



AGENDA
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL DRAINAGE
DISTRICT
May 18, 2011
6:00 P.M.
Meeting Room
Town Administrative Offices
91 Ashfield Road
Atherton, California
Special Meeting

6:00 P.M. ROLL CALL Lewis, Dobbie, Widmer, McKeithen, Carlson

6:02 P.M. PUBLIC COMMENTS

6:10 P.M. PUBLIC ANNOUNCEMENT OF CLOSED SESSION ITEMS

6:11 P.M. CLOSED SESSION

**A. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
(Subsection (b) of Government Code Section 54956.9):**

*Kimberly Sweidy & Raimie Stata v. The Town of Atherton, Michael C. Wasmann,
Michael A. Hood, Michael J. Cully, CSG Consultants, Inc., Superior Court of
California, County of San Mateo, Case No. CIV 499893*

RECONVENE TO OPEN SESSION - Report of action taken.

6:45 P.M. ADJOURN

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the City Clerk's Office at (650) 752-0500. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CRF 35.104 ADA Title II)



AGENDA
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT
May 18, 2011
7:00 p.m.
JENNINGS PAVILION AT THE PARK
150 Watkins Ave
Atherton, California
REGULAR MEETING

PLEASE NOTE:

Times listed on the Agenda are an approximation and not a time certain. The Council may take up items out of order. Please arrive well in advance of the time listed for any item in which you are interested.

- 7:00 P.M. 1. **PLEDGE OF ALLEGIANCE**
- 7:02 P.M. 2. **ROLL CALL** Lewis, Dobbie, Widmer, McKeithen, Carlson
- 7:03 P.M. 3 **PRESENTATIONS**
- David Silva Award to Officer Bruce Potts and Proclamation to Bruce & Ruth Potts for their contributions to the D.A.R.E program
- 7:30 P.M. 4. **PUBLIC COMMENTS** *(This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the Agenda that is within the subject matter jurisdiction of the City Council. State law prohibits the Council from acting on items not listed on the Agenda except by special action of the City Council under specified circumstances. Speakers' time is limited to three minutes.)*
- 7:40 P.M. 5. **REPORT OUT OF CLOSED SESSION**
- None.
- 7:45 P.M. 6. **CITY MANAGER'S REPORT**
- 7:50 P.M. 7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** (Directed by Resolution No. 99-6)
- 7:50 P.M. **CONSENT CALENDAR** (Items 8-14)

(Consent Calendar items are routine in nature and are generally considered in one motion and adopted by a single vote of the City Council. If discussion regarding a Consent Calendar item is desired, the member(s) of the City Council, public, and/or staff wishing to pull the item should so indicate at the time the Mayor calls for consideration of the Consent Calendar.)

8. **APPROVAL OF APRIL 20, 2011 SPECIAL MEETING MINUTES AND REGULAR MEETING MINUTES**
Recommendation: Approve April 20, 2011 special meeting minutes and regular meeting minutes

9. **APPROVAL OF BILLS AND CLAIMS FOR MARCH, 2011 IN THE AMOUNT OF \$1,023,504**
Recommendation: Approve Bills and Claims in the amount of \$1,023,504

10. **FINANCIAL REPORT FOR THE TEN MONTHS ENDED APRIL 30, 2011**
Report: Finance Director Louise Ho
Recommendation: Receive the General Fund Financial Report for the ten months ended April 30, 2011

11. **ACCEPTANCE OF TREASURER'S REPORT FOR THIRD QUARTER ENDED MARCH 31, 2011**
Report: Finance Director Louise Ho
Recommendation: Accept the Treasurer's Report for the Third Quarter Ended March 31, 2011

12. **APPOINTMENT OF MARJORY WILSON TO THE ARTS COMMITTEE AND APPOINTMENT OF GREG CONLON TO THE AUDIT COMMITTEE**
Report: Deputy City Clerk Theresa DellaSanta
Recommendation: Appoint Marjory Wilson to the Arts Committee and Appoint Greg Conlon to the Audit Committee

13. **REVIEW AND APPROVAL OF A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION IN THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AND APPROVAL OF THE JOINT POWERS AGREEMENT**
Report: Interim City Manager John Danielson
Recommendation: Review and approve a Resolution authorizing continued participation in the City/County Association of Governments of San Mateo County (C/CAG) and approval of the Joint Powers Agreement in accordance with the staff recommendations

14. **LETTER TO ASSEMBLY MEMBER BOB WIECKOWSKI OPPOSING AB506 WHICH WOULD REMOVE THE TOWNS ABILITY TO MAKE THEIR OWN FINANCIAL DECISIONS IN THE EVENT OF BANKRUPTCY**
Report: Interim City Manager John Danielson
Recommendation: Approve opposition letter opposing AB506

8:15 P.M. PUBLIC HEARINGS (15)

15. INTRODUCTION OF AN ORDINANCE TO ADOPT REFUSE AND RECYCLING COLLECTION RATES

Report: Interim City Manager John Danielson

Recommendation: Hold a public hearing, determine whether a majority protest has been received, and if there is no majority protest, and introduce the attached Ordinance increasing refuse and recycling rates. A two-thirds vote is required (i.e.; four affirmative votes).

REGULAR AGENDA (Items 16-18)

9:00 P.M. 16. INTERVIEWS AND APPOINTMENTS TO THE FINANCE AND TRANSPORTATION COMMITTEE AND THE PLANNING COMMISSION

Report: Deputy City Clerk Theresa DellaSanta

9:25 P.M. 17. MENLO-ATHERTON LITTLE LEAGUE PROPOSAL TO REBUILD THE BALLPARK AT HOLBROOK-PALMER PARK

Report: Interim City Manager John Danielson

Recommendation: Discuss and provide direction on conceptually approving support of the Menlo-Atherton Little League investment in rebuilding the ballpark at Holbrook-Palmer Park, and provide direction to the Planning Commission to work with the Menlo-Atherton Little League to develop

9:45 P.M. 18. PROGRESS REPORT ON CONSTRUCTION, 297 POLHEMUS, ATHERTON

Report: Interim Building Official Dennis Lockard

Recommendation: Receive and File Report

10:05 P.M. 19. COUNCIL REPORTS

10:10 P.M. 20. FUTURE AGENDA ITEMS

1- COLLEAGUES' MEMO #1 –ANONYMOUS DONATIONS - MCKEITHEN/WIDMER

2- COLLEGAGUES' MEMO #2 - ETHICS OVERSIGHT BOARD – MCKEITHEN/WIDMER

10:20 P.M. 21. PUBLIC COMMENTS

10:30 P.M. 22. ADJOURN

PLEASE NOTE THE FOLLOWING INFORMATION:

If you challenge a Town zoning, planning, or any other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City Council at, or prior to, the

public hearing. Judicial review of any Town administrative decision may be had only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period.

Copies of all staff reports and documents subject to disclosure that relate to each item of business referred to on the agenda are available for public inspection by 5:00 p.m. the Friday before each regularly scheduled City Council meeting at the Atherton Library, 2 Dinklespiel, Station Lane, and the Town Administrative Offices, 91 Ashfield Road, Atherton, CA 94027. Additionally, agendas and staff reports may be accessed on the town website at: www.ci.atherton.ca.us

In compliance with SB 343, materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the Town Administrative Offices, 91 Ashfield Road, during normal business hours.

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PROCLAMATION

Honoring

ATHERTON POLICE DEPARTMENT'S RESERVE OFFICER BRUCE POTTS AND HIS WIFE RUTH POTTS

WHEREAS, Bruce Potts, a Reserve Police Officer with over 9 years of service to the Town of Atherton and his wife Ruth Potts were instrumental in creating the Drug Abuse Resistance Education Program for Atherton; and

WHEREAS, the City Council of the Town of Atherton, along with the entire community, would like to honor the contributions that Bruce Potts has made during his law enforcement career with our organization; and

WHEREAS, Bruce and Ruth's contribution to elementary schools in Atherton has been through the D.A.R.E program for almost a decade; and

WHEREAS, Bruce and Ruth's skills and expertise in teaching have been appealing to children throughout the Town of Atherton on the importance of "Just Say No"; and

WHEREAS, Bruce and Ruth have worked tirelessly over the years by educating over 1,875 children which equates to almost 2,000 hours of D.A.R.E. instruction, along with the bi-annual hot dog cookouts, D.A.R.E. graduations, Red Ribbon contests, and the creation of our Atherton Police personnel individualized D.A.R.E. cards; and

NOW, THEREFORE, as Mayor of the Town of Atherton, and on behalf of the Atherton City Council, I hereby commend the outstanding community service performed by Bruce Potts along with his wife Ruth, who represent the Town in the highest esteem and prepare our future leaders of tomorrow with the empowerment to stand tall and away from drug abuse. City Council is proud to present you with this proclamation and we greatly appreciate your continued service.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Atherton to be affixed this 18th day of May, 2011.

James Dobbie, Mayor
Town of Atherton



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JOHN H. DANIELSON, INTERIM CITY MANAGER
DATE: FOR THE REGULAR MEETING OF MAY 18, 2011
SUBJECT: CITY MANAGER WRITTEN REPORT

ADMINISTRATION:

The City Manager would like to recognize Atherton resident Florence Goldby for purchasing the coffee, a coffee pot and a microwave for the Police Department.

BUILDING DEPARTMENT:

APRIL PERMIT ACTIVITY

April 2010

- Permit applications received: 92
- Number of permits issued: 80
- Number of inspections: 434

April 2011

- Permit applications received: 80
- Number of permits issued: 68
- Number of inspections: 654

FISCAL YEAR PERMIT ACTIVITY

July 2009 ≡ April 2010

- Permit applications received: 738

- Number of permits issued: 716
- Number of inspections: 3,926

July 2010 ≍ April 2011

- Permit applications received: 757
- Number of permits issued: 734
- Number of inspections: 6,029

FY10 REVENUE

July 2009 ≍ April 2010

- Permit Fees: \$448,999.86
- Plan Check Fees: \$293,051.85
- Total Revenue: \$742,051.71

FY11 REVENUE

July 2010 ≍ April 2011

- Permit Fees: \$730,703.61
- Plan Check Fees: \$375,395.27
- Total Revenue: \$1,106,098.88

FINANCE DEPARTMENT:

A Five-Year Financial Forecast and a “draft” FY 2011-12 General Fund requested budget were presented to the Finance Committee on April 11, 2011. The forecast, using a set of assumptions, provided one indication of the Town’s future financial picture. Based on discussion with staff from the County Assessor’s Office in April 2011, the draft budget projected a 1% increase in secured property tax revenue for FY 2012.

The County of San Mateo settled the Genentech property valuation lawsuit. The Town’s share of the refunds to Genentech is \$99,816. The refunds will be paid through reduction of current and future secured property tax revenue. The first installment of \$3,882 will be paid in FY 2011 and the last installment of \$11,282 is to occur in FY 2017.

The Finance Director attended the Disaster Recovery training course conducted by the California Emergency Management Agency in San Jose.

The Town sent out a Human Resources Consulting Service RFP to several private firms and to the City of Redwood City and the City of Foster City and received responses from private firms only. Koff & Associates was selected by the City Manager. Koff is currently working on an Employee Hand.

Through the joint effort of the management team, a completely revised draft purchasing policy incorporating comments from the Vice Mayor and the Audit Committee was

completed. The draft will be presented to the City Council for approval in June 2011. The draft will be reviewed by the new City Attorney.

POLICE DEPARTMENT:

The Town experienced a drastic increase in thefts from unlocked cars between Sunday night May 8th and Monday morning. There were nine victims who had property taken from cars within a few blocks of El Camino Real. Officers on patrol discovered two of the crime scenes that night and notified the victims. The police focused patrol near El Camino on Monday night along with a few hours of patrol by the chief in his unmarked car, but there were two more thefts from unlocked vehicles overnight. The police department increased staffing on Tuesday night; consequently, there have been no further reports of thefts since May 10th.

Last month's police report indicated there were a number of fraud cases in Atherton. Residents were called at home by criminals, and asked to give money to help a grandchild in need of medical care, bail money, or money for bills. The popular term for these types of fraud cases is, "grandparent scams." To prevent further victimization, the Atherton Police used our Rapid Notify system to call all homes in Atherton warning them about these types of calls, and provided them with information on how to prevent them from becoming a victim. In addition, the police department scheduled a Town Hall meeting on April 21st where Sgt. Hall prepared a presentation about how to identify and prevent these kinds of fraud cases. Although the local newspapers advertised the meeting several times, there were no attendees. The police department is able to provide this type of crime prevention on demand so interested residents should contact Sgt. Hall at 650-688-6500.

On Saturday, April 23rd Sgt. Tim Lynch, Officer Krystal Pronske, and Chief Guerra provided traffic control and support for the Atherton Dame's Annual Easter Egg Hunt. Several hundred children, their parents, and other relatives participated in this event, which was a success. In addition, Atherton Police had their 1966 Ford Mustang DARE car on display along with their Field Command Vehicle. At the event, Chief Guerra and Sgt. Lynch demonstrated how the Command Vehicle's equipment could be used to manage a search for a lost child, and used to manage a man-made or natural disaster.

Lt. Joe Wade and Chief Guerra assisted Cal Water with their annual Ronald McDonald House fishing event at the Bear Gulch Reservoir on April 27. Kids and their families who are staying at Ronald McDonald House helped Cal Water with their study of the Bass population in the reservoir by catching, identifying, and releasing the tagged fish. In addition to participating in the experiment, Officer Dave Metzger and K-9 Rex provided a K-9 demonstration.

Chief Guerra was a speaker at the Police Explorer Challenge Day 2011 that was held at Canada College on Saturday, April 30th. Over 300 police explorers from as far away as Las Vegas participated in this regional event that was sponsored by the San Mateo Co. Police Chiefs & Sheriff's Association, the San Mateo Co. Explorer Advisor's Association, and Canada College.

On Sunday, April 1st Sergeants Tim Lynch and Anthony Kockler organized traffic and crowd control for Menlo Atherton High School's (MAHS) Annual Bear Run. The organizers said there were approximately 1000 registrants for the event that started at MAHS and worked its way through unincorporated Menlo Park, Menlo Park, and Lindenwood before finishing back at MAHS. Officer Tim Marks assisted Sgt. Kockler with escorting the runners on their motorcycles, and Officer Jason Yoakum provided traffic control at key intersections.

Chief Guerra represented the Atherton Police Department and the California Police Chiefs' Association at the Annual California Peace Officers' Memorial event that began on Sunday with a Candlelight Vigil for the 11 Peace Officers who died in the line of duty in 2010 and for three fallen officers from prior years. Attorney General Kamala Harris read the roll call of heroes. On Monday, Chief Guerra participated in the Honored Families Private Ceremony in a Senate Hearing Room in the Capitol. At this ceremony, the 14 fallen officers from 2010 and the past were added to the Memorial's Honor Roll. The families of these fallen officers were introduced to the following panel of special guests: Lt. Governor Gavin Newsom, Attorney General Kamala Harris, Chief Justice Tani Cantil-Sakauye, Senator Lou Correa, and California Peace Officers' Memorial President Wayne Quint. Following this private ceremony, 2010 honored families and agency representatives proceeded from the Capitol in a Walk of Honor to the Enrollment Ceremony at the Memorial. At the Enrollment Ceremony, Attorney General Kamala Harris was the Master of Ceremonies. Keynote speakers included Lt. Governor Gavin Newsom, Chief Justice Tani Cantil-Sakauye, and CHP Commissioner Joseph Farrow. The CHP suffered the tragic loss of five officers within a two month period last year.

On Wednesday, May 11th Chief Guerra and Lt. Wade attended the annual San Mateo County Police Chiefs & Sheriff's Association Fallen Peace Officers Memorial at the San Mateo County History Museum.

PUBLIC WORKS PROJECT UPDATES:

1. Valparaiso @ Hoover – the right of way/utility indemnification resolution was approved by Council this month and the authorization to advertise package (E-76) has been submitted to Caltrans. Once approved, the project will be advertised, bid, awarded and constructed in a fairly short time.

2. Holbrook Lane Closure – staff attended the North Fair Oaks Council (NFOC) on Thursday evening April 28, 2011. The purpose of this meeting was to receive input from the NFOC on the best way to conduct an outreach program to the residents of Fair Oaks, and the extent of the outreach. The next step is a public meeting in May to receive input from the community, both Fair Oaks and Atherton. The issue will then come back to the next Transportation Committee meeting for a recommendation to Council on whether to proceed with the trial closure. Council will consider the item at their July meeting. If the decision is to proceed, the closure will be in place before the start of school, and continue through the holidays.

A key aspect of the Holbrook Project that differs from the previous effort in the 90s is that this is portrayed as a safety project for the residents of the street, both Atherton and County. It will also create a bicycle/pedestrian boulevard, similar to Bryant Street in Palo Alto, providing a safe route between Middlefield Road and Marsh Road east of the two-lane section. See picture of a Bryant Street Closure.



3. Striping and Signing Projects
 - a. Atherton Avenue/Fair Oaks Lane @ El Camino Real – completed
 - b. Acorn Way @Catalpa Drive and Greenoaks Drive – completed
 - c. James Gate No Parking – completed
 - d. Surrey Lane No Parking – completed
 - e. Altree Court No Parking – completed

- f. Glenwood @ Middlefield turn arrow – to be completed by 5/10
 - g. Walsh Road @ Alameda de las Pulgas – to be completed by 5/10
4. Lighted Crosswalk at Selby Lane – staff spoke with Carolyn Williams, Principal of Selby Lane School. She is very interested in assisting with improving the crossing and has/will take the following initiatives:
- a. Counts of pedestrians – crossing guard counted students crossing El Camino Real:
 - In the AM: 5-11 people cross from 7-8:30. The crossing guard took counts all week.
 - In the PM: 7-14 people cross from 2-3:30. The crossing guard took counts all week.

This does not meet the state warrants for an in-roadway lighted crosswalk. Note however that this intersection does meet the warrants for a traffic signal (at approximately ten times the cost of an in-roadway lighted crosswalk!). Both the County residents and Atherton residents are concerned that a signal would increase cut-through traffic.
 - b. Demand for pedestrians – survey parents to determine latent demand for crossing, where parents would let their children cross there if safety improvements made.
5. Roundabout at Alameda de las Pulgas – see attached sketch
- a. Detailed cost only available with a full design. Modesto unresponsive. Checking with Elk Grove.
 - b. Adjacent residents concerns would be evaluated with a survey, if the project is directed to proceed into the traffic program
 - c. Noise and vibration at adjacent residents is reduced, vehicles no longer stop and start, especially at night
 - d. Vegetation will be removed where the southeast corner is landscaped, anticipate working with that landscaper to adopt the center island instead. Other corners would be minimal impact to vegetation because there is not much there.
 - e. Grants may be available, such as Highway Safety Improvement Projects (HSIP) or other congestion reduction/air quality grants. By reducing stopping and starting, this project would reduce greenhouse gas emissions.
 - f. Athertonian Article – can be drafted once an Athertonian schedule is set



PLANNING DEPARTMENT:

The next phase time frame for General Plan Housing Element revisions is for the years 2014 through 2022. Local jurisdictions in the San Francisco Bay Area will be required to submit their proposed updates to the California Department of Housing and Community Development (HCD) sometime in 2013¹. However, planning activities are already under way.

¹ A precise date has not yet been determined by HCD

The Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) are collaborating on a planning effort called the San Francisco Bay Area Vision Project. The Vision Project supports policies of steering new growth toward areas near transit and existing downtowns. It encourages land use policies and practices that maximize walking, bicycling, transit ridership, and other forms of high-occupancy-vehicle travel, while diminishing the need to travel long distances and reducing vehicle-related air pollution. In San Mateo County this has resulted in steering growth to the larger cities of Daly City, South San Francisco, San Mateo and Redwood City and to the transportation hubs of Daly City/Colma and Millbrae. The smaller cities such as Atherton, Portola Valley and Woodside are slated for very limited growth.

During the last round (4th cycle) of Housing Element updates San Mateo County and the 20 cities in the County formed a so-called “Sub-region”. This occurred during the Regional Housing Needs Allocation (RHNA) process. Formation of the Sub-region had the benefits of greater self-determination in how the housing needs numbers assigned by ABAG were distributed to the individual jurisdictions and also a somewhat smaller needs number assigned to the County. During the up-coming round (5th cycle) of Housing Element updates the County and its 20 cities have again formed a Sub-region for the RHNA process. Atherton joined the Sub-region with adoption of Resolution No. 11-01 on January 19, 2011. The Sub-region will again have the benefit of greater self-determination in how the housing needs numbers assigned by ABAG will be distributed to the individual jurisdictions, however, this time there will be no reduction in the County-wide housing needs number resulting from Sub-regional membership.

ABAG’s “[Research & Forecasting Center](#)” is the Bay Area regional agency responsible for producing population, household, jobs, labor force, and income projections for the entire San Francisco Bay Area. The most recent publication of these projections is called “Projections 2009” which contains forecasts of growth, by individual cities and counties to the year 2035. The table below shows projections for Atherton of population, households and jobs over the 25 year period from 2010 to 2035. The most important projections from the housing needs allocation perspective are those of households. Household growth has in the past been proportional to housing needs allocation. ABAG has divided the 25 year projection into 5 year increments. The incremental increase in households projected for Atherton between 2015 and 2020 is 20 new households. If that were expanded to the RHNA (5th Cycle) time frame of 2014-2022 the projection for Atherton would be 32 new households. This compares quite favorably to the Atherton RHNA allocations of 83 new housing units during the 4th Cycle and 166 new housing units during the 3rd Cycle. A note of caution however, past experience has shown that these projections change several times during the RHNA process. Minor shifts in numbers for larger jurisdictions can become major shifts affecting smaller jurisdictions.

	Actual		Projected		Increase
	2000	2010	2010	2035	
Population	7,194	6,914	7,400	7,600	200
Households	2,413	N/A	2,490	2,580	90

Jobs	2,830	N/A	2,485	2,556	71
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Currently ABAG staff is asking the San Mateo County Sub-region for comments on its projections of households and jobs for the 2010-2035 time frame. At this time my recommendation is that Atherton not provide any comments. If the current projections remain unchanged the Town should be in a good position to receive a low housing unit allocation for the 5th Cycle. I do not feel that it would be reasonable to argue for a lower projection as almost all of the other cities are looking at major increases in household growth. For example, Menlo Park's household growth is projected to be 5,130 or 41% increase. It is my understanding that several of the larger jurisdictions will be commenting that the projections are substantially greater than they can accommodate within their general plan parameters. I believe that Hillsborough will also be commenting since their projected household growth is 752 (a 20% increase) from 2010 to 2035. For comparison Portola Valley has a projected household growth of 50 (a 3% increase) and Woodside has a projected household growth is 30 (a 1.5% increase) over the same time period.

Please let me know if you or the Council need additional information or if a different direction is desired.



Draft Minutes
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT

April 20, 2011

6:30 P.M.

TOWN COUNCIL CHAMBERS

Side Meeting Room

94 Ashfield Road

Atherton, California

SPECIAL MEETING

1. **ROLL CALL** **Council Members Lewis, Carlson, McKeithen,
Vice Mayor Widmer, Mayor Dobbie – All present**
2. **PUBLIC COMMENT** – None
3. **PUBLIC ANNOUNCEMENT OF CLOSED SESSION ITEMS**

Mayor Dobbie made the oral announcement of closed session items.

CLOSED SESSION

4. **PUBLIC EMPLOYEE APPOINTMENT: CITY ATTORNEY
(Subsection (b)(1) of Government Code Section 54957)**
5. **RECONVENE TO OPEN SESSION**

Mayor Dobbie announced that City Council unanimously approved a contract with William B. Conners to perform the services of City Attorney for the Town.

6. **ADOPTION OF RESOLUTION APPROVING APPOINTMENT OF CITY
ATTORNEY AND APPROVING AN AGREEMENT WITH WILLIAM B. CONNERS
FOR CITY ATTORNEY SERVICES**

Report: Mayor Jim Dobbie

Recommendation: Adoption of Resolution appointing City Attorney and approval of an agreement with William B. Conners for City Attorney Services

MOTION by Dobbie, second by Widmer to approve adoption of resolution appointing William Conners as City Attorney and approval of an agreement with William B. Conners for City Attorney Services. The motion passed unanimously.

7. **OATH OF OFFICE – City Attorney**

Deputy City Clerk DellaSanta administered the oath of office to William Conners.

8. ADJOURN

MOTION by Widmer, second by Carlson to adjourn the meeting. The motion passed unanimously.

Mayor Dobbie adjourned the meeting at 6:55 p.m.

Respectfully submitted,

Theresa DellaSanta
Deputy City Clerk



Draft Minutes
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT
April 20, 2011
7:00 p.m.
TOWN COUNCIL CHAMBERS
94 Ashfield Road
Atherton, California
REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL Lewis, Dobbie, Widmer, McKeithen, Carlson

Mayor Jim Dobbie announced that at a prior meeting the Town hired William B. Conners as the City Attorney. Jennifer Conners Larson, Bill's daughter, has been appointed as the Assistant City Attorney.

3 PRESENTATIONS

San Bruno Vice Mayor Rico Medina – City of San Bruno update re: Pipelines

Vice Mayor Medina discussed the September 9, 2009 pipeline explosion in San Bruno. Medina said San Bruno was lucky to have overwhelming support during the disaster. Within the first 48 hours of the incident San Bruno had 500 fire personnel and 300 police personnel respond and provide services to the city. Medina said Atherton provided immediate and initial fire personnel and equipment, command staff, police officers, communication and records personnel.

Vice Mayor Medina said the City of San Bruno continues to investigate the incident and to focus on addressing the safety of the natural gas pipelines in our community.

Medina presented the proclamation to Council on behalf of the City of San Bruno with sincere and deepest appreciation.

Mayor Dobbie thanked Medina and noted that the community coming together so fast and diligently was a demonstration of what all cities may need at some time or another. Dobbie wished Medina and the City of San Bruno support for their future.

Presentation for California Police Week May 8-15, 2011 – Chief Mike Guerra

Chief Guerra said National Police week is to recognize police officers who passed in the line of duty. Guerra reflected on local incidents of officers who were killed in the line of duty. Guerra presented each Council Member with the 2011 California Peace Officers Memorial pen and magazine which lists the 11 officers that died in 2010 and three officers who died in prior years.

Mayor Dobbie thanked Chief Guerra for his presentation and handouts.

Dobbie alerted the public that on item 16 the City Manager requested that the 15K funding from parcel tax be deleted, that in item 23 no contract be awarded, and that in item 18 the 10% contingency is removed.

Mayor Dobbie then presented Public Works Director Duncan Jones with a plaque from City Council thanking him for his service over the last 8 years.

Council Member Carlson thanked Jones for all of his work on the High Speed Rail issue.

Council Member McKeithen thanked Jones for everything he did including his assistance in shoring up the Atherton Channel and for protecting the red-legged frog while doing so.

Council Member Lewis thanked Jones for his “invaluable” information and assistance which he provided to the Town Center Task Force. Lewis said Jones takes away a lot of institutional knowledge.

Vice Mayor Widmer thanked Jones for his dedication, thoroughness, and diligence.

4. PUBLIC COMMENTS –

Virginia Rugeiro, Atherton resident, said good luck to Jones on his retirement. Rugeiro urged Council to make room in the budget for traffic calming devices throughout the Town.

Denise Kupperman, Atherton resident, thanked Jones for his instrumental assistance to the Library Steering Committee and wished him luck in his future.

5. REPORT OUT OF CLOSED SESSION – April 20, 2011 6:00 p.m. (Item A) and 6:30 p.m. (Item 4) meetings

- A. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**
Agency Designated Representatives: John Danielson, Glenn Berkheimer
Employee Organizations: Teamsters, APOA
Unrepresented Employees: All Management and Confidential Employees

Mayor Dobbie said there was no reportable action from the 6pm closed session meeting.

4. PUBLIC EMPLOYEE APPOINTMENT: CITY ATTORNEY (Subsection (b)(1) of Government Code Section 54957)

Mayor Dobbie reported that City Council unanimously approved a contract with William B. Conners to perform the services of City Attorney for the Town.

6. CITY MANAGER’S REPORT

Council Member Lewis asked what the savings are for the elimination of the coffee budget.

City Manager Danielson said the Department heads voluntarily purchased replacement machines and 6 months of coffee for their department which is a gracious gesture. Lewis agreed.

Lewis said the building department revenue is up about 50% opposed to this time last year and hopes the trend continues.

Mayor Dobbie said the small things that employees help with helps the entire Town get out of the budgetary issues they are in and he appreciates all of it.

7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT - None

CONSENT CALENDAR (Items 8-27)

Mayor Dobbie pulled item 25.

Vice Mayor Widmer said he has comments on items 9 and 11 and pulled item 15, 17 and 18.

Council Member Carlson said he would like item 9 pulled.

Council Member Lewis wanted item 11, 16, 18, 23, and 25 pulled and had a comment on item 13.

Items pulled: 11, 15, 16, 17, 18, 23 and 25.

8. APPROVAL OF MARCH 16, 2011 REGULAR MEETING MINUTES

Recommendation: Approve March 16, 2011 regular meeting minutes

9. APPROVAL OF BILLS AND CLAIMS FOR MARCH, 2011 IN THE AMOUNT OF \$1,134,947

Recommendation: Approve Bills and Claims in the amount of \$1,134,947

Vice Mayor Widmer said there are a number of discretionary items on the bills and claims and requested that staff bring items to Council before checks are written. Staff should do a thorough job reviewing each bill before paying. Widmer concluded by requesting that any memberships that are not put in the FY11/12 budget should not be paid.

10. FINANCIAL REPORT FOR THE NINE MONTHS ENDED MARCH 31, 2011

Report: Finance Director Louise Ho

Recommendation: Receive the General Fund Financial Report for the seven months ended January 31, 2011

12. APPROVAL OF 1ST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES FOR TRAFFIC AND PARKING ANALYSIS AT MENLO SCHOOL

Report: Town Planner Neal Martin

Recommendation: Approve the attached First Amendment to the Agreement for Professional Services by and between the town of Atherton and Kimley-Horn and Associates, Inc.

13. 2010 ANNUAL REPORT TO THE CITY COUNCIL ON THE ATHERTON GENERAL PLAN IMPLEMENTATION

Report: Deputy Town Planner Lisa Costa Sanders

Recommendation: Accept the Annual Report and authorize its transmittal to the California Governor's Office of Planning and Research and the California Department of Housing and Community Development pursuant to Section 65400 of the California Government Code (CGC).

Council Member Lewis suggested Council direct the General Plan to begin considering revising the General Plan because the League of California Cities recommends that the general plan get updated every 10 years.

14. ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON TO INDEMNIFY CALTRANS FOR FEDERAL HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) FUNDING FOR THE VALPARAISO AVENUE AT HOOVER STREET IN-ROADWAY LIGHTED CROSSWALK PROJECT

Report: Public Works Director Duncan Jones

Recommendation: Adopt Resolution 11-09 indemnifying Caltrans from any liabilities in the event the right-of-way is not clear as certified for Federal Highway Safety Improvement Program (HSIP) Program funding for the Valparaiso Avenue at Hoover Street In-Roadway Lighted Crosswalk Project

19. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION AND APPROVAL OF CONTRACT CHANGE ORDERS IN THE AMOUNT OF \$11,097.09 FOR A TOTAL PROJECT COST OF \$401,010.12 FOR THE STREET RECONSTRUCTION PHASE 7 PROJECT NUMBER 56006

Report: Public Works Director Duncan Jones

Recommendation: Accept work and authorize recording of a notice of completion and approving contract change orders in the amount of \$11,097.09 for a total project cost of \$401,010.12 for the Street Reconstruction Phase 7 Project Number 56006

20. AWARD OF CONTRACT FOR THE 2011 SPRING PATCHING PROJECT NUMBER 56050

Report: Public Works Duncan Jones

Recommendation: Award the contract for 2011 Spring Patching Project, project number 56050 to G. Bortolotto & Company, the low bidder on the April 6, 2011 bids, for \$96,390.00, with a 10% construction contingency of \$9,639.00, for a total authorization of \$106,029.00; and to authorize the City Manager to sign the contract on behalf of the Town

21. PROCLAMATION DECLARING ARBOR DAY IN THE TOWN OF ATHERTON ON MARCH 7, 2011

Report: None

Recommendation: Approve Proclamation Declaring Arbor Day in the Town of Atherton on March 7, 2011

22. MENLO SCHOOL COMMERCIAL BUILDING PLAN REVIEW

Report: Interim City Manager John Danielson

Recommendation: Authorize the payment of \$15,938.10 from the collected plan review fees of \$24,520.16. Further authorize plan review services for this project

23. APPROVE SANDIS, HMH AND MARK THOMAS FOR ON-CALL SURVEYING SERVICES AND APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH SANDIS FOR SURVEYING SERVICES FOR THE HOLBROOK-PALMER PARK SURVEY

Report: Public Works Director Duncan Jones

Recommendation: Accept the proposal and authorize the City Manager to sign a Professional Services Agreement with Sandis to provide surveying services for the Holbrook-Palmer Park Survey in an amount not exceed \$29,000, plus a 10% contingency, for a total authorization of \$31,900.00

24. PROCLAMATION DECLARING WEST NILE VIRUS AND MOSQUITO AND VECTOR CONTROL AWARENESS WEEK OF APRIL 24, THROUGH APRIL 30, 2011

Report: Deputy City Clerk Theresa DellaSanta

Recommendation: Approve Proclamation declaring West Nile Virus Week

26. APPROVE RESOLUTION REJECTING CLAIM OF JOHN P. JOHNS Report:

Deputy City Clerk Theresa N. DellaSanta

Recommendation: Approve Resolution 11-11 approving rejection of claim submitted by John P. Johns on January 11, 2011

27. AWARD OF CONTRACT FOR THE POLICE DEPARTMENT HVAC PROJECT NUMBER 56042

Report: Public Works Director Duncan Jones

Recommendation: Award the contract for Police Department HVAC Project, project number 56042 to Alex Kushner, General Contractors, the low bidder on the April 13, 2011 bids, for \$27,985.00, with a 10% construction contingency of \$2798.50, for a total authorization of \$30,783.50; and to authorize the City Manager to sign the contract on behalf of the Town

MOTION by McKeithen, second by Lewis to approve the consent calendar which includes items 8, 9, 10, 12, 13, 14, 19, 20, 21, 22, 24, 26, and 27.

REGULAR AGENDA (Items 28-29)

28. FORM AN AD-HOC COMMITTEE TO HELP DEVELOP AND IMPROVE COMMUNICATIONS AND WORK ON REVIEW OF RATES AND CONTRACTS WITH THE REFUSE AND RECYCLING AGREEMENT BETWEEN THE TOWN AND RECOLOGY

Report: Interim City Manager John Danielson

Recommendation: Form an ad-hoc committee of two Council Members to be designated to act as liaisons to help develop and improve communications and work on review of rates and contracts with the refuse and recycling agreement between the Town and Recology

City Manager Danielson said that while all Council Members have done their own research on this issue he feels the Town is at a point where a subcommittee should be established to finalize where we are headed on the rate adjustment and the underlying costs.

MOTION by Carlson, second by Lewis to allow the Mayor to appoint a subcommittee of two Council Members to be designated to act as liaisons to help develop and improve communications and work on review of rates and contracts with the refuse and recycling agreement between the Town and Recology. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

Mayor Dobbie said he would think about whom to appoint and let the City Clerk know. [Dobbie appointed Vice Mayor Widmer and Council Member Carlson to the subcommittee].

Lewis requested on behalf of a resident that any more information pieces sent out to the public are completely specific and clear.

**29. PROGRESS REPORT ON CONSTRUCTION STATUS AND COMPLIANCE – 297
POLHEMUS AVENUE, ATHERTON, CA
Report: Interim Building Official Dennis Lockard
Recommendation: To Be Determined**

Interim Building Official Dennis Lockard said he has continued to follow the progress of the construction and visits the site on a weekly basis. Lockard said he is optimistic that the owners finish on time. He recommended allowing the resident to continue his progress.

Council Member Carlson said he visited the site and it looks like the completion date is within the boundaries set by Council.

Vice Mayor Widmer said he visited the site the previous day and he has seen significant progress on the construction.

Mayor Dobbie said he has visited the site and is afraid the deadlines won't be met. Dobbie wondered if an agreement can be created requesting the owner to agree to penalties if construction is not completed on time.

City Attorney Connors said an agreement would be problematic because there is no ordinance that allows for it. Connors said in the event Council does decide to impose an agreement there cannot be a penalty if the owner does not agree. Connors said he will do some more research and discuss the codes with Lockard and let Council know what they can do.

PULLED ITEMS

**11. APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH LSA ASSOCIATES, INC. FOR ENVIRONMENTAL CONSULTANT SERVICES ASSOCIATED WITH THE LIBRARY BUILDING PROJECT
Report: Public Works Director Duncan Jones/ Deputy Planner Lisa Costa Sanders**

Recommendation: Approve the attached Professional Services Agreement with LSA Associates, Inc. for the preparation environmental analysis and California Environmental Quality Act (CEQA) environmental documents associated with site selection and the approval process for the new Library Building Process.

Council Member Carlson wanted to make sure there is a method set up to capture all costs of staff time associated with the project.

Carlson reviewed and compared the general cost the Town incurs for the library and felt it should be researched further to make sure the incurred costs are being covered.

Vice Mayor said he supports moving the project forward but he believes there are deficiencies in the contract that need to be fixed. Widmer suggested adding clauses that protect the Town more and to keep the project from going on for too long. Widmer said he will work with Danielson and Connors on his concerns.

Council Member McKeithen said the Planning Department worked on this contract because the Library JPA wanted to move forward with the environmental part of the project. McKeithen asked Deputy Town Planner Lisa Costa Sanders if this contract is standard. Costa Sanders said yes.

Council Member Lewis asked what the Towns financial liability is in approving the contract. Lewis said the scope of service is missing from the contract. Lewis concluded that she is very excited to see this project move forward and supports it but wants to make sure the Town is not liable for any costs associated with the project.

Council Member McKeithen said all costs for this project are paid out of the library fund.

Denis Kupperman, Library Steering Committee, said the Committee took careful consideration in creating the contract and relied on the Towns standard form agreement. Kupperman said it is critical to approve the agreement in order to stick to the library timeline.

Council agreed to approve the contract based on comments received from Widmer who will work with City Manager Danielson and City Attorney Connors to re-draft the contract.

MOTION by Dobbie, second by Lewis to approve a modified Professional Services Agreement with LSA Associates, Inc., based on comments from Council and subject to City Attorney approval, for the preparation environmental analysis and California Environmental Quality Act (CEQA) environmental documents associated with site selection and the approval process for the new Library Building Process. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

Lewis questioned when the community outreach will take place. Kupperman said the first meeting will be held on June 25th and will focus on the site selection. During that process there will be outreach, focus groups, and community meetings that will address the library programming. Kupperman said all meetings will be well advertised.

15. APPROVE AN AGREEMENT WITH THE MASTER GARDENERS OF SAN MATEO COUNTY TO CONSTRUCT A HOOPHOUSE GREENHOUSE IN HOLBROOK-PALMER PARK

Report: Public Works Director Duncan Jones

Recommendation: Approve an agreement with the Master Gardeners of San Mateo County to construct a “hoophouse” greenhouse in Holbrook-Palmer Park

Vice Mayor Widmer said he has concerns with a hoophouse because of the uncertainty of the parks future including the possibility of moving the library into the park and all other activities in the park. Widmer added that in the event of outsourcing the corporation yard may be used for storage which is where the hoophouse is being proposed. Widmer did not support a hoophouse at this time, primarily because there is no long term vision of the park.

Council Member McKeithen said the hoophouse is not an activity that is comparable to other activities in the park such as soccer, lacrosse and little league. McKeithen said the hoophouse would use a portion of the corporation yard in the park and won't even be noticeably visible. She concluded that it can be terminated at any time.

Council Member Carlson supported the hoophouse greenhouse.

Council Member Lewis wanted to hear the public's vision for the hoophouse. Lewis added that she thinks it is great idea.

Mayor Dobbie said that signing a 5-year agreement still has stipulations for termination and suggested a one-year contract to see if it works for the park.

Cindy Bordock, Master Gardener, said the reason for a hoophouse is to bring the knowledge and education from UC schools to the general public.

Nancy Grove, founding member of San Mateo Master Gardeners, said having a place where adults and children can learn to garden is good for the Town. She urged Council to support the hoophouse.

Council Member McKeithen said the more you can encourage people to come to the park with these types of ideas the more you can encourage other to volunteer to beautify the park with incurring additional costs to the Town.

Council Member Lewis supported a 5-year lease cancellable in 2 years.

Denise Kupperman, Atherton resident, said the project would need a minimum of 3 years for erection of the hoophouse from start to finish.

Vice Mayor Widmer said he has the utmost respect for the organization but thinks it is bad faith to sign a multiple year contract knowing that it may get cancelled.

MOTION by Carlson, second by McKeithen to approve an agreement with the Master Gardeners of San Mateo County to construct a “hoophouse” greenhouse in Holbrook-Palmer Park. The motion passed.

Ayes: 3 Nays: 2 (Dobbie, Widmer) Abstain: 0 Absent: 0

16. APPROVE AN AMENDED CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FY 2010-2011

Report: Public Works Director Duncan Jones

Recommendation: Approve an amended Capital Improvement Program (CIP) budget for FY 2010-2011 to reflect changes in project delivery

MOTION by McKeithen, second by Carlson to approve an amended Capital Improvement Program (CIP) budget for FY 2010-2011 to reflect changes in project delivery. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

17. APPROVE A CONTRACT CHANGE ORDER FOR GALLAGHER AND BURK, INC. FOR THE FLETCHER DRIVE/RIDGEVIEW DRIVE PAVEMENT AND DRAINAGE IMPROVEMENT PROJECT NUMBER 56033 IN THE AMOUNT OF \$305,108

Report: Public Works Director Duncan Jones

Recommendation: Approve a Contract Change Order for Gallagher and Burk, Inc. for the Fletcher Drive/Ridgeview Drive Pavement and Drainage Improvement Project, project number 56033 in the amount of \$305,108

Vice Mayor Widmer said he was concerned that a consultant was hired to find out where the utilities were and the reports ended up being erroneous which results in the Town spending extra money. Widmer asked whether the Town is the only entity liable for this.

Public Works Director Jones said it is typical to hire a consultant to go out and find where the utilities are before a project is started. Jones said if the consultant had located all the correct utilities spots the Town would have incurred these same costs because a more expensive system would have been designed.

Vice Mayor Widmer felt that somebody made a mistake along the way and the Town should not bear the full cost of that burden.

Council Member Lewis agreed that it is a staggering amount of money to pay for a change order and someone should hold more culpability.

MOTION by Lewis, second by Carlson to approve a Contract Change Order for Gallagher and Burk, Inc. for the Fletcher Drive/Ridgeview Drive Pavement and Drainage Improvement Project, project number 56033 in the amount of \$305,108, contingent upon City Attorney review. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

Paul Madera, Atherton resident, said it has been a mess in his neighborhood for years. He urged Council to finish the last phase by paving the street.

- 18. APPROVE AN AGREEMENT FOR ARCHITECTURAL SERVICES WITH GROUP 4 ARCHITECTURE RESEARCH + PLANNING, INC. FOR CONCEPTUAL DESIGN SERVICES FOR THE ATHERTON LIBRARY PROJECT, IN AN AMOUNT NOT TO EXCEED \$147,050 PLUS A TEN PERCENT CONTINGENCY OF \$15,000, FOR A TOTAL AUTHORIZATION OF \$162,050 AND AUTHORIZE A BUDGET AMENDMENT TO ADD \$162,050 TO THE LIBRARY BUDGET FOR FY 2010-2011**

Report: Public Works Director Duncan Jones

Recommendation: Accept the proposal and authorize the City Manager to sign an Agreement for Architectural Services with Group 4 Architecture Research + Planning, Inc. to provide conceptual design services for the Atherton Library Project in an amount not exceed \$147,050, plus a 10% contingency, for a total authorization of \$162,050 and authorize a budget amendment to add \$162,050 to the library budget for FY 2010-2011

Council directed City Attorney to work with the City Manager on addressing concerns posed by Council earlier in the night when item 11 was taken up.

MOTION by Widmer, second by Lewis to accept the proposal and authorize the City Manager to sign an Agreement for Architectural Services with Group 4 Architecture Research + Planning, Inc. to provide conceptual design services for the Atherton Library Project in an amount not exceed \$147,050 and authorize a budget amendment to add \$147,050 to the library budget for FY 2010-2011. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

- 23. APPROVE SANDIS, HMH AND MARK THOMAS FOR ON-CALL SURVEYING SERVICES AND APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH SANDIS FOR SURVEYING SERVICES FOR THE HOLBROOK-PALMER PARK SURVEY**

Report: Public Works Director Duncan Jones

Recommendation: Accept the proposal and authorize the City Manager to sign a Professional Services Agreement with Sandis to provide surveying services for the Holbrook-Palmer Park Survey in an amount not exceed \$29,000, plus a 10% contingency, for a total authorization of \$31,900.00

Mayor Dobbie said the City Manager has requested that Council modify this item to limit the scope to approving the professional services provider as described, but no contract actually be awarded. Council agreed to approve the list of surveyors but not to award the contract at this time.

MOTION by McKeithen, second by Widmer to approve the list of surveyors for on-call surveying services. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

- 25. APPROVE RESOLUTION REJECTING CLAIM OF MICRO LITHOGRAPHY, INC.**

Report: Deputy City Clerk Theresa DellaSanta

Recommendation: Approve resolution 11-10 rejecting the claim of Micro Lithography, Inc.

Gary Lindberg, Microlithography Inc., read a letter to Council on behalf of his company. Lindberg felt that the Town had a duty and an obligation to make the roads for people safe. Lindberg said his company made a delivery to Atherton residents and the truck collided with low hanging branches which caused over \$18,000 in damage to the truck. Lindberg said the Town is taking no responsibility for the incident since there is an ordinance that requires homeowners to be responsible for maintenance of the trees. Lindberg urged Council to support their residents and take responsibility for the claim.

Mayor Dobbie asked what caused the driver to collide with the tree.

Lindberg said the driver was not born in the United States and the branches were low hanging.

Police Chief Guerra said it is very typical for drivers to drive into other lanes, when safe, to go around tree since this isn't a typical city street with sidewalks.

City Attorney Conners said the primary collision factor was "other than the driver," which means by law it may not have been the drivers fault. Conners said for the Town to be at fault there would have to have been notice. Notice would constitute that the Town was put on notice that the trees were low hanging in order to be legally responsible.

Council Member Carlson said he is compassionate but when it comes to taxpayers dollars we have to do what is legally correct.

Council Member Lewis said the Town is a thickly wooded rural community that takes a lot of pride in their trees. It is very typical that trees are hit and branches fly onto the streets.

Vice Mayor Widmer said he is sorry that this happened but the Town has an ordinance stating that it is the homeowner's responsibility to maintain the tree.

Council Member McKeithen gave her sympathy.

MOTION by Dobbie, second by Widmer to approve resolution 11-10 rejecting the claim of Micro Lithography, Inc. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

30. COUNCIL REPORTS - Nothing further to add.

31. FUTURE AGENDA ITEMS - None.

32. PUBLIC COMMENTS – None.

33. ADJOURN

MOTION by Carlson, second by McKeithen to adjourn the meeting. The motion passed unanimously.

Mayor Dobbie adjourned the meeting at 8:59 p.m.

Respectfully submitted,

Theresa DellaSanta
Deputy City Clerk

TOWN OF ATHERTON
CLAIMS LIST APRIL 2011

	<u>Amount</u>
A/P Checks (#11943-12105)	\$ 460,027
Payroll Checks (#201-209)	6,325
Direct Deposit - Payroll	282,551
Electronic Transfer - A/P & Payroll	274,601
APRIL 2011 Total	1,023,504

I, John Danielson, Interim City Manager of the Town of Atherton, do hereby certify that the demand listed above, check numbers 201-209 (payroll), and 11943-12105 (accounts payable), and electronic transfers for employees direct deposits, federal payroll taxes and fees, inclusive, amount to \$1,023,504 are true and correct based on the information provided to me and that there are sufficient funds for payment.

John Danielson
Interim City Manager

The above claims, check numbers 201-209 (payroll), and 11943-12105 (accounts payable), and electronic transfers for employees direct deposits, federal payroll taxes and fees, inclusive, amount to \$1,023,504 are true and correct and are authorized for payment.

James Dobbie
Mayor, Town of Atherton

SOURCE OF FUNDS

101	General Fund	\$ 954,108
105	Tennis	780
201	Special Parcel Tax	21,099
203	Gas Tax	1,392
210	Road Construction Impact	18,049
213	Library	3,792
215	Evan Creative Design	35
610	Equipment Replacement	1,575
616	Employee Benefits	21,831
740	Tree Committee	843
	TOTAL	1,023,504

Town of Atherton

Checks by Date - Detail by Check Number

Check#	Check Date	Vendor Name	Invoice#	Fund	Dept	Description	Amount
11943	4/4/2011	VISION SERVICE PLAN		General Fund		PR Batch 501 3 2011 Vision Insurance	717.13
11944 Total							717.13
11944	4/5/2011	ACTERRA	2020ProgramEPC	General Fund	Non-Dept	EPC Student leadership support 2020 Prog	3,978.00
11944 Total							3,978.00
11945	4/6/2011	ADVANI SWATI & VIJAY	BP08-00486	Road Const. Impact		B# 375, Rfd# 375, 484 Walsh Rd.	223.14
11945	4/6/2011	ADVANI SWATI & VIJAY	BP08-00532	Road Const. Impact		B# 375, Rfd# 375, 484 Walsh Rd.	436.14
11945	4/6/2011	ADVANI SWATI & VIJAY	BP08-00544	Road Const. Impact		B# 375, Rfd# 375, 484 Walsh Rd.	916.91
11945 Total							1,576.19
11946	4/6/2011	BAY AREA RE-ROOFING	BP09-00188	Road Const. Impact		B# 101, Rfd# 101, 849 Old County Rd.	36.51
11946	4/6/2011	BAY AREA RE-ROOFING	BP09-00413	Road Const. Impact		B# 101, Rfd# 101, 849 Old County Rd.	40.57
11946	4/6/2011	BAY AREA RE-ROOFING	BP09-00412	Road Const. Impact		B# 101, Rfd# 101, 849 Old County Rd.	127.80
11946 Total							204.88
11947	4/6/2011	DOSTART STEVEN	BP08-00043	Road Const. Impact		B# 352, Rfd# 352, 87 Patricia Dr.	710.00
11947 Total							710.00
11948	4/6/2011	FORESE KELLY AND	BP08-00330	Road Const. Impact		B# 221, Rfd# 221, 34 Linden Ave.	2,604.69
11948 Total							2,604.69
11949	4/6/2011	VENVERLOH JONATHAN	BP09-00293	Road Const. Impact		B# 210, Rfd# 210, 67 Marymont Ave.	815.49
11949	4/6/2011	VENVERLOH JONATHAN	BP09-00292	Road Const. Impact		B# 210, Rfd# 210, 67 Marymont Ave.	1,704.00
11949 Total							2,519.49
11951	4/7/2011	ACCOUNTEMPS	32912263	General Fund	Finance	Temp Dean, Hazel 3/14/11 - 3/18/11	1,025.04
11951 Total							1,025.04
11952	4/7/2011	AFLAC		General Fund		PR Batch 501 3 2011 Flex Participation Fee - ER	25.00
11952	4/7/2011	AFLAC		General Fund		PR Batch 501 3 2011 Flex Participation Fee - EE	50.00
11952 Total							75.00
11953	4/7/2011	AT&T CALNET 2	000002242940	General Fund	Non-Dept	752-8099 02/27/11 - 03/26/11	424.38
11953	4/7/2011	AT&T CALNET 2	000002240532	General Fund	Police	322-6891 02/25/11 - 03/24/11	0.31
11953	4/7/2011	AT&T CALNET 2	000002242937	General Fund	Police	330-0686 02/27/11 - 03/26/11	15.59
11953	4/7/2011	AT&T CALNET 2	000002242938	General Fund	Police	566-0280 02/27/11 - 03/26/11	210.29
11953 Total							650.57
11954	4/7/2011	HALL SHERMAN	03-29-2011	General Fund	Police	USF crime prev 3/14/11-3/15/11 S. Hall	400.00
11954 Total							400.00
11955	4/7/2011	J & N PRINTING	8509	General Fund	City Council	10k, #10 envelopes - 3/28/11	524.40
11955	4/7/2011	J & N PRINTING	8521	General Fund	City Council	250 Bus cards J.Dobbie /B.Widmer 3/28/11	56.81
11955 Total							581.21
11956	4/7/2011	KHAN OLANA	03/28/11	General Fund		Rfd, 92 Sutherland, P#39494	5,000.00
11956 Total							5,000.00
11957	4/7/2011	MUNISERVICES LLC	PFhalers Roofin	General Fund		Bus Lic PFhalers Roofing 3/31/11	75.00
11957	4/7/2011	MUNISERVICES LLC	World Class	General Fund		Bus Lic World Class Trees & Lands 3/23/11	50.00
11957	4/7/2011	MUNISERVICES LLC	Brideman/Marcha	General Fund		Bus Lic Brideman/Marcha Roofing 3/29/11	75.00
11957	4/7/2011	MUNISERVICES LLC	ECKCO	General Fund		Bus Lic ECKCO 3/28/11	100.00
11957 Total							300.00
11958	4/7/2011	PEACHTREE BUSINESS	P237941600019	General Fund	DPW-Park Program	Drop box - Park day use permit - 2/28/11	69.50
11958 Total							69.50
11959	4/7/2011	RAINBOW ROOFING	03/28/11	General Fund		Rfd, 1205 Valota Rd. P#BP11-00085	500.00
11959 Total							500.00

Town of Atherton

Checks by Date - Detail by Check Number

Check#	Check Date	Vendor Name	Invoice#	Fund	Dept	Description	Amount
11960	4/7/2011	SPRINT	130538811-040	General Fund	Police	Mobile data comm PD 2/26/11 - 3/25/11	431.51
11960 Total							431.51
11961	4/7/2011	VIEVU	00002231	General Fund	Police	Replacement damaged Viewu - J. Yoakum	175.00
11961 Total							175.00
11962	4/7/2011	VOYAGER FLEET	869016477103	General Fund	Police	Motorcycle fuel March 2011	68.96
11962 Total							68.96
11963	4/7/2011	WAGNER WILLIAM	820633	General Fund	DPW-Park Program	Vacuum Hoover/ repair	23.49
11963	4/7/2011	WAGNER WILLIAM	820633	General Fund	DPW-Park Program	Vacuum Hoover repair/ labor	69.95
11963 Total							93.44
11964	4/7/2011	WILLIAMS SCOTSMAN,	95603388	General Fund	Police	Rent PD Modular 03/29/11 - 04/28/11	721.63
11964 Total							721.63
11965	4/7/2011	WITMER-TYSON	T8535	General Fund	Police	K-9 training maint Lotty, Rex March 2011	500.00
11965	4/7/2011	WITMER-TYSON	T8535	General Fund	Police	Dog food March 2011	120.18
11965	4/7/2011	WITMER-TYSON	T8535	General Fund	Police	Stainless fur saver - 24" March 2011	29.50
11965	4/7/2011	WITMER-TYSON	T8535	General Fund	Police	Frabo nylon harness March 2011	49.16
11965 Total							698.84
11966	4/8/2011	TEAMSTERS LOCAL 856		General Fund		PR Batch 501 3 2011 Dental Insurance	6,292.00
11966	4/8/2011	TEAMSTERS LOCAL 856	April2011adj	General Fund	Administration	Dental adj April 2011	2.00
11966	4/8/2011	TEAMSTERS LOCAL 856	April2011adj	General Fund	Finance	Dental adj April 2011	2.00
11966	4/8/2011	TEAMSTERS LOCAL 856	April2011adj	General Fund	Building	Dental adj April 2011	6.00
11966	4/8/2011	TEAMSTERS LOCAL 856	April2011adj	General Fund	Police	Dental adj April 2011	23.00
11966	4/8/2011	TEAMSTERS LOCAL 856	April2011adj	General Fund	DPW-Engineering	Dental adj April 2011	3.00
11966	4/8/2011	TEAMSTERS LOCAL 856	April2011adj	General Fund	DPW-Street Maint.	Dental adj April 2011	5.00
11966	4/8/2011	TEAMSTERS LOCAL 856	April2011adj	General Fund	DPW-Park Maint.	Dental adj April 2011	1.00
11966	4/8/2011	TEAMSTERS LOCAL 856	April2011adj	General Fund	DPW-Park Program	Dental adj April 2011	2.00
11966 Total							6,336.00
11968	4/12/2011	IMPAC. GOVERNMENT	4832/03-22-11	General Fund	City Council	Lunch - legal counsel committee 3/14/11	60.71
11968	4/12/2011	IMPAC. GOVERNMENT	4832/03-22-11	General Fund	City Council	Polycorn conf phone admin&council 3/11/11	399.95
11968	4/12/2011	IMPAC. GOVERNMENT	4832/03-22-11	General Fund	Administration	City clerk conf hotel 3/2/11 M. Goldstein	191.64
11968	4/12/2011	IMPAC. GOVERNMENT	4832/03-22-11	General Fund	Administration	Giftcard J. Pan EQQ Oct-Dec 2010 3/2/11	50.00
11968	4/12/2011	IMPAC. GOVERNMENT	4832/03-22-11	General Fund	Administration	Ink -Town ID card 3/17/11	206.15
11968	4/12/2011	IMPAC. GOVERNMENT	4960/03-22-11	General Fund	Administration	Town ID Laynard, Holders, Reels 3/10/11	118.00
11968	4/12/2011	IMPAC. GOVERNMENT	7190/03-22-11	General Fund	Finance	Paint - City clerk office 2/28/11	56.82
11968	4/12/2011	IMPAC. GOVERNMENT	7190/03-22-11	General Fund	Finance	CSMFO conf parking 2/25/11 L. Ho	10.00
11968	4/12/2011	IMPAC. GOVERNMENT	7190/03-22-11	General Fund	Finance	Pension reform web training 3/16/11 L. Ho	39.00
11968	4/12/2011	IMPAC. GOVERNMENT	7190/03-22-11	General Fund	Finance	CalCPA membership L. Ho	399.00
11968	4/12/2011	IMPAC. GOVERNMENT	5424/03-22-11	General Fund	Building	CA Bldg official training K. Huo 3/23/11	150.00
11968	4/12/2011	IMPAC. GOVERNMENT	5424/03-22-11	General Fund	Building	HP printer 8500A K. Anderson 3/15/11	120.18
11968	4/12/2011	IMPAC. GOVERNMENT	7555/03-22-11	General Fund	Non-Dept	School portal - emerg planning 3/16/11	10.00
11968	4/12/2011	IMPAC. GOVERNMENT	7555/03-22-11	General Fund	Police	Mobilelock DS500HE (to be refund) 3/16/11	100.00
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	Entersect police online - feb 2011	88.95
11968	4/12/2011	IMPAC. GOVERNMENT	5465/03-22-11	General Fund	Police	Construction Alarm subscription Mar 2011	19.95
11968	4/12/2011	IMPAC. GOVERNMENT	7555/03-22-11	General Fund	Police	Arm rest for 7 car 2/25/11 S. Hall	60.99
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	Car washes Feb 2011	280.00
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	55 liter dry gas tank 3/10/11	191.86

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11968	4/12/2011	IMPAC. GOVERNMENT	0378/03-22-11	General Fund	Police	Meal - Cal chiefs conf 2/28/11 M. Guerra	14.59
11968	4/12/2011	IMPAC. GOVERNMENT	0378/03-22-11	General Fund	Police	Lodging - Cal chiefs conf 2/28/11-3/2/11	552.99
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	Force Encounter course J. Wade 4/18/11	277.00
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	lodging PRA course N. Bonnevie 4/6/11	187.14
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	Crime report subscription Jan & Feb 2011	198.00
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	Crime report subscription March 2011	99.00
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	3 HP 920 black officejet ink 3/8/11	74.26
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	Gas - Cal chiefs conf M. Guerra 3/3/11	55.17
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	Gas - Crown Vic 2/22/11	59.00
11968	4/12/2011	IMPAC. GOVERNMENT	7555/03-22-11	General Fund	Police	APC battery for thumb reader 3/17/11	87.39
11968	4/12/2011	IMPAC. GOVERNMENT	9636/03-22-11	General Fund	Police	Bags for drug destruction box 3/13/11	19.99
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	Re-ship Lidar Holister 3/4/11	15.62
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	US and CA flags 3/7/11	125.50
11968	4/12/2011	IMPAC. GOVERNMENT	5432/03-22-11	General Fund	Police	White foamboard 5X7 3/8/11	32.23
11968	4/12/2011	IMPAC. GOVERNMENT	5465/03-22-11	General Fund	Police	HP Ink, fold towel, copy paper 3/17/11	589.28
11968	4/12/2011	IMPAC. GOVERNMENT	7555/03-22-11	General Fund	Police	Bluetooth carphone w/ handset 3/2/11	134.94
11968	4/12/2011	IMPAC. GOVERNMENT	5408/03-22-11	General Fund	DPW-Street Maint.	Lumber for flagpole 3/8/11	45.18
11968	4/12/2011	IMPAC. GOVERNMENT	5408/03-22-11	General Fund	DPW-Street Maint.	Drill 18volt cordless 3/18/11 S. Tyler	239.25
11968	4/12/2011	IMPAC. GOVERNMENT	5408/03-22-11	General Fund	DPW-Park Maint.	Rent Temp restroom for Park 2/16-3/15/11	381.48
11968	4/12/2011	IMPAC. GOVERNMENT	5408/03-22-11	General Fund	DPW-Park Maint.	Rent Temp restroom for Park 3/16-4/16/11	381.48
11968	4/12/2011	IMPAC. GOVERNMENT	5408/03-22-11	General Fund	DPW-Park Maint.	Internet fee- irrigation control 3/16/11	139.30
11968	4/12/2011	IMPAC. GOVERNMENT	5408/03-22-11	General Fund	DPW-Park Program	Internet fee- comcast 3/23/11	60.00
11968	4/12/2011	IMPAC. GOVERNMENT	4954/03-22-11	General Fund	DPW-Park Program	Pod rental for March 2011	382.38
11968	4/12/2011	IMPAC. GOVERNMENT	5408/03-22-11	General Fund	DPW-Park Program	Outdoor drop box HP Park 2/16/11	139.00
11968	4/12/2011	IMPAC. GOVERNMENT	4954/03-22-11	General Fund	DPW-Park Program	Paint - main house entry door 3/1/11	18.56
11968	4/12/2011	IMPAC. GOVERNMENT	4954/03-22-11	General Fund	DPW-Park Program	Paint - main house living room 3/1/11	57.16
11968	4/12/2011	IMPAC. GOVERNMENT	4954/03-22-11	General Fund	DPW-Park Program	Paint - main house 3/8/11	32.95
11968 Total							6,952.04
11969	4/13/2011	ARMER BRIAN	BP08-00641	Road Const. Impact		B# 390, Rfd# 390, 47 Ringwood Ave.	541.63
11969	4/13/2011	ARMER BRIAN	BP09-00218	Road Const. Impact		B# 390, Rfd# 390, 47 Ringwood Ave.	172.43
11969	4/13/2011	ARMER BRIAN	BP09-00758	Road Const. Impact		B# 390, Rfd# 390, 47 Ringwood Ave.	14.20
11969 Total							728.26
11970	4/13/2011	BASSO BRUCE	BP08-00228	Road Const. Impact		B# 112, Rfd# 112, 37 Euclid Ave.	1,095.43
11970	4/13/2011	BASSO BRUCE	BP08-00227	Road Const. Impact		B# 112, Rfd# 112, 37 Euclid Ave.	194.74
11970 Total							1,290.17
11971	4/13/2011	HERB LECHNER GP	BP09-00423	Road Const. Impact		B# 195, Rfd# 195, 89 Virginia Ln	10.14
11971	4/13/2011	HERB LECHNER GP	BP09-00425	Road Const. Impact		B# 195, Rfd# 195, 89 Virginia Ln	14.20
11971	4/13/2011	HERB LECHNER GP	BP09-00424	Road Const. Impact		B# 195, Rfd# 195, 89 Virginia Ln	46.66
11971 Total							71.00
11972	4/13/2011	HESLIN JAMIES	BP09-00110	Road Const. Impact		B# 176, Rfd# 176, 15 Isabella Ave.	336.74
11972 Total							336.74
11973	4/13/2011	JENNIFER AND	BP08-00024	Road Const. Impact		B# 392, Rfd# 392, 35 Edge Rd.	6,018.77
11973	4/13/2011	JENNIFER AND	BP08-00025	Road Const. Impact		B# 392, Rfd# 392, 35 Edge Rd.	407.74
11973 Total							6,426.51
11974	4/13/2011	LOWRY LARRY L	39769	Road Const. Impact		B# 235, Rfd# 235, 137 Stockbridge Ave.	426.81

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11974 Total							426.81
11975	4/13/2011	MACDONALD MORRIS	BP08-00400	Road Const. Impact		B# 162, Rfd# 162, 34 Loyden Dr.	458.46
11975	4/13/2011	MACDONALD MORRIS	BP09-00242	Road Const. Impact		B# 162, Rfd# 162, 34 Loyden Dr.	48.69
11975	4/13/2011	MACDONALD MORRIS	BP09-00323	Road Const. Impact		B# 162, Rfd# 162, 34 Loyden Dr.	10.14
11975 Total							517.29
11976	4/13/2011	MANOLIU ANDREI	39607	Road Const. Impact		B# 393, Rfd# 393, 77 Magnolia Dr.	107.69
11976	4/13/2011	MANOLIU ANDREI	39687	Road Const. Impact		B# 393, Rfd# 393, 77 Magnolia Dr.	36.51
11976 Total							144.20
11977	4/13/2011	MCDONALD PAUL	BP08-00107	Road Const. Impact		B# 394, Rfd# 394, 98 Rebecca Ln	71.00
11977 Total							71.00
11978	4/13/2011	MICHAEL R AND JUDITH	BP08-00333	Road Const. Impact		B# 266, Rfd# 266, 1 Madrone Rd.	81.14
11978	4/13/2011	MICHAEL R AND JUDITH	BP09-00368	Road Const. Impact		B# 266, Rfd# 266, 1 Madrone Rd.	137.94
11978	4/13/2011	MICHAEL R AND JUDITH	BP09-00377	Road Const. Impact		B# 266, Rfd# 266, 1 Madrone Rd.	121.71
11978	4/13/2011	MICHAEL R AND JUDITH	BP09-00445	Road Const. Impact		B# 266, Rfd# 266, 1 Madrone Rd.	81.14
11978 Total							421.93
11979	4/14/2011	ACCOUNTEMPS	32946775	General Fund	Finance	Temp Dean, Hazel 3/21/11 - 3/25/11	1,025.04
11979	4/14/2011	ACCOUNTEMPS	32962955	General Fund	Finance	Temp Phonpradith, Noy 3/29/11 - 3/31/11	899.55
11979 Total							1,924.59
11980	4/14/2011	AT&T CALNET 2	000002255934	General Fund	Non-Dept	327-4859 03/01/11 - 03/31/11	55.27
11980	4/14/2011	AT&T CALNET 2	000002255933	General Fund	Non-Dept	327-3232 03/01/11 - 03/31/11	15.59
11980	4/14/2011	AT&T CALNET 2	000002255935	General Fund	Non-Dept	327-4866 03/01/11 - 03/31/11	15.61
11980 Total							86.47
11981	4/14/2011	CA BUILDING	JAN-MAR 2011	General Fund		Bldg standard fee Jan 1,2011-Mar 31,2011	1,881.00
11981 Total							1,881.00
11982	4/14/2011	CAL WATER SERVICE	62040688/3	General Fund	DPW-Street Maint.	99 Ashfield Rd. 04/04/11 - 04/04/11	52.62
11982	4/14/2011	CAL WATER SERVICE	90069321/3	General Fund	DPW-Street Maint.	Station Ln 03/04/11 - 04/04/11	55.52
11982 Total							108.14
11983	4/14/2011	CITY OF REDWOOD	BR25722	General Fund	Non-Dept	IT Support March 2011	2,307.00
11983 Total							2,307.00
11984	4/14/2011	CLARK PEST CONTROL	10973411	General Fund	DPW-Park Maint.	Weed control HP Park maint svc March2011	855.00
11984 Total							855.00
11985	4/14/2011	CONTRACT SWEEPING	INV110000460	General Fund	DPW-Street Maint.	Contract sweeping service March 2011	992.70
11985 Total							992.70
11986	4/14/2011	DANIELSON	162	General Fund	Administration	Interim CM J. Danielson March 2011	15,000.00
11986 Total							15,000.00
11987	4/14/2011	DMS FACILITY	RC-D064379	General Fund	DPW-Building Maint.	Town Hall/PD April 2011	650.24
11987	4/14/2011	DMS FACILITY	RC-D064379	General Fund	DPW-Building Maint.	Police modular April 2011	115.70
11987	4/14/2011	DMS FACILITY	RC-D064379	General Fund	DPW-Building Maint.	Public works modular April 2011	121.41
11987	4/14/2011	DMS FACILITY	RC-D064379	General Fund	DPW-Building Maint.	Additional modular April 2011	154.01
11987	4/14/2011	DMS FACILITY	RC-D064379	General Fund	DPW-Building Maint.	99 station Ln Atherton April 2011	203.70
11987	4/14/2011	DMS FACILITY	RC-D064379	Library Fund	Non-Dept	Atherton library April 2011	470.10
11987 Total							1,715.16
11988	4/14/2011	DUNBAR ARMORED INC	2862953	General Fund	Finance	Armored car svc April 2011	126.75
11988	4/14/2011	DUNBAR ARMORED INC	2862953	General Fund	Non-Dept	Maint fee April 2011	16.88
11988 Total							143.63

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Check#	Check Date	Vendor Name	Invoice#	Fund	Dept	Description	Amount
11989	4/14/2011	EMBARCADERO	01/19/11	General Fund	City Council	List committees/commissions T.Dellasanta	464.00
11989	4/14/2011	EMBARCADERO	03/30/11	Special Tax	DPW-Engineering	Bid PD HVAC Project# 56042	696.00
11989	4/14/2011	EMBARCADERO	03/16/11	Gas Tax Fund	DPW-Engineering	Bid 2011 Spring Patching Project# 5605	696.00
11989	4/14/2011	EMBARCADERO	03/23/11	Gas Tax Fund	DPW-Engineering	Bid 2011 Spring Patching Project# 56050	696.00
11989 Total							2,552.00
11990	4/14/2011	FRANK & GROSSMAN	144150	General Fund	DPW-Street Maint.	Landscape maint April 2011	98.00
11990	4/14/2011	FRANK & GROSSMAN	144150	General Fund	DPW-Street Maint.	Landscape maint April 2011	1,740.00
11990	4/14/2011	FRANK & GROSSMAN	144150	General Fund	DPW-Building Maint.	Landscape maint CM house April 2011	480.00
11990	4/14/2011	FRANK & GROSSMAN	144150	Library Fund	Non-Dept	Landscape maint library April 2011	665.00
11990 Total							2,983.00
11991	4/14/2011	GALLAGHER & BURK,	41010808	Special Tax	DPW-Engineering	Fletcher Dr/Ridgeview Pvm&Drain 1/31/11	18,059.05
11991 Total							18,059.05
11992	4/14/2011	GERBOTH FIRE	0200	General Fund	DPW-Building Maint.	Wall hooks fire extinguishes 3/17/11	43.97
11992 Total							43.97
11993	4/14/2011	IEDA INC	16596	General Fund	Administration	Labor relation consulting 4/1/11-4/30/11	1,030.00
11993 Total							1,030.00
11994	4/14/2011	J & N PRINTING	8548	General Fund	City Council	2 Color 8.5X11 letterheads 4/7/11	174.80
11994 Total							174.80
11995	4/14/2011	JAY'S AND SONS	24479	General Fund	Police	Towing svc- 2005 Avalon - 10/15/2010	245.00
11995	4/14/2011	JAY'S AND SONS	24478	General Fund	Police	Towing svc- 1994 Integra 1/30/2011	245.00
11995 Total							490.00
11996	4/14/2011	LASER TECHNOLOGY	117788	General Fund	Police	Repl damaged Win M. Timothy 1/19/11	3.50
11996	4/14/2011	LASER TECHNOLOGY	117788	General Fund	Police	Adhesive Win M. Timothy 1/19/11	2.00
11996	4/14/2011	LASER TECHNOLOGY	117788	General Fund	Police	Labor svc & freight M. Timothy 1/19/11	120.00
11996	4/14/2011	LASER TECHNOLOGY	117788	General Fund	Police	Repl damaged LCD M. Timothy 1/19/11	18.00
11996 Total							143.50
11997	4/14/2011	LINIGER DANIELA	2002	General Fund	Police	Digital file photoshop	375.00
11997	4/14/2011	LINIGER DANIELA	2002	General Fund	Police	Color print 20x24	76.63
11997	4/14/2011	LINIGER DANIELA	2001	General Fund	Police	PD group photo fee 10/25/10	600.00
11997 Total							1,051.63
11998	4/14/2011	MERCER JOSEPH	MERCER/4-1-11	Employee Benefits	DPW-Park Maint.	Jan to Mar 2011 retiree health reimburse	212.82
11998 Total							212.82
11999	4/14/2011	MUNISERVICES LLC	D&T WILLIAMS	General Fund		Bus Lic D&T Williams Drywall 04/12/11	75.00
11999	4/14/2011	MUNISERVICES LLC	MIRANDA	General Fund		Bus Lic Miranda Electrical Svc 04/12/11	75.00
11999	4/14/2011	MUNISERVICES LLC	Creative Tile	General Fund		Bus Lic Creative Tile 03/05/11	50.00
11999	4/14/2011	MUNISERVICES LLC	EI Compadre	General Fund		Bus Lic EI Compadre 04/01/11	50.00
11999 Total							250.00
12000	4/14/2011	NEAL MARTIN &	1120	General Fund		Valparaiso 2/1/11 - 2/28/11	37.63
12000	4/14/2011	NEAL MARTIN &	1115	General Fund		Menlo school 1/1/11 - 1/31/11	1,354.50
12000	4/14/2011	NEAL MARTIN &	1115	General Fund		Sacred heart 1/1/11 - 1/31/11	328.25
12000	4/14/2011	NEAL MARTIN &	1120	General Fund		Menlo school 2/1/11 - 2/28/11	2,821.88
12000	4/14/2011	NEAL MARTIN &	1115	General Fund	Planning	Gen plan svc 1/1/11 - 1/31/11	13,845.01
12000	4/14/2011	NEAL MARTIN &	1116	General Fund	Planning	Gen plan -housing element 1/13 - 1/31/11	263.38
12000	4/14/2011	NEAL MARTIN &	1120	General Fund	Planning	Gen plan 2/1/11 - 2/28/11	11,848.77
12000	4/14/2011	NEAL MARTIN &	1120	General Fund	Planning	Garbage 2/1/11 - 2/28/11	2,126.88

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12000	4/14/2011	NEAL MARTIN &	1115	General Fund	Planning	Garbage 1/1/11 - 1/31/11	1,716.88
12000	4/14/2011	NEAL MARTIN &	1117	Library Fund	Non-Dept	Special proj - library 2/25/11 - 1/29/11	973.75
12000	4/14/2011	NEAL MARTIN &	1121	Library Fund	Non-Dept	Special proj - library 2/4/11 - 2/9/11	871.25
12000 Total							36,188.18
12001	4/14/2011	OFFICE DEPOT	557580887001	General Fund	Administration	4 cases paper,CPY,8.5X11, 20# 3/30/11	157.28
12001	4/14/2011	OFFICE DEPOT	557106761001	General Fund	Building	2 cartridges, HP, LJ, 4250/4350 3/28/11	308.96
12001	4/14/2011	OFFICE DEPOT	557580887001	General Fund	Building	1 case paper,L,TR, 20# 3/30/11	39.32
12001	4/14/2011	OFFICE DEPOT	557580887001	General Fund	DPW-Engineering	3 cases paper,L,TR, 20# 3/30/11	128.24
12001 Total							633.80
12002	4/14/2011	OFFICE TEAM	32982228	General Fund	Administration	Temp help garbage letter 4/1/2011	154.00
12002 Total							154.00
12003	4/14/2011	ORCHARD SUPPLY	1359/MAR2011	General Fund	DPW-Street Maint.	2 HPS light bulb W. Butler 3/22/11	45.86
12003	4/14/2011	ORCHARD SUPPLY	1359/MAR2011	General Fund	DPW-Park Program	Lights & switch plates R. Espino 3/1/11	60.81
12003	4/14/2011	ORCHARD SUPPLY	1359/MAR2011	General Fund	DPW-Building Maint.	Indoor flood lights W. Butler 2/24/2011	17.44
12003	4/14/2011	ORCHARD SUPPLY	1359/MAR2011	General Fund	DPW-Building Maint.	Anchons for P.O.Box W. Butler3/2/11	29.51
12003	4/14/2011	ORCHARD SUPPLY	1359/MAR2011	General Fund	DPW-Building Maint.	Building repair W. Butler 3/2/11	13.10
12003	4/14/2011	ORCHARD SUPPLY	1359/MAR2011	General Fund	DPW-Building Maint.	Hardware flag pole W. Butler 3/14/11	14.49
12003 Total							181.21
12004	4/14/2011	PG & E	7457969332-1/3	General Fund	Police	Police Dept 2/25/11 - 3/25/11	1,619.61
12004	4/14/2011	PG & E	3457969588-2/3	General Fund	DPW-Street Maint.	Signal El Camino Ather 2/25/11 - 3/25/11	38.18
12004	4/14/2011	PG & E	8671355582-8/3	General Fund	DPW-Street Maint.	Traffic control svc 2/26/11 - 3/28/11	37.99
12004	4/14/2011	PG & E	9291302548-9/3	General Fund	DPW-Street Maint.	Corp office storage 2/25/11 - 3/25/11	59.18
12004	4/14/2011	PG & E	9531312943-9/3	General Fund	DPW-Street Maint.	93 Dinkelspiel station 2/25/11 - 3/25/11	168.77
12004	4/14/2011	PG & E	0896302362-0/3	General Fund	DPW-Building Maint.	HP Park 160 Watkins (CM) 3/1/11 - 3/28/11	59.00
12004	4/14/2011	PG & E	9166302556-6/3	Library Fund	Non-Dept	Atherton library 2/25/11 - 3/25/11	424.28
12004 Total							2,407.01
12005	4/14/2011	SPRINGBROOK	0017505	General Fund	Finance	GL>JE window tracking 4/1/11 - 6/1/11	110.25
12005	4/14/2011	SPRINGBROOK	0017505	Equip Replacement	Finance	Add recurring JE step to tracking2/15/11	1,575.00
12005 Total							1,685.25
12006	4/14/2011	VANCE BROWN	BP08-00650	General Fund		Rfd, 3197 Park Blvd, P# BP08-00650	3,219.66
12006	4/14/2011	VANCE BROWN	BP09-00212	General Fund		Rfd, 3197 Park Blvd, P# BP09-00212	33,174.30
12006 Total							36,393.96
12007	4/15/2011	ABAG POWER	8003541	General Fund	Administration	91 Ashfield - admin 2/25/11 - 3/25/11	32.32
12007	4/15/2011	ABAG POWER	8003541	General Fund	Planning	Station Lane/Town Hall 2/25/11 - 3/25/11	4.98
12007	4/15/2011	ABAG POWER	8003541	General Fund	Planning	Station Lane/Town Hall 2/25/11 - 3/25/11	10.85
12007	4/15/2011	ABAG POWER	8003541	General Fund	Building	Station Lane/Town Hall 2/25/11 - 3/25/11	30.46
12007	4/15/2011	ABAG POWER	8003541	General Fund	Building	Station Lane/Town Hall 2/25/11 - 3/25/11	65.12
12007	4/15/2011	ABAG POWER	8003541	General Fund	Police	91 Ashfield - PD 2/25/11 - 3/25/11	55.03
12007	4/15/2011	ABAG POWER	8003541	General Fund	DPW-Engineering	Station Lane/Town Hall 2/25/11 - 3/25/11	15.18
12007	4/15/2011	ABAG POWER	8003541	General Fund	DPW-Engineering	Station Lane/Town Hall 2/25/11 - 3/25/11	32.56
12007	4/15/2011	ABAG POWER	8003541	General Fund	DPW-Park Program	150 Watkins HP 2/26/11 - 3/28/11	60.42
12007	4/15/2011	ABAG POWER	8003541	General Fund	DPW-Park Program	160 Watkins (CM House) 1/27/11 - 2/25/11	280.13
12007	4/15/2011	ABAG POWER	8003541	General Fund	DPW-Building Maint.	Library/Dinkenspiel/Sta 2/25/11-3/25/11	120.81
12007	4/15/2011	ABAG POWER	8003541	Library Fund	Non-Dept		89.65
12007 Total							797.51

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Check#	Check Date	Vendor Name	Invoice#	Fund	Dept	Description	Amount
12008	4/15/2011	CAL WATER SERVICE	62126158/2-11	General Fund	City Council	94 Ashfield 2/3/11 - 3/3/11	36.26
12008	4/15/2011	CAL WATER SERVICE	91512681/2-11	General Fund	Administration	91 Ashfield 2/3/11 - 3/3/11	18.44
12008	4/15/2011	CAL WATER SERVICE	91512699/2-11	General Fund	Planning	Station Lane Meter 2/3/11 - 3/3/11	2.29
12008	4/15/2011	CAL WATER SERVICE	91512699/2-11	General Fund	Building	Station Lane Meter 2/3/11 - 3/3/11	13.74
12008	4/15/2011	CAL WATER SERVICE	91512664/2-11	General Fund	Police	83 Ashfield 2/3/11 - 3/3/11	31.81
12008	4/15/2011	CAL WATER SERVICE	91512699/2-11	General Fund	DPW-Engineering	Station Lane Meter 2/3/11 - 3/3/11	6.87
12008	4/15/2011	CAL WATER SERVICE	89783897/2-11	General Fund	DPW-Street Maint.	Maple 2/3/11 - 3/3/11	32.62
12008	4/15/2011	CAL WATER SERVICE	62061499/2-11	General Fund	DPW-Street Maint.	EI Camino Real 2/3/11 - 3/3/11	72.97
12008	4/15/2011	CAL WATER SERVICE	97947324/2-11	General Fund	DPW-Street Maint.	EI Camino Real (2) 2/25/11 - 3/24/11	153.18
12008	4/15/2011	CAL WATER SERVICE	62051509/2-11	General Fund	DPW-Street Maint.	Alameda/Atherton 2/3/11 - 3/3/11	130.90
12008	4/15/2011	CAL WATER SERVICE	62051537/2-11	General Fund	DPW-Park Program	150 Watkins 2/25/11 - 3/24/11	139.80
12008	4/15/2011	CAL WATER SERVICE	6051537FirePro/	General Fund	DPW-Park Program	50 Watkins -Fire Protect 3/1/11- 3/31/11	29.31
12008	4/15/2011	CAL WATER SERVICE	97127159/2-11	Library Fund	Non-Dept	2 Station Lane 2/3/11 - 2/3/11	40.72
12009 Total							708.91
12009	4/15/2011	PG & E	5678831050/3	General Fund	Administration	Ashfield/Town Hall 2/25/11 - 3/25/11	476.50
12009	4/15/2011	PG & E	5678831560/3	General Fund	Planning	Station Lane 2/25/11 - 3/25/11	13.94
12009	4/15/2011	PG & E	5678831560/3	General Fund	Building	Station Lane 2/25/11 - 3/25/11	83.65
12009	4/15/2011	PG & E	5678831560/3	General Fund	DPW-Engineering	Station Lane 2/25/11 - 3/25/11	41.83
12009	4/15/2011	PG & E	5678831015/3	General Fund	DPW-Street Maint.	Signal E/S Middlefield 2/26/11 - 3/28/11	51.84
12009	4/15/2011	PG & E	5678831020/3	General Fund	DPW-Street Maint.	Signal-Marsh/Middlefield 3/1/11- 3/28/11	9.17
12009	4/15/2011	PG & E	5678831002et al	General Fund	DPW-Street Maint.	Street Lights 3/4/11 - 4/1/11	4,058.85
12009	4/15/2011	PG & E	5678831025/3	General Fund	DPW-Street Maint.	Signal-Middlefield/Oak G 2/26/11-3/28/11	41.11
12009	4/15/2011	PG & E	5678831040/3	General Fund	DPW-Park Maint.	Pump 150 Watkins 3/1/11 - 3/28/11	40.56
12009	4/15/2011	PG & E	5678831035/3	General Fund	DPW-Park Program	Modular Bldg 150 Watkins 2/26/11-3/28/11	404.72
12009	4/15/2011	PG & E	5678831030/3	General Fund	DPW-Park Program	Activity Bldg 150 Watkins2/26/11-3/28/11	233.51
12009 Total							5,455.68
12010	4/15/2011	VERIZON WIRELESS	0961768462	General Fund	Building	Bldg Dept. 03/22/11 - 4/21/11	133.87
12010	4/15/2011	VERIZON WIRELESS	0961768462	General Fund	Police	Police Dept. 3/22/11 - 4/21/11	482.55
12010	4/15/2011	VERIZON WIRELESS	0961768462	General Fund	DPW-Engineering	DPW Engineering 3/22/11 - 4/21/11	67.12
12010	4/15/2011	VERIZON WIRELESS	0961768462	General Fund	DPW-Street Maint.	DPW Street maint 3/22/11 - 4/21/11	153.51
12010	4/15/2011	VERIZON WIRELESS	0961768462	General Fund	DPW-Park Maint.	DPW Park maint 3/22/11 - 4/21/11	36.42
12010	4/15/2011	VERIZON WIRELESS	0961768462	General Fund	DPW-Park Program	DPW Park Program 3/22/11 - 4/21/11	73.11
12010 Total							946.58
12011	4/21/2011	A-A-A RENTALS INC	543775	General Fund	DPW-Street Maint.	Chainsaw 72LG-84 24"	32.80
12011 Total							32.80
12012	4/21/2011	ACCOUNTEMPS	32986514	General Fund	Finance	Temp Dean, Hazel 3/28/11 - 3/30/11	1,025.04
12012	4/21/2011	ACCOUNTEMPS	33004973	General Fund	Finance	Temp Phonpradith, Noy 4/4/11 - 4/6/11	959.52
12012 Total							1,984.56
12013	4/21/2011	AK & COMPANY	ATHER - 2 of 2	General Fund	Finance	Prep of FY09-10 SB-90 Annual Claims 50%	1,250.00
12013 Total							1,250.00
12014	4/21/2011	ALHAMBRA & SIERRA	4981709040611	General Fund	Police	Water Police Dept 3/8/11 - 4/4/11	166.42
12014 Total							166.42
12015	4/21/2011	ANDERSON JOHN	P#38117	General Fund		Rfd, 27 Adam Way, P#38117	5,000.00
12015 Total							5,000.00
12016	4/21/2011	APPLIED CONCEPTS	202817	General Fund	Police	Battery cover, Ergonomic remote	16.82

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12016 Total							16.82
12017	4/21/2011	AT&T CALNET 2	000002274452	General Fund	Police	688-6500 03/10/11 - 04/09/11	486.65
12017	4/21/2011	AT&T CALNET 2	000002274450	General Fund	Police	328-3220 03/10/11 - 04/09/11	9.83
12017	4/21/2011	AT&T CALNET 2	000002274451	General Fund	Police	473-9743 03/10/11 - 04/09/11	15.88
12017	4/21/2011	AT&T CALNET 2	000002274449	General Fund	Police	326-2801 03/10/11 - 04/09/11	155.24
12017	4/21/2011	AT&T CALNET 2	000002273813	General Fund	Police	289-9297 03/10/11 - 04/09/11	15.60
12017	4/21/2011	AT&T CALNET 2	000002274447	General Fund	Police	323-6452 03/10/11 - 04/09/11	15.59
12017	4/21/2011	AT&T CALNET 2	000002274446	General Fund	Police	323-6131 03/10/11 - 04/09/11	110.63
12017	4/21/2011	AT&T CALNET 2	000002274448	General Fund	Police	323-7653 03/10/11 - 04/09/11	8.55
12017	4/21/2011	AT&T CALNET 2	000002274445	General Fund	Police	323-3612 canceling 03/10/11 - 04/09/11	(12.06)
12017	4/21/2011	AT&T CALNET 2	000002274442	General Fund	Police	323-1014 canceling 03/10/11 - 04/09/11	(10.54)
12017	4/21/2011	AT&T CALNET 2	000002274443	General Fund	Police	323-1801 canceling 03/10/11 - 04/09/11	(5.77)
12017	4/21/2011	AT&T CALNET 2	000002274444	General Fund	Police	323-1802 03/10/11 - 04/09/11	23.96
12017	4/21/2011	AT&T CALNET 2	000002255932	General Fund	Police	324-5396 03/01/11 - 03/31/11	55.58
12017 Total							869.14
12018	4/21/2011	BAYSHORE PLUMBERS	APW11-00030	General Fund		Rfd, 86 Leon Way, P#APW11-00030	2,500.00
12018 Total							2,500.00
12019	4/21/2011	BONNEVIE NICOLE	Training Post	General Fund	Police	Car rental-Pub record act N. Bonnevie 4/8/11	130.40
12019	4/21/2011	BONNEVIE NICOLE	Training Post	General Fund	Police	Gas-Pub record act N. Bonnevie 4/8/11	16.59
12019	4/21/2011	BONNEVIE NICOLE	Training Post	General Fund	Police	Meal-Pub record act N. Bonnevie 4/7/11	23.38
12019	4/21/2011	BONNEVIE NICOLE	Training Post	General Fund	Police	Meal-Pub record act N. Bonnevie 4/6/11	26.88
12019 Total							197.25
12020	4/21/2011	CA DEPT JUSTICE	842260	General Fund	Finance	Fingerprint N. Phonpradith	32.00
12020 Total							32.00
12021	4/21/2011	CITY OF FOSTER CITY	6341	General Fund	Administration	Calopps Annual fee 2011	1,500.00
12021 Total							1,500.00
12022	4/21/2011	CITY OF REDWOOD	BR25685	General Fund	Building	Fuel charges Bldg 2/16/11 -3/15/11	44.64
12022	4/21/2011	CITY OF REDWOOD	BR25642	General Fund	Police	Vehicle repair/maint PD 2/16/11-3/15/11	15,172.43
12022	4/21/2011	CITY OF REDWOOD	BR25685	General Fund	Police	Fuel charges PD 2/16/11 - 3/15/11	4,943.88
12022	4/21/2011	CITY OF REDWOOD	BR25685	General Fund	DPW-Street Maint.	Fuel charges DPW/Street 2/16/11 -3/15/11	900.61
12022	4/21/2011	CITY OF REDWOOD	BR25685	General Fund	DPW-Park Maint.	Fuel charges Park maint 2/16/11 -3/15/11	98.95
12022 Total							21,160.51
12023	4/21/2011	CLARK PEST CONTROL	11492326	General Fund	DPW-Building Maint.	Weed control Watkins Park April 201	250.00
12023 Total							250.00
12024	4/21/2011	COMPUCOM SYSTEMS	60761957	General Fund	Non-Dept	Renew Symb Exec2010 3/29/11 - 3/28/12	122.96
12024	4/21/2011	COMPUCOM SYSTEMS	60761957	General Fund	Non-Dept	Renew Symb Exec2010 4/14/11 - 4/13/12	245.92
12024	4/21/2011	COMPUCOM SYSTEMS	60761957	General Fund	Non-Dept	Renew Symb Exec2010 3/29/11 - 3/28/12	122.95
12024	4/21/2011	COMPUCOM SYSTEMS	60761957	General Fund	Non-Dept	Renew Symb Exec2010 4/14/11 - 4/13/12	245.90
12024	4/21/2011	COMPUCOM SYSTEMS	60761957	General Fund	Non-Dept	Renew Symb Exec2010 3/29/11 - 3/28/12	441.18
12024 Total							1,178.91
12025	4/21/2011	COMPUTER	33226	General Fund	Police	HP-2430 printer repair PD 4/4/11	279.80
12025 Total							279.80
12026	4/21/2011	CSG CONSULTANTS INC	019629	General Fund	Building	93 broadacres inspec 1/1/11 - 1/28/11	170.00
12026 Total							170.00
12027	4/21/2011	DERE GORDON	Training Post	General Fund	Police	Mileage-Active shooter G.Dere 4/4-4/6/11	104.65

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12027 Total							104.65
12028	4/21/2011	DURWARD BRUCE	P# HTR11-00003	General Fund		Rfd, 324 Greenoaks Dr., P#HTR11-00003	2,000.00
12028	4/21/2011	DURWARD BRUCE	P# HTR11-00003	General Fund		Rfd, 324 Greenoaks Dr., P#HTR11-00003	2,224.00
12028 Total							4,224.00
12029	4/21/2011	FIRST CHOICE	351443	General Fund	DPW-Street Maint.	Coffee DPW 2/14/11	8.77
12029 Total							8.77
12030	4/21/2011	FLAHERTY JOHN	BP08-00312	General Fund		Rfd, 10 Camino Por Los A, P#BP08-00312	5,000.00
12030 Total							5,000.00
12031	4/21/2011	GUERRA MICHAEL	Chk#10158	General Fund	Police	Reissue stale chk# 10158	72.25
12031	4/21/2011	GUERRA MICHAEL	Chk#10158	General Fund	Police	Reissue stale chk# 10158	15.50
12031 Total							87.75
12032	4/21/2011	HOME DEPOT CREDIT	5140079	General Fund	DPW-Park Program	Plumbing sup-main house E.Robert, 4/25/11	27.57
12032 Total							27.57
12033	4/21/2011	HUBB SYSTEMS, LLC	INV-CA006	General Fund	Police	7x CPU M6 core 2 duo	41,254.83
12033	4/21/2011	HUBB SYSTEMS, LLC	INV-CA006	General Fund	Police	7x PCBA, GPS module, Garmin	3,162.92
12033	4/21/2011	HUBB SYSTEMS, LLC	INV-CA006	General Fund	Police	Cable, audio patch, display	1,188.63
12033 Total							45,606.38
12034	4/21/2011	INTERNATIONAL CODE	2832558	General Fund	Building	Membership	100.00
12034 Total							100.00
12035	4/21/2011	INTERSTATE TRAFFIC	134219	Special Tax	DPW-Engineering	Sign-Greenoak, Catalpa, Acorn project	196.32
12035	4/21/2011	INTERSTATE TRAFFIC	134230	Special Tax	DPW-Engineering	Part- 2" clamp-on U brackets sign proj	73.42
12035	4/21/2011	INTERSTATE TRAFFIC	134230	Special Tax	DPW-Engineering	Part- "L" brackets M2G-2lbs sign proj	32.07
12035 Total							301.81
12036	4/21/2011	INTERWEST	10796	General Fund	Administration	Org study (Adm,DPW,Bldg) 3/1/11-3/31/11	12,000.00
12036 Total							12,000.00
12037	4/21/2011	J & N PRINTING	8560	General Fund	Planning	250 Bus card - Planning T.Telles	28.41
12037	4/21/2011	J & N PRINTING	8571	General Fund	DPW-Engineering	250 Bus card-Henderson,Huynh,Bellmont	85.22
12037 Total							113.63
12038	4/21/2011	KIKUCHI & ASSOCIATES,	Corp Yard-Arch	Special Tax	DPW-Engineering	Corp Yard Design Proj 3/1/11 - 3/31/11	982.50
12038 Total							982.50
12039	4/21/2011	LIEBERT CASSIDY	SMCERC Training	General Fund	Administration	Disable emp/disability T.DellaS 5/10/11	28.00
12039	4/21/2011	LIEBERT CASSIDY	SMCERC Training	General Fund	Police	Disable emp/disability J.Wade 5/10/11	28.00
12039 Total							56.00
12040	4/21/2011	LYNGSO GARDEN	56391	General Fund	DPW-Street Maint.	50 Ton base rock w/deliv inventory	874.00
12040 Total							874.00
12041	4/21/2011	METROMOBILE	21281	General Fund	Police	KMC27 Microphone part PD	130.01
12041	4/21/2011	METROMOBILE	21281	General Fund	Police	Misc Hardware PD	21.85
12041	4/21/2011	METROMOBILE	21281	General Fund	Police	Labor- replaced microphone PD	296.00
12041 Total							447.86
12042	4/21/2011	METZGER DAVE	Training Post	General Fund	Police	Meal- Beg/Adv tracking D.Metzger 3/28/11	11.04
12042	4/21/2011	METZGER DAVE	Training Post	General Fund	Police	Meal- Beg/Adv tracking D.Metzger 3/29/11	11.24
12042	4/21/2011	METZGER DAVE	Training Post	General Fund	Police	Meal- Beg/Adv tracking D.Metzger 3/30/11	6.79
12042	4/21/2011	METZGER DAVE	Training Post	General Fund	Police	Meal- Beg/Adv tracking D.Metzger 3/31/11	6.56
12042	4/21/2011	METZGER DAVE	Training Post	General Fund	Police	Meal- Beg/Adv tracking D.Metzger 4/4/11	13.77
12042	4/21/2011	METZGER DAVE	Training Post	General Fund	Police	Meal- Beg/Adv tracking D.Metzger 4/5/11	13.77

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12042	4/21/2011	METZGER DAVE	Training Post	General Fund	Police	Meal- Beg/Adv tracking D.Metzger 4/7/11	20.47
12042 Total							83.64
12043	4/21/2011	MILLER STEPHEN	BP08-00024	General Fund		Rfd, 55 Magnolia Dr., P#BP08-00024	5,000.00
12043 Total							5,000.00
12044	4/21/2011	MILLS-PENINSULA	40642	General Fund	Non-Dept	Employees Assist svc 4/11/11 - 6/30/11	551.25
12044 Total							551.25
12045	4/21/2011	MUNISERVICES LLC	Empire Povins	General Fund		Bus Lic Empire Povins Systems, 4/18/11	75.00
12045	4/21/2011	MUNISERVICES LLC	Don Reid	General Fund		Bus Lic Don Reid Handyman, 4/14/11	50.00
12045	4/21/2011	MUNISERVICES LLC	Freddie Sanchez	General Fund		Bus Lic Freddie Sanchez Hardwood, 4/11/11	75.00
12045	4/21/2011	MUNISERVICES LLC	View Master Inc	General Fund		Bus Lic View Master Inc, 4/13/11	125.00
12045 Total							325.00
12046	4/21/2011	NICHOLS KRISTIN	Training Post	General Fund	Police	Parking- Multi hazard K.Nichols 4/12/11	25.00
12046	4/21/2011	NICHOLS KRISTIN	Training Post	General Fund	Police	Mileage- Multi hazard K.Nichols 4/12/11	27.54
12046 Total							52.54
12047	4/21/2011	OFFICE DEPOT	558398498001	General Fund	Administration	1pk clip, 1 toner, 2 cartridge	83.17
12047	4/21/2011	OFFICE DEPOT	558398498001	General Fund	Finance	4pk Pen, 25 binder, pk dividers	76.32
12047	4/21/2011	OFFICE DEPOT	558398498001	General Fund	Planning	1 case Paper 8.5X11	37.13
12047	4/21/2011	OFFICE DEPOT	558398498001	General Fund	Building	1 doz Marker, 1 liquid soap	13.35
12047	4/21/2011	OFFICE DEPOT	558398498001	General Fund	Non-Dept	1pk refill ink, 1bx grip	9.05
12047 Total							219.02
12048	4/21/2011	PADREDDII ROBERT	BP08-00228	General Fund		Rfd, 101 Arundel Rd, P# BP08-00228	5,000.00
12048 Total							5,000.00
12049	4/21/2011	PETERSON PETER A	Feb2011	General Fund	Police	Personnel Investigation PD/12/11-3/2/11	5,000.00
12049	4/21/2011	PETERSON PETER A	Feb2011	General Fund	Police	Personnel Investigation PD/12/11-3/2/11	1,968.75
12049 Total							6,968.75
12050	4/21/2011	POTTS BRUCE	Encinal Dare Gr	General Fund	Police	Encinal DARE essay cash prizes	400.00
12050	4/21/2011	POTTS BRUCE	Encinal Dare Gr	General Fund	Police	Ribbon- DARE graduation , 1/25/11	2.72
12050	4/21/2011	POTTS BRUCE	Encinal Dare Gr	General Fund	Police	Coin bag material, 1/25/11	9.82
12050	4/21/2011	POTTS BRUCE	Encinal Dare Gr	General Fund	Police	Tape- DARE graduation, 1/26/11	10.86
12050	4/21/2011	POTTS BRUCE	Encinal Dare Gr	General Fund	Police	Ice cream -DARE winner, 1/28/11	18.44
12050	4/21/2011	POTTS BRUCE	Encinal Dare Gr	General Fund	Police	DARE winner picture, 1/31/11	6.82
12050	4/21/2011	POTTS BRUCE	Encinal Dare Gr	General Fund	Police	Ice cream -DARE winner, 4/6/11	60.00
12050 Total							508.66
12051	4/21/2011	PRO FORCE	107866	General Fund	Police	Ammunition - R223R1-DS 3/30/11	2,977.37
12051 Total							2,977.37
12052	4/21/2011	RECALL SECURE	2303006720	General Fund	Police	Shred document PD 2/25/11 - 3/24/11	95.00
12052 Total							95.00
12053	4/21/2011	REPUBLIC ITS INC	RI-108683	General Fund	DPW-Street Maint.	Traffic signal maint March 2011	314.01
12053 Total							314.01
12054	4/21/2011	SAFEMWAY SIGN CO	84779	Special Tax	DPW-Engineering	50 2-3/8 X 12" round sign posts, 3/22/11	1,059.18
12054 Total							1,059.18
12055	4/21/2011	SAN MATEO CNTY	CL02738	General Fund	Police	Fingerprint process evidence, 2/5/11	422.00
12055	4/21/2011	SAN MATEO CNTY	CL02738	General Fund	Police	Phlebotomy svc, 2/15/11	130.00
12055 Total							552.00
12056	4/21/2011	SAN MATEO CNTY INFO	1YAT11103	General Fund	Police	Microwave MessageSwitch March 2011	1,198.50

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12056 Total							1,198.50
12057	4/21/2011	SAN MATEO REGIONAL	19513	General Fund	Police	Access fee T-1 service April 2011	385.00
12057 Total							385.00
12058	4/21/2011	SANDERS JOAN	HomeDepot	Evans Creative Design	Non-Dept	Paint Garden room wall	34.94
12058 Total							34.94
12059	4/21/2011	SNIDER STEVE	Training Post	General Fund	Police	Meal- Simulator/Force S.Snider 4/6/11	21.85
12059	4/21/2011	SNIDER STEVE	Training Post	General Fund	Police	Mileage- Simulator/Force S.Snider 4/6/11	29.72
12059 Total							51.57
12060	4/21/2011	TELECOMMUNICATIONS	41222	General Fund	Police	Mgmt maint comm center PD April 2011	934.00
12060 Total							934.00
12061	4/21/2011	THOMAS-SMITH	Training Post	General Fund	Police	Mileage- Adv Dispatcher J.Smith 4/11/11	203.69
12061	4/21/2011	THOMAS-SMITH	Training Post	General Fund	Police	Meal- Adv Dispatcher J.Smith 4/11/11	10.01
12061	4/21/2011	THOMAS-SMITH	Training Post	General Fund	Police	Meal- Adv Dispatcher J.Smith 4/12/11	11.43
12061	4/21/2011	THOMAS-SMITH	Training Post	General Fund	Police	Meal- Adv Dispatcher J.Smith 4/13/11	12.24
12061 Total							237.37
12062	4/21/2011	TRI-VALLEY MOTO	6013685/1	General Fund	Police	Replace main battery gel 19AH PD	288.11
12062 Total							288.11
12063	4/21/2011	TURBO DATA SYSTEMS	17627	General Fund	Police	Out of state processing, Jan - Mar 2011	91.50
12063	4/21/2011	TURBO DATA SYSTEMS	17627	General Fund	Police	Notice processing, Jan - Mar 2011	26.13
12063	4/21/2011	TURBO DATA SYSTEMS	17627	General Fund	Police	Final notice letters Jan - Mar 2011	4.02
12063	4/21/2011	TURBO DATA SYSTEMS	17627	General Fund	Police	Citation processing, Jan - Mar 2011	60.20
12063 Total							181.85
12064	4/21/2011	USPS	April192011	Tree Committee	Non-Dept	Postage- Tree Comm SOD Blitz flyer	360.00
12064 Total							360.00
12065	4/21/2011	VMI, INC.	217237	General Fund	City Council	Telex 3/8" windscreen- Council Chambers	69.63
12065 Total							69.63
12066	4/21/2011	YOUTH & FAMILY	1641	General Fund	Police	First Chance Prog April 2011 - Sept 2011	2,486.00
12066 Total							2,486.00
12067	4/22/2011	TEAMSTERS UNION		General Fund		PR Batch 502 4 2011 Teamsters Dues	374.78
12067	4/22/2011	TEAMSTERS UNION		General Fund		PR Batch 501 4 2011 Teamsters Dues	374.78
12067 Total							749.56
12068	4/22/2011	FERNANDEZ PRISCILLA	028	General Fund		Deposit Rfd 4/2/11 Fernandez, Priscilla	500.00
12068 Total							500.00
12069	4/25/2011	TEAMSTERS LOCAL 856	April 2011	General Fund	Administration	Audit April 2008 M. Brabenec	100.30
12069	4/25/2011	TEAMSTERS LOCAL 856	April 2011	General Fund	Administration	Audit May 2008 M. Brabenec	100.30
12069	4/25/2011	TEAMSTERS LOCAL 856	April 2011	General Fund	Police	Audit April 2008 J. Enberg	100.30
12069	4/25/2011	TEAMSTERS LOCAL 856	April 2011	General Fund	Police	Audit April 2008 C. Yee	100.30
12069 Total							401.20
12070	4/28/2011	ACCOUNTEMPMS	33047132	General Fund	Finance	Temp Phonpradith, Noy 4/11/11 - 4/14/11	1,279.36
12070 Total							1,279.36
12071	4/28/2011	ARBORICULTURAL	16678	General Fund	DPW-Street Maint.	Tree work - Streets 2/28/11 - 3/14/11	4,245.00
12071	4/28/2011	ARBORICULTURAL	16678	General Fund	DPW-Park Maint.	Tree work - Park 2/28/11 - 3/14/11	6,480.00
12071 Total							10,725.00
12072	4/28/2011	AT&T CALNET 2	000002274830	General Fund	Non-Dept	325-2677 3/10/11 - 4/9/11	15.39
12072	4/28/2011	AT&T CALNET 2	000002277147	General Fund	Non-Dept	462-1470 3/11/11 - 4/10/11	22.62

Town of Atherton

Checks by Date - Detail by Check Number

Check#	Check Date	Vendor Name	Invoice#	Fund	Dept	Description	Amount
12072	4/28/2011	AT&T CALNET 2	000002299678	General Fund	Non-Dept	251-1053 3/20/11 - 4/19/11	84.06
12073	4/28/2011	BHERENS / CURRY	BP10-00663	General Fund		Rfd, 887 Industrial Rd., P#BP10-00663	122.07
12073	Total						500.00
12074	4/28/2011	BURKE,WILLIAMS&SOR	145602	General Fund		Planing deposit- Menlo school March 2011	715.00
12074	4/28/2011	BURKE,WILLIAMS&SOR	145602	General Fund	City Attorney	Monthly retainer March 2011	11,000.00
12074	4/28/2011	BURKE,WILLIAMS&SOR	145602	General Fund	City Attorney	Planning March 2011	3,866.20
12074	4/28/2011	BURKE,WILLIAMS&SOR	145602	General Fund	City Attorney	Building March 2011	6,177.60
12074	4/28/2011	BURKE,WILLIAMS&SOR	145602	General Fund	City Attorney	DPW March 2011	1,518.40
12074	4/28/2011	BURKE,WILLIAMS&SOR	145602	General Fund	City Attorney	Other legal March 2011	28,677.01
12074	4/28/2011	BURKE,WILLIAMS&SOR	145602	Library Fund	Non-Dept	Library - JPA March 2011	257.40
12074	Total						52,211.61
12075	4/28/2011	CITIES GROUP THE	Jan-Jun 2011	General Fund		Group life/ADD & WI prog 1/1/11 -6/30/11	4,843.32
12075	4/28/2011	CITIES GROUP THE	Jan-Jun 2011	General Fund		LTD program assessment 1/1/11 -6/30/11	13,816.37
12075	Total						18,659.69
12076	4/28/2011	COMCAST	815520006012249	General Fund	Non-Dept	13 Static IP 4/21/11 - 5/20/11	19.95
12076	4/28/2011	COMCAST	815520006012249	General Fund	Non-Dept	50mg Business class 4/21/11 - 5/20/11	189.95
12076	Total						209.90
12077	4/28/2011	CONTRACT SWEEPING	INV110000312	General Fund	DPW-Street Maint.	Sweeping service Feb 2011	992.70
12077	Total						992.70
12078	4/28/2011	CSG CONSULTANTS INC	B110038	General Fund	Building	50 Valparaiso Menlo school	15,423.60
12078	Total						15,423.60
12079	4/28/2011	CUTWATER INVESTOR	14591A	General Fund	Finance	Investment advisory svcs 3/1/11 - 3/31/11	1,000.00
12079	Total						1,000.00
12080	4/28/2011	FEDERAL EXPRESS	7-461-48020	General Fund	Administration	Internal investigation document	56.50
12080	Total						56.50
12081	4/28/2011	HO LOUISE	April 2011	General Fund	Finance	Mile-Cal EMA Disaster recovery trng L.Ho	62.76
12081	Total						62.76
12082	4/28/2011	INTERWEST	10846	General Fund	Administration	Org Study (Admin,PW,Bldg) 3/1/11-3/31/11	5,365.00
12082	Total						5,365.00
12083	4/28/2011	JORDI ARGENTE ARINO	BP10-00891	General Fund		Rfd, 6 Tuscaloosa, P#BP10-00891	1,000.00
12083	Total						1,000.00
12084	4/28/2011	KEVIN J. HOLDEN &	11-038/2269	General Fund	DPW-Building Maint.	After hours trouble call Police Dept	222.50
12084	Total						222.50
12085	4/28/2011	KREFELD'S AWARDS,	21529	General Fund	Administration	Plaque for D. Jones	199.93
12085	Total						199.93
12086	4/28/2011	MUNISERVICES LLC	JB Electrical	General Fund		Bus Lic JB Electrical svc 4/25/11	50.00
12086	4/28/2011	MUNISERVICES LLC	SL Mechanical	General Fund		Bus Lic SL Mechanical Const 4/25/11	75.00
12086	4/28/2011	MUNISERVICES LLC	Alex Kushner	General Fund		Bus Lic Alex Kushner Gen Cont 4/25/11	125.00
12086	4/28/2011	MUNISERVICES LLC	Eurostyle Build	General Fund		Bus Lic Eurostyle Builders 4/20/2011	125.00
12086	4/28/2011	MUNISERVICES LLC	MBH Painting	General Fund		Bus Lic MBH painting 4/26/2011	75.00
12086	Total						450.00
12087	4/28/2011	OFFICE DEPOT	558708115001	General Fund	Administration	1 Pad 20x36"	17.58
12087	4/28/2011	OFFICE DEPOT	558708115001	General Fund	DPW-Engineering	2 rms Paper 11x17	18.61
12087	4/28/2011	OFFICE DEPOT	558708115001	General Fund	DPW-Engineering	1 pk Black Ink - HP96	63.97

Town of Atherton

Checks by Date - Detail by Check Number

Check#	Check Date	Vendor Name	Invoice#	Fund	Dept	Description	Amount
12087	4/28/2011	OFFICE DEPOT	558708115001	General Fund	DPW-Engineering	1 Ink	33.61
12087	4/28/2011	OFFICE DEPOT	558708115001	General Fund	DPW-Engineering	1 bx Envelope	26.82
12087	4/28/2011	OFFICE DEPOT	558708115001	General Fund	DPW-Engineering	1 Cord extension, black	2.99
12087	4/28/2011	OFFICE DEPOT	558708115001	General Fund	DPW-Engineering	1 Cord extension, grey	2.99
12087 Total							166.57
12088	4/28/2011	PACIFIC MUNICIPAL	33366	General Fund	Administration	Org Study PD Svc 3/26/11 - 4/29/11	12,500.00
12088 Total							12,500.00
12089	4/28/2011	PACIFIC PENINSULA	BP10-00585	General Fund		Rfd, 718 Oak Grove Ave, P#BP10-00585	8,578.00
12089 Total							8,578.00
12090	4/28/2011	SACRED HEART	BP11-00216	General Fund		Rfd, 150 Valparaiso Ave., P#BP11-00216	163.31
12090 Total							163.31
12091	4/28/2011	SAN MATEO CNTY	March, 2011	General Fund	Police	Allocation of parking penalties Mar 2011	507.70
12091 Total							507.70
12092	4/29/2011	ACCOMTEMP	33097351	General Fund	Finance	Temp Phonpradith, Noy 4/18/11 - 4/22/11	1,279.36
12092 Total							1,279.36
12093	4/29/2011	AT&T CALNET 2	000002299680	General Fund	Police	252-8343 03/20/11 - 04/19/11	56.55
12093	4/29/2011	AT&T CALNET 2	000002299681	General Fund	Police	271-5840 03/20/11 - 04/19/11	265.40
12093	4/29/2011	AT&T CALNET 2	000002299685	General Fund	Police	451-6691 03/20/11 - 04/19/11	76.52
12093	4/29/2011	AT&T CALNET 2	000002299684	General Fund	Police	451-6690 03/20/11 - 04/19/11	66.23
12093	4/29/2011	AT&T CALNET 2	000002299683	General Fund	Police	451-6689 03/20/11 - 04/19/11	66.23
12093	4/29/2011	AT&T CALNET 2	000002299682	General Fund	Police	271-7360 03/20/11 - 04/19/11	359.19
12093	4/29/2011	AT&T CALNET 2	000002299679	General Fund	Police	281-1953 03/20/11 - 04/19/11	96.92
12093	4/29/2011	AT&T CALNET 2	000002280358	General Fund	Police	326-1167 03/13/11 - 04/12/11	(9.34)
12093 Total							977.70
12094	4/29/2011	BMI IMAGING SYSTEMS, 290732		General Fund	Building	Microfilming documents Bldg	254.01
12094 Total							254.01
12095	4/29/2011	CODE PUBLISHING	37877	General Fund	Administration	ATH Municipal code supplement update	1,645.20
12095 Total							1,645.20
12096	4/29/2011	CSG CONSULTANTS INC	019925	General Fund		71 Ralston lot merger review	497.50
12096 Total							497.50
12097	4/29/2011	DERE GORDON	10738	General Fund		Replace state chk#10738	15.00
12097	4/29/2011	DERE GORDON	10738	General Fund		Replace state chk#10738	73.13
12097	4/29/2011	DERE GORDON	29715	General Fund	Police	Replace state chk#29715	48.07
12097	4/29/2011	DERE GORDON	29985	General Fund	Police	Replace state chk#29985	76.30
12097	4/29/2011	DERE GORDON	29715	General Fund	Police	Replace state chk#29715	146.69
12097	4/29/2011	DERE GORDON	29985	General Fund	Police	Replace state chk#29985	97.54
12097 Total							456.73
12098	4/29/2011	FASTSIGNS OF	395-24216	Tree Committee	Non-Dept	Flyers 8.5x11 - Tree committee	430.89
12098	4/29/2011	FASTSIGNS OF	395-24216	Tree Committee	Non-Dept	Installation fee - Tree committee	52.00
12098 Total							482.89
12099	4/29/2011	HIDALGO HUGO V	JE#000115102011	General Fund	DPW-Park Program	Replaced payroll chk# 012600	95.58
12099 Total							95.58
12100	4/29/2011	JONES DUNCAN	March 17, 2011	General Fund	DPW-Engineering	CCEA meeting D. Jones 3/17/11	22.00
12100	4/29/2011	JONES DUNCAN	April 21, 2011	General Fund	DPW-Engineering	CCEA meeting D. Jones 4/21/11	22.00
12100 Total							44.00

Town of Atherton

Checks by Date - Detail by Check Number

Check#	Check Date	Vendor Name	Invoice#	Fund	Dept	Description	Amount
12101	4/29/2011	LIEBERT CASSIDY	129311	General Fund	Police	Professional services March 2011	54.00
12102 Total							54.00
12102	4/29/2011	SAN MATEO CNTY	March 2011	General Fund	Police	Chaplaincy March 2011	250.00
12102 Total							250.00
12103	4/29/2011	SAN MATEO CNTY	8800	General Fund	Police	Coyote point range svc Jan-Mar 2011	900.00
12103 Total							900.00
12104	4/29/2011	im	349206	General Fund	Police	12 Dare playground ball	92.00
12104 Total							92.00
12105	4/29/2011	US HEALTHWORKS	1877809-CA	General Fund	Police	PE-Fit for duty exam	115.00
12105 Total							115.00
Grand Total							460,027.03



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
JOHN DANIELSON, INTERIM CITY MANAGER**

FROM: LOUISE HO, FINANCE DIRECTOR

DATE: FOR THE MEETING OF MAY 18, 2011

SUBJECT: FINANCIAL REPORT FOR THE TEN MONTHS ENDED APRIL 30, 2011

RECOMMENDATION

Receive the General Fund Financial Report for the ten months ended April 30, 2011.

DISCUSSION

Staff revised the format on how the financial report is to be presented. The new format incorporates a column “**Accrual**” to account for revenues and expenditures that need to be included to more accurately reflect the actual result. The accrual amounts only reflect data up to May 6, 2011.

If revenues and expenditures are assumed to be distributed evenly for the ten months ended April 30, 2011, 83.3% of the annual FY 2010-11 Budget (10/12) should be earned or incurred.

Due to the timing nature of many revenue receipt and expenditures, it can be over or under the 83.3%.

This report included the mid-year budget adjustments approved by the City Council on the February 16, 2011, meeting.

General Fund Revenues

For the ten months ended April 30, 2011, the General Fund reported revenue of \$9,042,310 which is 93.6% of the annual revenue budget for FY 2011. General Fund revenue exceeded

10/12 of the budget by \$994,461. The increase was primarily due to the timing of certain types of revenue and higher building permit revenue.

The Town received 90% of the secured property tax revenue for FY 2011. Several other revenues such as unsecured property tax, ERAF subvention, utility and gas franchise fee, and property tax in lieu of VLF were paid to the Town in one lump sum.

Building permit revenue exceeded annual budget by \$207,382. Taking a conservative approach, no mid-year revenue adjustment was proposed by the Interim Building Official. It is expected that the Building Department will end FY 2011 with higher revenue than budgeted. The excess revenue will reduce the use of Building Department operating reserve as originally projected.

General Fund revenue for the same ten-month period in FY 2010 was \$8,523,753, an increase of \$518,556 (6.1%). Of the \$518,556, \$429,697 was from increase in building permit and plan check revenues.

General Fund Expenditures

For the ten months ended April 30, 2011, the General Fund reported expenditures of \$9,059,565 which is 82.6% of the annual expenditure budget for FY 2011. For the same period in FY 2010, the expenditure amount was \$8,999,877, an increase of \$59,688 (0.7%).

The City Attorney Department is projected to expend 94.5% of the \$400,000 annual legal budget by April 30, 2011, leaving a balance of \$22,045 to cover the new City Attorney's May and June retainers of \$19,960. There will be insufficient budget to cover any legal expense from the former City Attorney for any legal services, if rendered, through year-end. Additional appropriation from City Council may be required prior to year-end.

FISCAL IMPACT

None

Prepared by:

Approved by:

Louise Ho, Finance Director

John Danielson, Interim City Manager

Attachment: Financial Report

Town of Atherton
General Fund
Financial Report for the Ten Months Ended April 30, 2011
(Excl. Encumbrances)

Dept	Description	Adjusted Budget FY10/11	10/12 of Budget	Actual July 10 to April 11	Accrual	Adjusted Actual July 10 to April 11	Variance of 10/12 of Budget	% of 10/12 Budget	Year-To-Date Variance	% of Annual Budget	Adjusted Actual July 09 to April 10	Incr/(decr) over PY	% Change
		(a)	(b)	(c)	(d)	(e)	(b-e)	(e/b)	(a-e)	(e/a)	(f)	g=(e-f)	(g/f)
			83.3%										
	Revenues												
	Secured	4,745,000	3,954,167	4,302,762		4,302,762	(348,596)	108.8%	442,238	90.7%	4,279,774	22,988	0.5%
	Unsecured	253,799	211,499	275,803		275,803	(64,304)	130.4%	(22,004)	108.7%	305,752	(29,950)	-9.8%
	Prop 1A Loan	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	Prop 1A securitization	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	SB813 Redemption (Supplemental)	60,000	50,000	48,036	4,372	52,408	(2,408)	104.8%	7,592	87.3%	46,506	5,902	12.7%
	Home Owners Exemption	33,988	28,323	16,994		16,994	11,329	60.0%	16,994	50.0%	16,708	286	1.7%
	Local Sales & Use Tax	65,000	54,167	74,353		74,353	(20,186)	137.3%	(9,353)	114.4%	56,342	18,010	32.0%
	Public Safety Sales Tax (Prop 172)	55,000	45,833	47,356	4,467	51,823	(5,990)	113.1%	3,177	94.2%	44,974	6,849	15.2%
	In Lieu Sales Tax/Triple Flip	25,218	21,015	24,832		24,832	(3,817)	118.2%	386	98.5%	26,698	(1,866)	-7.0%
	Franchise Taxes-PG&E	220,000	183,333	234,549		234,549	(51,215)	127.9%	(14,549)	106.6%	220,915	13,634	6.2%
	Franchise Tax-Cal Water	73,000	60,833	79,746		79,746	(18,913)	131.1%	(6,746)	109.2%	79,932	(186)	-0.2%
	Franchise Tax-Garbage	180,000	150,000	142,404		142,404	7,596	94.9%	37,596	79.1%	121,304	21,100	17.4%
	Franchise Taxes-Cable	102,000	85,000	51,762		51,762	33,238	60.9%	50,238	50.7%	49,938	1,824	3.7%
	Document TRSF Tax	210,000	175,000	140,937	29,698	170,635	4,365	97.5%	39,365	81.3%	190,556	(19,921)	-10.5%
	Property Tax In Lieu of VLF	663,564	552,970	663,563		663,563	(110,593)	120.0%	1	100.0%	663,998	(435)	-0.1%
	Motor Veh. Lic Fees (MVLFF)	18,000	15,000	12,950	3,658	16,607	(1,607)	110.7%	1,393	92.3%	11,716	4,891	41.7%
	Business Licenses	145,000	120,833	149,230		149,230	(28,397)	123.5%	(4,230)	102.9%	108,058	41,172	38.1%
	Bus Lic Refund -FY 06/07	-	-			-	-	0.0%	-	0.0%	43,425	(43,425)	-100.0%
	Bus Lic Refund -FY 07/08	-	-			-	-	0.0%	-	0.0%	50,820	(50,820)	-100.0%
	Bus Lic Refund -FY 08/09	-	-			-	-	0.0%	-	0.0%	6,866	(6,866)	-100.0%
	Home Occupation	800	667	800		800	(133)	120.0%	-	100.0%	200	600	300.0%
	Building Permit	516,000	430,000	723,382		723,382	(293,382)	168.2%	(207,382)	140.2%	363,645	359,737	98.9%
	Encroachment Permit	140,000	116,667	130,023		130,023	(13,356)	111.4%	9,977	92.9%	115,439	14,584	12.6%
	Grading & Drain Permit	56,000	46,667	50,673		50,673	(4,006)	108.6%	5,327	90.5%	44,036	6,637	15.1%
	Other Licenses & Permit	625	521	887		887	(366)	170.3%	(262)	141.9%	1,330	(443)	-33.3%
	Landscape Fee	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	Muni/Vehicle Code Fines (Parking)	15,000	12,500	14,975		14,975	(2,475)	119.8%	26	99.8%	5,768	9,207	159.6%
	Other Fines & Forfeit (County)	20,000	16,667	29,726		29,726	(13,059)	178.4%	(9,726)	148.6%	19,089	10,637	55.7%
	ERAF Subvention	695,112	579,260	695,112		695,112	(115,852)	120.0%	-	100.0%	750,175	(55,063)	-7.3%
	POST Reimbursement	5,500	4,583	4,686		4,686	(102)	102.2%	814	85.2%	6,856	(2,170)	-31.7%
	C/CAG AB 1546	13,535	11,279	12,397		12,397	(1,118)	109.9%	1,138	91.6%	12,783	(386)	100.0%
	CALNENA Reimbursement	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	CLEARs Reimbursement	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	DOJ Grant (vest)	-	-			-	-	0.0%	-	0.0%	406	(406)	-100.0%
	DOC Grant	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	DUI Grant	5,112	4,260	6,295		6,295	(2,035)	147.8%	(1,183)	123.1%	2,112	4,183	100.0%
	ABAG Grant	12,014	10,012	21,282		21,282	(11,270)	212.6%	(9,268)	177.1%	18,338	2,944	16.1%
	Other Reimbursements	-	-			-	-	0.0%	-	0.0%	17,533	(17,533)	-100.0%
	Highway Maint Reimbursement	35,700	29,750			-	29,750	0.0%	35,700	0.0%	35,700	(35,700)	0.0%
	SB 90 reimbursement	3,982	3,318	3,982		3,982	(664)	120.0%	-	100.0%	1,219	2,763	226.7%
	Grants	-	-			-	-	0.0%	-	0.0%	7,811	(7,811)	-100.0%

Town of Atherton
General Fund
Financial Report for the Ten Months Ended April 30, 2011
(Excl. Encumbrances)

Dept	Description	Adjusted Budget FY10/11	10/12 of Budget	Actual July 10 to April 11	Accrual	Adjusted Actual July 10 to April 11	Variance of 10/12 of Budget	% of 10/12 Budget	Year-To-Date Variance	% of Annual Budget	Adjusted Actual July 09 to April 10	Incr/(decr) over PY	% Change
		(a)	(b)	(c)	(d)	(e)	(b-e)	(e/b)	(a-e)	(e/a)	(f)	g=(e-f)	(g/f)
			83.3%										
	Disaster Assistance Reimbursement	32,750	27,292			-	27,292	0.0%	32,750	0.0%		-	0.0%
	React Task Force Reimb	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	NARCOTICS Task Force	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	Elections Processing Fee	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	Document/Research Fee	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	Photocopy Fee	2,825	2,354	3,152		3,152	(798)	133.9%	(327)	111.6%	5,854	(2,701)	-46.2%
	Alarm Sign Fees	600	500	675		675	(175)	135.0%	(75)	112.5%	1,085	(410)	-37.8%
	Vehicle Release	2,000	1,667	2,354		2,354	(687)	141.2%	(354)	117.7%	800	1,554	194.3%
	Fingerprinting Fee	106	88	265		265	(177)	300.0%	(159)	250.0%	57	208	364.9%
	Affidavit of Cost	-	-			-	-	0.0%	-	0.0%	200	(200)	-100.0%
	Police Report	1,000	833	907		907	(74)	108.9%	93	90.7%	3,610	(2,703)	-74.9%
	Special Service Fee	2,202	1,835	2,202		2,202	(367)	120.0%	-	100.0%	1,295	907	70.0%
	DUI Enforcement	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	Post Office	25,000	20,833	25,043		25,043	(4,209)	120.2%	(43)	100.2%	43,135	(18,092)	-41.9%
	Solicitor's Fee	-	-	44		44	(44)	100.0%	(44)	100.0%	77	(33)	-42.9%
	Application Fee	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	Zoning & Planning Fees	180,000	150,000	150,543		150,543	(543)	100.4%	29,457	83.6%	96,590	53,953	55.9%
	Plan Check Fee Building	284,000	236,667	315,287		315,287	(78,620)	133.2%	(31,287)	111.0%	304,910	10,377	3.4%
	Tree Removal Plan Check	10,054	8,378	16,956		16,956	(8,578)	202.4%	(6,902)	168.6%	5,854	11,102	100.0%
	Contract Plan Review Services	138,583	115,486	59,583		59,583	55,903	51.6%	79,000	43.0%		59,583	100.0%
	Social Fees	92,000	76,667	56,137		56,137	20,530	73.2%	35,863	61.0%	39,800	16,337	41.0%
	Meeting Fees	80,000	66,667	59,910		59,910	6,757	89.9%	20,090	74.9%	52,925	6,985	13.2%
	Class Fees	10,000	8,333	10,504		10,504	(2,171)	126.1%	(504)	105.0%	11,716	(1,212)	-10.3%
	Weddings	120,000	100,000	64,700		64,700	35,300	64.7%	55,300	53.9%	62,735	1,965	3.1%
	Misc. Park Use Fee	1,500	1,250	1,375		1,375	(125)	110.0%	125	91.7%	1,735	(360)	-20.7%
	Interest Income	50,000	41,667	33,373		33,373	8,293	80.1%	16,627	66.7%	35,416	(2,042)	-5.8%
	Cellular Antenna Lease	39,697	33,081	33,001		33,001	80	99.8%	6,696	83.1%	28,241	4,760	16.9%
	Property Rental-Playschool	77,580	64,650	64,646		64,646	4	100.0%	12,934	83.3%	71,110	(6,465)	-9.1%
	Sale of Property	-	-			-	-	0.0%	-	0.0%	6,739	(6,739)	-100.0%
	Escheated unclaimed property	75,655	63,046	75,655		75,655	(12,609)	120.0%	-	100.0%		75,655	100.0%
	Donations/Contributions	60,500	50,417	60,500		60,500	(10,083)	120.0%	-	100.0%	14,286	46,214	323.5%
	Miscellaneous Income	2,417	2,014	3,807		3,807	(1,793)	189.0%	(1,390)	157.5%	8,859	(5,052)	-57.0%
	Total Revenues	9,657,418	8,047,848	9,000,115	42,195	9,042,310	(994,461)	112.4%	615,108	93.6%	8,523,753	518,556	6.1%
	EXPENDITURES												
City Council	Advertising/Noticing	3,000	2,500	2,304		2,304	196	92.2%	696	76.8%	-	2,304	0.0%
	Professional Services	-	-			-	-	0.0%	-	0.0%	-	-	0.0%
	Office Supplies	1,750	1,458	1,558		1,558	(99)	106.8%	192	89.0%	2,397	(840)	-35.0%
	Membership/Dues	8,400	7,000	8,400		8,400	(1,400)	120.0%	-	100.0%	8,400	-	0.0%
	Utilities	625	521	420		420	101	80.6%	205	67.2%	253	167	66.1%
	Conferences	3,000	2,500	222		222	2,278	8.9%	2,778	7.4%	2,235	(2,013)	-90.1%

Town of Atherton
General Fund
Financial Report for the Ten Months Ended April 30, 2011
(Excl. Encumbrances)

Dept	Description	Adjusted Budget FY10/11	10/12 of Budget	Actual July 10 to April 11	Accrual	Adjusted Actual July 10 to April 11	Variance of 10/12 of Budget	% of 10/12 Budget	Year-To-Date Variance	% of Annual Budget	Adjusted Actual July 09 to April 10	Incr/(decr) over PY	% Change
		(a)	83.3% (b)	(c)	(d)	(e)	(b-e)	(e/b)	(a-e)	(e/a)	(f)	g=(e-f)	(g/f)
	Mileage Reimbursement	500	417			-	417	0.0%	500	0.0%	57	(57)	-100.0%
	Rent - Mach & Equipment	3,600	3,000	1,025		1,025	1,975	34.2%	2,575	28.5%	-	1,025	100.0%
	Commission & Committee	2,000	1,667	-		-	1,667	0.0%	2,000	0.0%	-	-	0.0%
	Special Events & Awards	-	-			-	-	0.0%	-	0.0%	139	(139)	-100.0%
	Office Equip & Furniture	7,000	5,833			-	5,833	0.0%	7,000	0.0%	-	-	0.0%
	City Council Totals:	29,875	24,896	13,929	-	13,929	10,967	55.9%	15,946	46.6%	13,482	447	3.3%
Administration (CM,CC,HR)	Salaries & Benefits	483,127	402,606	413,200	6,681	419,881	(17,275)	104.3%	63,246	86.9%	573,478	(153,597)	-26.8%
	Professional Services	176,971	147,476	97,806	15,800	113,606	33,869	77.0%	63,365	64.2%	10,490	103,116	983.0%
	Supplies & Materials	8,072	6,727	6,117		6,117	610	90.9%	1,955	75.8%	6,015	101	1.7%
	General Operations	143,897	119,914	74,272	303	74,575	45,339	62.2%	69,322	51.8%	39,055	35,520	90.9%
	Capital Outlay	4,688	3,907	3,876		3,876	30	99.2%	812	82.7%	1,836	2,040	111.1%
	Administration Totals:	816,755	680,629	595,271	22,784	618,055	62,574	90.8%	198,700	75.7%	630,875	(12,820)	-2.0%
City Attorney	Professional Services	400,000	333,333	337,687	40,269	377,955	(44,622)	113.4%	22,045	94.5%	351,673	26,282	7.5%
	General Operations	-	-	-		-	-	0.0%	-	0.0%	-	-	0.0%
	Supplies & Materials	-	-	-		-	-	0.0%	-	0.0%	-	-	0.0%
	City Attorney Totals:	400,000	333,333	337,687	40,269	377,955	(44,622)	113.4%	22,045	94.5%	351,673	26,282	7.5%
Finance	Salaries & Benefits	451,093	375,911	319,389	11,421	330,810	45,101	88.0%	120,283	73.3%	327,650	3,160	1.0%
	Professional Services	80,441	67,034	43,020	1,279	44,299	22,735	66.1%	36,142	55.1%	50,755	(6,456)	-12.7%
	Supplies & Materials	3,300	2,750	641		641	2,109	23.3%	2,659	19.4%	2,247	(1,606)	-71.5%
	General Operations	129,379	107,816	107,603		107,603	213	99.8%	21,776	83.2%	76,536	31,067	40.6%
	Capital Outlay	2,000	1,667	1,995		1,995	(328)	119.7%	5	99.8%	-	1,995	100.0%
	Settlement Expense	-	-	-		-	-	0.0%	-	0.0%	226,305	(226,305)	-100.0%
	Finance Totals:	666,213	555,178	472,648	12,701	485,348	69,829	87.4%	180,865	72.9%	683,493	(198,145)	-29.0%
Planning	Professional Services	187,050	155,875	125,345	38,830	164,174	(8,299)	105.3%	22,876	87.8%	161,053	3,121	1.9%
	Supplies & Materials	2,000	1,667	809		809	857	48.6%	1,191	40.5%	1,470	(661)	-45.0%
	General Operations	4,930	4,108	11,164		11,164	(7,056)	271.7%	(6,234)	226.4%	1,307	9,857	753.9%
	Planning Totals:	193,980	161,650	137,318	38,830	176,148	(14,498)	109.0%	17,832	90.8%	163,831	12,317	7.5%
Building	Salaries & Benefits	929,219	774,349	765,814	24,377	790,191	(15,842)	102.0%	139,028	85.0%	786,119	4,072	0.5%
	Professional Services	222,084	185,070	131,243	31,998	163,241	21,829	88.2%	58,843	73.5%	8,000	155,241	1940.5%
	Supplies & Materials	12,685	10,571	3,168		3,168	7,403	30.0%	9,517	25.0%	8,954	(5,785)	-64.6%
	General Operations	24,519	20,433	16,476	85	16,561	3,871	81.1%	7,958	67.5%	19,641	(3,079)	-15.7%
	Capital Outlay	8,601	7,167	7,679		7,679	(512)	107.1%	921	89.3%	-	7,679	100.0%
	Transfer to Bldg Const. Facility Fund	153,356	127,797	127,797		127,797	(0)	100.0%	25,559	83.3%	-	127,797	100.0%
	Building Totals:	1,350,464	1,125,387	1,052,177	56,460	1,108,638	16,749	98.5%	241,826	82.1%	822,714	285,924	34.8%
Non Dept.	Salaries & Benefits	3,510	2,925	2,205		2,205	720	75.4%	1,305	62.8%	4,525	(2,320)	0.0%

Town of Atherton
General Fund
Financial Report for the Ten Months Ended April 30, 2011
(Excl. Encumbrances)

Dept	Description	Adjusted Budget FY10/11	10/12 of Budget	Actual July 10 to April 11	Accrual	Adjusted Actual July 10 to April 11	Variance of 10/12 of Budget	% of 10/12 Budget	Year-To-Date Variance	% of Annual Budget	Adjusted Actual July 09 to April 10	Incr/(decr) over PY	% Change
		(a)	(b)	(c)	(d)	(e)	(b-e)	(e/b)	(a-e)	(e/a)	(f)	g=(e-f)	(g/f)
			83.3%										
		93,252	77,710	57,327	8,652	65,979	11,731	84.9%	27,273	70.8%	53,459	12,520	23.4%
	Professional Services	34,903	29,086	18,030		18,030	11,056	62.0%	16,873	51.7%	12,323	5,707	46.3%
	Supplies & Materials	441,016	367,513	358,085	550	358,635	8,879	97.6%	82,381	81.3%	339,597	19,038	5.6%
	General Operations	572,681	477,234	435,646	9,202	444,848	32,386	93.2%	127,833	77.7%	409,904	34,944	8.5%
	Non-Dept. Totals:												
Police	Salaries & Benefits	4,379,281	3,649,401	3,728,053	129,993	3,858,046	(208,645)	105.7%	521,235	88.1%	3,755,210	102,836	2.7%
	Professional Services	55,910	46,592	52,908		52,908	(6,316)	113.6%	3,002	94.6%	49,318	3,589	7.3%
	Supplies & Materials	130,344	108,620	83,928		83,928	24,692	77.3%	46,416	64.4%	91,944	(8,017)	-8.7%
	General Operations	339,763	283,136	318,519	2,596	321,115	(37,980)	113.4%	18,648	94.5%	540,416	(219,300)	-40.6%
	Capital Outlay	74,930	62,442	65,890		65,890	(3,448)	105.5%	9,040	87.9%	44,953	20,937	46.6%
	Cops Grant	-	-	(86,813)	-	(86,813)	86,813	-100.0%	86,813	-100.0%	(90,161)	3,348	-3.7%
	Settlement Expense	-	-	-	-	-	-	0.0%	-	0.0%		-	0.0%
	Police Totals:	4,980,228	4,150,190	4,162,484	132,589	4,295,073	(144,883)	103.5%	685,155	86.2%	4,391,680	(96,607)	-2.2%
Public Works & Parks	Salaries & Benefits	1,444,271	1,203,559	1,186,468	50,300	1,236,768	(33,209)	102.8%	207,503	85.6%	1,193,631	43,137	3.6%
	Professional Services	15,500	12,917	8,848	1,183	10,031	2,886	77.7%	5,469	64.7%	8,553	1,478	17.3%
	Supplies & Materials	78,801	65,668	39,982	599	40,582	25,086	61.8%	38,219	51.5%	43,491	(2,909)	-6.7%
	General Operations	403,675	336,396	247,725	1,590	249,315	87,081	74.1%	154,360	61.8%	280,326	(31,011)	-11.1%
	Capital Outlay	13,584	11,320	2,875	-	2,875	8,445	25.4%	10,709	21.2%	6,225	(3,350)	-53.8%
	Public Works Totals:	1,955,831	1,629,859	1,485,899	53,672	1,539,571	90,288	94.5%	416,260	78.7%	1,532,226	7,345	0.5%
	Total Expenditures	10,966,027	9,138,356	8,693,058	366,507	9,059,565	78,791	99.1%	1,906,462	82.6%	8,999,877	59,688	0.7%
	Excess (Deficiency) of Revenues over Expenditures	(1,308,609)	(1,090,508)	307,056	(324,312)	(17,255)	(1,073,252)	1.6%	(1,291,354)	1.3%	(476,124)	458,868	-96.4%
	Other Financing Sources/(uses)												
	Transfer from Special Parcel Tax Fund	888,463	740,386	740,386		740,386	-	100.0%	148,077	83.3%	585,647		
	Transfers from Facil Constr (406)										-		
	Transfer to Road Impact Fee Fund	(902,355)	(751,963)	(902,355)	-	(902,355)	150,393	120.0%	-	100.0%			
	Total Transfer In(Out)	(13,892)	(11,577)	(161,969)	-	(161,969)	150,393	1399.1%	148,077	1165.9%	585,647		
	Net Change in Fund Balance	(1,322,501)	(1,102,084)	145,087	(324,312)	(179,225)	(922,860)	16.3%	(1,143,276)	13.6%	109,523		
	Beg. Fund Balance - general fund	5,556,940				5,556,940							
	Beg. Fund Balance - Bldg Dept. OP Reserve	1,069,097				1,069,097							
	Proj. Ending Fund Balance	5,303,536				6,446,812							



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
JOHN DANIELSON, INTERIM CITY MANAGER**

FROM: LOUISE HO, FINANCE DIRECTOR

DATE: FOR THE MEETING OF MAY 18, 2011

**SUBJECT: ACCEPTANCE OF TREASURER'S REPORT FOR THE THIRD
QUARTER ENDED MARCH 31, 2011**

RECOMMENDATION

Accept the Treasurer's Report for the Third Quarter Ended March 31, 2011.

DISCUSSION

The Town's Statement of Investment Policy requires the City Manager or designee to submit quarterly and annual Treasurer's Report to the City Council. The Treasurer's Report provides an update on the cash and investment position of the Town of Atherton.

The Town engaged Cutwater (formerly MBIA) in January 2009 to provide non-discretionary investment advisory services. Due to the current economic climate, Cutwater is continuing to take a conservative approach to meet the Town's investment goals in the order of safety, liquidity, and yield.

To facilitate the trading and safekeeping of securities, Wells Fargo Bank serves as the safekeeping agent for the Town.

As part of the Treasurer's Report, a detailed cash and investment balance by Fund is also attached. It is important to note that even though \$8,585,212 is listed as "non-restricted" fund, this amount is not all available for spending. "Non-restricted" is to mean not legally restricted but the Town does have obligations and unfunded liabilities that must or may be met with the non-restricted fund.

FISCAL IMPACT

None

Prepared by:

Approved by:

Louise Ho, Finance Director

John Danielson, Interim City Manager

Attachment: Treasurer's Report for Third Quarter Ended March 31, 2011

Town of Atherton
 Quarterly Treasurer's Report
 Portfolio Summary
 March 31, 2011

	Par Value	Market Value	Book Value	% of Portfolio
Cash In Bank (Schedule A)	1,060,074	1,060,074	1,060,074	5.7%
Investments (Schedule B)	17,649,782	17,664,947	17,671,022	94.3%
Total Cash and Investments	18,709,856	18,725,021	18,731,096	100%

The above investments are consistent with the Town's Statement of Investment Policy and are allowable under current legislation of the State of California. Investments are selected using safety, liquidity, and yield as the criteria. The Town has sufficient cash flow to cover anticipated expenditures through the next six months.


 Louise Ho, Finance Director


 Date

Town of Atherton
Quarterly Treasurer's Report
Portfolio Details - Cash In Bank
March 31, 2011

Schedule A

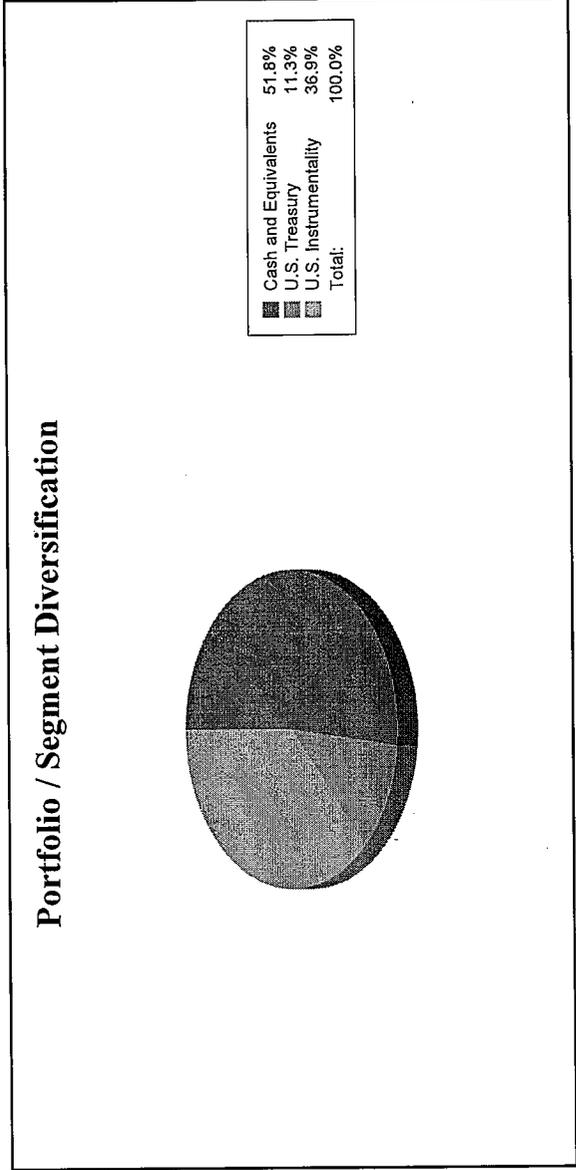
Name of Depository	Investment Type	Reconciled Bank Balance
Comerica Bank	Checking - Operating	(8,507)
Wells Fargo	General Account	944,180
Wells Fargo	Wells Fargo Adv Treasury Plus MMF	124,401
Total		<u>1,060,074</u>

**Town of Atherton
Recap of Securities Held
March 31, 2011**

Schedule B

	Historical Cost	Amortized Cost	Fair Value	Unrealized Gain (Loss)	Weighted Average Final Maturity (Days)	Weighted Average Effective Maturity (Days)	% Portfolio/Segment	Weighted Average Yield *	Weighted Average Market Duration (Years)
Cash and Equivalents	9,149,781.55	9,149,781.55	9,149,781.55	0.00	1	1	51.78	0.51	0.00
U.S. Treasury	2,000,859.38	1,999,617.48	2,004,217.00	4,599.52	312	312	11.32	0.74	0.85
U.S. Instrumentality	6,520,380.85	6,512,908.89	6,510,948.00	(1,960.89)	726	460	36.90	1.10	1.22
TOTAL	17,671,021.78	17,662,307.92	17,664,946.55	2,638.63	304	205	100.00	0.76	0.55

* Weighted Average Yield is calculated on a "yield to worst" basis.



Town of Atherton
Activity and Performance Summary
for the period March 1, 2011 - March 31, 2011

<u>Amortized Cost Basis Activity Summary</u>	
Beginning Amortized Cost Value	17,495,424.80
Additions	
Contributions	165,357.12
Interest Received	7,500.00
Accrued Interest Sold	0.00
Gain on Sales	0.00
Total Additions	172,857.12
Deductions	
Withdrawals	0.00
Fees Paid	1,000.00
Accrued Interest Purchased	3,565.97
Loss on Sales	0.00
Total Deductions	(4,565.97)
Accretion (Amortization) for the Period	(1,408.03)
Ending Amortized Cost Value	17,662,307.92
Ending Fair Value	17,664,946.55
Unrealized Gain (Loss)	2,638.63

<u>Detail of Amortized Cost Basis Return</u>				
	Interest Earned	Accretion (Amortization)	Realized Gain (Loss)	Total Income
Current Holdings				
Cash and Equivalents	3,836.63	0.00	0.00	3,836.63
U.S. Treasury	1,328.71	(70.95)	0.00	1,257.76
U.S. Instrumentality	6,305.56	(1,044.18)	0.00	5,261.38
Sales and Maturities				
U.S. Instrumentality	534.72	(292.90)	0.00	241.82
Total	12,005.62	(1,408.03)	0.00	10,597.59

<u>Annualized Comparative Rates of Return</u>			
	Twelve Month Trailing	Six Month Trailing	For the Month
Fed Funds	0.18%	0.17%	0.14%
Overnight Repo	0.12%	0.11%	0.06%
3 Month T-Bill	0.14%	0.13%	0.09%
6 Month T-Bill	0.19%	0.17%	0.15%
1 Year T-Note	0.29%	0.26%	0.26%
2 Year T-Note	0.64%	0.58%	0.69%
5 Year T-Note	1.85%	1.80%	2.11%

<u>Summary of Amortized Cost Basis Return for the Period</u>			
	Total Portfolio	Excl. Cash Eq.	
Interest Earned	12,005.62	8,168.99	
Accretion (Amortization)	(1,408.03)	(1,408.03)	
Realized Gain (Loss) on Sales	0.00	0.00	
Total Income on Portfolio	10,597.59	6,760.96	
Average Daily Historical Cost	17,801,066.13	8,521,607.16	
Annualized Return	0.70%	0.93%	
Annualized Return Net of Fees	0.63%	0.80%	
Annualized Return Year to Date Net of Fees	0.85%	0.85%	
Weighted Average Effective Maturity in Days	205	425	

Town of Atherton
Activity and Performance Summary
for the period March 1, 2011 - March 31, 2011

<u>Fair Value Basis Activity Summary</u>	
Beginning Fair Value	17,503,686.55
Additions	
Contributions	165,357.12
Interest Received	7,500.00
Accrued Interest Sold	0.00
Total Additions	172,857.12
Deductions	
Withdrawals	0.00
Fees Paid	1,000.00
Accrued Interest Purchased	3,565.97
Total Deductions	(4,565.97)
Change in Fair Value for the Period	(7,031.15)
Ending Fair Value	17,664,946.55

<u>Detail of Fair Value Basis Return</u>			
	Interest Earned	Change in Fair Value	Total Income
Current Holdings			
Cash and Equivalents	3,836.63	0.00	3,836.63
U.S. Treasury	1,328.71	(1,211.50)	117.21
U.S. Instrumentality	6,305.56	(5,340.65)	964.91
Sales and Maturities			
U.S. Instrumentality	534.72	(479.00)	55.72
Total	12,005.62	(7,031.15)	4,974.47

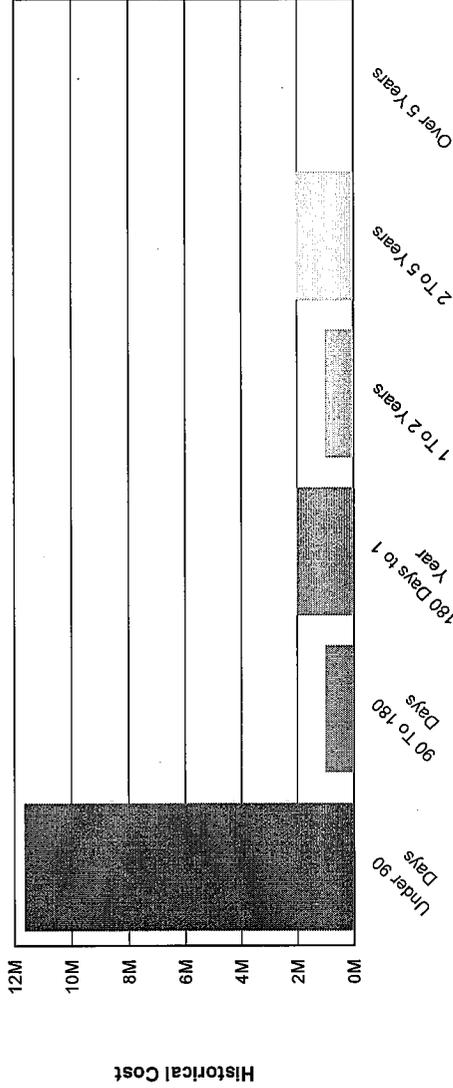
<u>Annualized Comparative Rates of Return</u>			
	Twelve Month Trailing	Six Month Trailing	For the Month
Fed Funds	0.18%	0.17%	0.14%
Overnight Repo	0.12%	0.11%	0.06%
3 Month T-Bill	0.18%	0.20%	0.24%
6 Month T-Bill	0.36%	0.30%	0.24%
1 Year T-Note	0.59%	0.40%	0.35%
2 Year T-Note	1.64%	(0.28%)	(0.82%)
5 Year T-Note	5.22%	(5.41%)	(0.82%)

<u>Summary of Fair Value Basis Return for the Period</u>			
	Total Portfolio	Excl. Cash Eq.	
Interest Earned	12,005.62	8,168.99	
Change in Fair Value	(7,031.15)	(7,031.15)	
Total Income on Portfolio	4,974.47	1,137.84	
Average Daily Historical Cost	17,801,066.13	8,521,607.16	
Annualized Return	0.33%	0.16%	
Annualized Return Net of Fees	0.26%	0.02%	
Annualized Return Year to Date Net of Fees	0.66%	0.46%	
Weighted Average Effective Maturity in Days	205	425	

Town of Atherton
Maturity Distribution of Securities Held
March 31, 2011

Maturity	Historical Cost	Percent
Under 90 Days	11,653,324.06	65.95%
90 To 180 Days	1,005,312.50	5.69%
180 Days to 1 Year	2,001,420.94	11.33%
1 To 2 Years	1,000,078.13	5.66%
2 To 5 Years	2,010,886.15	11.38%
Over 5 Years	0.00	0.00%
	17,671,021.78	100.00%

Maturity Distribution



**Town of Atherton
Securities Held
March 31, 2011**

CUSIP/ Description	Purchase Date	Rate/ Coupon	Maturity/ Call Date	Par Value/ Shares	Historical Cost/ Accrued Interest Purchased	Amortized Cost/Accretion (Amortization)	Fair Value/ Change In Fair Value	Unrealized Gain (Loss)	Interest Received	Interest Earned	Total Accrued Interest	% Port Cost	Yield
Cash and Equivalents													
LAF	03/31/11	0.512V		8,974,044.93	8,974,044.93 0.00	8,974,044.93 0.00	8,974,044.93 0.00	0.00	0.00	3,757.39	7,471.82	50.78	0.51
San Mateo County Pool	03/31/11	0.512V		175,736.62	175,736.62 0.00	175,736.62 0.00	175,736.62 0.00	0.00	0.00	79.24	172.18	0.99	0.51
TOTAL				9,149,781.55	9,149,781.55 0.00	9,149,781.55 0.00	9,149,781.55 0.00	0.00	0.00	3,836.63	7,644.00	51.78	
U.S. Treasury													
912828KL3 T-Note	12/17/09	0.875	04/30/11	500,000.00	502,070.31 0.00	500,120.32 (128.62)	500,293.00 (273.50)	172.68	0.00	374.66	1,837.02	2.84	0.57
912828MM9 T-Note	04/21/10	0.750	11/30/11	500,000.00	499,453.13 0.00	499,774.00 28.83	501,738.50 (214.50)	1,964.50	0.00	319.37	1,256.87	2.83	0.82
912828MQ0 T-Note	03/18/10	0.875	02/29/12	500,000.00	499,257.81 0.00	499,652.33 32.27	502,615.00 (255.00)	2,962.67	0.00	368.54	380.43	2.83	0.95
912828PW4 T-Note	01/25/11	0.625	12/31/12	500,000.00	500,078.13 215.81	500,070.83 (3.43)	499,570.50 (468.50)	(500.33)	0.00	266.14	781.25	2.83	0.62
TOTAL				2,000,000.00	2,000,859.38 215.81	1,999,617.48 (70.95)	2,004,217.00 (1,211.50)	4,599.52	0.00	1,328.71	4,255.57	11.32	
U.S. Instrumentality													
3133XTV45 FHLB	06/08/09	1.125	06/03/11	500,000.00	496,367.20 0.00	499,684.32 153.33	500,882.00 (324.50)	1,197.68	0.00	468.75	1,843.75	2.81	1.50
31331GXR5 FFCB	12/02/09	1.150	06/08/11	500,000.00	504,070.00 0.00	500,500.47 (228.16)	500,976.50 (329.00)	476.03	0.00	479.17	1,804.86	2.85	0.61
3137EACF4 FHLMC	10/22/09	1.125	12/15/11	500,000.00	499,110.00 0.00	499,707.12 35.19	502,886.50 (161.00)	3,179.38	0.00	468.75	1,656.25	2.82	1.21
31398AS37 FNMA	05/26/10	1.300	05/25/12 05/25/11	500,000.00	501,035.00 0.00	500,153.54 (88.15)	500,644.50 (310.00)	490.96	0.00	541.67	2,275.00	2.84	1.09
3133XUD91 FHLB	04/15/10	2.050	08/10/12 08/10/11	500,000.00	505,000.00 0.00	501,358.92 (321.58)	502,775.00 (620.00)	1,416.08	0.00	854.16	1,452.08	2.86	1.28
31398AG20 FNMA	12/21/10	0.900	12/21/12 06/21/11	500,000.00	500,000.00 0.00	500,000.00 0.00	498,635.50 (402.50)	(1,364.50)	0.00	375.00	1,250.00	2.83	0.90
3135GOAG8 FNMA	01/28/11	1.000	01/28/13 07/28/11	500,000.00	500,312.50 0.00	500,203.73 (53.52)	500,591.50 (551.00)	387.77	0.00	416.67	875.00	2.83	0.87
3137EACJ6 FHLMC	03/23/11	1.625	04/15/13	500,000.00	508,291.15 3,565.97	508,192.18 (98.97)	507,641.00 (650.15)	(551.18)	0.00	180.56	3,746.53	2.88	0.81

**Town of Atherton
Securities Held
March 31, 2011**

CUSIP/ Description	Purchase Date	Rate/ Coupon	Maturity/ Call Date	Par Value/ Shares	Historical Cost/ Accrued Interest Purchased	Amortized Cost/Accretion (Amortization)	Fair Value/ Change In Fair Value	Unrealized Gain (Loss)	Interest Received	Interest Earned	Total Accrued Interest	% Port Cost	Yield
U.S. Instrumentality													
3133702W7 FHLB	08/04/10	1.400	07/12/13 01/12/12	500,000.00	503,600.00 0.00	501,957.41 (212.17)	501,660.50 (874.50)	(296.91)	0.00	583.33	1,536.11	2.85	0.90
31398A4Q2 FNMA	10/29/10	1.000	10/18/13 10/18/11	500,000.00	501,235.00 152.78	500,697.74 (108.15)	496,514.50 (444.50)	(4,185.24)	0.00	416.67	2,263.89	2.84	0.74
3134G1PP3 FHLMC	08/18/10	1.400	11/18/13 08/18/11	500,000.00	501,485.00 0.00	500,565.52 (126.12)	499,362.00 (457.00)	(1,203.52)	0.00	583.33	836.11	2.84	1.10
3134G1TY0 FHLMC	09/24/10	1.250V	09/24/15 06/24/11	500,000.00	499,875.00 0.00	499,887.94 2.12	497,703.50 (733.50)	(2,184.44)	3,125.00	520.84	121.53	2.83	2.32
313371XS0 FHLB	12/16/10	1.000V	12/16/15 06/16/11	500,000.00	500,000.00 0.00	500,000.00 0.00	500,675.00 517.00	675.00	0.00	416.66	1,458.33	2.83	1.00
TOTAL				6,500,000.00	6,520,380.85 3,718.75	6,512,908.89 (1,044.18)	6,510,948.00 (5,340.65)	(1,960.89)	3,125.00	6,305.56	21,119.44	36.90	
GRAND TOTAL				17,649,781.55	17,671,021.78 3,934.56	17,662,307.92 (1,115.13)	17,664,946.55 (6,552.15)	2,638.63	3,125.00	11,470.90	33,019.01	100.00	

V = variable rate, current rate shown, average rate for Cash & Equivalents

**Town of Atherton
Quarterly Treasurer's Report
Cash & Investments Balance By Fund
March 31, 2011**

Fund No.	Fund Name	Mar Balance
101	General Fund	6,218,940
105	Tennis Fund	14,439
610	Equipment Replacement Fund	446,763
614	Worker's Compensation	432,124
615	General Liability	164,463
616	Employee Benefits	1,308,482
	Total Non-Restricted	<u>8,585,212</u>
201	Special Tax Fund	1,528,538
202	County Measure A Fund	130,287
203	Gas Tax Fund	309,840
209	SLES/COPS Grant	68,586
210	Road Constructions Impact Fee	1,117,285
213	Library Fund	4,900,913
215	Evans Creative Design (formerly fund 715)	95,763
220	Traffic Congest. Relief	8,834
401	GF Projects	(72,445)
402	Storm Drainage	33,864
403	Atherton Channel Drainage District	106,555
406	Facilities Construction	1,886,694
730	H-P Park Improvement	5,908
740	Tree Committee	25,262
	Total Restricted	<u>10,145,884</u>
	Total Cash & Investments	<u><u>18,731,096</u></u>



ITEM 12

Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
JOHN H. DANIELSON, INTERIM CITY MANAGER**

FROM: THERESA N. DELLASANTA, DEPUTY CITY CLERK

DATE: FOR THE REGULAR MEETING OF MAY 18, 2011

SUBJECT: ARTS COMMITTEE AND AUDIT COMMITTEE APPOINTMENT

Recommendation:

Appoint Marjory Wilson to the Arts Committee and Appoint Greg Conlon to the Audit Committee.

Background:

Recruitment and application review of candidates for Town Committee vacancies takes place under the regular agenda at the May 18 City Council meeting.

Both the Arts Committee and the Audit Committee have more vacancies than applicants. It is for this reason staff recommends automatic appointment to both the Arts Committee and the Audit Committee.

By accepting the recommendation Council will appoint Ms. Sanders at this time to the Arts Committee for a term which takes effects immediately and expires on April 30, 2011.

Alternatively, Council can remove this item and discuss whether the appointment should be made during normal recruitment periods.

Financial Impact:

None.

Attachment: Arts and Audit Committee Applications

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Date: 4/28/11 (sent original copy 12/10)

Name: _____

Address: _____

Home Telephone: _____ Work Telephone: _____

E-mail address (optional) _____

Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

- | | |
|---|---|
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> Park and Recreation Commission |
| <input type="checkbox"/> General Plan Committee | <input checked="" type="checkbox"/> Arts Committee |
| <input type="checkbox"/> Audit Committee | <input type="checkbox"/> Other: _____ |

TO THE APPLICANT:

This application form is intended to provide you with information about the body on which you would like to serve. The completed application will also help the interviewing Council Members learn more about you. In responding to the questions here, please feel free to use separate sheets of paper to expand on your answers if you wish to do so.

- Why do you want to serve on the body for which you are submitting your application?
What particular skills, interest or experience would you bring to it if selected?
I am a marketing consultant and working artist. I am active in nonprofit organizations, especially those involving the arts. I am looking to support the arts in the Atherton community through my participation in the AAC.
- Have you attended any meeting of the body on which you wish to serve?
 Yes No
- Have you reviewed the minutes of the past meetings of the body on which you wish to serve?
(Minutes and past agendas of Town bodies are available for review on the Town website at www.ci.atherton.ca.us and at Town Hall during normal business hours.)
 Yes No

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Name: Greg Conlon

Address: [REDACTED]

Home Telephone: [REDACTED] Date: _____

Work Telephone: [REDACTED]

Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Arts Committee
- Other: Audit Committee

TO THE APPLICANT:

This application form is intended to provide you with information about the body on which you would like to serve. The completed application will also help the interviewing Council Members learn more about you. In responding to the questions here, please feel free to use separate sheets of paper to expand on your answers if you wish to do so.

1. Why do you want to serve on the body for which you are submitting your application?
What particular skills, interest or experience would you bring to it if selected?

I am a licensed CPA and I believe I could add some insight based on my many years of auditing experience with a CPA firm.

2. Have you attended any meeting of the body on which you wish to serve?

Yes No

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve? (Minutes and past agendas of Town bodies are available for review at Town Hall during normal business hours.)

Yes No

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?
- () Yes No
5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?
- () Yes No
6. Vacancies occur periodically on Town bodies. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this applications?
- No () Yes, for (check as many as you wish):
- () Planning Commission
 - () Park and Recreation Commission
 - () General Plan Committee
 - () Arts Committee
 - () Other:

FOR YOUR INFORMATION:

The two-member screening committee of the Council will interview all applicants, if feasible. The Committee makes its recommendation of the person or persons to fill the existing vacancies to the full Council. The recommendation is not binding, although it is usually followed. Council Members may nominate others for appointment.

Council Members and Planning Commissioners must annually file a "Statement of Economic Interests", which is a public document and is forwarded to the Fair Political Practices Commission. All members of Town Commissions/Committees must be registered voters and reside in Atherton.

Service on Town bodies is without compensation. Application for reimbursement by the Town for expenses incurred in Town service may be made on forms available from the City Clerk. There is no assurance that expenses will be reimbursed.

Length of service on Town bodies is controlled by ordinance or resolution. Persons appointed may be reappointed within the restrictions of the ordinance. The fact that an individual is appointed does not necessarily mean the individual will be re-appointed. Copies of appropriate ordinances, (and statutes, if applicable) are available from the City Clerk.

Thank you for your interest in serving the Town of Atherton.

R. Gregory Conlon
Signed: 3/18/11



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOHN H. DANIELSON, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF MAY 18, 2011

SUBJECT: REVIEW AND APPROVAL OF A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION IN THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AND APPROVAL OF THE JOINT POWERS AGREEMENT

RECOMMENDATION:

Review and approve a Resolution authorizing continued participation in the City/County Association of Governments of San Mateo County (C/CAG) and approval of the Joint Powers Agreement in accordance with the staff recommendations.

BACKGROUND:

C/CAG was founded in 1991 and renewed in 1995, 1999, 2003, and 2007. The current Joint Powers Agreement that provides C/CAG its legal basis is in effect until 12/1/11. Therefore, it is necessary to review C/CAG and consider reauthorization. All the Cities and the County are currently members of C/CAG. The Town of Atherton last approved participation of the Joint Powers Agreement in 2007.

C/CAG Role:

The role of C/CAG is to:

Provide a forum for all agencies to work together on common issues:

Transportation
NPDES
Abandoned Vehicle Abatement

Solid Waste
Airport Land Use Commission
Legislation

Educate and elevate the decision-making of local elected officials and technical professional staffs to include/address countywide concerns in their local decisions. Develop a consensus on the common issues of concern to the general public, solutions, and applicable funding recommendations/priorities.

Act as Program Manager for Congestion Management Plan (CMA) Transportation funds (state and federal) and Air Quality funds (AB434/TFCA).

C/CAG Performance:

The purpose of C/CAG is to provide a cooperative, cost-effective means of responding to Countywide planning mandates from the State. Among the significant C/CAG accomplishments are the Congestion Relief Plan, AB 1546 C/CAG DMV Fee (Only County in State), Subregional RHNA Process (Only subregion in the State), passage of Measure M that provides \$175M over 25 years, to the cities and County, and the Transit Oriented Development Incentive Program. C/CAG has received numerous County, Regional, State and National awards. In the C/CAG FY 10-11 Budget member dues/ fees (\$2,051,368) are leveraged 5.2 times for total revenue and 15.3 times for controlled transportation funds. The member dues are leveraged on average by 15.2. All cities and the County received from C/CAG a minimum of 6 times the member dues paid.

Attached is an overview of the C/CAG Program Analysis 2011.

C/CAG Benefits:

Benefits of C/CAG to the member agencies include:

Provide a **forum to share ideas and solutions** among agencies for common issues.

Enable all agencies to have a **vote in the distribution of State and Federal Transportation funds (\$70-80M every two years)** allocated to San Mateo County.

Transportation funding provided to Cities and County. Provide support to assist agencies in getting and maintaining funds.

Provide cost-effective programs to **assist member agencies in meeting mandates.**

Provide active **intergovernmental support for San Mateo County** and the member agencies in the Region.

Provide additional information to agency staff on the system-wide transportation impacts of proposed developments such that better local decisions can be made.

Lobbyist support in Sacramento.

Provide proactive **Advocating at the State level to provide additional funding** such as AB 1546 and to preserve City/County revenue.

Joint Powers Agreement:

Identical to current adopted Joint Powers Agreement.

Only significant changes would be to Sections 3,12, 23, and the addition of Sections 25 and 26.

Joint Powers Agreement:

- 1- Section 3 (f). Purpose and Activities modified to update Committee list:
 - (2) Congestion Management and *Environmental* Quality Committee
 - (11) Resource Management and Climate Protection Committee*
 - (12) C/CAG Investment Committee*
- 2- Section 12. dates changed to reflect reauthorization:

“Effective Date/ Termination Date. This agreement shall be effective on July 1, *2011*, or upon its execution by the County and by at least eleven (11) cities representing the majority of the population of the County, whichever is later. *This agreement shall continue at least until December 15, 2015, and thereafter shall continue until terminated pursuant to Section 11 of this agreement.*”
- 3- Section 21 added a sentence.

21. Storm Water Discharge Plan and Permit *To the extent permitted by law and regulation; and recognized by the applicable government agency;* the City/ County Association of Governments shall assume responsibility for the following activities under the National Pollutant Discharge Elimination System (NPDES) Program (40 CFR 122):
- 4- Section 23. Programming State and Federal Transportation Funds. C/CAG acting as the Congestion Management Agency shall be responsible for programming State and Federal Transportation Funds allocated to San Mateo County. These funds include but are not limited to State Transportation Improvement Program (*STIP*), *Surface Transportation Program (STP)*, *Congestion Management and Air Quality (CMAQ)*, and Transportation Development Act Article 3.
- 5- Section 25 and 26. Added to reflect new legislated program.

25. Measure M - Local Transportation Improvement Program. C/CAG shall serve as the overall program manager for the Local Transportation Improvement Program which programs up to a \$10 motor vehicle fee in accordance with Section 65089.20 of the Government Code and Section 9250.4 of the Vehicle Code.

26. San Mateo County Energy Watch and Climate Protection. C/CAG shall serve as the overall program manager for the San Mateo County Energy Watch Program that coordinates and provides energy conservation incentives, and Coordinates, Supports, and provide programs as necessary for Climate Protection.

- 6- Miscellaneous Sections Change Subcommittee to Committee, adjust reference numbers as necessary, and execution language.

FISCAL IMPACT:

FY 11/12 Member Assessment of \$31,273.00, **of which \$2,507 is General Fund.**

Attachments:

C/CAG Accomplishments/ Analysis/ Programs

Joint Powers Agreement: Continuing Establishment of the City/County Association of Governments

Resolution

C/CAG Program Analysis 2011

Programs	Why C/CAG	Penalty	Outside Funds %	Source	Member Funds %	Benefits
NPDES	Federal/State mandate	up to \$10K/day	85%	Parcel tax	15%	Meets legal obligation; cleaner water
Abandoned Vehicle	State mandate		100%	DMV		Less abandoned vehicles
ALUC	Mandate		20-30%	Grants	70-80%	Meets legal obligation
Solid Waste (AB939)	State mandate	up to \$10k/day	90%	County	10%	Meets legal obligation
San Mateo County Energy Watch	Countywide effort in energy conservation		100%	PG&E		Reduce energy consumption
Climate Support	Provides a forum for collaboration on climate actions		100%	Grants		Climate protection
Legislative Advocacy	Advocates for member agency benefits				100%	Protects local revenues

JOINT POWERS AGREEMENT

Continuing Establishment of the City/County Association of Governments

THIS AGREEMENT, by and between the COUNTY OF SAN MATEO (hereinafter referred to as "County") and those cities within the County of San Mateo who become signatories to this agreement (hereinafter referred to as "Cities" or "City" as the context requires), is made in light of the following recitals:

A. The County and the Cities have authority to perform a variety of functions in their respective communities and desire to establish a City/County Association of Governments (C/CAG) within the County of San Mateo whereby the parties will prepare, review, adopt, monitor and facilitate implementation by the member agencies county-wide state mandated plans as specified in 3(c) below. Local land-use decisions, except as they are affected by state-mandated county-wide plans, will remain solely within the cognizant local jurisdiction.

B. The parties are authorized to contract with each other for the joint exercise of any common power pursuant to Government Code Sections 6500 through 6518.

NOW, THEREFORE, the County and the Cities, in consideration of the mutual promises and agreements contained herein, **AGREE AS FOLLOWS**:

1. **Establishment of City/County Association of Governments of San Mateo County.** The parties hereby create an entity to be known as the City/County Association of

Governments of San Mateo County (hereinafter referred to as "C/CAG") for the preparation, review, adoption, monitoring and facilitation of implementation by the member agencies of county-wide state mandated plans. C/CAG shall be an entity which is separate from the parties to this agreement and shall be responsible for the administration of this agreement. Except as provided herein, the debts, liabilities, and obligations of C/CAG shall be the debts, liabilities, and obligations of the entity and not the debts, liabilities, and/or obligations of the parties to this agreement.

C/CAG shall have the power and is authorized to do any or all of the following:

- (a) To make and enter contracts;
- (b) To employ agents and employees;
- (c) To lease, maintain, manage, acquire, construct or operate any building, works or improvements;
- (d) To acquire, hold, or dispose of property;
- (e) To incur debts, liabilities, or obligations;
- (f) To sue and be sued in its own name;

2. **Board of Directors.** The Board of the City/County Association of Governments of San Mateo County (C/CAG) shall consist of a member of the City Council of each participating City to be selected by that City and one (1) member of the Board of Supervisors to be selected by the Board of Supervisors. Each City Council and the Board of Supervisors may select one (1) alternate member from its body who shall participate when the regular member is absent. In addition, there shall be two (2) non-voting ex-officio members: a representative of the San Mateo County Transit District Board of Directors selected by the Board of Directors and a representative of the San Mateo County Transportation Authority selected by the Authority. Additional Ex-Officio members may be

established by Board action in accordance with the special voting procedures identified in 4 (c). Regular attendance by the designated representative or alternate at the C/CAG Board and *Committee* meetings shall be encouraged by the C/CAG Board and member agencies.

3. **Purposes and Activities.** C/CAG is established to fulfill the following purposes operating through the Board of Directors for control, direction, and administration:

- (a) Plan, organize, and maintain the work of C/CAG and be responsible for its overall operation.
- (b) Advise City Councils and the Board of Supervisors of all significant activities of C/CAG.
- (c) Prepare, review, adopt, monitor and facilitate implementation by the member agencies the following state-mandated county-wide plans:
 - (1) Congestion Management Plan (as the designated Congestion Management Agency including enforcing compliance with the Congestion Management Plan);
 - (2) Integrated Solid Waste Management Plan (as the designated Local Task Force);
 - (3) Airport Land Use Plan (as the designated Airport Land Use Commission);
 - (4) Hazardous Waste Management Plan;
 - (5) NPDES - Stormwater Management Plan.
- (d) Perform such additional county-wide planning activities as approved by or directed by two-thirds (2/3) of the members

representing two-thirds (2/3) of the population of the County. Final adoption of any such plans shall only be after the plan has been introduced at a prior meeting held at least twenty-five (25) days earlier.

- (e) Perform any additional County-Wide activities as set forth in this agreement (Sections **20, 21, 22, 23, 24, 25, and 26**).
- (f) Utilize and establish advisory committees wherever necessary, including but not limited to:
 - (1) Airport Land Use Committee
 - (2) Congestion Management and *Environmental* Quality Committee
 - (3) Congestion Management Plan (CMP) Technical Advisory Committee
 - (4) Solid Waste Advisory Committee (Local Task Force)
 - (5) Hazardous Waste Management Plan Advisory Committee
 - (6) Bikeways and Pedestrian Advisory Committee
 - (7) Finance Committee
 - (8) NPDES Committee
 - (9) NPDES Technical Advisory Committee
 - (10) Legislative Committee
 - (11) *Resource Management and Climate Protection Committee*
 - (12) *C/CAG Investment Committee*

Committees may be established by Board action in accordance with the special voting procedures identified in 4 (c). *Committee* membership may include persons who are not members of the Board of Directors, including other elected

officials or public members.

- (g) Adopt By-laws and such other rules of procedure as may be deemed necessary.

The duties, responsibilities or obligations of C/CAG, as set forth in this Agreement, are not intended, and shall not be interpreted, to expand or diminish any legal duties, responsibilities or obligations that any city or county member of C/CAG has, or may in the future have, under any provision of State or Federal law.

Notwithstanding anything to the contrary in any other provision of this Agreement, C/CAG shall have no authority and/ or obligation to implement or enforce the provisions of any County-wide plan except when C/CAG is functioning as an agency specifically designated by state or federal law as having the authority and/ or obligation to implement or enforce such County-wide plan.

4. **Voting Procedures**. The parties intend to strive for consensus following full discussion but in the event consensus cannot be reached the following voting procedures shall be utilized.

- (a) A quorum shall consist of at least a majority of the voting members and shall be required for all meetings of C/CAG.
- (b) All decisions and actions shall be by majority vote of those present unless the decision involves the adoption of a county-wide plan or any one (1) member requests the use of the special voting procedures hereinafter set forth.
- (c) The special voting procedures shall be utilized upon the request of any one (1) member. Addition of Ex-Officio members to the Board, the establishment of ***Committees***, and the final adoption of county-wide plans shall require the

special voting procedures. Special voting procedures shall be as follows: for a motion to be successful it must receive the votes of a majority of the members representing a majority of the population of the County. In determining the population of local governments, the population shall be utilized as set forth in a resolution adopted by the Board of Directors pursuant to Section 19.

5. **Budget**. The Board annually shall adopt, by a date C/CAG designates by resolution, an operating budget for C/CAG setting forth anticipated expenses, financing sources and proposed service levels necessary to carry out the purposes of this agreement. C/CAG shall establish its fiscal year by resolution. Immediately after approving the annual budget, the Board shall recommend the budget to the governing bodies of the members for the purpose of securing from each of them contributions and/or appropriations in accordance with each party's obligations as set forth in Section 6 below. It is expressly agreed and understood that the Board has no authority to bind any governing board to make the recommended contribution and/or appropriation and that this decision rests solely with each governing body. Each party shall deposit its monetary contribution to the budget with the C/CAG Treasurer on or before the date C/CAG designates by resolution.

6. **Contribution of Parties**. In consideration of the mutual promises contained herein, the parties agree that they shall make the following annual contributions towards maintaining the program of C/CAG.

Each member's contribution shall be its pro-rata share of the revenue needed for the annual budget as adopted by the Board of Directors. The pro-rata share of each agency shall be based upon its population as set forth in a resolution adopted by the Board of Directors pursuant to

Section 19. By use of the special voting procedures under special circumstances the Board of Directors may waive contributions. If a member fails to pay its annual contribution, it shall forfeit its voting rights as provided in Paragraph 10 and there shall be no further recourse against it for nonpayment.

7. **Treasurer.** The Board of Directors shall select a Treasurer from one of its member entities who shall be the depository and have custody of all the money and property of C/CAG from whatever source. The duties of the C/CAG Treasurer shall include those set forth in the Government Code Section 6500 et seq., Joint Exercise of Powers.

8. **Controller.** The Board of Directors shall select a Controller from one of its member entities who shall perform the functions of auditor and/or controller for C/CAG. The duties of the C/CAG Controller shall include those set forth in Government Code Section 6500 et seq., Joint Exercise of Powers.

9. **Staffing.** It is understood that C/CAG may require the support of its own administrative staff. When deemed necessary, the Board of Directors may employ an Executive Director. The Board shall have responsibility for all employment decisions regarding said Executive Director who shall serve at the pleasure of the Board of Directors.

The Executive Director shall be responsible for the day-to-day administration of C/CAG under the direction of the Board of Directors. The Executive Director shall seek advice and assistance from the Administrators' Advisory Committee. The Executive Director shall have the authority to employ administrative staff consistent with the approved budget of C/CAG.

There shall be an Administrators' Advisory Committee. The Committee will be advisory to the C/CAG Board of Directors and Executive Director to assist them to most effectively accomplish the objectives of C/CAG by giving advice on agenda matters, monitoring outcomes of activities, assisting with identifying and allocating resources, and communicating with all members. The Committee members shall be: the City Managers from cities that contract staff to C/CAG, the County Manager, the General Manager of SamTrans, one (1) City Manager appointed by the City Managers' Association, and, the Chair and Vice-Chair(s) and Legal Counsel of C/CAG as ex-officio members. Committee Chairs and staff who have items for discussion at the Committee will be invited to participate. The definition and membership of this Committee may be revised by Board action in accordance with the special voting procedures identified in 4 (c).

It is understood that C/CAG may employ personnel, utilize existing County, SamTrans or City staff, or retain professional consultants to perform any necessary staff work in meeting its goals and objectives. It is further understood that no County, SamTrans or City staff will be utilized without the consent of the employing agency.

10. **Withdrawal.** Any party may withdraw from this agreement by filing written notice of intention to do so with the Chair of the governing board by September 30th of each year, or by another date C/CAG designates by resolution. The rights and obligations of such party shall terminate at the end of the first full fiscal year for which the withdrawing party has made its contribution following such notice having been given. The withdrawal of any party from this agreement shall in no way affect the rights and obligations of the remaining parties. If a party withdraws from this agreement, such party shall not be entitled to the return of any funds contributed to C/CAG nor to the return in cash or in kind of any materials or supplies until termination of this

agreement. If a party fails to make its contribution in accordance with Section 6 of this agreement, that agency shall forfeit its voting rights during the period of such non-payment. However, if one of the Cities or the County wishes to rejoin after forfeiting its membership by non-payment of its contribution, it may do so by paying the designated amount.

11. **Termination and Disposition of Property.** This agreement shall be deemed terminated when the number of Cities participating in this agreement contain less than a majority of the population of the County, or are fewer than eleven (11) in number. Upon termination, equipment and all other assets shall be distributed to the parties hereto in proportion to the contributions of the parties during the life of C/CAG including distribution to parties which may have withdrawn at an earlier date. Upon termination, any surplus money on hand shall be returned to the parties in proportion to the contributions of the parties during the life of C/CAG including distribution to parties which may have withdrawn at an earlier date.

12. **Effective Date/Termination Date.** This agreement shall be effective on July 1, **2011**, or upon its execution by the County and by at least eleven (11) cities representing the majority of the population of the County, whichever is later. This agreement ***shall continue at least until December 1, 2015, and thereafter shall continue until terminated pursuant to Section 11 of this agreement.***

13. **Meetings.** Monthly meetings of the C/CAG Board of Directors shall be held in accordance with the Brown Act, Government Code Section 54950 et seq. The Board of Directors shall establish a regular time and place for the required meetings. In addition, the Board of Directors

shall have such other meetings as are deemed necessary.

14. **Notice of Agreement.** Pursuant to Government Code Section 6503.5, C/CAG shall, within thirty (30) days after the effective date of this agreement, cause a notice of the agreement to be prepared and filed with the Office of the Secretary of State.

15. **Other Associations.** Participation in C/CAG is not intended to preclude member entities from entering into similar agreements with other jurisdictions.

16. **Legal Counsel.** Unless the Board of Directors determines otherwise, the County Counsel shall serve as legal counsel to C/CAG and provide all routine legal advice and service necessary including attendance at Board of Directors meetings.

17. **Insurance.** The County shall add C/CAG to its existing excess liability insurance coverage and shall maintain such coverage in full force and effect during the life of this agreement. Said excess liability insurance coverage includes a self-insured retention by the County. Unless the Board of Directors decides otherwise, County shall provide for the defense of any claims or litigation within the amount of the self-insured retention. Legal representation by the County will ordinarily be provided by the Office of the County Counsel.

Any out-of-pocket expenses or loss, by way of judgment or settlement, arising out of the operation of this agreement, within the limits of the County's self-insured retention shall be shared by the parties in accordance with the formula set forth in Section 6. Expenses shall not include salaries or office expenses of any county employees, including any attorneys from the Office

of the County Counsel.

18. **Amendments.** This Joint Powers Agreement may be amended at any time with the agreement of the majority of the members representing a majority of the population of the County, except as provided in 3(d).

19. **Adjustment of Population Figures.** The Board of Directors shall establish by resolution the population figures to be utilized in determining the population of local governments under this agreement based on the results of the decennial federal census or population figures provided by the State Department of Finance, and may revise the population figures at any time by resolution.

20. **Clean Air Vehicle Registration Fee Program.** C/CAG shall serve as the overall program manager for the San Mateo County under Health and Safety Code Section 44241 for funds made available by the increase in motor vehicle registration fees that the Bay Area Air Quality Management District is authorized to levy under A.B. 434, (1991 Statutes, Chapter 807.)

21. **Storm Water Discharge Plan and Permit.** *To the extent permitted by law and regulation; and recognized by the applicable government agency; the City/County Association of Governments shall assume responsibility for the following activities under the National Pollutant Discharge Elimination System (NPDES) Program (40 CFR 122):*

- (a) Ratify submission of a county-wide storm water discharge permit application and accept permit on behalf of the County and Cities in the County, as co-

permittees.

- (b) Prepare preliminary draft and final draft storm water management plan describing existing activities the County and Cities are conducting to help minimize the discharge of pollutants to storm water, describing new pollution measures that will be undertaken during the initial five year period of the NPDES permit, and containing other matters C/CAG determines are necessary or desirable.
- (c) Identify and recommend alternatives for implementation of a revenue program.
- (d) Enter into contracts with the County, the Cities, the County Flood Control District, and other entities to implement the revenue program and the storm water management plan.
- (e) Perform additional county-wide activities in connection with the NPDES program as set forth in the storm water management plan approved by, or as directed, by the Board of Directors.
- (f) Provide coordination and overall management of the NPDES program and advice to the County and the Cities on implementation.

The County and each City shall be solely responsible for complying with NPDES permit conditions and all federal, state, and local laws and regulations, relating to discharges from the storm sewers in its jurisdiction and under its control. The County and each City shall defend, indemnify, and hold harmless every other party to this agreement, and its officers and employees, from all claims, suits, actions, fines, penalties, damages, or liability of every name, kind, and description arising in any way out of the negligent or intentional acts of that County or City in complying or failing to comply with NPDES permit conditions, and all federal, state, and local

regulations applicable to that County or City.

22. **Service Authority for Abatement of Abandoned Vehicles.** C/CAG shall be the service authority for the abatement of abandoned vehicles under Vehicle Code Section 22710. C/CAG shall impose a service fee of one dollar (\$1) on vehicles registered to an owner with an address in San Mateo County as authorized by Vehicle Code Sections 9250.7 and 22710. As provided in Vehicle Code Section 22710(b), C/CAG may contract and undertake any act convenient or necessary to carry out any law relating to its duties as the service authority.

23. **Programming State and Federal Transportation Funds.** C/CAG acting as the Congestion Management Agency shall be responsible for programming State and Federal Transportation Funds allocated to San Mateo County. These funds include but are not limited to State Transportation Improvement Program (*STIP*), *Surface* Transportation *Program (STP)*, *Congestion Management and Air Quality (CMAQ)*, and Transportation Development Act Article 3.

24. **AB 1546 Transportation/ Environmental Vehicle Registration Fee Program.** C/CAG shall serve as the overall program manager for the San Mateo County Transportation/Environmental Program which programs up to a \$4 motor vehicle fee in accordance with Chapter 2.65 (commencing with Section 65089.11) to Division 1 of Title 7 of the Government Code and Section 9250.5 of the Vehicle Code.

25. **Measure M - Local Transportation Improvement Program.** *C/CAG shall serve as the overall program manager for the Local Transportation Improvement Program which*

programs up to a \$10 motor vehicle fee in accordance with Section 65089.20 of the Government Code and Section 9250.4 of the Vehicle Code.

26. San Mateo County Energy Watch and Climate Protection. C/CAG shall serve as the overall program manager for the San Mateo County Energy Watch Program that coordinates and provides energy conservation incentives. C/CAG tasks also includes coordinate, support, and provide programs as necessary for Climate Protection.

IN WITNESS WHEREOF, the parties hereto by their duly authorized representative, have affixed their hands on this *Joint Powers Agreement effective as of the first day of July, 2011.*

COUNTY OF SAN MATEO

ATTEST:

Clerk of the Board

by _____
President of the Board of Supervisors

TOWN OF ATHERTON

ATTEST:

Clerk of Town Council

by _____
Mayor

CITY OF BELMONT

ATTEST:

Clerk of City Council

by _____
Mayor

CITY OF BRISBANE

ATTEST:

Clerk of City Council

by _____
Mayor

CITY OF BURLINGAME

ATTEST:

Clerk of City Council

by _____
Mayor

TOWN OF COLMA

ATTEST:

Clerk of Town Council

by _____
Mayor

CITY OF DALY CITY

ATTEST:

Clerk of City Council

by _____
Mayor

CITY OF EAST PALO ALTO

ATTEST:

Clerk of City Council

by _____
Mayor

CITY OF FOSTER CITY

ATTEST:

Clerk of City Council

by _____
Mayor

CITY OF HALF MOON BAY

ATTEST:

Clerk of City Council

by _____
Mayor

TOWN OF HILLSBOROUGH

ATTEST:

Clerk of Town Council

by _____
Mayor

CITY OF MENLO PARK

ATTEST:

Clerk of City Council

by _____
Mayor

CITY OF MILLBRAE

ATTEST:

Clerk of City Council

by _____
Mayor

CITY OF PACIFICA

ATTEST:

Clerk of City Council

by _____
Mayor

TOWN OF PORTOLA VALLEY

ATTEST:

Clerk of Town Council

by _____
Mayor

CITY OF REDWOOD CITY

ATTEST:

Clerk of City Council

by _____
Mayor

CITY OF SAN BRUNO

ATTEST:

Clerk of City Council

by _____
Mayor

CITY OF SAN CARLOS

ATTEST:

Clerk of City Council

by _____
Mayor

CITY OF SAN MATEO

ATTEST:

Clerk of City Council

by _____
Mayor

CITY OF SOUTH SAN FRANCISCO

ATTEST:

Clerk of City Council

by _____
Mayor

TOWN OF WOODSIDE

ATTEST:

Clerk of Town Council

by _____
Mayor

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RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE
TOWN OF ATHERTON AUTHORIZING CONTINUED PARTICIPATION IN THE
CITY/ COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY
(C/CAG) AND APPROVAL OF THE JOINT POWERS AGREEMENT AND
AUTHORIZING THE MAYOR TO EXECUTE THE JOINT POWERS AGREEMENT**

WHEREAS the Town of Atherton is currently a member of the City/County Association of Governments of San Mateo County (C/CAG); and

WHEREAS the Town of Atherton approved and executed the Joint Powers Agreement in 2007 continuing C/CAG for four years; and

WHEREAS C/CAG has achieved significant accomplishments including the Congestion Relief Plan, AB 1546 C/CAG DMV Fee (Only County in State), Subregional RHNA Process (Only subregion in the State), passage of Measure M that provides \$175M over 25 years, to the cities and County, and the Transit Oriented Development Incentive Program.; and

WHEREAS C/CAG has received numerous County, Regional, State and National awards for its programs; and

WHEREAS C/CAG provides programs to address State Mandates in a cost effective manner; and

WHEREAS, the Town of Atherton desires to continue participation in C/CAG; and

WHEREAS, the Town of Atherton desires to execute the Joint Powers Agreement;

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the Town of Atherton is hereby authorized and directed to execute the Joint Powers Agreement for and on behalf of Town of Atherton, subject to approval as to form by the Town's Legal Counsel.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on this 18th day of May, 2011, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ATTEST:

James Dobbie, MAYOR
TOWN OF ATHERTON

Theresa N. DellaSanta, Deputy City Clerk

APPROVED AS TO FORM:

William Conners, City Attorney

ITEM 14

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOHN H. DANIELSON, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF MAY 18, 2011

SUBJECT: Draft Opposition letter for consideration by Council at their May 18, 2011 meeting

* * * SAMPLE LETTER – 04/29/11 DRAFT * * *

DATE

Honorable Bob Wieckowski:
State Assembly
State Capitol, Room 4162
Sacramento, CA 95814

Dear Assembly Member Wieckowski:

The City/Town of _____ regrets to inform you that the city strongly oppose this latest attempt to remove our ability to make our own financial decisions. AB 506 attempts to prevent any local government from filing for bankruptcy under Chapter 9 of the federal bankruptcy code without first receiving the permission from what can only be called a State-controlled non-governmental arbitrator.

Puts Local Services at Risk. The purpose of filing for Chapter 9 Bankruptcy Protect is to effectively suspend payments by granting an automatic stay of financial obligations in order to formulate a debt readjustment plan. Without this protection, fiscally vulnerable cities with the inability to continue payments may face interruptions to vital services; residents will suffer.

Subverts Effective and Neutral Process for State-Controller Arbitrator. Current bankruptcy proceedings are managed by expert bankruptcy judges who have no stake in the outcome. The proposed State Commission which would manage the new process is comprised of elected officials who will face special interest and politic pressures. Furthermore the use of an outside “mediator” with all the powers of an arbitrator has far larger implications that will threaten local control. This process is clearly being stacked against municipalities.

Limits Negotiations. Excluding collective bargaining agreements, and their high price tags, severely limits the options available to cities. Essentially the only thing left on the table is to reduce payments to bondholders and other debtors. It’s no surprise that this bill is being co-sponsored by the California Professional Firefighters Association.

“Good Faith” Gone. As defined in your bill, “good faith” no longer represents a city’s sincere efforts to find a solution to disputes unless it is also acting to adjust payments as the “mediator” defines. If the “mediator” decides that a city has not acting in “good faith” they will lose their ability to file for bankruptcy.

Municipal Bankruptcy is a Last Resort. Since the adoption of Chapter 9 of the state Bankruptcy Code in 1949—60 years ago—only two cities (and one county) have petitioned for its use: the City of Desert Hot Springs in 1994, Orange County in 1994, and in 2008 the City of Vallejo. Bankruptcy is not an attractive alternative for local communities, nor is it an easy process, and is a last desperate resort. Furthermore, it is the chronic mismanagement of the state’s budget and raids on local governments that has left cities in fiscal distress. The state should get its own fiscal house in order before interjecting itself in city affairs.

For these reasons the **City/Town of _____** is opposed to your AB 506.

Sincerely,

[YOUR NAME HERE]
[YOUR TITLE HERE]

cc: Natasha Karl, Legislative Representative, League of California Cities, FAX: 916-658-8240



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOHN H. DANIELSON, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF MAY 18, 2011

SUBJECT: INTRODUCTION OF AN ORDINANCE TO ADOPT REFUSE AND RECYCLING COLLECTION RATES

RECOMMENDATION:

Hold a public hearing, determine whether a majority protest has been received, and if there is no majority protest, and introduce the attached Ordinance increasing refuse and recycling rates. A two-thirds vote is required (i.e.; four affirmative votes).

BACKGROUND:

City Council at its March 16, 2011 City Council meeting directed staff to prepare a notice of rate increase to the public which presented alternative rates recommended by the Environmental Programs Committee **with an additional \$5 per month for each additional green waste container.**

The rates intended for approval in that motion are as follows:

Additional Option

- 38.9% increase
- Effective March 1, (will result in 6.5% carryover rate increase to Recology in 2012)
- Non-progressive rate
- Three months of amount due to Allied

Container Size	2010 rates	2011 rates	Amount increase
20 gallon	\$17.31	\$24.04	\$6.73
32 gallon	\$27.69	\$38.46	\$10.77
64 gallon	\$55.38	\$76.92	\$21.54
96 gallon	\$82.18	\$114.15	\$31.97

Subsequently the Town inadvertently noticed the Environmental Programs Committee first recommendation as noted in a December 15, 2010 staff report to Council. Those rates are as follows:

Environmental Programs Committee recommended rate increase:

- 59% increase
- Effective March 1, retro to January 1
- Progressive rate, holding 20 gallon at \$20/month, a 15% premium on 64 gallon and 25% premium on 96 gallon
- Full amount due to Allied

Container Size	2010 rates	2011 rates	Amount increase
20 gallon	\$17.31	\$20.00	\$2.69
32 gallon	\$27.69	\$44.01	\$16.32
64 gallon	\$55.38	\$101.23	\$45.85
96 gallon	\$82.18	\$163.29	\$81.11

Notice and Hearing Procedure: Proposition 218 and enabling legislation adopted by the state legislature following its passage establish procedures for "property related fees and charges." The proposition establishes a notice and protest procedure for refuse fees, which suggests that these fees are, in at least some circumstances, to be considered "property related." The Town followed the Proposition 218 procedures for its last rate increase in 2010; we have taken this approach for this potential rate increase as well.

Proposition 218 requires written notice by mail of the proposed rate increase at least 45 days before the public hearing either to the record owner of each parcel or in a mailing to the address to which refuse bills are normally sent. (Cal. Const. art XIID Section 6; Gov. Code §§ 53750(i)(j), 53755). The notice contains: (1) the amount of the proposed fee; (2) the basis on which the proposed fee was calculated; (3) the reason for the fee; and (4) the date, time and location of a public hearing on the proposed fee. For variable fees such as refuse fees, the notice will contain a proposed fee schedule. The notice will also advise customers that they may file a written protest of the fees.

At the public hearing, the Town will consider all written protests of the rate increase; if written protests are presented by a majority of the parcels, the rate increase will not take effect. If there is no majority protest, then the rate increases can be imposed by Ordinance approved by 2/3 vote of the members of the City Council (four affirmative votes) under Health & Safety Code § 5471.

As of the preparation of this staff report, the Town has received 12 notices protesting the rate increase. As noted above, additional protests may be received up to and at the City Council hearing.

Public Outreach: Staff prepared and mailed the required notice to all refuse customers in Atherton. The notice was mail during the week of March 28, 2010. In addition, Staff previously prepared and mailed a letter to all customers reviewing the new service and the proposed rate increase. The Town received numerous calls during the first two weeks of January, 2011 responding the rate increase notice and the roll-out of new service.

Once the rate increase becomes effective, staff will work with Recology to prepare a letter to customers with information on how to reduce their garbage container size. Staff will also work with the SBWMA and Recology to host an educational event to further educate residents on the recycling programs and how to reduce the cost of their garbage service (reduce the garbage container size).

ALTERNATIVES

The City Council has the option to approve the rate increase as noticed to the rate payers. The Council also has the option to approve a lower rate increase at this meeting. If a lower rate increase is approved at this meeting, it may result in the need for a higher rate increase next year.

FISCAL IMPACT

Refuse and recycling fees are paid by the residential and commercial customers. The Town receives 10% Franchise Fee based on the total collection revenue.

Attachments: Ordinance introducing proposed rates
February 16, 2011 City Council Staff Report
December 20, 2010 City Council Staff Report

ORDINANCE ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
INCREASING THE RATES FOR SOLID WASTE/RECYCLING COLLECTION
SERVICES**

WHEREAS, the Town of Atherton ("Town") has provided a franchise to Recology ("Franchisee") allowing for and governing the collection of refuse, recyclable material and plant material within the Town of Atherton's limits and the Town has approved rates, most recently by Ordinance 584, that Franchisee may charge for these solid waste/recycling collection services; and

WHEREAS, pursuant to the Uniform Franchise Agreement for Collection Services ("Solid Waste/Recycling Collection Agreement") between Franchisee and the Town, the Town is required to adopt solid waste/recycling collection rates that produce revenues sufficient to provide payment to Franchisee in accordance with the amount due under the Solid Waste/Recycling Collection Agreement; and

WHEREAS, after an audit by Hilton, Frankophf and Hobson and the South Bayside Waste Management Authority, the Town has determined that Franchisee is entitled to an increase in the solid waste/recycling collection rates; and

WHEREAS, at the City Council meeting of December 15, 2010, staff presented the City Council with various options for increasing the solid waste/recycling collection rates; and

WHEREAS, at the City Council meeting of February 16, 2011, staff introduced a draft ordinance to City Council and City Council unanimously decided to continue the item to the next meeting to allow City Manager Danielson to form an "action team" to address resident concerns.

WHEREAS, after considering the various solid waste/recycling collection rate increase options, the City Council directed staff to take the necessary steps under Proposition 218, including the mailing of notices regarding a public hearing to consider a proposed ordinance to adopt an increase in the solid waste/recycling collection rates; and

WHEREAS, the Town has identified the parcels upon which the increased solid waste/recycling collection rates will be imposed, calculated the amount of the rates, and mailed notice to the refuse service billing address for all parcels in the Town of Atherton, wherein the Town provided written notice of the proposed rates, the basis for the calculation, the reason for the rates and the date, time and location of a public hearing not less than 45 days after sending the notice; and

WHEREAS, the Town further provided published and posted notice of the foregoing; and

WHEREAS, the City Council held the duly noticed public hearing and considered any and all protests; and

WHEREAS, written protests against the solid waste/recycling collection rates were not presented by a majority of owners or tenants of the identified parcels;

NOW, THEREFORE, THE CITY COUNCIL OF THE TOWN OF ATHERTON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. In accordance with Article XIII D, Section 6(b), of the California Constitution, the City Council makes the following findings:

A. The revenues derived from the increased solid waste/recycling collection rates do not exceed the funds required to provide solid waste/recycling collection services pursuant to the Solid Waste/Recycling Collection Agreement. This finding is based upon the information contained in the mailed notice and the staff reports from the December 15, 2010 City Council meeting.

B. The revenues derived from the increased solid waste/recycling collection rates will not be used for any purpose other than solid waste/recycling collection services pursuant to the Solid Waste/Recycling Collection Agreement.

C. The increased solid waste/recycling collection rates do not exceed the proportional cost of the service to each parcel.

D. The solid waste/recycling collection services are presently available.

SECTION 2. Beginning on the effective date of this Ordinance, the solid waste/recycling collection rates will increase as listed below. The rate schedule includes a fixed rate for each gallon of refuse, with no additional charge for recycled materials or green waste collection.

Black Garbage Container	2010 rates	2011 rates	Amount increase
20 gallon	\$17.31	\$20.00	\$2.69
32 gallon	\$27.69	\$44.01	\$16.32
64 gallon	\$55.38	\$101.23	\$45.85
96 gallon	\$82.18	\$163.29	\$81.11

**OTHER SERVICES
COST SCHEDULE**

Backyard Collection Service Distance Costs for Single-Family Dwellings				
	One (1) Solid Waste Cart	Two (2) Solid Waste Carts	Three (3) Solid Waste Carts	Four (4) Solid Waste Carts

Distance from Curbside	Base monthly Solid Waste Rate plus			
0-100 feet	\$21.00	\$31.72	\$60.44	\$89.16
101-150 feet	\$24.00	\$34.72	\$63.44	\$92.16
151 – 200 feet	\$27.00	\$37.72	\$66.44	\$95.16
201 – 250 feet	\$30.00	\$40.72	\$69.44	\$98.16
251 – 300 feet	\$33.00	\$43.72	\$72.44	\$101.16
301 feet or more	\$36.00	\$46.72	\$75.44	\$104.16

Unscheduled Service Category	Cost	Description of Cost
Distance Charge for Commercial Accounts	A – 10% of base monthly Rate	A – 51 to 100 feet from access by Contractor's collection vehicle
	B – 25% of base monthly Rate	B – 101 feet or more from access by Contractor's collection vehicle
Extra Pick-up Cost for Commercial Customers	25% of the base monthly Rate for the size of Container Collected once per week	Per Collection event
Single-Family Return Trip Cost (i.e., request to provide Collection service after the regularly scheduled Collection day)	\$15.00	Per Collection event
Additional Targeted Recyclable Materials or Organic Materials Cart Rental or Purchase (in addition to the two Organic Material carts and one Recyclable Materials cart)	A – \$5.00	A – monthly rental fee (any size Cart) for Organic Materials Carts
	B - \$3.00	B – monthly rental fee (any size Cart) for Targeted Recyclable Materials Carts
	C – \$63.00	C – Customer purchase of a 64 gallon Cart
	D – \$69.00	D – Customer purchase of a 96 gallon Cart
Fee for Service On-Call Bulky Item Collection Service	\$81.55	Per event
Overage Fee	100% of the base monthly Rate	Per Collection event
Overage Bags Cost	50% of the base monthly Rate or \$8.00 minimum	Per bag

Unscheduled Service Category	Cost	Description of Cost
Container Cleaning Fee	A – \$50.00	A – per Cart
	B – \$85.00	B – per Bin or Drop-Box
Dirty Cart Replacement Cost	A – \$65.00	A – per 32 gallon Cart
	B – \$75.00	B – per 64 gallon Cart
	C – \$85.00	C – per 96 gallon Cart

SECTION 3. The City Council hereby declares that it would have passed this Ordinance, sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that any provisions in this Ordinance are severable and, if for any reason any sentence, paragraph or section of this Ordinance shall be held invalid, such decision shall not effect the validity of the remaining parts of this Ordinance.

SECTION 4. This Ordinance was approved by a 2/3 vote of the City Council pursuant to Health & Safety Code section 5471.

SECTION 5. This Ordinance shall take effect thirty (30) days after adoption as provided by Government Code section 36937.

SECTION 6. This Ordinance shall be published once fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Government Code section 36933.

* * * * *

Introduced at a regular meeting of the City Council held on May 18, 2011, and passed and adopted by the City Council of the Town of Atherton on the _____ day of _____ 2011 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:
 NOES: COUNCIL MEMBERS:
 ABSENT: COUNCIL MEMBERS:
 ABSTAIN: COUNCIL MEMBERS:

 James Dobbie, Mayor
 Town of Atherton

ATTEST:

Theresa DellaSanta
Deputy City Clerk

APPROVED AS TO FORM:

William B. Conners
City Attorney



Town of Atherton

ITEM 20

DATE: CITY COUNCIL MEETING OF FEBRUARY 16, 2011

TO: CITY COUNCIL

FROM: JOHN DANIELSON, INTERIM CITY MANAGER
LISA COSTA SANDERS, DEPUTY TOWN PLANNER

SUBJECT: ADOPTION OF REFUSE AND RECYCLING COLLECTION RATES

RECOMMENDATION

City Council hold a public hearing, determine whether a majority protest has been received, and if there is no majority protest, introduce the attached Ordinance increasing refuse and recycling rates. A two-thirds vote is required (i.e.; four affirmative votes).

BACKGROUND

Pursuant to the current Uniform Franchise Agreement for Collection Services (Collection Agreement) with Allied Waste Industries, Inc. (Allied), Atherton City Council is required to adopt collection rates to cover the cost of waste management services provided by Allied to Atherton residents. Each year, the firm of HF&H Consultants, LLC completes a review of the refuse collector's rate application and prepares recommendations to each jurisdiction for the collection rates. The Collection Agreement establishes the process for setting collection rates based on expenses and revenues projected, which is in turn based on actual results, trends and management plans. Allied is entitled to cost plus 9% profit applied to reasonable and necessary operating expenses, net of certain "pass-through" expenses (e.g. disposal expenses and franchise fees). The Collection Agreement with Allied expired on December 31, 2010.

The Town of Atherton entered into a new Uniform Franchise Agreement for Collection Services with Recology San Mateo County (Recology) for services commencing January 1, 2011. The rate setting process under the new Collection Agreement is based on the cost submitted in the proposal to the South Bayside Waste Management Authority (SBMWA) and is subject to annual CPI increase. The new Collection Agreement with Recology includes expanded refuse and recycling services. Recology is currently delivering new refuse and recycling containers to residents for its automated collection services. Recycling will now be picked up weekly as opposed to the current bi-weekly collection. The expanded recycling services include single stream (one container for all bottles/cans/paper/cardboard) as well as new residential organics recycling (food scraps collected with green waste).

Historically, Atherton increased its refuse and recycling rates 14% in 2002, and most recently increased rates 18.9% in 2010. The rate increase in 2002 was due to the rollout of unlimited yard waste recycling and purchase of new containers. The 2010 rate increase became effective March 19, 2010, which

resulted in nine months of increased revenue collection or an actual rate increase of 16.9%. The rate increase in 2010 was necessary due to increased operating expenses and increased disposal costs. These new costs include bond expenses for improvements to the Recycling Facility in San Carlos.

The Collection Agreement with Allied expired on December 31, 2010. The Town of Atherton has one year to “true-up” with Allied on any revenue due to them. SBWMA staff recommends the Council consider including three months of the amount due to Allied in the 2011 rate increase. The full amount due to Allied will be calculated later this year based an audit of the 2010 expenses.

ANALYSIS

Rate Setting: The City Council establishes the collection rates that are then billed to residential and commercial customers by the franchised service provider. All costs of service are paid by the ratepayers. With the rollout of the new service by Recology, the numerous container sizes previously serviced by Allied (customer provided container) were modified to four container sizes (containers provided by the company). This report focuses on the residential rates and collection services as that accounts for the majority of service in Atherton. There are a few commercial customers in Atherton (schools and country club). The percentage of rate increase approved by the Council will also be applied to Atherton’s commercial customers.

Atherton’s residential current rates:

Container size	# of containers	2010 Rates (monthly)
20 gallon	160	\$17.31
32 gallon	2,495	\$27.69
64 gallon	323	\$55.38
96 gallon	437	\$82.18
Total	3,415	

Comparison of 2008 to 2011

	2008	2009	2010	2011
Total contractor compensation	\$1,170,071	\$1,216,758	\$1,313,342	\$1,529,988
Disposal & processing fees	\$463,633	\$527,167	\$635,223	\$784,819
Town franchise fees	\$172,504	\$163,289	\$194,646	\$208,473
Total Revenue Requirement	\$1,806,208	\$1,907,214	\$2,143,211	\$2,523,280
Collection Revenue	\$1,657,627	\$1,647,967	\$1,856,701	
Shortfall	(\$148,882)	(\$259,250)	(\$286,510)	
Balancing Account	(\$212,595)*	(\$47,142)	(\$334,192)	

* Carry-over balancing account surplus of \$363,606 at end of year 2007

Balancing account also includes interest expenses

Increase in Contractor compensation:

As indicated above, there has been a change in collection services as well as collection contractor from 2010 to 2011. The change in collection services includes weekly collection of recycling materials. Recycling materials were previously collected every other week. The new collection services include single stream recycling of bottles, cans and papers where previously, customers sorted this material

into three containers. Finally, the new service includes organics recycling (food scraps). The former Allied contract was based on cost plus profit, where the new agreement with Recology is based on the amount included in the bid proposal with CPI increases. The new services with Recology increased by \$216,646 for Atherton customers from \$1,313,342 in 2010 with Allied to \$1,529,988 in 2011 with Recology.

Increase in disposal & processing fees:

Disposal and processing fees in 2010 was \$635,223 and is anticipated to increase by \$149,596 due to increased tip fee charge at the Shoreway facility, increased tip fee charge at the County landfill and an increase in the green waste tonnage.

Town franchise fee:

The Town's franchise fee is based on 10% of the collection revenue. There has not been a change to the franchise fee percentage over the years. As the revenue is increased, the franchise fee thereby increases as it's a percentage of the revenue.

Shortfall:

Collection and disposal expenses have exceeded collection revenue in the last several years. Atherton had a surplus in the balancing account with Allied that covered this revenue shortfall in 2008 and the majority of 2009. As noted above, 2009 ended with a negative balance of \$47,142. Although the Town adopted a 16.9% rate increase in 2010, the expenses exceeded revenue. The 2010 rate increase became effective in March, resulting in 10 months of increased revenue. With the roll-out of the new service, some customers chose smaller container sizes resulting in decreased revenue. In addition, the contractor's costs were higher than anticipated and the disposal costs were higher than anticipated. The increase in contractor's costs is due to increase workers compensation cost and higher labor cost. The increase in disposal cost is due to rate increases at the transfer station and landfill as well as higher than anticipated green waste tonnage

Comparison to other SBWMA jurisdictions: Other SBWMA jurisdictions are currently considering rate increases. The comparison of rate increases as shown in the spreadsheet attached to this staff report are based on the annual rate review report recommendations and may not be the rates that jurisdictions ultimately adopt. For comparison purposes, Hillsborough is more similar to Atherton in terms of property size and efficiency of collection than other jurisdictions. Atherton and Hillsborough's rates are higher than other jurisdictions in the SBWMA because larger lots sizes result in longer collection times (distance between collection stops), many dead end streets/small side streets and the multiple yard waste containers in Atherton. In other jurisdictions, the mix of commercial and residential customers results in a lower costs to residential customers.

Environmental Programs Committee Recommendation: The Environmental Programs Committee reviewed the rate options at its November 30, 2010 meeting. The Environmental Programs Committee recommended the Council consider the full rate increase necessary to cover the amount due to Allied under its expiring contract and adjusted for March 1, 2011 effective date (ten months of increased rates). The Committee also recommended a more aggressive progressive rate schedule than proposed by the SBWMA and staff.

California law requires that fees for services not exceed the reasonable cost of providing the service.

The Town may make reasonable assumptions about average costs and make its charges on that basis. However, allocation of costs among classes of customers should reflect the costs of providing services to those groups.

The new Agreement with Recology also includes costs for other service (referenced as Attachment Q to the Recology Agreement with the Town).

Rate Increase for 2011: The Council, at its December 15, 2010 meeting, reviewed several options for the rate setting for 2011. The Council directed Staff prepare rates and provide notice to customers based on the following:

- Full rate increase for Recology collection cost, disposal cost and franchise fee
- Effective March 1, retro to January 1
- Progressive rate, with a 10% premium on 64 gallon and 20% premium on 96 gallon containers
- Full amount due to Allied collected over one year

Container Size	2010 rates	Monthly 2011 rates
20 gallon	\$17.31	\$28.22
32 gallon	\$27.69	\$45.15
64 gallon	\$55.38	\$99.33
96 gallon	\$82.18	\$162.53

Notice and Hearing Procedure: Proposition 218 and enabling legislation adopted by the state legislature following its passage establish procedures for "property related fees and charges." The proposition establishes a notice and protest procedure for refuse fees, which suggests that these fees are, in at least some circumstances, to be considered "property related." The Town followed the Proposition 218 procedures for its last rate increase in 2010; we have taken this approach for this potential rate increase as well.

Proposition 218 requires written notice by mail of the proposed rate increase at least 45 days before the public hearing either to the record owner of each parcel or in a mailing to the address to which refuse bills are normally sent. (Cal. Const. art XIID Section 6; Gov. Code §§ 53750(i)(j), 53755). The notice contains: (1) the amount of the proposed fee; (2) the basis on which the proposed fee was calculated; (3) the reason for the fee; and (4) the date, time and location of a public hearing on the proposed fee. For variable fees such as refuse fees, the notice will contain a proposed fee schedule. The notice will also advise customers that they may file a written protest of the fees.

At the public hearing, the Town will consider all written protests of the rate increase; if written protests are presented by a majority of the parcels, the rate increase will not take effect. If there is no majority protest, then the rate increases can be imposed by Ordinance approved by 2/3 vote of the members of the City Council (four affirmative votes) under Health & Safety Code § 5471.

As of the preparation of this staff report, the Town has received 28 notices protesting the rate

increase. As noted above, additional protests may be received up to and at the City Council hearing.

Public Outreach: Staff prepared and mailed the required notice to all refuse customers in Atherton. The notice was mail during the week of December 27, 2010. In addition, Staff prepared and mailed a letter to all customers reviewing the new service and the proposed rate increase. The Town received numerous calls during the first two weeks of January, 2011 responding the rate increase notice and the roll-out of new service.

Once the rate increase becomes effective, Staff will work with Recology to prepare a letter to customers with information on how to reduce their garbage container size. Staff will also work with the SBWMA and Recology to host an educational event to further educate residents on the recycling programs and how to reduce the cost of their garbage service (reduce the garbage container size).

ALTERNATIVES

The City Council has the option to approve the rate increase as noticed to the rate payers. The Council also has the option to approve a lower rate increase at this meeting. If a lower rate increase is approved at this meeting, it may result in the need for a higher rate increase next year.

If the Council wishes to approve a different rate scenario, staff would need to re-notice the hearing (with a new 45 day notice period). The different rate structure may also require the preparation of a rate study report. The cost of this study is estimated at \$10,000 to \$15,000.

FISCAL IMPACT

Refuse and recycling fees are paid by the residential and commercial customers. The Town receives 10% Franchise Fee based on the total collection revenue.

RECOMMENDATION

Staff recommends the Council adopt the rates as advertised.

Prepared By:

Approved:

Lisa Costa Sanders
Deputy Town Planner

John Danielson
Interim City Manager

Attachments:

1. Ordinance
2. Atherton Rate Analysis
3. Comparison of other jurisdictions rates
4. Proposition 218 Notice
5. Letter to residents



ITEM 30

Town of Atherton

DATE: CITY COUNCIL MEETING OF DECEMBER 15, 2010

TO: CITY COUNCIL

FROM: LISA COSTA SANDERS, DEPUTY TOWN PLANNER

SUBJECT: CONSIDER REFUSE AND RECYCLING COLLECTION RATES AND PROVIDE DIRECTION FOR PUBLIC REVIEW PROCESS

RECOMMENDATION

Staff and the Environmental Programs Committee recommend the City Council review the attached collection rate options and provide direction to Staff to advertise a rate increase hearing.

BACKGROUND

Pursuant to the current Uniform Franchise Agreement for Collection Services (Collection Agreement) with Allied Waste Industries, Inc. (Allied), Atherton City Council is required to adopt collection rates to cover the cost of waste management services provided by Allied to Atherton residents. Each year, the firm of HF&H Consultants, LLC completes a review of the refuse collector's rate application and prepares recommendations to each jurisdiction for the collection rates. The Collection Agreement establishes the process for setting collection rates based on expenses and revenues projected, which is in turn based on actual results, trends and management plans. Allied is entitled to cost plus 9% profit applied to reasonable and necessary operating expenses, net of certain "pass-through" expenses (i.g. disposal expenses and franchise fees). The Collection Agreement with Allied expires on December 31, 2010.

The Town of Atherton entered into a new Uniform Franchise Agreement for Collection Services with Recology San Mateo County (Recology) for services commencing January 1, 2011. The rate setting process under the new Collection Agreement is based on the cost submitted in the proposal to the South Bayside Waste Management Authority (SBMWA) and is subject to annual CPI increase. The new Collection Agreement with Recology includes expanded refuse and recycling services. Recology is currently delivering new refuse and recycling containers to residents for its automated collection services. Recycling will now be picked up weekly as opposed to the current bi-weekly collection. The expanded recycling services include single stream (one container for all bottles/cans/paper/cardboard) as well as new residential organics recycling (food scraps collected with green waste).

Historically, Atherton increased its refuse and recycling rates 14% in 2002, and most recently increased rates 18.9% in 2010. The rate increase in 2002 was due to the rollout of unlimited yard waste recycling and purchase of new containers. The 2010 rate increase became effective March 19, 2010, which resulted in nine months of increased revenue collection or an actual rate increase of 16.9%. The rate

increase in 2010 was necessary due to increased operating expenses and increased disposal costs. These new costs include bond expenses for improvements to the Recycling Facility in San Carlos.

As the Council is aware, the Collection Agreement with Allied expires on December 31, 2010. The Town of Atherton has one year to “true-up” with Allied on any revenue due to them. SBWMA staff recommends the Council consider including three months of the amount due to Allied in the 2011 rate increase.

ANALYSIS

Rate Setting: The City Council establishes the collection rates that are then billed to residential and commercial customers by the franchised service provide. All costs of service are paid by the ratepayers. With the rollout of the new service by Recology, the numerous container sizes previously serviced by Allied (customer provided container) were modified to four container sizes (containers provided by the company). This report focuses on the residential rates and collection services as that accounts for the majority of service in Atherton. There are a few commercial customers in Atherton (schools and country club). The percentage of rate increase approved by the Council will also be applied to Atherton’s commercial customers.

Atherton’s residential current rates:

Container size	# of containers	2010 Rates
20 gallon	160	\$17.31
32 gallon	2,495	\$27.69
64 gallon	323	\$55.38
96 gallon	437	\$82.18
Total	3,415	

Summary of expenses relating to the 2011 rate increase request;

Increased collection expenses for Recology services, increased disposal & processing fees, county increase at Ox Mountain, increased franchise fees*	31.6%
Can migration (customers choosing smaller garbage containers)	2.5%
Allied balancing account (estimated for 2010 revenue/expenses) – three months	4.4%
Recommended Rate Increase	38.5%

* The Town’s Franchise Fee remains at 10% of revenue. As revenue increases, the amount due to the Town for the Franchise Fee increase

Based on direction provided by the Environmental Programs Committee and the City Council with the last rate increase, staff requested the SBWMA prepared a progressive rate structure scenario, where the cost per gallon is adjusted for larger containers to reflect the increased costs of disposing of larger volumes of waste over time. Two proposed progressive rate structure scenarios have been prepared. The first includes a 10% premium on 64-gallon containers and a 20% premium on 96-gallon containers. This rate structure was modeled after progressive rate structures found in other SBMWA jurisdictions. The second progressive rate structure scenario holds 20-gallon containers at \$20 per

month and includes a 15% premium on 64-gallon containers and a 25% premium on 96 gallon containers.

The new Agreement with Recology also includes costs for other service (referenced as Attachment Q to the Recology Agreement with the Town). The Council should also provide direction to staff on the items listed in "Attachment Q – Unscheduled Services". In particular, the Council may wish to modify the charges related to backyard collection service. The 2010 rates as adopted by the City Council included a \$20.00 monthly backyard service fee. The rates for backyard collection with the new Recology Agreement are based on distance from curbside. Hillsborough has proposed to merge the first two distance categories, which would result in a \$21.00 monthly cost for containers located up to 100 feet from the curb. The backyard cost does not apply to households where disabilities prevent the customer from making use of curbside service.

In the 2010 rate review process, SBWMA staff had projected a 25% rate increase necessary in 2011 due to the new Collection Agreement with Recology. If the full rate increase is adopted for 2011, it is anticipated that a 5%-10% rate increase will be necessary in 2012.

Comparison to other SBWMA jurisdictions: Other SBWMA jurisdictions are currently considering rate increases. The comparison of rate increases as shown in the spreadsheet attached to this staff report are based on the annual rate review report recommendations and may not be the rates that jurisdictions ultimately adopt. For comparison purposes, Hillsborough is more similar to Atherton in terms of property size and efficiency of collection than other jurisdictions. Hillsborough's current rates are 5%- 6.6% higher than Atherton's current rates. Hillsborough's recommended rate increase of 32.6%, which if implemented, would closely mirror Atherton's recommended increased rates. Atherton and Hillsborough's rates are higher than other jurisdictions in the SBWMA due to the larger lots sizes result in longer collection times (distance between collection stops), many dead end streets/small side streets and the multiple yard waste containers in Atherton. In other jurisdictions, the mix of commercial and residential customers results in a lower costs to residential customers.

Environmental Programs Committee Recommendation: The Environmental Programs Committee reviewed the rate options at its November 30, 2010 meeting. The Environmental Programs Committee recommends the Council consider the full rate increase necessary to cover the amount due to Allied under its expiring contract and adjusted for March 1, 2011 effective date (ten months of increased rates). The Committee also recommended a more aggressive progressive rate schedule than proposed by the SBWMA and staff. The Committee recommended 20 gallon containers be held at \$20.00 per month and the 64 gallon and 96 gallon containers be increased with a higher progressive rate. The Environmental Programs Committee did not have the information available at its meeting to show the full impact on the rates. Information provided subsequent by the SBWMA show an overall 59% rate increase with this option.

California law requires that fees for services not exceed the reasonable cost of providing the service. The Town may make reasonable assumptions about average costs and make its charges on that basis. However, allocation of costs among classes of customers should reflect the costs of providing services to those groups. If the Town wishes to adopt the more progressive rates recommended by the Committee, it should have a study documenting the basis for the differential.

The Environmental Programs Committee also recommended staff prepares a letter to customers when the rate increase becomes effective to provide information on how to reduce their garbage container size. The Committee also recommended Recology host an educational event to further educate residents on the recycling programs and how to reduce their garbage service.

Rate Increase Options: The Council has several options with the rate setting for 2011. It is estimated that at the end of 2010, Atherton will owe Allied \$334,000. SBWMA staff recommends each agency include three months of payback in the 2011 rates. Due to the amount of time necessary to publicly notice the rate hearing, the 2011 rate increase will not be effective until March 1, 2011, resulting in 10 months of increased revenue. This results in a 6.5% carryover rate increase to 2012. Recology has agreed to waive the interest on any revenue shortfall during this first year transition period.

Staff recommends a progressive rate increase with a 10% premium on 64 gallon containers and a 20% premium on 96 gallon containers for 2011 based on direction provided at the Environmental Programs Committee to proceed with a progressive rate structure and review of other jurisdictions progressive rates to ensure consistency with local practices. Staff agrees with the Environmental Programs Committee's recommendation to have the rate increase adjusted to factor in the March 1, 2011 effective date. Based on the recommendation of the SBWMA, staff recommends the 2011 rates include a portion (3 months) of the amount due to Allied. The amount due to Allied is an estimate at this time and will not be finalized until mid-2011.

Staff recommended rate increase:

- 42.5% increase
- Effective March 1, retro to January 1
- Progressive Rate with 10% premium on 64 gallon and 20% premium on 96 gallon
- Three months of amount due to Allied

Container Size	2010 rates	2011 rates	Amount increase
20 gallon	\$17.31	\$24.66	\$7.35
32 gallon*	\$27.69	\$39.45	\$11.76
64 gallon	\$55.38	\$86.79	\$31.41
96 gallon	\$82.18	\$140.49	\$58.31

* majority of Atherton residents subscribe to 32-gallon service (2,495 containers)

The Environmental Programs Committee recommended the rate for 20 gallon containers be set at \$20.00 and a more progressive rate structure for 64 gallon and 96 gallon containers. The Committee also recommended the full increase (retro to January 1) be implemented as well as the full amount due to Allied be included with this rate increase. As noted earlier, the resulting rates were not reviewed by the Committee.

Environmental Programs Committee recommended rate increase:

- 59% increase
- Effective March 1, retro to January 1
- Progressive rate, holding 20 gallon at \$20/month, a 15% premium on 64 gallon and 25% premium on 96 gallon
- Full amount due to Allied

Container Size	2010 rates	2011 rates	Amount increase
20 gallon	\$17.31	\$20.00	\$2.69
32 gallon	\$27.69	\$44.01	\$16.32
64 gallon	\$55.38	\$101.23	\$45.85
96 gallon	\$82.18	\$163.29	\$81.11

The rate increase as proposed by the Environmental Programs Committee may result in further can migration (customers choosing smaller container sizes). If the Council wishes to proceed with this rate scenario, staff recommends the Council authorize a rate study ensure there is a basis for the rates.

Additional Option

- 38.9% increase
- Effective March 1, (will result in 6.5% carryover rate increase to Recology in 2012)
- Non-progressive rate
- Three months of amount due to Allied

Container Size	2010 rates	2011 rates	Amount increase
20 gallon	\$17.31	\$24.04	\$6.73
32 gallon	\$27.69	\$38.46	\$10.77
64 gallon	\$55.38	\$76.92	\$21.54
96 gallon	\$82.18	\$114.15	\$31.97

Notice and Hearing Procedure: Proposition 218 and enabling legislation adopted by the state legislature following its passage establish procedures for "property related fees and charges." The proposition establishes a notice and protest procedure for refuse fees, which suggests that these fees are, in at least some circumstances, to be considered "property related." The Town followed the Proposition 218 procedures for its last rate increase in 2010.

Proposition 218 requires written notice by mail of the proposed rate increase at least 45 days before the public hearing either to the record owner of each parcel or in a mailing to the address to which refuse bills are normally sent. (Cal. Const. art XIID Section 6; Gov. Code §§ 53750(i)(j), 53755). The notice will contain: (1) the amount of the proposed fee; (2) the basis on which the proposed fee was calculated; (3) the reason for the fee; and (4) the date, time and location of a public hearing on the proposed fee. For variable fees such as refuse fees, the notice will contain a proposed fee

schedule. The notice will also advise customers that they may file a written protest of the fees.

At the public hearing, the Town will consider all written protests of the rate increase; if written protests are presented for a majority of the parcels, the rate increase will not take effect. If there is no majority protest, then the rate increases can be imposed by an ordinance approved by 2/3 vote of the members of the City Council under Health & Safety Code § 5471. The Town will also publish and post notice of the proceedings.

ALTERNATIVES

The City Council has the option to approve any of the rate increase scenarios presented in the attachments, or direct staff to prepare additional rate increase scenarios for consideration. The collection rates are based on the size of the garbage containers and do not adjust based on use of yard waste collection or recycling collection to encourage use of these services and overall reduction in the disposed tonnage. The new Agreement includes a \$1/month surcharge on more than two green waste containers. The Council could request the rates be restructured to include additional charges for green waste collection. If the Council wishes to proceed with the rate increase as recommended by the Environmental Programs Committee, or a significant change in the rate structure (additional charges for green waste), staff recommends a rate study be conducted. It is estimated that a rate study would cost \$15,000 to \$20,000.

FISCAL IMPACT

Refuse and recycling fees are paid by the residential and commercial customers. The Town receives 10% Franchise Fee based on the total collection revenue. The rate increase to most Atherton residents (customers that subscribe to 32-gallon service) ranges from \$10.00 per month to \$16.65 per month depending on which option the Council selects.

RECOMMENDATION

Staff recommends the Council direct staff to provide the required notice for a property related fee for a rate increase following a progressive scenario with 10% surcharge on 64 gallon containers and a 20% surcharge for 96 gallon containers with an overall 42.5% rate increase.

Prepared By:

Approved:

/s/ Lisa Costa Sanders

/s/ Nadine Levin

Lisa Costa Sanders
Deputy Town Planner

Nadine Levin
City Manager

Attachments:

1. Atherton Rate Analysis
2. Collection rate scenarios
3. Comparison of other jurisdictions rates
4. Unscheduled services – summary of attachment Q



ITEM 16

Town of Atherton

Staff Report for City Council Meeting

DATE: May 18, 2011
TO: Mayor and Council Members
City Manager
FROM: Theresa DellaSanta, Deputy City Clerk
SUBJECT: Application Review Schedule and Possible Interview

Historically, City Council holds appointment of Committees and Commissions in April before term expiration dates on April 30th. Council held a special meeting on April 29th to appoint members to committees which had more vacancies than applicants. The Finance and Transportation Committee and the Planning Commission have more applicants than vacancies and will need Council vote to select its members.

Each application will be given up to five minutes for review and discussion by City Council. If candidates are available they may be called upon for questions. Below is a list of the order to be taken on voting for each Committee vacancy. The voting will be conducted through ballots (each Council Member will have their name on the ballot) which will be available for public review.

Finance Committee: (one vacancy)
Alain Enthoven
Elizabeth Hammack

Transportation Committee: (one vacancy)
Jean Schaaf
Andy Jeffrey
Paul Hammack

Planning Commission: (2 vacancies)
Herman Christensen
Phil Lively
Eric Lane
Cary Wiest
Elizabeth Hammack

Attachments: Applications for all applicants noted above.

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

01-31-11 08:52 RCVD

Name: ALAIN ENTHOVEN

Address: [REDACTED] Atherton

Home Telephone: [REDACTED] Date: 01/28/11

Work Telephone: [REDACTED]

Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Arts Committee
- Other: FINANCE committee

TO THE APPLICANT:

This application form is intended to provide you with information about the body on which you would like to serve. The completed application will also help the interviewing Council Members learn more about you. In responding to the questions here, please feel free to use separate sheets of paper to expand on your answers if you wish to do so.

1. Why do you want to serve on the body for which you are submitting your application?
What particular skills, interest or experience would you bring to it if selected?
I am interested and concerned about the Town's finances. I have served as Deputy Comptroller of the Department of Defense, Assistant Secretary of Defense, President of Litter Medical Products, and Professor of Public and Private Management in the Graduate School of Business, Stanford University, service on the Atherton Finance Committee.
2. Have you attended any meeting of the body on which you wish to serve?
(X) Yes several No
3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve?
(Minutes and past agendas of Town bodies are available for review at Town Hall during normal business hours.)
(X) Yes No

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?

Yes No

I am currently serving on the Finance Committee

5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?

Yes No

6. Vacancies occur periodically on Town bodies. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this applications?

No

Yes, for (check as many as you wish):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Arts Committee
- Other:

FOR YOUR INFORMATION:

The two-member screening committee of the Council will interview all applicants, if feasible. The Committee makes its recommendation of the person or persons to fill the existing vacancies to the full Council. The recommendation is not binding, although it is usually followed. Council Members may nominate others for appointment.

Council Members and Planning Commissioners must annually file a "Statement of Economic Interests", which is a public document and is forwarded to the Fair Political Practices Commission. All members of Town Commissions/Committees must be registered voters and reside in Atherton.

Service on Town bodies is without compensation. Application for reimbursement by the Town for expenses incurred in Town service may be made on forms available from the City Clerk. There is no assurance that expenses will be reimbursed.

Length of service on Town bodies is controlled by ordinance or resolution. Persons appointed may be reappointed within the restrictions of the ordinance. The fact that an individual is appointed does not necessarily mean the individual will be re-appointed. Copies of appropriate ordinances, (and statutes, if applicable) are available from the City Clerk.

Thank you for your interest in serving the Town of Atherton.

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Name: Elizabeth Hammack

Address: [REDACTED]

Home Telephone: [REDACTED] Date: March 18, 2011

Work Telephone: [REDACTED]

Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

- Planning Commission
- General Plan Committee
- Other: FINANCE COMMITTEE
- Park and Recreation Commission
- Arts Committee

TO THE APPLICANT:

This application form is intended to provide you with information about the body on which you would like to serve. The completed application will also help the interviewing Council Members learn more about you. In responding to the questions here, please feel free to use separate sheets of paper to expand on your answers if you wish to do so.

1. Why do you want to serve on the body for which you are submitting your application?
What particular skills, interest or experience would you bring to it if selected?

I think I have the skills to serve on any of the above committees.

For the Planning Commission, I served as a Planning Commissioner for the City of Redwood City for 3 years from 1999 – 2001, so have experience for that.

For the Parks & Rec, I live right across the street from Holbrook Palmer Park and my kids have gone to Playschool there for the last 4 years (no longer will, however after June). I have a strong interest in the Park.

For the finance committee, I have an MBA (in addition to my JD) and work as an executive in an investment advisory firm, where I regularly review budgets and operating income/expenses. I also serve as a director of a private technology company and am regularly exposed to and need to analyze their financial statements as well.

I am interested in serving the town and welcome the opportunity to discuss the above in more detail.

2. Have you attended any meeting of the body on which you wish to serve?

Yes No

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve? (Minutes and past agendas of Town bodies are available for review at Town Hall during normal business hours.)

Yes No

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?

Yes Not specifically that I recall.

5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?

Yes, but I think I can make it work No

I do have a full time job and 4 children. However, I will use my best efforts to schedule the requisite and appropriate time for this position. Note also that I serve on the General Plan Committee, but that only meets quarterly.

6. Vacancies occur periodically on Town bodies. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this applications?

No Yes, for (check as many as you wish):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Arts Committee
- Other: Finance

FOR YOUR INFORMATION:

The two-member screening committee of the Council will interview all applicants, if feasible. The Committee makes its recommendation of the person or persons to fill the existing vacancies to the full Council. The recommendation is not binding, although it is usually followed. Council Members may nominate others for appointment.

Council Members and Planning Commissioners must annually file a "Statement of Economic Interests", which is a public document and is forwarded to the Fair Political Practices Commission. All members of Town Commissions/Committees must be registered voters and reside in Atherton.

Service on Town bodies is without compensation. Application for reimbursement by the Town for expenses incurred in Town service may be made on forms available from the City Clerk. There is no assurance that expenses will be reimbursed.

Length of service on Town bodies is controlled by ordinance or resolution. Persons appointed may be reappointed within the restrictions of the ordinance. The fact that an individual is appointed does not necessarily mean the individual will be re-appointed. Copies of appropriate ordinances, (and statutes, if applicable) are available from the City Clerk.

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Name: Paul Hammack

Address: _____

Home Telephone: _____ Date: March 18, 2011

Work Telephone: _____

Are you registered to vote in the Town of Atherton? Yes X No _____

I am applying for a position on the (check one):

- | | |
|--|---|
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> Park and Recreation Commission |
| <input type="checkbox"/> General Plan Committee | <input type="checkbox"/> Arts Committee |
| <input checked="" type="checkbox"/> Other: <u>TRANSPORTATION COMMITTEE</u> | |

TO THE APPLICANT:

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1. Why do you want to serve on the body for which you are submitting your application?
 What particular skills, interest or experience would you bring to it if selected?

I have been a resident of Atherton for about 5 years now and live on the intersection of two very busy streets. I am interested in the Transportation Committee because I want to make sure Atherton is a safe place to drive, bike and walk for us, our neighbors and children. I am committed to Atherton for the long term and plan to raise my 4 children here.

2. Have you attended any meeting of the body on which you wish to serve?

Yes No

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve?
(Minutes and past agendas of Town bodies are available for review at Town Hall during normal business hours.)

Yes No, but I have spoken to a former
police chief about the committee, its functions and duties.

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?

No, but I have spoken to a former police chief about the committee and what it does.

5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?

Yes No

6. Vacancies occur periodically on Town bodies. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this applications?

No Yes, for (check as many as you wish):

- Planning Commission
- Park and Recreation Commission (*maybe*)
- General Plan Committee
- Arts Committee
- Other:

FOR YOUR INFORMATION:

The two-member screening committee of the Council will interview all applicants, if feasible. The Committee makes its recommendation of the person or persons to fill the existing vacancies to the full Council. The recommendation is not binding, although it is usually followed. Council Members may nominate others for appointment.

Council Members and Planning Commissioners must annually file a "Statement of Economic Interests", which is a public document and is forwarded to the Fair Political Practices Commission. All members of Town Commissions/Committees must be registered voters and reside in Atherton.

Service on Town bodies is without compensation. Application for reimbursement by the Town for expenses incurred in Town service may be made on forms available from the City Clerk. There is no assurance that expenses will be reimbursed.

Length of service on Town bodies is controlled by ordinance or resolution. Persons appointed may be reappointed within the restrictions of the ordinance. The fact that an individual is appointed does not necessarily mean the individual will be re-appointed. Copies of appropriate ordinances, (and statutes, if applicable) are available from the City Clerk.

Thank you for your interest in serving the Town of Atherton.

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE



Name: JEAN S. SCHAAF
Address: [REDACTED]
Home Telephone: [REDACTED] Date: Tue. March 7, 2011
Work Telephone: [REDACTED]

Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Arts Committee
- Other: Transportation

TO THE APPLICANT:

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1. Why do you want to serve on the body for which you are submitting your application?
What particular skills, interest or experience would you bring to it if selected?

My first initiative to Town affairs concerned a "semaphore" light at Selby + El Camino Real. I was also engaged with changing the 35 mile zoning to 25 for Stockbridge -

2. Have you attended any meeting of the body on which you wish to serve?

Yes No

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve? (Minutes and past agendas of Town bodies are available for review at Town Hall during normal business hours.)

Yes No

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?
- Yes No
5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?
- Yes No
6. Vacancies occur periodically on Town bodies. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this applications?
- No Yes, for (check as many as you wish):
- Planning Commission
 - Park and Recreation Commission
 - General Plan Committee
 - Arts Committee
 - Other:

FOR YOUR INFORMATION:

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Thank you for your interest in serving the Town of Atherton.

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Date: March 17, 2011

Name: Andy Jeffrey

Address: [REDACTED]

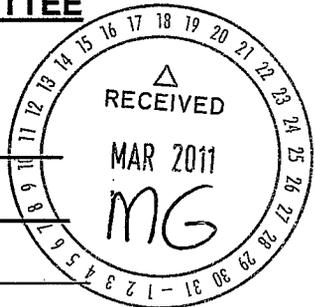
Home Telephone: [REDACTED] Work Telephone: [REDACTED]

E-mail address (optional): [REDACTED]

Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

- Planning Commission
- General Plan Committee
- Audit Committee
- Park and Recreation Commission
- Arts Committee
- Other: Transportation Committee



TO THE APPLICANT:

This application form is intended to provide you with information about the body on which you would like to serve. The completed application will also help the interviewing Council Members learn more about you. In responding to the questions here, please feel free to use separate sheets of paper to expand on your answers if you wish to do so.

1. Why do you want to serve on the body for which you are submitting your application? What particular skills, interest or experience would you bring to it if selected?

see attached.

2. Have you attended any meeting of the body on which you wish to serve?

Yes No

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve? (Minutes and past agendas of Town bodies are available for review on the Town website at www.ci.atherton.ca.us and at Town Hall during normal business hours.)

Yes No

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?

Yes No

5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?

Yes No

6. Vacancies occur periodically on Town commissions and committees. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this application?

No Yes, for (check as many as you wish):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Audit Committee
- Arts Committee
- Other: Real

FOR YOUR INFORMATION:

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Thank you for your interest in serving the Town of Atherton.

DATE: **March 17, 2011**
TO: **Atherton City Council**
FROM: **Andy Jeffrey**
RE: **Application for Transportation Committee Membership**

There are three primary reasons I am interested in and believe I can add significant value to Atherton's Transportation Committee:

1. Safety

As a father of two young children, I am particularly interested in safety for our children and all kids in the area. Also, as someone who prefers, whenever possible, to walk or bike rather than drive, I am keenly interested in issues that affect all modes of transit.

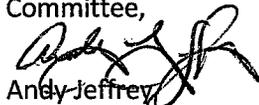
2. Location

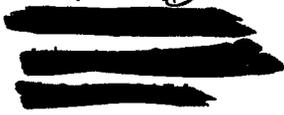
Our family lives on Douglass Way in the Victoria Manor area of Atherton where relatively low-traffic cul-de-sacs are surrounded by two of Atherton's major arteries El Camino Real and Valparaiso Avenue. This location gives us great exposure to and perspective of the benefits and issues with respect to the extremes of traffic volume, access, safety, etc.

3. Engineering Background

My education and professional careers have been focused on engineering and engineering management. This includes software programming, managing programming teams, and managing process engineering (managing and fine-tuning physical, logical, and technical processes within organizations). My experience with the nuts-and-bolts of engineering as well as managing and running companies gives me a solid understanding of technical issues while also being able to work well with people to solve problems in practical ways.

Thank you for your consideration of my application for membership to Atherton's Transportation Committee,


Andy Jeffrey



OVERVIEW

Entrepreneur and executive-level technology and operations manager with 25 years of diverse experience building world-class teams, technologies, systems, and processes.

PROFESSIONAL EXPERIENCE**ZapAV, INC. - Co-founder & CEO****2009-2011**

Responsible for all aspects of the company including original concept, attracting angel-funding, and designing and building innovative Web 2.0 product. Primary responsibilities and achievements:

- Original Concept – Developed original concept into functional business model focused on helping consumers with their Audio-Video and Computer systems using Web 2.0 style website.
- Co-Founder – Founded company, secured angel investors, recruited top-notch technical co-founder, and cost-effectively created legal and financial infrastructure.
- CEO – Developed high-level company business strategy, defined deliverables and schedule, managed executive team, and managed outsourced domestic and international teams including interface design, content acquisition and development, legal, and finance.
- Functional and User Interface Requirements – Defined functional requirements and simple, yet sophisticated visual user interface designs for unique, innovative Web 2.0 site.
- Fundraising – Developed and presented business plan, five-year detailed financials, and customized pitches to venture capitalists and strategic investors including Fortune 50 retailers.
- Expanded Business Model – Planned and implemented significantly expanded functionality to appeal to broader audience while leveraging existing code and infrastructure.

AuctionDrop, Inc. – Co-founder & CTO; later CIO & EVP, Operations**2002 - 2008**

Co-founder and CTO with executive-level responsibility for IT. Through major business model changes and significant growth, promoted to CIO & EVP, Operations & Customer Service. Primary responsibilities and achievements:

- Executive Team – Participated in all strategic decisions and execution from original concept through several business model and executive team changes with growth to \$25MM and acquisition.
- Overall Management - Responsible for all aspects of technology, operations, and customer service including budget, all hardware/software systems, operational facilities usage and layout, personnel, and inter-departmental coordination and planning.
- Business Processes - Responsible for Operations, Customer Service and Technology policies and procedures with primary focus on continual improvements in critical operational time/cost metrics.
- IT Management - Built and managed IT team that created custom turn-key system for all aspects of online listing, selling, and reporting via eBay (top 10 eBay seller) and proprietary online site.
- Adaptive Focus - Quickly adapted and enhanced technology and operations for major business model changes and multiple facilities moves.
- Business Continuity – Responsible for all aspects of operations and systems continuity (disaster recovery) with nearly 100% uptime results.
- Acquisition Process – Participated in full process with investment bankers to find acquirer. Also provided critical data, technology and operations tours, and technical due diligence to interested parties.

AlterEgo Networks, Inc. – VP, Product Development**2000 - 2001**

Executive-level responsibility for product development and professional services. Primary responsibilities and achievements:

- Professional Services Management - Defined, built, and managed a multi-function professional services group that included UI design specialists, Web and XML/XSL engineers, quality assurance engineers, technical documentation writers, trainers, and project managers. Team successfully handled multiple, simultaneous, high-profile customer proof-of-concepts and implementations such as JP Morgan Chase and USA Today.
- Product Development Management – Managed multiple teams including Product Management, Project Management, and Documentation with responsibility for all requirements gathering.
- Customer interaction – Responsible for all customer implementations (pre- and post-sales)
- Implementation Methodology – Defined, implemented, refined, documented, and used a highly-effective, best practice methodology for project implementation and lifecycle.
- Partner Relationship Management – Responsible for technology relationship management with primary partner, Aether Systems, including cross-company multi-functional training and integration.

New Markets, International (a.k.a Sonnet Financial) – VP, Development**1996 - 2000**

Executive-level responsibility for IT. Primary responsibilities and achievements:

- Executive Team – Participated in all strategic management decisions.
- Technology Management – Budgetary and HR responsibility for all technology and IT.
- Modernized Product – Proposed and lead critical migration to web-based technologies.
- Modernized Technology – Responsible for improving reliability, performance, scalability, and the capabilities of the hardware and software systems.
- Business Continuity – Defined and implemented first company-wide business continuity plan.

Independent Software Consultant**1994 - 1996**

Provided software architecture, design, implementation, quality assurance, and deployment services for:

- First Floor Software – Designed and developed low-level (PowerPC and 680x0) assembly code for Macintosh version of Smart Bookmarks.
- Transpac Software and Heuristic Design Group – Designed and implemented several critical technology components for these start-ups' automated health club work out systems.

WordStar Corporation/SoftKey International – Director, WriteNow Development**1993 - 1994**

WordStar acquired WriteNow, T/Maker's award winning Macintosh word processor, and hired its development team. Responsible for:

- Product & Personnel Transition - Transitioned WriteNow and its development team to WordStar.
- Product & Development Management – Managed WriteNow 4.0 development, a major upgrade.
- Software Development - Designed and implemented major features in 680x0 assembly.

T/Maker Company – Manager; Director; VP, Development & Technical Support**1986 - 1993**

Responsible for all aspects of T/Maker's software development and technical support including development of four major releases of the two-time MacUser Magazine Award winning word processor WriteNow, implementing many features in 680x0 assembly, and managing customer technical support.

EDUCATION

Williams College – BA Computer Science, 1986

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Name: Elizabeth Hammack

Address: [REDACTED]

Home Telephone: [REDACTED] Date: March 18, 2011

Work Telephone: [REDACTED]

Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Planning Commission | <input checked="" type="checkbox"/> Park and Recreation Commission |
| <input type="checkbox"/> General Plan Committee | <input type="checkbox"/> Arts Committee |
| <input checked="" type="checkbox"/> Other: <u>FINANCE COMMITTEE</u> | |

TO THE APPLICANT:

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1. Why do you want to serve on the body for which you are submitting your application?
What particular skills, interest or experience would you bring to it if selected?

I think I have the skills to serve on any of the above committees.

For the Planning Commission, I served as a Planning Commissioner for the City of Redwood City for 3 years from 1999 – 2001, so have experience for that.

For the Parks & Rec, I live right across the street from Holbrook Palmer Park and my kids have gone to Playschool there for the last 4 years (no longer will, however after June). I have a strong interest in the Park.

For the finance committee, I have an MBA (in addition to my JD) and work as an executive in an investment advisory firm, where I regularly review budgets and operating income/expenses. I also serve as a director of a private technology company and am regularly exposed to and need to analyze their financial statements as well.

I am interested in serving the town and welcome the opportunity to discuss the above in more detail.

2. Have you attended any meeting of the body on which you wish to serve?

Yes No

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve? (Minutes and past agendas of Town bodies are available for review at Town Hall during normal business hours.)

Yes No

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?

Yes Not specifically that I recall.

5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?

Yes, but I think I can make it work No

I do have a full time job and 4 children. However, I will use my best efforts to schedule the requisite and appropriate time for this position. Note also that I serve on the General Plan Committee, but that only meets quarterly.

6. Vacancies occur periodically on Town bodies. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this applications?

No Yes, for (check as many as you wish):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Arts Committee
- Other: Finance

FOR YOUR INFORMATION:

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TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Name: PHILIP D. LIVELY

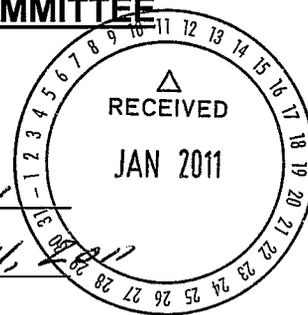
Address: [REDACTED] ATHERTON

Home Telephone: [REDACTED]

Date: JANUARY 11, 2011

Work Telephone: _____

Email Address: _____



Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Arts Committee
- Other: _____

TO THE APPLICANT:

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1. Why do you want to serve on the body for which you are submitting your application?
What particular skills, interest or experience would you bring to it if selected?

*PLANNING COMMISSIONER TOWN OF ATHERTON
CURRENT TERM BEGINS APRIL 2011 (4 years)
PRIOR ATHERTON PLANNING COMMISSION (8 years)
PRIOR ATHERTON GENERAL PLAN (2 years)*

2. Have you attended any meeting of the body on which you wish to serve?

Yes No

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve?
(Minutes and past agendas of Town bodies are available for review at Town Hall during normal business hours.)

Yes No

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?

Yes No

5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?

Yes No

6. Vacancies occur periodically on Town bodies. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this application?

No Yes, for (check as many as you wish):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Arts Committee
- Other:

FOR YOUR INFORMATION:

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Thank you for your interest in serving the Town of Atherton.

January 11, 2011
Philip A. Long

TOWN OF ATHERTON
APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Date: February 25, 2011

Name: **Eric Lane**

Address: [REDACTED] 94027

Home Telephone [REDACTED] Work Telephone [REDACTED]

E-mail address (optional) [REDACTED]



Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

Planning Commission

Park and Recreation Commission

General Plan Committee

Arts Committee

Audit Committee

Other:

TO THE APPLICANT:

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1. Why do you want to serve on the body for which you are submitting your application?

I received an email asking for Atherton residents to consider becoming involved in one of the committees. I had been thinking about getting more involved so this prompted me to take action.

What particular skills, interest or experience would you bring to it if selected?

I have been and am involved in community activities over the last 20 years, including the following:

Ravenswood Education Foundation (East Palo Alto) Current President/Board Member (2007 - present)
www.ravenswoodef.org

SpringBoard Forward non-profit Board Member (2004 - 2008)
<http://www.springboardforward.org/>

NOVA Workforce Advisory Board Member (at large, 2002 - 2009)
NOVA Workforce Advisory Board Member/PIC (regular member 1995-2002)

Mt. Diablo Unified School District Board of Directors (59 schools, 56,000 K-12 & 50,000 Adult Ed.,
(Walnut Creek/Concord area) (elected twice 1991-2000... second term for 5 years)
Contra Costa County Planning Commission (1988-1991)
Pleasant Hill City Planning Commission (1984-1988)

Professionally I have been an executive in Silicon Valley technology companies for over 20 years
<http://www.linkedin.com/in/ericlanehr>

I moved to Atherton in 2001, from Pleasant Hill, CA.
My wife, Rena Lane, has lived here for ~25 years

2. Have you attended any meeting of the body on which you wish to serve?

Yes

No

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve? (Minutes and past agendas of Town bodies are available for review on the Town website at www.ci.atherton.ca.us and at Town Hall during normal business hours.)

Yes (2+ years)

No

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?

Yes

No

5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?

Yes

No

6. Vacancies occur periodically on Town commissions and committees. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this application?

No Yes, for (check as many as you wish):

Planning Commission

Park and Recreation Commission

General Plan Committee

Audit Committee

Arts Committee

Other:

FOR YOUR INFORMATION:

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Thank you for your interest in serving the Town of Atherton.

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Date: 16 March 2011

Name: Cary E Wiest

Address: [REDACTED]

Home Telephone: [REDACTED] Work Telephone: [REDACTED]

E-mail address (optional): [REDACTED]

Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

- Planning Commission
- General Plan Committee
- Audit Committee
- Park and Recreation Commission
- Arts Committee
- Other: _____

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1. Why do you want to serve on the body for which you are submitting your application? What particular skills, interest or experience would you bring to it if selected?

My 25 years of experience in residential and land real estate appraisal has given me a unique set of knowledge and skills, which are directly applicable to being an effective and contributing member of the Planning Commission. I am also experienced in presenting to a planning commission and understand the process as well as the information a planning commission

2. Have you attended any meeting of the body on which you wish to serve?

Yes No

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve? (Minutes and past agendas of Town bodies are available for review on the Town website at www.ci.atherton.ca.us and at Town Hall during normal business hours.)

Yes No

* seeks. I understand zoning and general plan concerns and know I can serve without bias on the Commission.

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?

Yes No

5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?

Yes No

6. Vacancies occur periodically on Town commissions and committees. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this application?

No Yes, for (check as many as you wish):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Audit Committee
- Arts Committee
- Other: _____

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Thank you for your interest in serving the Town of Atherton.

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Date: January 14, 2011

Name: Herman Christensen, Jr.

Address: _____

Home Telephone: _____ Work Telephone: _____

E-mail address (optional): _____

Are you registered to vote in the Town of Atherton? Yes X No _____

I am applying for a position on the (check one):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Planning Commission | <input type="checkbox"/> Park and Recreation Commission |
| <input type="checkbox"/> General Plan Committee | <input type="checkbox"/> Arts Committee |
| <input type="checkbox"/> Audit Committee | <input type="checkbox"/> Other: _____ |



TO THE APPLICANT:

This application form is intended to provide you with information about the body on which you would like to serve. The completed application will also help the interviewing Council Members learn more about you. In responding to the questions here, please feel free to use separate sheets of paper to expand on your answers if you wish to do so.

1. Why do you want to serve on the body for which you are submitting your application?
What particular skills, interest or experience would you bring to it if selected?

I would like to continue serving on the planning commission, contributing in a small way to the governance of the town. I bring to the commission a background in construction and development which has proved helpful in the last four years.

2. Have you attended any meeting of the body on which you wish to serve?

Yes No

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve?
(Minutes and past agendas of Town bodies are available for review on the Town website at www.ci.atherton.ca.us and at Town Hall during normal business hours.)

Yes No



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOHN H. DANIELSON, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF MAY 18, 2011

SUBJECT: MENLO-ATHERTON LITTLE LEAGUE PROPOSAL TO REBUILD THE BALLPARK AT HOLBROOK-PALMER PARK

RECOMMENDATION:

Discuss and provide direction on conceptually approving support of the Menlo Atherton Little League investment in rebuilding the ballpark at Holbrook-Palmer Park, and provide direction to the Planning Commission to work with the Menlo-Atherton Little League to develop.

BACKGROUND:

Menlo-Atherton Little League was established in 1949 and serves 480 families and 520 kids each year. 1/3 of those families are Atherton residents.

Menlo-Atherton Little League (MA-LL) is currently operating at Holbrook-Palmer Park under a lease with the Town dated July 19, 2000 and amended to extend the agreement to July 18, 2011, at which time it will expire unless renewed by Council approval.

Initial discussions of rebuilding the ballpark began approximately 9 months ago with the Atherton Dames, Felton Gables and other park neighbors, Atherton Mayor, Park & Recreation Commission, Planning Commission and the Atherton little league parents.

MA-LL is proposing a permanent back stop, seating, dugouts, scoreboard, complete overhaul of turf, drainage an irrigation system and ongoing care and maintenance. The outfield fence will be removed during the offseason so as not to interfere or disrupt other activities in the Park which include soccer and lacrosse. The total proposed capital project amounts to \$500,000 which is proposed to be paid through fundraising efforts by the MA-LL. This amount includes funding for tennis court resurfacing, park expansion and walkways to the field, storage for the DAMES

equipment, trees for sound reduction and additional park beautification as needed.

MA-LL presented their proposal to the Park & Recreation Commission at a special meeting on April 6, 2001. Although the Park & Recreation unanimously supported the proposal, there was concern with additional parking and possible trees in the outfield section of the plan. It is understood there is a long way to go prior to this conceptual plan becoming reality including lots of public outreach to Atherton residents as well as the Felton Gables neighbors.

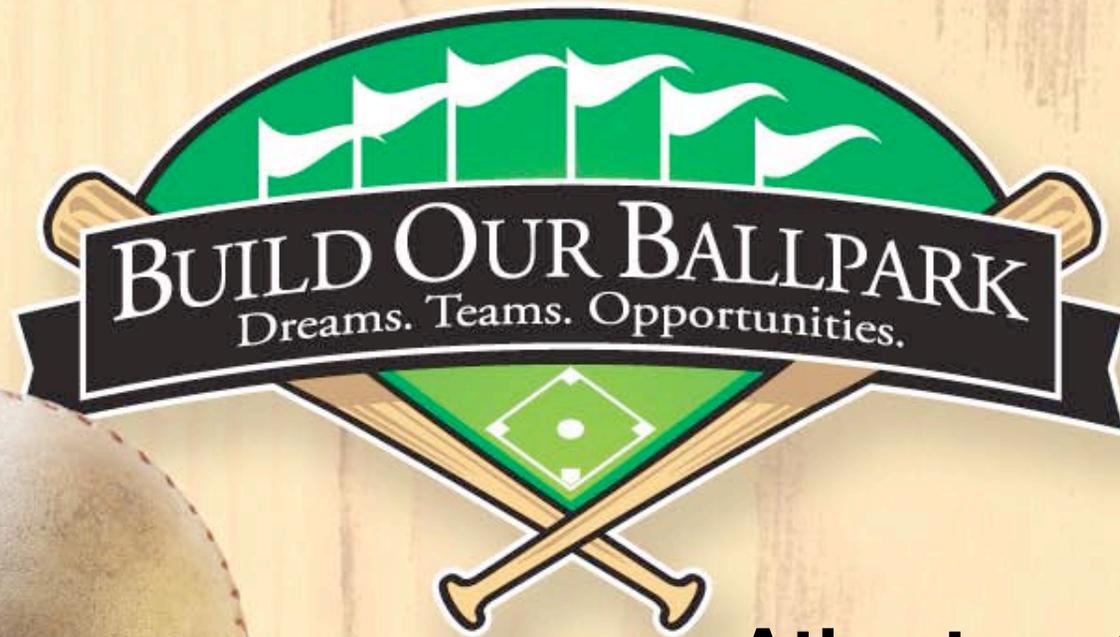
If Council supports the proposal, MA-LL's construction team will work with the Planning Commission and the Tree Committee to develop a final set of plans and details to bring back to Council for final approval.

FISCAL IMPACT:

Staff time associated with finalizing plans.



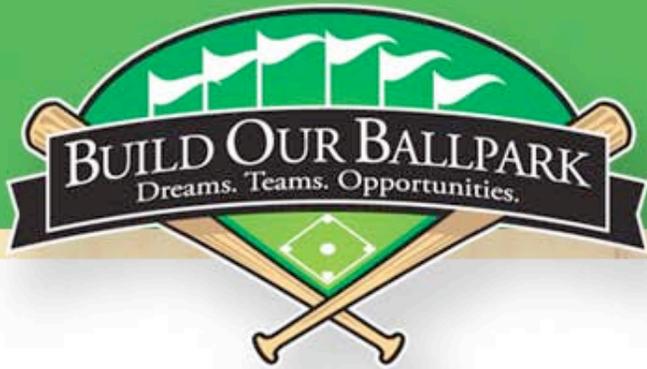
**Help us build
a dream.**



**Atherton, California
Presentation**

April 6, 2011

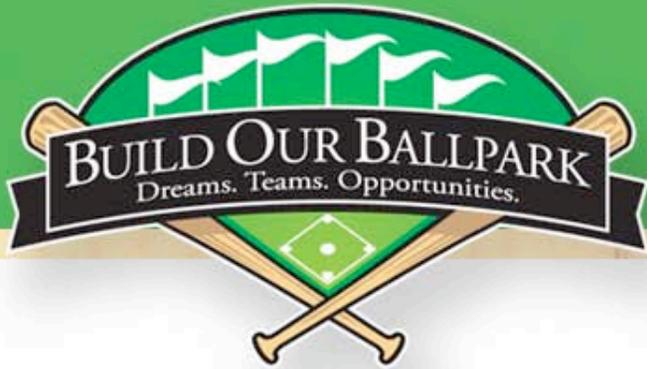
www.BuildOurBallpark.org



MA Little League Background

- Established in 1949
- Serving 480 families & 520 kids each year
- 1/3 of families are Atherton residents
- Have finished rebuilding four ballpark complexes in Menlo Park
- Recognized by Positive Coaching Alliance (PCA)

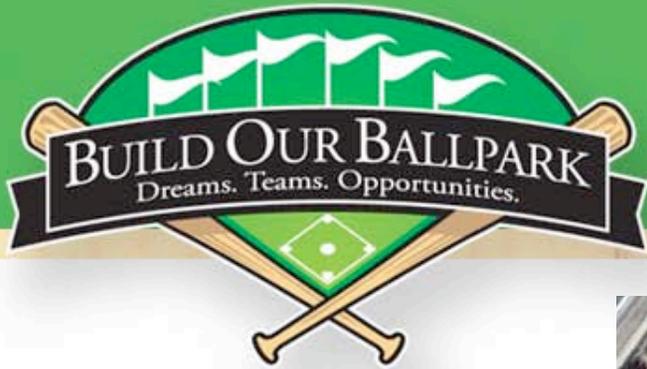
www.BuildOurBallpark.org



Holbrook Palmer Park Ballpark

- First built in 2000
- Initial discussions in 2000 not well “partnered” with Park & Recreation Commission
- Have invested over \$400,000 in the facility since it’s inception
- Currently operating under a one year extension with the City of Atherton
- Current field is the site of AAA (minors) division

www.BuildOurBallpark.org



The current field is the poorest quality & least safe in the MA-LL field rotation



www.BuildOurBallpark.org



MA-LL & Atherton Partnership

- Initial discussions began 9 months ago
- “Listening Tour” Approach:
 - Atherton Dames
 - Felton Gables & other park neighbors
 - Atherton Mayor
 - Park & Rec Commissioners
 - Planning Commission
 - Atherton Little League parents
- Needs at Holbrook Palmer ballpark are a subset of the park’s larger capital needs
- Durable & enduring solution is needed
- World class facility befitting of Atherton & consistent with other park projects (i.e. Library)

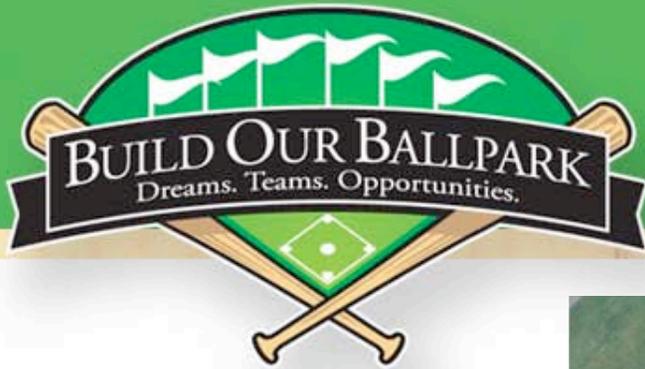
www.BuildOurBallpark.org



MA-LL Holbrook Palmer Park Proposal

- \$500,000 capital project
- Permanent back stop, seating, dugouts, scoreboard
- Victorian-style grandstand
- Complete overhaul of turf, drainage & irrigation
- On-going commitment for care & maintenance
- **AND funding for:**
 - Tennis court resurfacing
 - Parking expansion and walkways to field
 - Storage for DAMES equipment
 - Trees for sound reduction
 - Funds for on-going maintenance & care
 - Additional park beautification

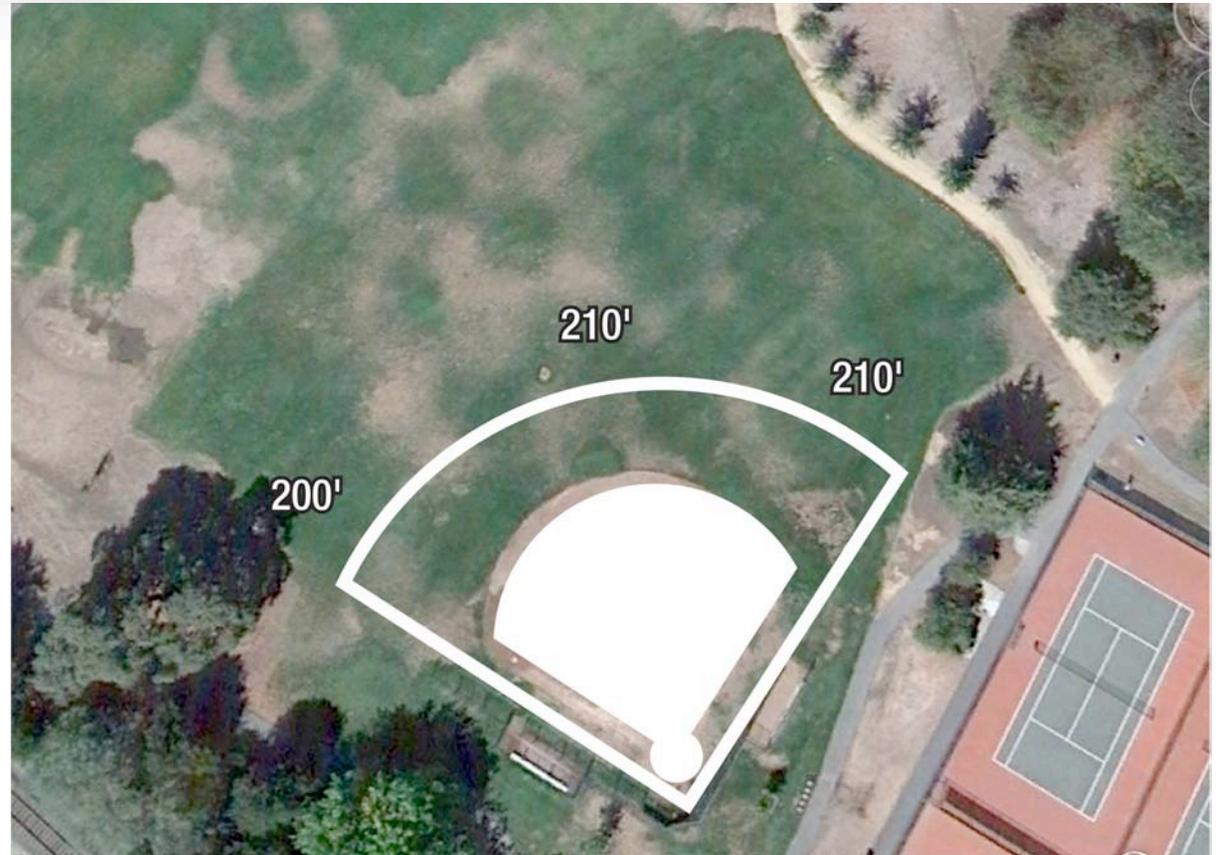
www.BuildOurBallpark.org

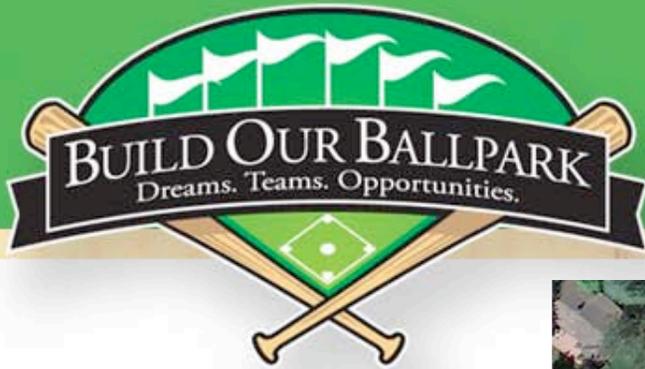


**PROPOSED
OUTFIELD
FENCE
DIMENSION
OVERLAY**

**BASEBALL DIAMOND AND
OUTFIELD FENCES ARE TO
LITTLE LEAGUE SPECS**

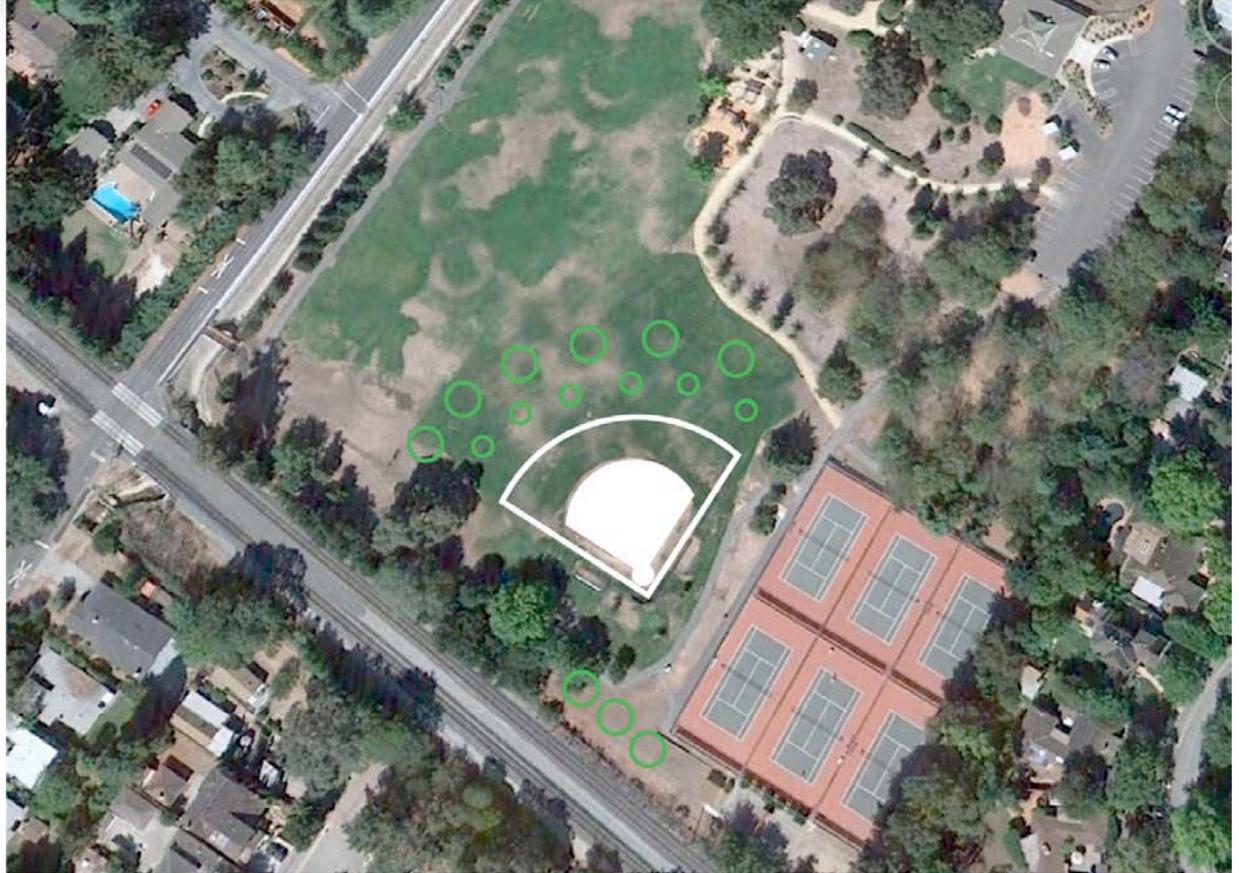
**MOVEABLE OUTFIELD
FENCE INSIDE OF
CURRENT FENCING**



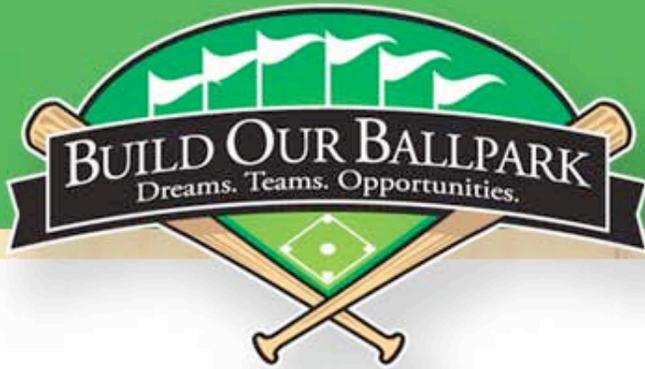


SITE SUGGESTION

- GREEN CIRCLES DENOTE AREAS OF NEW TREE PLANTINGS TO OBSCURE VIEW AND NOISE
- PARTNER WITH TREE COMMITTEE ON PLANNING



www.BuildOurBallpark.org



PROPOSED SCOREBOARD

REMOTE CONTROLLED
LIGHTED SCOREBOARD

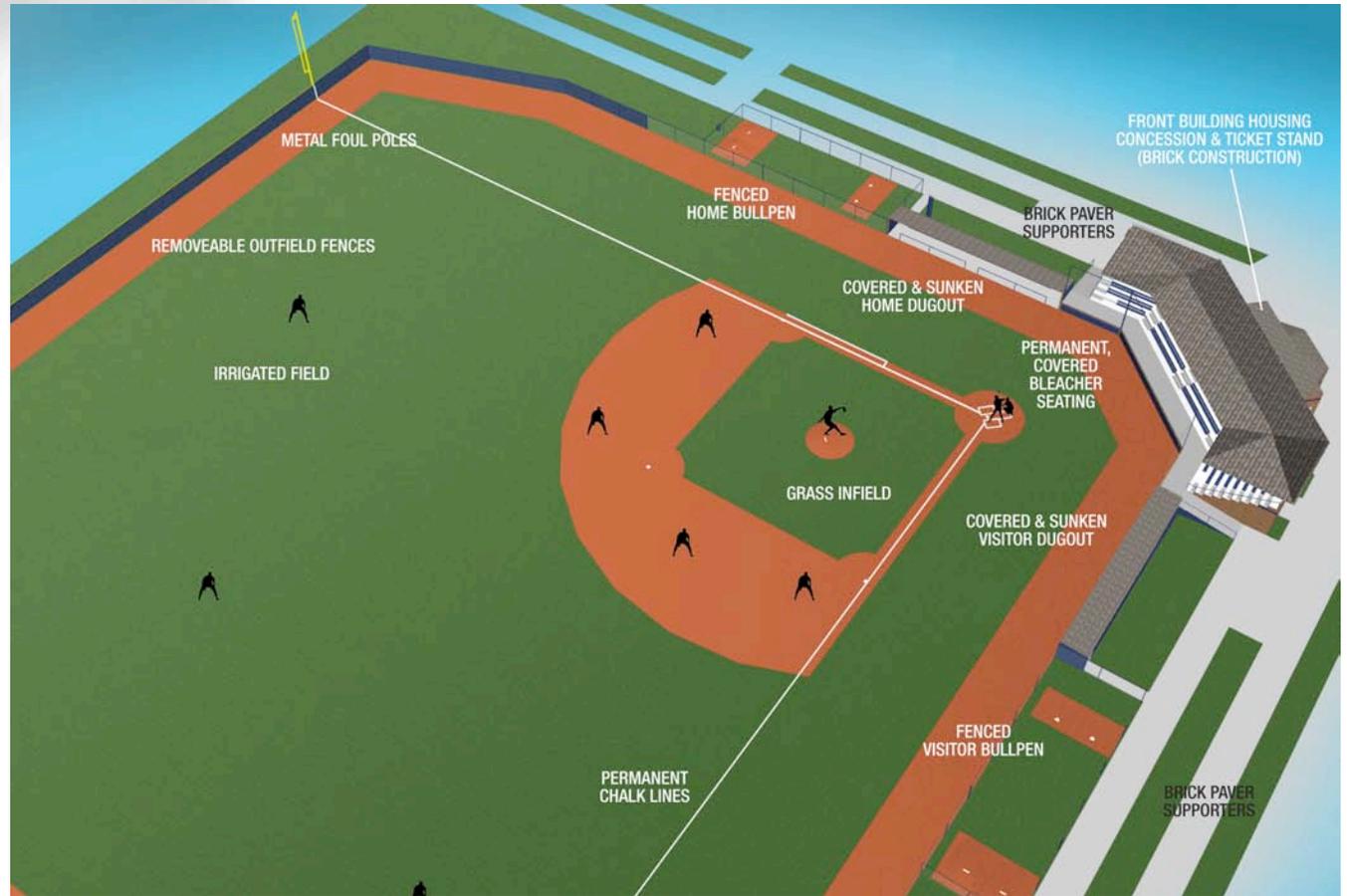
LOGOS AND MESSAGES
CAN BE CUSTOMIZED



www.BuildOurBallpark.org



**ARTIST
RENDERING
AERIAL VIEW**

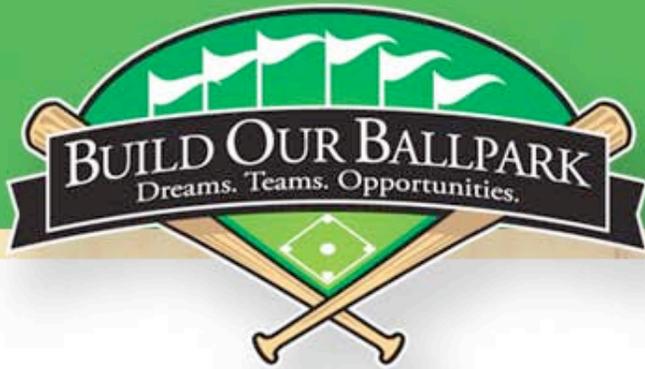


www.BuildOurBallpark.org



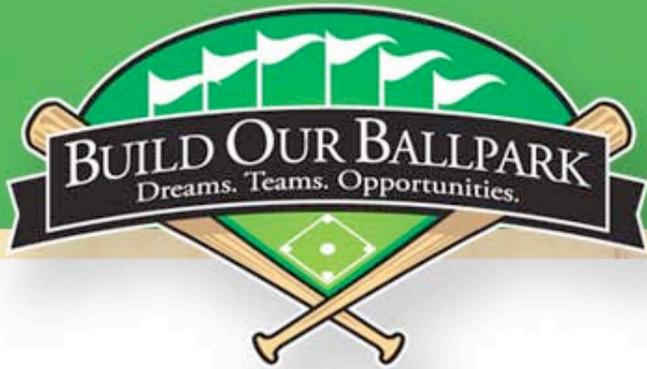
**ARTIST
RENDERING
BLEACHER
VIEW**





Holbrook Palmer Ballpark Project – Construction Projections

Description of work	Estimate	% of Budget
Field - Scrape, compact & prep	\$25,000	4.36%
Irrigations (new irrigations & sprinkler system)	\$20,000	3.48%
Top soil & sod & infield clay mix	\$35,000	6.10%
Backstop & foundation	\$12,000	2.09%
Fencing	\$35,000	6.10%
New bases, pitching rubber, plate anchors & foundations	\$7,000	1.22%
Dugouts (either flat or sunken)	\$15,000	2.61%
Scorers booth, snack shack, storage facility	\$60,000	10.45%
Bathrooms	\$45,000	7.84%
Scoreboard	\$10,000	1.74%
Pavers	\$25,000	4.36%
Permits	\$10,000	1.74%
Water fountains x 4	\$5,000	0.87%
Plans	\$10,000	1.74%
Misc (signs, etc.)	\$25,000	4.36%
Ongoing field fund	\$30,000	5.23%
Park beautification allocation	\$50,000	8.71%
Tennis Court (7-10k/court)	\$75,000	13.07%
Extended Parking Lot	\$50,000	8.71%
Total Estimated Budget	\$499,000	
Fund Raising Goal	\$500,000	



Next Steps

- Park & Rec Commission vote of support to Town Council
- Proposal for authorization to Town Council
- Complete fundraising
- Detailed plans developed with:
 - Planning Commission
 - Tree Committee
 - MA-LL Construction team
- Estimated construction time: 4 months

www.BuildOurBallpark.org



THANK YOU
for your time.

On behalf of our kids –
“You’ve got the ball!”



**Help us build
a dream.**



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
CITY MANAGER**

FROM: DENNIS LOCKARD, INTERIM BUILDING OFFICIAL

DATE: FOR THE MEETING OF May 18, 2011

**SUBJECT: PROGRESS REPORT ON CONSTRUCTION, 297 POLHEMUS,
ATHERTON**

RECOMMENDATION

Receive and file the report

REPORT

At the City Council meeting of January 19, 2011 the City Council granted a delay in the collection of the required deposit of \$30,000 and levy of fines for a construction project that has been underway for over 36 months in violation of 15.40.180 of the Atherton Municipal Code. On January 26, 2011 the property owner was notified of the extension and the conditions of the actions by the City Council. That letter is attached. Part of the City Council's action included a requirement for the property owner to provide a list of tasks needed to complete the project and a timeline for those tasks that will complete the project on or before June 30, 2011. That updated timeline has been provided and is attached for review.

On May 10, 2011 I visited the site and found work in progress toward completion of the project. That progress includes:

- Approximately 80% of the finished flooring on the first floor has been completed
- All drywall has been installed taped and finished. Workers were providing final touches on wall in preparation for painting
- Garage doors have been installed
- The main electrical service has been inspected and approved for the installation of the electric meter.

At the time of inspection several items we identified to the property owner for review and correction. Mr. Massihpour was advised and will be working with his contractors to correct the items and complete the project.

CONCLUSION

Staff recommends that the City Council continues the actions of January 16, 2011

FISCAL IMPACT

None

Prepared by:

Approved by:

Dennis Lockard
Interim Building Official

John P. Danielson
Interim City Manager

Attachments:

Progress Report by Property Owner 4-12-2011

297 Polhemus, Atherton *MAY 10, 2011*
Revised Construction Schedule as of April 19, 2011

Activity	Percentage Completed	Estimated Date of Completion
Rough Framing - Pick-up Work	100%	Complete
Framing Inspection		Approved 3/3/2011
Radiant Floor Heating	95%	6/10/2011
Radiant Floor Heating - Inspection		6/15/2011
Stucco Finish Coat	100%	Complete
Automatic Fire Sprinkler Piping	95%	6/10/2011
Final Inspection Menlo Fire Protection District		6/15/2011
Installation of Interior Doors (Frames)	100%	Complete
Building Insulation	100%	Complete
Drywall Hanging	100%	Complete
Drywall Inspection		4/13/2011
Drywall Tape and Texture	85% <i>100%</i>	5/6/2011
Standing Seem Metal Roofing	100%	Complete
Bathrooms - Ceramic Tile, Tubs	70% <i>90%</i>	5/13/2011 <i>5/22/11</i>
Kitchen Casework	85%	5/13/2011 <i>5/22/11</i>
Counter Tops	85%	5/20/2011 <i>5/29/11</i>
Front Fence and Gate	90%	5/27/2011
Driveway Pavers (In Front of Garage)	100%	Complete
Garage Doors Installation	<i>100%</i>	4/25/2011
Front Doors Installation		5/20/2011
Interior Paint Garage & Guest House	100%	Complete
Electric Trim Garage & Guest House	90% <i>100%</i>	5/1/2011
Finish Plumbing Garage & Guest House	90%	5/1/2011
Flooring Guest House	100%	Complete
Interior Paint Main House	<i>20%</i>	6/10/2011
Electric Trim Main House	<i>25%</i>	6/17/2011
Finish Plumbing Main House		6/17/2011
Flooring Main House	10% <i>50%</i>	6/10/2011
Completion of Grading and Drainage	95%	6/10/2011
Final Inspection and Occupancy		6/20/2011

Item 19

May 18, 2011
Written Council Report
Vice Mayor Widmer

On Thursday, 21 April I attended the Board meeting for the Peninsula Traffic Congestion Relief Alliance. In the meeting, the Strategic Plan of the group was reviewed and discussed. Of key interests was the initiation of new short haul, on-call shuttles which will operate from the trains station to the retail centers, medical complexes and major businesses. This operation is in place today in San Mateo and is now being 'piloted' in Redwood City. This work dovetails with similar work/live projects and the efforts of HEART which helps lower income families find housing near the workplace and within a short distance to mass transit.

Other items of interest from this meeting was that I took the opportunity to meet with the Council members of Foster City, Burlingame, and East Palo Alto and discuss the SBWMA board and the Recology contracts. Each of these city's indicated a willingness to support a resolution to allow each City/Town to appoint a resident or staff member of its choosing to the SBWMA Board as there was uniform concern on the contracts and the management of Waste Authority.

The next meeting is in June where the group's budget will be reviewed and potentially approved.

Other meetings the undersigned participated in were primarily associated with Recology and the SBWMA. The key results of these meetings is highlighted in the presentations to Council associated with the Rate Hearing.

ITEM 19

Council Comments – May 2011 – Jerry Carlson

City/County Association of Governments meeting

The C/CAG Legislative Committee meets for an hour before the board meeting. Their Sacramento lobbyist Advocacy provided their update on bills they are following for C/CAG, and an update on the State budget situation.

C/CAG's Annual Report includes a recap of the scope of projects it has been tasked with by the County. The organization serves San Mateo County as the official Congestion Management Agency, Airport Land Use Commission, Solid Waste Local Task Force and Countywide forum for common issues. It currently oversees six programs including Traffic Congestion Management, Storm Water Pollution Management; Transportation for Clean Air; Abandon Vehicle Abatement; Airport Land Use; and Climate Protection.

The cornerstone projects under these programs include:

1. Smart Corridors Phased One Project is under construction. It provides real-time management tools and cross jurisdictional communication.
2. Updating Countywide Transportation Plan that sets out the county's vision on transportation for the next 25 years.
3. Initiation of county's Safe Routes to School program.
4. Oversees the county's Energy Watch.
5. Develops the implementation of Measure M, the \$10 Motor Vehicle Fee to improve local streets and roads in the county.

Member agencies, including Atherton, provide 6% of the total \$31,761.119 total C/CAG funds, thus each dollar we pay in is leveraged 15.6 times that allows taking on projects that couldn't be accomplished independently.

High Speed Rail

The press conference by Congresswoman Eshoo, Senator Simitian and Assemblyman Gordon, held in Menlo Park called for HSR and Caltrain to blend their system plans to use only two tracks within the existing right-of-way, using only two tracks either staying at or below grade i.e. no aerial structure.. In addition, the Authority was asked to only have their Project EIR cover the blended system and exclude the full build out envisioned by the project.

There have been a number of meetings/hearings by the legislature and the Authority concerning the above plan. The Peer Review Committee and the Legislative Analyst Office have produced reports and the HSR budget for next year is still being debated.

There are a number of bills that have been introduced in the legislature concerning HSR. I've spent time testifying both at the Senate and Assembly Transportation Committee meetings regarding bills that Atherton has sponsored through its legislative advocate Ravi Metha.

Some of the current key issues concern what staffing level the Authority may be funded for next year; whether the Authority can prevail upon the Federal Railway Administration to be more flexible in its funding deadlines and route selection; meeting the October deadline for a new Business Plan

and Ridership forecast, financing plan etc; and whether the project should be placed under another agency such as Caltrans.

Council of Cities met in Woodside where the speakers spoke about the Underground Economy. Dave Fogt of the CA Contractors State License Board and Nora Dahl of the EDD estimated \$6.5 billion annually in unreported wage income as an example of the total \$60 - \$140 billion estimate of the total unofficial business transactions that are taking place annually in the state.

ABAG and MTC introduced their “Bay Area Plan Initial Vision Scenario Overview for Public Discussion:”, at the April C/CAG board meeting. In response to Senate Bill 375 the Bay Area must produce a 25 year plan that integrates land-use and transportation planning that will be sufficient to house all of the region’s population and reduce per capita greenhouse-gas emissions from cars and light trucks. Neal Martin sent Council members a memorandum summarizing his analysis and recommendation for Atherton.

Park Foundation Annual Meeting

The Foundation has taken a significant step in changing its meeting time from 4:00pm to 6:30pm and to again meet on the first Monday of each month. The board hopes the later meeting time will cause some of our younger residents to consider joining the board since it will conflict less with working hours.

The passing of San Carlos Mayor Omar Ahmad was a huge shock. We had planned to meet again to talk further about sub contracting and other areas of mutual interest. He was serving as Sam Trans representative on the JPB (Caltrain) as one of the three representatives from our county. Omar was always enthusiastic and responsive and his active participation in regional matters will be greatly missed.

ITEM 20

COLLEAGUES' MEMORANDUM #1

Date: For the meeting of May 18, 2011

TO: City Council

FROM: Vice Mayor Widmer and Council Member McKeithen

Subject: Anonymous Donations

Suggest passing a resolution to require specific donations made to the Town's Police Department to be made anonymously, through the City Manager or City Attorney's office.

As you know, over my short tenure on the Council, there have been several donations (one very significant) to our Police Department. While welcome, there have been citizen concerns over these donations with the thought that they may result in favoritism. This proposal, if enacted, would address these concerns while still allowing for the donations. The proposed recommendation is for donations to the Police Department are made only through the City Manager/City Attorney's office, and s/he would present them anonymously. Additionally, it is proposed that whilst donations could be specifically designated to a department, the City Manager and the Department head should agree on the need and final application of the grant (within the designated department) so areas of most need are addressed vs. some other favorite area. While this proposal could easily be extended to the whole City, it is recommended that, at this point, we limit these restrictions to donations for the Police Department due to the specific role that department plays and with consideration that further limitations could impact our New Town Center fund raising initiative.

COLLEAGUES' MEMORANDUM #2

Date: For the meeting of May 18, 2011

TO: City Council

FROM: Vice Mayor Widmer and Council Member McKeithen

Subject: Ethics Oversight Board

Suggest requesting Staff to come back with a recommendation on an Ethics/Oversight Board for the Town.

Potentially citizens feel wronged about an action taken by the City or an inter-action taken by an employee of the Town. Often there is not an impartial group to consider if the employee acted appropriately or if the Town itself acted within its stated ethics/ordinances/laws. This leaves the citizen with little or no recourse other than to take legal action or initiate communications which could be detrimental to the efficient and effective workings of the Town.

As such an Ethics/Oversight Board consisting of a Council Member, a citizen (Judge of Lawyer only) and the HR manager for the Town (or City Manager if none exist) would hear and confidentially investigate these claims and report its findings for resolution. Of course the first task of this group would be to draft its ethics/conduct policy.

If agreed, it is suggested that our City Manager and City Attorney investigate this idea and, within 60 days, return to Council its recommendations based upon other communities experience with similar groups as well as a resolution for formal Council vote.