposed) local amendments are as follows:

- (1) The Building Official has the right to disconnect or order the disconnection of utility services or energy supply to buildings or structures in cases of emergency or where necessary for safety to life and property.
- (2) Roof covering or roof assembly for all structures shall be Class A or Class B fire retardant.
- (3) Automatic fire-extinguisher systems (residential sprinkler systems) are required in buildings unless specifically exempted. Exempted buildings are currently agricultural buildings, "factory built" single-family residential structures, "manufactured housing", structures not exceeding 1000 square feet, mausoleums, open-air parking garages, and roofed structures with no walls or doors. Staff recommends that "factory built" single family residential structures no longer be exempt as such structures, although constructed off-site, are built to the same codes as "stick-built" structures and are subject to the same threat to life and property as the "stick built" structures.

Substantive Changes Between the Existing Code and the Proposed Code

With the adoption of the new code, there will be a number of changes in construction practices. It is difficult to specifically call out the full scope of these changes. However, some of the substantive changes that will impact development in Woodside are as follows:

- Wind Load: Currently, projects required to design for wind speed are typically required to design for 70 miles per hour. This current requirement utilizes a "fastest mile" method of measuring wind speed, which is considered to be an outdated methodology. With the adoption of the new State codes, all structures will be required to meet a minimum wind load of a peak gust of 85 miles per hour sustained for 3 seconds. This is considered to be a more exact methodology. This change will primarily impact roof design.
- Earthquake Load: Currently, the State is divided into four seismic zones. The Town is located in seismic zone 4, which is the most restrictive. With the adoption of the new codes, "seismic design category" will replace "seismic zone" as the trigger for seismic design requirements. As part of this change, design will be derived from the soil characteristics at the site of the structure. The overall design philosophy has shifted from the current "life safety design" to "collapse prevention." This means that structures are designed for collapse prevention for the maximum level of ground shaking that could reasonably be expected to occur at a site. The ground shaking will be derived from a "maximum considered earthquake (MCE) spectral response acceleration map" that is based on the 2002 United States Geologic Survey (USGS) maps.
- Wildland Urban Interface Building Standards (Chapter 7A): In staff's opinion, this code section will have the most substantive impact on construction in Woodside. These regulations address construction in wildfire prone areas. The State is in the process of mapping the wildland urban interface zones. Those areas that are designated as State Responsibility Areas, which are areas where CAL-FIRE is the response agency, have already been mapped. For municipalities that have areas of State Responsibility, Chapter 7A will go into effect on January 1, 2008. Woodside does not have areas of State Responsibility. The areas of local responsibility are still being mapped. For

municipalities that have areas of local responsibility, Chapter 7A will go into effect on July 1, 2008. Due to the criteria utilized to determine the wildland urban interface areas, it is anticipated that most of the western hills will be so designated. Thus, construction in the western hills will be subject to the provisions of Chapter 7A.

Chapter 7A is jointly enforced by the Town's Building Official and the Fire District's Fire Marshall. In the coming months, Town staff will work with Fire District staff to determine who will take on which responsibilities.

Chapter 7A will regulate the following:

- Roofing including gutters.
- Attic ventilation
- Exterior walls including windows and doors
- Windows
- Decking surfaces
- Underfloors
- Landscape Maintenance Plans
- Inspection and Certification Requirements

These regulations will substantially impact the ability to retain natural vegetation and the ability to utilize natural materials, including wood siding. More specifically, the regulations are as follows:

- Roofing: Class A roofing will be required in the designated wildland urban interface zones. Additionally, the space between a roof covering and roof decking must be designed to prevent the intrusion of flames and embers. Chapter 7A calls out specifications for flashing, and requires that roof gutters are "provided with a means to prevent the accumulation of leaves and debris in the gutter." This will result in the construction plans calling out construction details, including flashing details and gutter details, and inspectors inspecting the same.
- Attic ventilation: Attic vents shall resist the intrusion of flame and embers into the attic area of the structure, or shall be protected by corrosion-resistant, noncombustible wire mesh with ¼ inch openings. Also, eaves and soffits shall be protected by ignition-resistant materials or noncombustible construction on the exposed underside.
- Exterior walls: Exterior walls are required to be noncombustible or ignition-resistant material, heavy timber, or log wall construction, and must provide protection from the intrusion of flames and embers. This regulation essentially precludes the use of wood siding on buildings. Exterior wall vents must resist the intrusion of flame and embers into the structure or vents shall be screened with a corrosion-resistant, noncombustible wire mesh with ¼ inch openings. Exterior windows, window walls, glazed doors, and glazed opening within exterior doors shall be insulating-glass units with a minimum of one tempered pane, or glass block units, or have a fire-resistance rating of not less than 20 minutes. This is a more substantial window than may typically be installed. Exterior doors are also required to utilize a noncombustible construction, or solid core wood with other design parameters. The exterior door requirements are fairly consistent with the doors typically utilized throughout Town.
- Decking: Decking within ten feet of the primary structure must be constructed of an ignition-resistant material, or of heavy timber, exterior fire-retardant treated wood,

or approved noncombustible materials. This regulation severely limits the allowable building materials when considering deck construction.

- Underfloors: The underside of cantilevered and overhanging portions of the building must maintain the ignition-resistant integrity of the exterior walls. Buildings shall also have all underfloor areas enclosed to grade with exterior walls. Again, these provisions will limit the materials that can be utilized for construction.
- Landscape Maintenance Plans: Section 701.A.3.2.4 states "Prior to building permit final approval, the property shall be in compliance with the vegetation clearance requirements prescribed in Public Resources Code 4291 Government Code 51182." The referenced code section provides information regarding fuel reduction treatments around buildings, including creating horizontal and vertical spacing between vegetation, removing surface fuels greater than 4 inches in height, and pruning branches to at least 6 feet. Essentially, the Town and/or Fire District will be responsible for reviewing, approving, and inspecting vegetation maintenance plans. Presumably, inspections will be on-going well after final inspection of the structures. The staff has not yet prepared a plan for administration of this particular provision, and will work with the Fire District in determining enforcement responsibilities.
- Inspection and Certification: The building official will be required to certify that, at the time of final inspection, a site is compliant with the provisions of Chapter 7A. Given the requirements for preparation and maintenance of defensible space, this will need to be carefully coordinated with the Fire Marshall, as Town staff is not specifically trained in landscaping for fuel reduction.

PUBLIC OUTREACH

Town staff is in the process of organizing training sessions on the new codes. Staff is currently preparing for a training session on the new codes with the target audience being local contractors, architects, designers, and engineers. During the second quarter of 2008, staff will organize two educational programs on the provisions of Chapter 7A. One program will have a target audience of the local contractors, architects, designers, and engineers. The second program will target all property owners in the wildland urban interface zone.

SUMMARY

The Town is required to enforce the newly adopted codes effective January 1, 2008. By locally adopting the codes, the Town can adopt local amendments that recognize the local constraints including topography, geology, poor water pressure, narrow roads, and dense vegetation.

OPTIONS:

- A. Introduce the attached Ordinance Amending Chapter 150 of the Woodside Municipal Code.
- B. Introduce an Ordinance Amending Chapter 150 of the Woodside Municipal Code with local amendments different than those specified in the attached Ordinance.
- C. Continue the matter to obtain additional information.

ATTACHMENT

ORDINANCE NO. 2007 -

ORDINANCE OF THE TOWN OF WOODSIDE AMENDING CHAPTER 150 OF THE WOODSIDE MUNICIPAL CODE, AND ADOPTING BY REFERENCE THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2007 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE INCLUDING THE FOLLOWING PARTS: PART 1 CALIFORNIA ADMINISTRATIVE CODE, PART 2 CALIFORNIA BUILDING CODE INCLUDING SELECTED APPENDICES, INCLUDING MODIFICATIONS REGARDING FIRE RETARDANT ROOFING MATERIALS AND AUTOMATIC FIRE SPRINKLERS, PART 3 CALIFORNIA ELECTRICAL CODE INCLUDING SELECTED APPENDICES, PART 4 CALIFORNIA MECHANICAL CODE INCLUDING SELECTED APPENDICES, PART 5 CALIFORNIA PLUMBING CODE INCLUDING SELECTED APPENDICES, PART 6 CALIFORNIA ENERGY CODE, PART 7 CALIFORNIA ELEVATOR SAFETY CONSTRUCTION CODE; PART 8 CALIFORNIA HISTORICAL BUILDING CODE, PART 10 2007 CALIFORNIA EXISTING BUILDING CODE APPENDIX CHAPTER A1, PART 12 CALIFORNIA REFERENCED STANDARDS, UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDING (1997 EDITION), PORTIONS OF THE UNIFORM HOUSING CODE (1997 EDITION), AND PORTIONS OF THE 2001 CALIFORNIA BUILDING CODE.

IT IS HEREBY ORDAINED by the Town Council of the Town of Woodside to amend the Woodside Municipal Code as follows:

SECTION ONE: The current Chapter 150, Sections 150.01 through 150.06 of the Municipal Code are hereby deleted in their entirety.

SECTION TWO: The Town Council finds that the requirements of Government Code Sections 50022.4, 50022.5 and 50022.6, relating to adopting codes by reference have been met. The Town Council directs that one copy of each code adopted by reference shall be placed on file with the Town Clerk and maintained there for public inspection while the said Codes are in effect.

SECTION THREE: FINDINGS

Pursuant to Sections 17958.5 and 17958.7(a) of the State of California Health and Safety Code, the Town Council of the Town of Woodside has determined and finds that modifications are required for the respective Codes being adopted herein, and are reasonably necessary because of the local climatic, geographic, and topographic conditions.

Local conditions have an adverse effect on the prevention of (1) major fire loss, (2) major earthquake damage, and (3) the potential for life and property loss, making necessary changes or modifications in the 2007 California Building Code, in order to provide a reasonable degree of property security and fire and life safety in the community.

Following are listed adverse local climatic, geographic, and topographic conditions:

1. Climatic Conditions

- a. Precipitation. Precipitation in Woodside ranges from less than 10 inches in drought years to over 40 inches in hillside areas in wet years, with an average of 23 inches of 24 inches per year. Over 90% of the rainfall typically

falls from November through April.

- b. Relative Humidity. Humidity generally ranges from fifty percent (50%) during daytime to seventy percent (70%) at night, but occasionally drops to below 50% during the summer months.
- c. Temperature. Average summer high temperatures are in the mid-seventies (70's) to nineties (90's), and occasionally may reach 100° or more.
- d. Winds. Prevailing winds are from the West to Northwest. However, winds originate from virtually every direction at one time or another. Velocities are generally in the five (5) to fifteen (15) miles per hour range, gusting to thirty (30) miles per hour, particularly during the summer months. Extreme winds, up to sixty (60) mph have occurred in the past.
- e. Summary. These local climatic conditions affect the acceleration, intensity and size of fire in the community. Times of little or no rainfall, or low humidity and high temperatures create extremely hazardous conditions, particularly as they relate to wood shake and shingle roof fires and conflagrations. The winds experienced in the area can have a tremendous impact upon structure fires of buildings in close proximity to one another or to flammable vegetation commonly found in the area. During wood shake and shingle roof fires, winds can carry sparks and burning brands to other structures, thus spreading the fire and causing conflagrations. In building fires, winds can force fires back into the structure and can create a blow torch effect, in addition to preventing "natural" ventilation and cross-ventilation effects.

2. Geographic and Topographic Conditions

- a. Geographic Location. Woodside is located in the southern portion of San Mateo County.
- b. Seismic Location. The relatively young geological processes that have created the San Francisco Bay Area are still active today. Seismically, the Town of Woodside is bisected by active traces of the San Andreas Fault.
- c. Fire Service. The Town of Woodside's planning area is served by the Woodside Fire Protection District (from fire stations in Woodside and Portola Valley), the California State Division of Forestry (fire stations on Skyline Blvd. and the Emerald Lake Area), and by Stanford University, with a fire station at the Stanford Linear Accelerator Center. The eastern portion of the Town's planning area is served by the Menlo Park Fire Protection District and the Redwood City Fire Department. The Kings Mountain Fire Brigade, a volunteer fire company with a station on Skyline Boulevard, also provides fire protection in the Skyline

area.

- d. Roads and Streets. Many streets in the Town are narrow and/or steep. The impact of additional development and traffic flow will continue to have an adverse effect on the delivery of emergency services to many areas of the Town.
- e. Geology and Topography. The Town of Woodside contains significant areas of steep slopes, particularly in the western hills of the Santa Cruz Mountains. Landslide potential is also significant in many areas of the Town, especially as may be induced by seismic activities. The steep topography and geologic constraints further limit access for emergency vehicles and may enhance the potential for conflagration.
- f. Buildings and Vegetation. Many houses with wood roofs and siding are located close together or are located close to highly flammable dense vegetation, so that fire will readily spread from one to another.
- g. Other Variables. Other variables that may tend to intensify fire spreading or inhibit emergency response include:
 - 1. The extent of damage to water systems;
 - 2. The extent of debris blocking roadways or driveways;
 - 3. Time of day relative to traffic levels; and
 - 4. The large portion of dwellings with wood roof coverings.

3. Conclusion

Local climatic, geographic, and topographic conditions are likely to adversely affect fire prevention efforts and the frequency, spread, acceleration, intensity, and size of fire involving buildings in the Woodside area. Further, they may contribute to potential damage to structures from earthquake and fire. Therefore, it is found to be reasonably necessary that the 2007 Building Codes contained in this Ordinance be changed or modified to mitigate the effects of the above conditions, and that the findings stated previously apply to all such modifications.

SECTION FOUR: Chapter 150 of the Woodside Municipal Code is amended by the addition of the following:

"ADOPTION OF STANDARD CODES"

Section 150.01. BUILDING CODE; AMENDMENTS.

A. Adoption of 2007 California Building Code: The Code of rules, regulations and standards, published by the International Code Conference under the title, "2007 edition of the California Building Standards Code, incorporating the 2006 International Building Code, Volumes 1 and 2," and including the following appendices Appendix Chapter 1 Administration (excluding Section 101.4.6, Section 103,

Section 105.1.1, Section 105.1.2, Section 110.2), Appendix C Agricultural Buildings (Group -U), Appendix I Patio Covers; and Appendix J Grading, , hereinafter collectively called "California Building Code," regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures in the Town of Woodside, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Building Code of the Town of Woodside. The mandatory requirements of the appendix to the Building Code shall be enforceable to the same extent as if contained in the body of the Building Code. Any amendments and supplements of this Code shall be enforceable to the same extent as if contained in the body of the California Building Code.

B. Powers and Duties of the Building Official: Section 103 Appendix Chapter 1 Administration of the 2007 California Building Code is hereby amended with the addition of the following language:

Right to Disconnect Utility Service. The Building Official or his authorized representative shall have the authority to disconnect or order discontinuance of any utility service or energy supply to buildings, structures, or equipment therein regulated by this Code and the construction codes in cases of emergency or where necessary for safety to life and property. Such utility service shall be discontinued until the equipment, appliances, devices piping, or wiring found to be defective or defectively installed are removed or restored to a safe condition.

C. Fees: Fees shall be assessed according to the current Town of Woodside fee schedule adopted by Town Council resolution.

D. Roofing Requirements: Section 1505 of the California Building Code is hereby amended with the addition of the following language:

The roof covering or roof assembly for all structures shall be Class A or Class B fire retardant. The roof covering on any structure regulated by this Code shall be as specified in Table No. 1505.1 and as classified in Section 1505. The roof-covering assembly includes the roof deck, underlayment, insulation and covering which is assigned a roof-covering classification. Detached patio covers, spa covers, gazebos, sheds with 120 square feet or less of roof area and awning covers are exempt. Roof covering repairs of less than three hundred (300) square feet in a 12-month period are exempt from the provisions of this paragraph. These standards shall apply when there is conflict with less stringent standards of the California Building Code.

E. Automatic Fire-Extinguisher Systems: Section 903.2 of the California Building Code is hereby amended with the addition of the following language:

- (1) The following requirements shall apply to all new buildings or structures which require a building permit from the Town of Woodside for which a complete building permit application is submitted after May 1, 2000:

- (a) Except as otherwise provided by this section, or as provided under section 903.2 of the California Building Code, automatic fire sprinkler systems shall be installed and maintained in every new building or structure of any type, use, occupancy or size which requires a building permit issued by the Town of Woodside.
- (b) The term "automatic sprinkler system" as used in this section means an integrated system of underground and overhead piping, including a water supply such as a gravity tank, fire pump, reservoir, pressure tank, or connection by underground piping to a fire main, which system complies in all respects with the requirements for such systems contained in standards issued by the National Fire Protection Association based upon occupancy classification.
- (c) As referenced in National Fire Protection Association (NFPA) standards, Section 13D, Chapter 2, Section 2-1 - General Provisions: Every automatic sprinkler system shall have at least one (1) automatic water supply. Where stored water is used as the sole source of supply, the minimum quantity of water shall equal the water demand rate (as specified in Chapter 4 of Section 13D of the NFPA standards) times ten (10) minutes. Exception: Dwelling units that are one (1) story in height and less than 2,000 square feet in floor area shall have a water supply of at least seven (7) minutes for the two (2) sprinkler demand that is typically required as specified in Chapter 4 of Section 13D of the NFPA standards).
- (d) As referenced in National Fire Protection Association (NFPA) standards, Section 13D, Chapter 2, Section 2-2 - Water Supply Sources: The following water supply sources shall be considered to be acceptable by this standard:

- 1. A connection to a reliable waterworks system with or without an automatically operated pump.
- 2. An elevated tank.
- 3. A pressure tank designed to ASME standards for a pressure vessel with a reliable pressure source.
- 4. A stored water source with an automatically operated pump (which could also be used to supply the residence's domestic water supply).

(2) The following structures are exempt from the requirements of this Section:

- (a) Agricultural buildings, as defined in Section 202 of the 2007 California Building Code (including but not limited to greenhouses), which are located at least 60 feet from any residential structure.
- (b) Not used.
- (c) "Manufactured housing," as defined by California Health

and Safety Code Section 18007.

- (d) Structures not exceeding 1,000 square feet in area.
- (e) Mausoleums of Type I construction, as defined by the 1997 Uniform Building Code, which do not contain offices, chapels or other places where the public assembles on a regular basis.
- (f) Open-air parking garages of Type I construction as defined by the 1997 Uniform Building Code, which do not contain offices, stores or other places of public occupancy for purposes other than parking of vehicles.
- (g) Roofed structures with no walls or doors.

(3) The requirements of this Section are intended to present minimum standards for new construction. Nothing in this Section shall prevent any fire authority having jurisdiction from adopting and enforcing any regulations which impose more stringent requirements. Further, any requirement of the 2007 California Building Code, the Uniform Fire Code or the State Building Standards Code, which is more restrictive, specifies higher standards or mandates specific locations within a structure for automatic sprinkler systems, shall be applicable.

(4) Notwithstanding the other provisions of this section, no existing residential building or structure shall be required to conform to the requirements of this section, unless the addition, alterations or repairs to the existing building or structure within any 12-month period exceed 75% of the estimated value of such building or structure, as calculated by the Town Building Official or unless the provisions of Section 150.01(E)(2)(g) applied and the applicant is now seeking a permit to install any doors or walls.

(5) Residential structures with attached garages for which a complete building permit application is submitted after May 1, 2000 shall have automatic fire sprinkler heads installed in the garage in addition to those required in the 13D standards of the National Fire Protection Association. The number and location of such fire sprinkler heads shall be such that full coverage of the garage will be obtained.

(6) When a stored water source with an automatically operated pump system is installed, the Woodside Fire Protection District will conduct an annual inspection of the system to insure reliability. Any deficiencies found to exist by the District as a result of such inspections shall be corrected by the property owner within thirty (30) days of receipt of written notice from the District requiring such deficiencies to be corrected.

Section 150.02 ELECTRICAL CODE.

A. The Code of rules and regulations known and designated as the "2007 California Electrical Code, based on the 2005 National Electrical Code," including the Appendix chapters, printed therein,

and all supplements subsequently issued thereto, as published by the National Fire Protection Association, regulating all electrical work in or on any building or property, or similar installation in the Town of Woodside, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Electrical Code of the Town of Woodside. Any amendments and supplements to this Code shall be enforceable to the same extent as if fully contained in the body of the National Electrical Code.

B. Exemption from Permit Requirements. Permits are not required for the following:

1. Any electrical work done by an employee of a public utility in connection with rendering of electric service to any building or structure by said public utility.
2. The ordinary care and maintenance of an established installation of electric equipment by the owner, operator, or user thereof, except that ordinary care and maintenance shall not be construed as including additions to such installation or other work such as the repair or replacement of any electric wiring, appliances, or apparatus which is a fixed part of such installation. The replacement of lamps and fuses, plugging-in apparatus, repair of plugging-in apparatus and similar work shall be construed as ordinary care and maintenance.
3. The repair of appliances, apparatus, and materials which are not a fixed part of an established installation of electric equipment or which have been detached from such an installation for the purpose of repair.

Section 150.03. PLUMBING CODE.

A. The Code of rules and regulations known and designated as the "2007 California Plumbing Code, based on the 2006 Uniform Plumbing Code," and the appendix chapters, prepared and published by the International Association of Plumbing and Mechanical Officials, providing for the protection of the public health and safety, requiring a permit and inspection for the installation or alteration of plumbing drainage systems; creating an Administrative Authority and describing its duties; defining certain terms; establishing minimum regulations for the installation, alteration or repair of plumbing and drainage systems and the inspection thereof; providing penalties for its violation and repealing conflicting ordinances, is hereby adopted for the Town of Woodside, and by this reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Plumbing Code of the Town of Woodside.

B. Section 103.4.1 and Table 1-1 entitled "Permit Fees" is deleted.

Section 150.04. MECHANICAL CODE.

A. The Code of rules and regulations known and designated as the "2007 California Mechanical Code based on the 2006 Uniform

Mechanical Code" including Appendix Chapters, prepared and published by the International Association of Plumbing and Mechanical Officials, including the standards printed therein, hereinafter called "California Mechanical Code," regulating the installation, maintenance, alteration, or repair of heating, ventilating, comfort, cooling and refrigeration systems; and providing for the issuance of permits and the collections of fees therefore, defining terms, providing penalties for its violation, is hereby adopted and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Mechanical Code of the Town of Woodside. Any amendments and supplements to this Code shall be enforceable to the same extent as if contained in the body of the California Mechanical Code.

B. Section 115.2 and Table 1-1 entitled "Permit Fees" is deleted.

Section 150.05. HOUSING CODE

The Code of rules and regulations known and designated as the "Uniform Housing Code, 1997 Edition," for the following Chapter 4 Definitions, Chapter 5 Occupancy, Section 701.2 Electrical and Section 701.3 Ventilation requiring a permit and inspection for construction, alteration or repair of buildings used for human occupancy, construction, alteration or repair of such buildings and the inspection thereof; repealing conflicting ordinances, is hereby adopted for the Town of Woodside, and by this reference incorporated herein as if fully set forth, except as hereinafter otherwise provided, as the Housing Code of the Town of Woodside. Any amendments and supplements to this Code shall be enforceable to the same extent as if contained in the body of the Uniform Housing Code.

Section 150.06. ABATEMENT OF DANGEROUS BUILDINGS CODE

The Code of rules and regulations known and designated as the "Uniform Code for Abatement of Dangerous Buildings, 1997 Edition," published by the International Conference of Building Officials, to provide a just, equitable and practical method, to be cumulative to, with and in addition to any other remedy provided by the Building Code, Housing Code, or otherwise available at law, whereby owners or occupants of buildings or structures which from any cause endanger the life, limb, health, property, safety or welfare of the general public or the buildings' occupant, may be required to repair, vacate, or abate said causes, and which applies to all dangerous buildings, as herein defined, which are now in existence or which may hereafter become dangerous in the Town of Woodside, is hereby adopted and by reference incorporated herein as if fully set forth, as the Abatement of Dangerous Buildings Code of the Town of Woodside. Any amendments and supplements to this Code shall be enforceable to the same extent as if contained in the body of the Uniform Code for Abatement of Dangerous Buildings. All references to the Director of Public Works are deleted and the Building Official inserted in all such places.

Section 150.07 ENERGY CODE

The Code of rules and regulations known and designated as the

"2007 California Energy Code, a republication of the 2005 Energy Code" with all previously approved errata and supplements is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provide, as the Energy Code of the Town of Woodside.

150.08 ELEVATOR CODE

The Code of rules and regulations known as and designated as the "2007 California Elevator Safety Construction Code" as published in the referenced California Code of Regulations, Title 8, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provide, as the Elevator Code of the Town of Woodside.

150.09 HISTORICAL BUILDING CODE

The Code of rules and regulations known as and designated as the "2007 California Historical Building Code" published by the International Code Council, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provide, as the Historical Building Code of the Town of Woodside.

150.10 SEISMIC STRENGTHENING FOR UNREINFORCED MASONRY BUILDING

The Code of rules and regulations known as and designated as "2007 California Existing Building Code, Appendix Chapter A1 Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings" based on the 2006 International Existing Building Code International Code Council, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provide, as the Existing Building Code of the Town of Woodside.

150.11 REFERENCED STANDARDS CODE

The Code of rules and regulations known as and designated as "2007 California Referenced Standards Code Building Standards" adopted by the Commission for the 2007 California Referenced Standards Code, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provide, as the Referenced Standards Code of the Town of Woodside.

150.12 REPAIRS TO BUILDINGS DAMAGED BY NATURAL DISASTER

The Code of rules and regulations known as and designated as "2001 California Building Code Repairs to Buildings and Structures Damaged by the Occurrence of a Natural Disaster," as published in Appendix Chapter 34, Division III, is hereby adopted, and by reference incorporated herein as if fully set forth, except as hereinafter otherwise provide, as the Repairs to Buildings and Structures Damaged by the Occurrence of Natural Disaster Code of the Town of Woodside.

SECTION FIVE: Section 150.99 of the Woodside Municipal Code is amended to read:

Any person violating any provision of this chapter shall be subject to the general penalty provisions as set forth in Section 10.99 of the Woodside Municipal Code.

SECTION SIX: In the event that any provision of this ordinance is in conflict with any other ordinances of the Town of Woodside or the Woodside Municipal Code, the provisions of this ordinance shall prevail.

SECTION SEVEN: If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of the Ordinance or any part thereof. The Town Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.

SECTION EIGHT: Pursuant to Section 36937 of the Government Code of the State of California, the Ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

SECTION NINE: The Town Clerk shall cause this Ordinance to be published in accordance with the requirements of Section 36933 of the Government Code of the State of California.

* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance is a full, true and correct copy of Ordinance No. 2007 - ____ of the Town of Woodside entitled as above; that it was introduced on the ____ of November, 2007, and was passed and adopted by the Town Council on the ____ of December, 2007 by the following vote:

AYES, COUNCILMEMBERS:
NOES, COUNCILMEMBERS:
ABSENT, COUNCILMEMBERS:
ABSTAIN, COUNCILMEMBERS:

Clerk of the Town of Woodside

APPROVED:

Mayor of the Town of Woodside
UniformCode2007

**TOWN OF WOODSIDE
REPORT TO TOWN COUNCIL**

Meeting Date: November 27, 2007
Prepared by: Hope V. Sullivan, Director of Planning & Building
Approved by: Susan George, Town Manager

Agenda Item: 12

SUBJECT: STATUS OF NEGOTIATIONS WITH THE CITY OF REDWOOD CITY CONCERNING THE AFFORDABLE HOUSING ALLOCATION OF THE CANADA COLLEGE HOUSING PROJECT AND POSSIBLE REQUEST FOR TOWN COUNCIL DIRECTION

At its meeting of May 8, 2007, the Town Council gave “conceptual approval of a proposed boundary change at Cañada College to be effected through a collaborative process involving Redwood City, Woodside and the San Mateo County Junior College District, including solicitation of support for an agreement that would allow Woodside to participate in receiving affordable housing credits to the extent possible within the dictates of the project.”

At its meeting of October 23, 2007, the Town Council appointed Councilmember Gordon to serve with Town staff on the “negotiating team” to negotiate with Redwood City concerning the affordable housing allocation of the Cañada College Housing Project.

On October 24, 2007, Councilmember Gordon and the Director of Planning and Building/Assistant Town Manager met with representatives of Redwood City to discuss the allocation. The representatives of Redwood City described their city’s housing needs and financing as well as the service impacts that would be experienced with the construction of this project. The representatives of Redwood City discussed the Town potentially providing assistance to Redwood City in the form of water credits, sewer credits, and/or financial assistance.

During this same meeting, Woodside’s representatives explained that the Town did not control water or sewer, and the Town’s adopted Financial Management Policies do not allow for allocation of funds from Woodside to Redwood City. Woodside’s representatives explained that Woodside is one of 16 municipalities that participate in the Urban County Community Development Block Grant (CDBG) Program, which is administered by San Mateo County, and that Woodside participates in the County’s HOME Consortium. Both the CDBG Program and the HOME program are funded with dollars from the federal government. Rather than Woodside receiving the funds from the federal government and administering its own program, the Town directs its funds to the County. Woodside representatives agreed to investigate whether CDBG funds or HOME funds could be directed to financially assist housing needs in Redwood City.

Town staff investigated the matter and found that the County does allocate both CDBG funds and HOME funds within Redwood City’s corporate limits. In this current year, the County allocated in excess of a million dollars of combined HOME funds and CDBG funds to two specific affordable housing developments within the corporate limits of Redwood City.

Representatives of both jurisdictions were scheduled to meet on November 7, 2007, to follow up on the meeting of October 24th. Representatives from Redwood City cancelled the meeting, indicating they needed additional time to prepare. A meeting is now scheduled for November 21, 2007. A verbal update from that meeting will be provided to the Town Council during the November 27th meeting and the Town Council’s direction may be solicited, if needed at that time.