



AGENDA
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT

April 17, 2002

7:00 p.m.

TOWN COUNCIL CHAMBERS

94 Ashfield Road
Atherton, California

REGULAR MEETING

- 7:00 P.M. 1. **PLEDGE OF ALLEGIANCE**
- 7:03 P.M. 2. **ROLL CALL** McKeithen, Janz, Carlson, Fisher, Conwell
- 7:05 P.M. 3. **PRESENTATIONS**
- A. Certificates of Appreciation for outgoing Commission and Committee members:
- | | |
|-------------------|------------------------|
| Shirley Carlson | General Plan Committee |
| Ron Fick | Audit Committee |
| Kathleen Balestra | Arts Committee |
| Joanne Baciocco | Arts Committee |
- B. Proclamation recognizing Howard (Sandy) Crittenden for his participation in the AIDS/LifeCycle bicycle ride.
- 7:15 P.M. 4. **COUNCIL REPORTS**
- 7:25 P.M. 5. **PUBLIC COMMENTS** (only for items which are not on the agenda – limit of three minutes per person)
- 7:35 P.M. 6. **STAFF REPORTS**
- 7:45 P.M. 7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** (Directed by Resolution No. 99-6)
- Friends of the Atherton Library
- 8:00 P.M. **CONSENT CALENDAR** (Items 8 - 15)

8. **APPROVAL OF MINUTES OF SPECIAL AND REGULAR MEETINGS OF MARCH 20, 2002**
9. **APPROVAL OF BILLS AND CLAIMS FOR MARCH 1, 2002 THROUGH MARCH 25, 2002 IN THE AMOUNT OF \$629,258**
10. **ACCEPTANCE OF MONTHLY FINANCIAL REPORT FOR MARCH 2002**
11. **APPROVAL OF AGREEMENT FOR STORMWATER POLLUTION PREVENTION PROGRAM SERVICES**

Recommendation: Approve the agreement between the Town of Atherton and County of San Mateo for Stormwater Pollution Prevention Services.

12. **ADOPTION OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE TOWN OF ATHERTON**

Recommendation: Adopt Ordinance No. ___ authorizing an amendment to the contract between the Board of Administration of the California Public Employees' Retirement System and the Town of Atherton, and waive second reading.

13. **ADOPTION OF AN ORDINANCE AMENDING ATHERTON MUNICIPAL CODE SECTION 6.04.040 TO PROVIDE FOR THREE YEAR LICENSES FOR DOGS**

Recommendation: Adopt Ordinance No. ___ amending Atherton Municipal Code Section 6.04.040 to provide for three year licenses for dogs, and waive second reading.

14. **APPROVAL OF AN AGREEMENT BETWEEN THE TOWN OF ATHERTON AND WEST BAY SANITARY DISTRICT FOR MIDDLEFIELD ROAD PAVEMENT AND STORM DRAINAGE IMPROVEMENTS RAISING THE SANITARY MANHOLE COVERS TO GRADE**

Recommendation: Approve the agreement with West Bay Sanitary District for the Middlefield Road project, raising the sanitary manhole covers to grade.

15. **APPROVAL OF PLANS AND SPECIFICATIONS FOR REPAIR OF WATER TOWER**

Recommendation: Approve the plans and specifications for the repair of the Water Tower structure in Holbrook-Palmer Park.

PUBLIC HEARING

8:05 P.M. 16. TENTATIVE PARCEL MAP – 291 STOCKBRIDGE AVENUE

Recommendation: Open public hearing, hear testimony, close public hearing. Approve the Tentative Parcel Map allowing the subdivision of one parcel into two parcels and designate the west property line as the front property line for Parcel A, based on the findings and for the reasons incorporated in the Staff Report.

REGULAR AGENDA (Items 17 - 23)

~~**15. ADOPTION OF RESOLUTION NO. 01___, INTENT TO ABANDON PORTION OF McCORMICK LANE**~~

~~**16. ADOPTION OF RESOLUTION NO. 01___, INTENT TO ABANDON PORTION OF FAXON ROAD**~~

8:15 P.M. 17. APPOINTMENT OF GENERAL PLAN COMMITTEE AND AUDIT COMMITTEE MEMBERS

Recommendation: Approve the recommendation of the Screening Committee to appoint Vivian Kral to a two-year term on the General Plan Committee, and Robert Jenkins to a three-year term on the Audit Committee.

8:25 P.M. 18. RESOLUTION OF INTENTION TO CONSIDER VACATING A PORTION OF MCCORMICK LANE RIGHT-OF-WAY, WITH RESERVATIONS OF EASEMENTS FOR BICYCLES, PEDESTRIANS, PUBLIC UTILITIES AND SANITARY SEWER, AND SETTING A PUBLIC HEARING FOR JUNE 19, 2002

Recommendation: Adopt a resolution stating intent to consider the vacation of a portion of McCormick Lane right-of-way and set a public hearing for June 19, 2002.

8:40 P.M. 19. DISCUSSION AND POSSIBLE ACTION – RESIDENT PARTICIPATION/ADVISORY STATUS TO CITY COUNCIL COMMITTEES

Recommendation: Discuss and consider the possible addition of resident members to current Council sub-committees.

9:00 P.M. 20. DISCUSSION AND POSSIBLE ACTION – SCOPE OF THE ATHERTON CHANNEL DRAINAGE DISTRICT COMMITTEE AND

MEMBERSHIP OF THE CHANNEL DRAINAGE DISTRICT COMMITTEE AND THE TRANSPORTATION COMMITTEE

Recommendation: Discuss and possibly take action regarding the appointment of residents to certain City Council sub-committees including the Atherton Channel Drainage District Committee and Transportation Committee. Consider the possible expansion of the scope of the Atherton Channel Drainage District Committee.

- 9:20 P.M. 21. ACCEPT RECOMMENDATION OF THE TRANSPORTATION COMMITTEE TO EXPAND SCOPE OF THE MIDDLEFIELD ROAD IMPROVEMENTS AND SET A DATE FOR A SPECIAL MEETING OF THE CITY COUNCIL TO APPROVE BIDS AND SPECIFICATIONS FOR THE PROJECT EXTENSION**

Recommendation: Accept the recommendation of the Transportation Committee to extend the Middlefield Road project north of Fair Oaks to the Town limits, and set a date for approval of the bids.

- 9:25 P.M. 22. DISCUSSION AND POSSIBLE ACTION – REVIEW OF CITY COUNCIL RULES OF PROCEDURE**

Recommendation: Review and consider adoption of the updated City Council Rules of Procedure.

- 9:45 P.M. 23. APPOINTMENT OF A REPRESENTATIVE FROM THE CITY COUNCIL TO ATTEND AND VOTE AT A CITY SELECTION COMMITTEE SPECIAL MEETING TO BE HELD APRIL 26, 2002**

Recommendation: Appoint a City Council Member to attend the San Mateo County City Selection Committee meeting and authorize said Council Member to vote for city representatives to certain County commissions.

- 10:00 P.M. 24. PUBLIC COMMENTS**

- 10:15 P.M. 25. ADJOURN**

Agendas and staff reports may be accessed on the Town website at: www.ci.atherton.ca.us

☛ Please contact the City Clerk's Office at 650.752.0529 with any questions

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the City Clerk's Office at (650) 752-0529. 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)

**PROCLAMATION
IN RECOGNITION OF**

**HOWARD (SANDY) CRITTENDEN
AIDS/LifeCycle Bike Ride MAY 13, 2002**

WHEREAS, the Town of Atherton wishes to recognize resident Howard (Sandy) Crittenden, who will participate in the AIDS/LifeCycle on May 13, 2002, a 600 mile bicycle ride from San Francisco to Los Angeles which will raise money for the San Francisco AIDS Foundation; and

WHEREAS, Sandy is a member of the Menlo Park Rotary whose theme for this year is AIDS awareness; and

WHEREAS, funds raised from the AIDS/LifeCycle will support AIDS Foundation programs including an HIV hotline, Women and Family Services, Federal advocacy efforts, and Housing Programs for people living with HIV/AIDS; and

WHEREAS, a pledge for Sandy's ride will also be a pledge to help those people in our community suffering from AIDS; and

WHEREAS, Sandy has put in much time and effort by beginning his official training on January 1st, and by personally committing to raise \$5,000 to help support AIDS Foundation programs.

NOW, THEREFORE, as Mayor of the Town of Atherton, and on behalf of the community, I hereby recognize Howard (Sandy) Crittenden for his efforts to bring more awareness to AIDS by joining 2500 other cyclists on the first AIDS/LifeCycle.

IN WITNESS WHEREOF, I have hereunto set my hand and caused
the seal of the Town of Atherton to be affixed this 17th day of
April, 2002.

Alan B. Carlson, Mayor



Draft Minutes
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT
March 20, 2002
6:00 P.M.
Meeting Room
Town Administrative Offices
91 Ashfield Road, Atherton
Special Meeting

Mayor Carlson called the meeting to order at 6:00 p.m.

1. **ROLL CALL** McKeithen, Janz, Carlson, Fisher, Conwell

2. **PUBLIC COMMENTS**

There were no comments.

3. **CLOSED SESSION**

The Council adjourned to closed session at 6:05 p.m. to discuss the following:

A. **CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation**
pursuant to Government Code Section 54956.9(b): Two potential cases.

B. **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation**
pursuant to Government Code Section 54956.9 (a)

Stephen Chaput v. Town of Atherton
Patrick McTaggart v. Town of Atherton

C. **LIABILITY CLAIM – pursuant to Government Code Section 54956.95**

Claimant: Lindsay Marie Petrone
Agency claimed against: Town of Atherton

4. **RECONVENE TO OPEN SESSION**

The following action was taken:

A. **Directions were given to Legal Counsel.**

B. **Directions were given to Legal Counsel.**

C. Directions were given to Legal Counsel.

5. ADJOURN

The meeting adjourned at 6:55 p.m.

Respectfully submitted,

Alan B. Carlson, Mayor



Draft Minutes
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT

March 20, 2002

7:00 p.m.

TOWN COUNCIL CHAMBERS

94 Ashfield Road
Atherton, California

REGULAR MEETING

Mayor Carlson called the meeting to order at 7:03 p.m.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

PRESENT: Kathy McKeithen
James R. Janz
Alan B. Carlson
Dianne M. Fisher
William R. Conwell

City Manager Jim Robinson and City Attorney Marc Hynes were also present.

3. PRESENTATIONS

A. National Public Safety Dispatcher Week - April 14 - 20, 2002

Atherton Police Department Senior Dispatcher, Priscella O'Shea, accepted a proclamation from the Mayor designating April 14 - 20 as National Safety Dispatcher Week.

B. Arbor Day Proclamation - April 20, 2002

Mayor Carlson presented a proclamation in recognition of Arbor Day to Tree Committee Member Shirley Carlson. The Atherton Tree Committee will plant trees at the Arbor Day celebration on Saturday, April 20 at 9:00 a.m. Volunteers will meet in the Sacred Heart School parking lot.

4. COUNCIL REPORTS

- Council Member Conwell reported on the CCAG annual retreat held last week. Measure A, which comes up for renewal in 2008, was a topic of discussion. He attended the Criminal Justice Commission meeting today where Commission

sponsored youth groups were recognized. The Commission is looking for volunteer mentors for local youth. The Airport Roundtable met this week. Efforts by local leaders, including Council Member Fisher and Bob Huber, to resolve the issue of airplane noise were recognized.

- Council Member Fisher submitted a letter to the Council announcing that she will not seek reelection in November. She reported on the Library JPA meeting. The Town has been asked to go on record urging State Assembly and Senate Budget Subcommittees to reject the Governor's proposed funding cuts for libraries. The Buildings and Facilities Committee is planning to meet next month.
- Vice Mayor Janz will attend an executive board meeting of ABAG March 21. Items on the agenda include updates on new stormwater runoff regulations, and setting public workshops on regional growth. ABAG's annual assembly will be held April 25 in San Francisco. Atherton's annual contribution to ABAG next year will increase from \$1340 to \$1356. Vice Mayor Janz, City Manager Jim Robinson, and City Planner Neal Martin met recently with representatives of the State Department of Housing and Community Development on the Town's housing element certification.
- Council Member McKeithen reported on the first meeting of the Atherton Channel Drainage District Committee held on March 14. The Committee discussed the history of the channel and reviewed early funding of improvements to the project. The City Manager and Public Works Director will work with Cal-Trans and other neighboring agencies on finding solutions to flooding problems on El Camino Real. The next Committee meeting will be April 15, at 8:00 a.m. The City Manager has been asked to include on the April 17 Council agenda an item on clarification of the role of the Atherton Channel Drainage District Committee and on public membership. The Finance Director will provide the Committee with a clarification of revenues currently coming into the Drainage District. On April 15 the General Plan Committee will discuss amendments to the Municipal Code relating to Heritage trees. A Valparaiso Corridor Study public meeting will be held on April 10. The Transportation Committee will meet April 9 to discuss street striping and the Middlefield – Oak Grove traffic issue.
- Mayor Carlson announced that the Council has been invited by the Mayor of Palo Alto to attend the Palo Alto State of the City address on April 3, 2002. On March 6 the Audit Committee met with Town auditors and received a report on controls that have been implemented in the Finance Department. On March 12 the Finance Committee met and discussed with staff the Committee's proposal to do long range financial planning for the Town. Staff will provide the Committee with a three year projection of revenues along with a proposal for funding necessary to keep the Police Department fully staffed. The next Finance Committee meeting will be held on April 9 at 8:30 a.m. Mayor Carlson attended the March 4th monthly meeting of the Holbrook Palmer Park Foundation, where improvements to the Water Tower were discussed.

5. PUBLIC COMMENTS

- **Bob Simonds, 26 Wilburn Avenue, asked that Item 21 on the regular agenda be moved up on the agenda.**
- **Jack Doran, 218 Oak Grove Avenue, on his request for Council to reconsider reflector removal. His letter will be agendized for the next Transportation Committee meeting on April 9.**
- **Jerry Carlson, 95 Mount Vernon, commented on the benefits of having qualified Atherton residents serve on the Audit Committee and complimented the Finance staff on the mid year budget review.**

6. STAFF REPORTS

- **City Manager Jim Robinson - Holbrook-Palmer Park surveys are due March 22, any resident who has not received a copy may contact Town staff. The second Valparaiso Corridor Study meeting will be held on April 10 at Sacred Heart School. The General Plan Committee meeting has been rescheduled to April 15. He answered questions regarding warrants on tonight's consent agenda.**
- **City Attorney Marc Hynes reported out of the closed session:**

D. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation pursuant to Government Code Section 54956.9(b): Two potential cases.

Direction was given to Legal Counsel.

E. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation pursuant to Government Code Section 54956.9 (a)

**Stephen Chaput v. Town of Atherton
Patrick McTaggart v. Town of Atherton**

Direction was given to Legal Counsel.

F. LIABILITY CLAIM – pursuant to Government Code Section 54956.95

**Claimant: Lindsay Marie Petrone
Agency claimed against: Town of Atherton**

Direction was given to Legal Counsel.

- **City Clerk Sharon Barker - March 22 is the deadline for accepting applications for the openings on the General Plan Committee, Audit Committee, and Arts Committee.**
- **Police Chief Robert Brennan - A new resident handbook is being prepared, the new publication will be out next month. The Police Department recently produced a recruitment brochure. Chief Brennan attended the Annual Law Enforcement Legislation meeting in Sacramento today.**

7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT

Fran Eastman, Atherton Arts Committee Chair, gave a report on upcoming programs and events.

CONSENT CALENDAR

MOTION - approve the Consent Agenda with the exception of Item No. 11, which will be placed on the regular agenda.

M/S McKeithen/Fisher

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

8. APPROVED MINUTES OF SPECIAL MEETINGS OF FEBRUARY 13, 2002 AND MARCH 6, 2002, AND REGULAR MEETING OF FEBRUARY 13, 2002

11. APPROVED BILLS AND CLAIMS FOR FEBRUARY 8, 2002 THROUGH FEBRUARY 22, 2002 IN THE AMOUNT OF \$528,245.67

12. ACCEPTED MONTHLY FINANCIAL REPORT FOR FEBRUARY 2002

12. ACCEPTED STATE ALLOCATION FOR UPGRADE TO 911 SYSTEM EQUIPMENT IN THE AMOUNT OF \$72,800

13. AUTHORIZED THE GENERAL PLAN COMMITTEE TO ADDRESS BUILDING SETBACKS IN R-1B (RESIDENTIAL DISTRICT) ZONE

14. AUTHORIZED MAYOR TO SIGN LETTERS ON BEHALF OF THE CITY COUNCIL URGING MEMBERS OF THE SENATE AND ASSEMBLY BUDGET SUBCOMMITTEES TO REJECT THE GOVERNOR'S PROPOSAL TO CUT LIBRARY FUNDING BY \$11.1 MILLION.

REGULAR AGENDA

The following items were addressed out of order.

21. DISCUSSION AND POSSIBLE ACTION – CITY COUNCIL ATTENDANCE (RULES OF PROCEDURE)

City Manager Jim Robinson provided the Council with an excerpt from the Atherton City Council Rules of Procedure, adopted in March of 1994, which covers Council Members' attendance at regularly scheduled City Council meetings, and provides a process for notifying the Mayor if members are unable to attend. Council Member Conwell suggested that the Council consider three absences from Council meetings to be the threshold in a twelve month period, and that two absences from committee meetings be equal to one absence at a Council meeting. He expressed his concerns for allowing a Council Member to participate in meetings by telephone. Discussion ensued regarding the current attendance requirements.

In response to comments by Council Member Conwell, Mayor Carlson commented upon his own attendance record as well as the attendance record of Council Member Conwell. The following members of the audience spoke:

John Sisson, 26 Belleau Avenue
Jan Simonds, 26 Wilburn Avenue
Jean Schaaf, 29 Stockbridge Avenue
Bob Huber, One Frederick Avenue

The Council concurred that no changes need to be made to the City Council Rules of Procedure manual at this time, but Council Member Fisher asked that staff work on updating some minor items in the manual.

13. ADOPTION OF RESOLUTIONS APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE PER CAPITA GRANT PROGRAM AND FOR THE ROBERTI-Z'BERG, HARRIS URBAN OPEN SPACE AND RECREATION PROGRAM UNDER THE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2000

This item was removed from the consent agenda at the request of Council Member McKeithen, who had several questions regarding state contracts and funding that would be used on the Main House handicapped lift. Public Works Director Cliff Temps presented this item. The State Park Bond Act would provide the following funding for park improvements: Per Capital I, \$47,031, Per Capita II, \$20,318, and Roberti-Z-Berg, Harris, \$21,910. Two projects which qualify for Per Capita funding are the Main House Handicapped Lift and Playground Area Landscape Screening. Additional projects to use park grant funds have not been determined.

MOTION - to adopt Resolution No. 02-07 approving the Town of Atherton to apply for grant funds for the Per Capita Grant Program under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000, and Resolution No. 02-08 approving the Town to apply for grant funds for the Roberti-Z-berg, Harris, Urban Open Space and Recreation Program under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Act of 2000.

M/S McKeithen/~~15. ADOPTION OF RESOLUTION NO. 01___, INTENT TO ABANDON PORTION OF McCORMICK LANE~~

~~16. ADOPTION OF RESOLUTION NO. 01___, INTENT TO ABANDON PORTION OF FAXON ROAD~~Janz

Ayes: 5 Noes: 0 Absent: 0

Abstain: 0

15. AUTHORIZATION FOR ATHERTON HERITAGE ASSOCIATION TO USE THE TOWN HALL CONFERENCE ROOM FOR RESEARCH AND STORAGE

City Manager Jim Robinson stated that the Town received a letter from Marion Oster requesting that the Atherton Heritage Association be allowed to use the Conference Room for storage of artifacts and for research. Use of the Room by the Heritage Association would be scheduled through the City Clerk.

The Council agreed that the Conference Room may be used but that items stored in the Room should be secured since the Town has no way of safeguarding them. The Council also agreed that scheduling should be handled through the City Clerk's office.

MOTION – to allow the Atherton Heritage Association use of the Town Hall Conference Room for research and for storage of historic materials.

M/S Fisher/Janz

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

16. DISCUSSION AND POSSIBLE ACTION – CONSIDERATION OF TOWN GOALS AND OBJECTIVES

At the special meeting on March 6, 2002, in anticipation of budget preparation, staff asked for direction in establishing priority projects for the Town. Council Members individually ranked a list of potential goals and objectives which staff compiled and presented in this agenda packet. City Manager Jim Robinson asked Council to consider the top goals and objectives and give staff direction in developing some time lines and cost estimates in order to incorporate high priority projects into the budget process for the next year or two.

Discussion ensued regarding the benefits of identifying priority goals and objectives and the importance of reviewing the list on a periodic basis. The Council directed the City Manager to return to the Council at the May meeting with cost information and timelines on the top five goals.

18. ADOPTION OF RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE TOWN OF ATHERTON

City Attorney Marc Hynes recommended the Council address the resolution amending contract with the Public Employees' Retirement System (PERS) prior to addressing the proposed ordinance. Finance Director John Johns presented this item. In Fiscal Year 2000-01, the Council approved a memorandum of understanding with the Atherton Police Officers' Association which included an enhancement in retirement benefits. The Finance Director provided an actuarial study completed by PERS that reflects the future years' costs of providing Section 21362.2 (3% @ 50 full formula) for local safety members. The increase in the present value of the benefits due to the proposed change is equivalent to \$1,951,597. The increased cost to the Town for Fiscal Year 2002/03 is \$226,000, an increase of 14.7%.

MOTION – to adopt Resolution No. 02-09, a resolution of intention to approve the amendment to the contract between the Board of Administration of the California Public Employees’ Retirement System and the Town of Atherton.

M/S McKeithen/Conwell

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

17. INTRODUCTION OF ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM AND THE TOWN OF ATHERTON

In order to effect the contract change with The California Public Employees’ Retirement System, PERS requires that an ordinance be adopted by the City Council authorizing the Mayor to execute the amendment on behalf of the Town.

MOTION - introduce an ordinance authorizing an amendment to the contract between the Board of Administration of the California Public Employees’ Retirement System and the Town of Atherton, and waive further reading.

M/S Fisher/Janz

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

19. INTRODUCTION OF AN ORDINANCE AMENDING ATHERTON MUNICIPAL CODE SECTION 6.04.040 TO PROVIDE FOR THREE YEAR LICENSES FOR DOGS

City Attorney Marc Hynes presented this item and provided a staff report stating that the County Environmental Services Agency has requested that the Town revise its licensing ordinance to conform with revisions which have recently been enacted to the County Animal Ordinance. This amendment would provide for dog licenses to be issued every three years. Additional changes include a senior discount and a surcharge on all licenses for the Animal Population Trust Fund.

City Manager Jim Robinson stated the Town’s cost for animal control will be reduced next year from \$80,000 to approximately \$45,000.

Sandy Crittenden, 117 Heather Drive, spoke from the audience.

MOTION – introduce an ordinance amending Atherton Municipal Code Section 6.04.040 to provide for three year licenses for dogs, and waive further reading.

M/S McKeithen/Janz

Ayes: 4 Noes: 1 (Fisher) Absent: 0 Abstain: 0

20. ADOPTION OF RESOLUTION SUPPORTING LEGISLATION TO REPAIR THE BAY AREA REGIONAL WATER SYSTEM AND PROTECT OUR RESIDENTS FROM CATASTROPHIC WATER OUTAGES

City Manager Jim Robinson stated that the intention of the proposed resolution is to draw attention to the need to implement a program to complete necessary major repairs to the Hetch-Hetchy water system. He stated that other cities in the Bay Area have adopted similar resolutions.

Bob Jenkins, 36 Irving Avenue, announced that Assembly Member Lou Papan will speak on this issue at the May 16th ACIL meeting.

MOTION – to adopt Resolution No. 02-10 supporting State legislation to repair the Bay Area Regional Water System and protect Atherton residents from catastrophic water outages, to direct the City Manager in conjunction with the Mayor to send a letter to other Bay Area cities to encourage them to do the same.

M/S McKeithen/Conwell

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

22. PUBLIC COMMENTS

There were no public comments.

23. ADJOURN

The meeting adjourned at 9:50 p.m.

Respectfully submitted,

Sharon Barker, City Clerk

TOWN OF ATHERTON

Item 9

CLAIMS LIST

March 1st to March 25th 2002

Payroll Checks	352-412; 414-472	\$ 56,747
Electronic Transfers		214,429
A/P Checks	12279-12465	<u>421,082</u>

TOTAL \$ 692,258

I, James H. Robinson, City Manager of the Town of Atherton, do hereby certify under penalty of perjury that the demands listed above, check numbers 352 through 412 and 414 through 472 (Payroll) 12279 through 12465 (Accounts Payable), and Electronic Transfers for Employees Federal Payroll Taxes and fees, inclusive, amount to \$692,258 are true and correct, and that there are funds for payment.

James H. Robinson
City Manager

The above claims, Payroll check numbers 352 through 412 and 414 through 472, Accounts Payable check numbers 12279 through 12465 and Electronic Transfers for employees federal payroll taxes and fees, amount to \$692,258; and are hereby approved for payment.

Alan Carlson
Mayor, Town of Atherton

SOURCE OF FUNDS

101	General Fund	\$582,021
105	Tennis Fund	4,568
201	Special Parcel Tax	31,407
202	Transportation	11,077
203	Gas Tax Fund	
210	Road Construction Impact Fees	8,593
401	General Capital Projects	-
402	Storm Drainage	3,624
403	Atherton Channel District	4,208
404	Park Playground Improvement	36,099
610	Vehicle Replacement	-
611	Computer Maint. & Replacement	3,033
612	Administrative Services	4,297
614	Workers Compensation Insurance	-
715	Evans Estate	2,852
730	H-P Park Improvement	480
731	Tree Committee	-

TOTAL \$692,258



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOHN P. JOHNS, FINANCE DIRECTOR

DATE: FOR THE MEETING OF WEDNSDAY APRIL 17, 2002

SUBJECT: MONTHLY FINANCIAL REPORT, MARCH, 2002

RECOMMENDATION:

Receive and file Monthly Financial Report for March, 2002.

INTRODUCTION:

The attached schedules show revenues and expenditures and fund balance for all funds as of March 31, 2002.

HIGHLIGHTS

In March General Fund revenues and expenses amounted to \$260,728 and \$545,456 respectively. With three months remaining in the fiscal year, revenues and expenditures continue to track well with mid-year budget estimates. Additionally, we continue to expect a slightly favorable variance in both revenues and expenditures for the General Fund at year-end. Expenditures for the Town's proprietary funds, special revenue and capital projects funds are also consistent with budgetary estimates.

FISCAL IMPACT:

Informational only.

Prepared by:

Approved by:

John P. Johns
Finance Director

James H. Robinson
City Manager

TOWN OF ATHERTON
Revenue Summary
For the Nine Months Ended March 31st, 2002

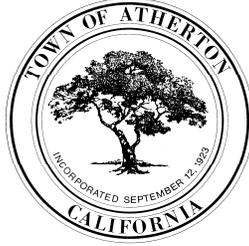
Fund	Revenue Source	2001-02 Estimate	Current Period Revenues	Year to Date Revenues	% Received
	Property Tax	\$ 2,624,563	6,192	\$ 2,003,011	76%
	Sales and Use Tax	306,000	13,269	101,874	33%
	Other Taxes	481,133	40,240	186,531	39%
	Licenses & Permits	1,316,200	144,132	974,236	74%
	Fines & Forfeitures	110,000	573	61,407	56%
	Investment & Rental Income	358,200	13,290	203,395	57%
	Revenue from Other Agencies	484,124	14,020	320,837	66%
	Charges for Services	502,700	28,825	332,708	66%
	Other Revenues	12,150	187	1,794	15%
	Total General Fund Revenues	6,195,070	260,728	4,185,793	68%
	Interfund (Operating) Transfers In	450,000		-	0%
101	General Fund Total	6,645,070	260,728	4,185,793	63%
Special Revenue Funds:					
105	Tennis	9,000	1,905	6,914	77%
201	Special Parcel Tax	1,600,000	204,834	1,002,932	63%
202	Transportation	270,000	35,635	151,535	56%
203	Street Improvement (Gas Tax)	200,000	13,255	97,980	49%
206	SLESF				
208	Police on the Street	-	-	23,500	> 100%
209	Law Enforcement	100,000	-	100,000	100%
210	Road Construction Impact Fees	450,000	65,552	257,021	57%
211	State Park Grants Fund	89,910	-	-	0%
	Total	2,718,910	321,181	1,639,882	60%
Capital Project Funds:					
401	Capital Improvement	10,000	-	-	0%
402	Storm Drainage	10,000	-	230	2%
403	Channel Drainage District	38,000	1,874	27,782	73%
404	Park Playground Improvement	325,000	-	29,292	9%
405	Middlefield Road Grants	600,000	-	-	0%
406	Facilities Construction	220,000	-	-	0%
	Total	1,203,000	1,874	57,304	5%
Internal Service Funds:					
610	Vehicle Replacement	243,020	-	71,510	29%
611	Information Technology	77,610	-	37,725	49%
612	Administrative Services	213,300	-	106,652	50%
614	Workers Compensation Insurance	170,000	-	35,056	21%
	Total	703,930	-	250,943	36%
Total Revenues and Transfers -- All Funds		\$ 11,270,910	583,783	\$ 6,133,922	54%
Trust and Agency Funds:					
715	Evans Creative Design	53,040	14,557	70,299	27%
720	Library Extension	-		-	0%
727	Colley Trust Fund	-	-	b	>100%
730	H-P Park Improvement	-		-	0%
731	MA Little League	-		-	0%
740	Tree Committee	-		-	0%
	Total	53,040	14,557	70,299	133%
Total Revenues		11,323,950	598,340	6,204,221	55%

TOWN OF ATHERTON
Expenditure Summary
For the Nine Months Ended March 31st, 2002

Fund	Description Department	2001-02 Budget	Current Period Expenditures	Year to Date Expenditures	% Spent
101	General Fund				
	11 City Council	\$ 21,739	\$ 483	\$ 17,981	83%
	12 City Manager	442,708	29,327	297,789	67%
	16 City Attorney	196,199	1,106	97,583	50%
	18 Finance	362,598	28,451	346,597	96%
	25 Building	713,814	74,948	555,192	78%
	40 Police	3,371,582	279,056	2,343,118	69%
	50 Public Works	1,632,102	132,085	1,082,646	66%
	Contingency	100,000	-	-	0%
	Total General Fund Expenditures	<u>6,840,742</u>	<u>545,456</u>	<u>4,740,905</u>	<u>69%</u>
	Interfund (Operating) Transfers Out	320,000	-	-	0%
101	General Fund Total	<u>\$ 7,160,742</u>	<u>\$ 545,456</u>	<u>\$ 4,740,905</u>	<u>66%</u>
Special Revenue Funds:					
105	Tennis	7,500	4,568	4,939	66%
201	Special Parcel Tax	1,600,000	149,895	286,231	18%
202	Transportation	263,000	(37,058)	181,777	69%
203	Street Improvement (Gas Tax)	430,700	(98,200)	233,997	54%
208	SLESF	-	-	-	
208	Police on the Street	-	-	-	
209	Law Enforcement	199,424	18,963	106,652	53%
210	Road Impact Fees	450,000	-	2,845	1%
211	State Park Grants	89,910	-	89,910	100%
	Total	<u>3,040,534</u>	<u>38,168</u>	<u>906,351</u>	<u>30%</u>
Capital Project Funds:					
401	Capital Improvement	-	-	472	
402	Storm Drainage	162,409	45,195	51,445	32%
403	Channel Drainage District	251,000	(9,516)	-	0%
404	Park Playground Fund	325,000	36,099	117,999	36%
405	Middlefield Road Grants	600,000	-	-	0%
	Total	<u>1,338,409</u>	<u>71,778</u>	<u>169,915</u>	<u>13%</u>
Internal Service Funds:					
610	Vehicle Replacement	106,041	-	80,039	75%
611	Information Technology	90,166	3,033	23,457	26%
612	Administrative Services	233,756	4,297	219,132	94%
614	Workers Compensation Insurance	135,000	-	61,691	46%
	Total	<u>564,963</u>	<u>7,329</u>	<u>384,319</u>	<u>68%</u>
Total Expenditures and Transfers -- All Funds		<u>\$ 12,104,648</u>	<u>\$ 662,731</u>	<u>\$ 6,201,490</u>	<u>51%</u>

TOWN OF ATHERTON
Budget Summary
Fiscal Year 2001-02
As of March 31st, 2002

Fund	Description	Beginning Fund Balance July 1, 2001	Revenues to Date	Transfers to Date	Expenditures To Date	Ending Fund Balance to Date
101	General Fund	5,070,783	4,185,793	-	4,740,905	4,515,671
	Special Revenue Funds:					
105	Tennis	19,496	6,914		4,939	21,471
201	Special Municipal Tax	-	1,002,932		286,231	716,701
202	Transportation	235,556	151,535		181,777	205,315
203	Street Improvement (Gas Tax)	257,225	97,980		233,997	121,208
206	SLESF	10,956	-		-	
208	Police on the Street	20,235	23,500		-	
209	Law Enforcement	105,350	100,000		106,652	98,698
210	Road Construction Impact Fees	378,028	257,021		2,845	632,204
211	State Park Grants Fund	-	-		89,910	(89,910)
	Sub Total	<u>1,026,846</u>	<u>1,639,882</u>	<u>-</u>	<u>906,351</u>	<u>1,705,686</u>
	Capital Projects Funds:					
401	Capital Improvement	432,662	-		472	432,190
402	Storm Drainage	120,286	230		51,445	69,071
403	Channel Drainage District	377,396	27,782		-	405,178
404	Park Playground Improvement	305,774	29,292		117,999	217,067
405	Middlefield Road Grants	-	-		-	-
406	Facilities Construction	220,000	-		-	220,000
	Sub Total	<u>1,456,118</u>	<u>57,304</u>	<u>-</u>	<u>169,915</u>	<u>1,343,507</u>
	Internal Service Fund					
610	Vehicle Replacement	147,415	71,510		80,039	138,886
611	Information Technology	19,890	37,725		23,457	34,158
612	Administrative Services	9,125	106,652		219,132	(103,355)
614	Workers Compensation Insurance	(31,794)	35,056		61,691	(58,429)
	Sub Total	<u>144,636</u>	<u>250,943</u>	<u>-</u>	<u>384,319</u>	<u>11,260</u>
	Trust and Agency Funds					
715	Evans Creative Design	110,464	14,557		54,010	71,011
727	Colley Reward Fund	66,931	-		-	66,931
730	H-P Park Improvement	6,339	-		-	6,339
731	MA Little League	(1,571)	-		-	(1,571)
740	Tree Committee	1,137	-		-	1,137
	Sub Total	<u>183,300</u>	<u>14,557</u>	<u>-</u>	<u>54,010</u>	<u>143,847</u>
	Grand Total	<u>\$ 7,881,683</u>	<u>\$ 6,148,479</u>	<u>\$ -</u>	<u>\$ 6,255,500</u>	<u>\$ 7,719,971</u>



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
CITY MANAGER, JAMES ROBINSON**

FROM: CLIFF TEMPS, PUBLIC WORKS DIRECTOR

DATE: FOR THE MEETING OF APRIL 17, 2002

**SUBJECT: AGREEMENT FOR STORMWATER POLLUTION PREVENTION
PROGRAM SERVICES**

RECOMMENDATION

Approve the agreement between the Town of Atherton and County of San Mateo for Stormwater Pollution Prevention Services

INTRODUCTION

The Town's NPDES permit requires the Town to conduct an inspection and outreach program directed toward achieving compliance of non-residential activities with the stormwater pollution prevention program. The County has provided this service to Atherton and many other cities in the Countywide program for the last ten years. The agreement under which these services have been provided has a 10-year sunset clause, and a new agreement is needed for the Town to continue receiving this service from the County.

ANALYSIS

The attached agreement provides for the County to continue providing NPDES inspection and outreach services on behalf of the Town. If the Town elected to forego County services, it would have to train staff and devote time to conducting the inspection and outreach program on its own or contract with another agency for the services.

FINANCIAL IMPACT

The cost of the County providing these services to smaller cities is included in countywide program costs. The Town does not pay separately for this service.

CONCLUSION

Contracting with the County for NPDES inspection and outreach services is the most cost effective means of complying with stormwater permit conditions.

Respectfully submitted:

Reviewed/Approved

Cliff Temps
Public Works Director

James Robinson
City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JAMES ROBINSON, CITY MANAGER

DATE: FOR THE CITY COUNCIL MEETING OF APRIL 17, 2002

SUBJECT: ADOPTION OF ORDINANCE NO. 531, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE TOWN OF ATHERTON AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

RECOMMENDATION:

Approve the attached Ordinance authorizing an amendment to the contract between the City Council of the Town of Atherton and the Board of Administration of the California Public Retirement System

DISCUSSION:

The staff reports of March 20th accompanying agenda items 17 and 18 describe the 3% at 50 for public safety employees contract amendment between the Town of Atherton and the State of California Public Employees' Retirement System and the procedures to be followed to execute such an amendment.

Pursuant to the recommendation of staff, the attached Ordinance was introduced, and first reading was held at the regular City Council meeting on March 20, 2002. Further reading was waived.

Adopting the attached Ordinance at this time will enable the town to proceed with the Contract amendment process.

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY
COUNCIL OF THE TOWN OF ATHERTON AND THE BOARD OF ADMINISTRATION
OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

The City Council of the Town of Atherton does ordain as follows:

SECTION 1: That an amendment to the contract between the City Council of the Town of Atherton and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit "A", and by such reference made a part hereof as though herein set out in full.

SECTION 2: The Mayor of the City Council is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3: This Ordinance shall be posted in at least three public places within the Town of Atherton and shall be effective from and after thirty (30) days following its adoption.

* * * * *

I hereby certify that the foregoing ordinance was introduced at a regular meeting of the City Council of the Town of Atherton held on March 20, 2002, and was adopted by said City Council at a regular meeting held on _____, 2002 by the following roll call vote:

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

Alan B. Carlson, Mayor
Town of Atherton

ATTEST:

Sharon Barker, City Clerk



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JAMES ROBINSON, CITY MANAGER

DATE: FOR THE CITY COUNCIL MEETING OF APRIL 17, 2002

SUBJECT: ADOPTION OF ORDINANCE NO. 532 TO PROVIDE FOR THREE YEAR LICENSES FOR DOGS

RECOMMENDATION:

Approve the attached Ordinance amending Section 6.04.040 of the Atherton Municipal Code to provide for three year licenses for dogs.

DISCUSSION:

This Ordinance was introduced, and first reading was held at the regular City Council meeting on March 20, 2002. Further reading was waived. The Ordinance is presented at this time for adoption by the City Council.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
AMENDING SECTION 6.04.040 OF THE ATHERTON MUNICIPAL CODE
TO PROVIDE FOR THREE YEAR LICENSES FOR DOGS**

The City Council of the Town of Atherton does ordain as follows:

SECTION 1: Section 6.04.040.A of the Atherton Municipal Code is hereby amended by adding the following new language after the second full sentence of existing Section 6.04.040.A., said added language to read as follows:

6.04.040. Dog licenses.

A. Requirements. An animal license fee shall be paid for every dog over the age of four months owned and harbored in this county. The license fee shall be first due when the animal reaches four months of age or within sixty days after the dog is acquired, and due on the anniversary date of the original purchase date each year thereafter. Provided however, that a three year license may be obtained for a dog (excluding Wolf-Hybrids) by submitting to the Dog licensing program adequate proof of a three year rabies vaccination of the dog to be licensed and payments of the applicable fees as set forth in Section 6.04.240 of this code.

All other provisions of Section 6.04.040 as amended shall continue to remain in effect.

SECTION 2: Section 6.04.240.A of the Atherton Municipal Code is hereby amended as follows:

6.04.240 Schedule of fees and charges.

Fees and charges referred to in this chapter are as follows:

A. Dog license fees:

for	Unaltered dog	\$21	(which includes a \$1 surcharge on all licenses
			the Animal Population Trust Fund)
	Three year license	\$63	
	Altered dog	\$11	
	Three year license	\$30	
	Late penalty	\$5	
	Duplicate tag	\$5	
	<i>Senior Discount (with proof citizen is 60 years of age or older)</i>		
	Unaltered dog	\$11	
	Three year license	\$33	

Altered dog \$6
 Three year license \$15

Wolf Hybrid Registration Fees

Unaltered \$21
 Altered \$11
 Duplicate tag 1 \$5

All other provision of Section 6.04.240 as amended shall continue to remain in effect.

SECTION 3. Except as amended in the preceding sections, all other provisions of Chapter 6.04 of the Atherton Municipal Code continue to remain in effect.

SECTION 4: That 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 of 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 affect the validity of the remaining parts of this Ordinance.

SECTION 5: This Ordinance shall be posted in at least three public places according to law and shall take effect and be in force from and after 30 days after its passage and adoption.

* * * * *
 * * * * *

Introduced this 20th day of March, 2002.

Passed and adopted as an Ordinance of the Town of Atherton at a regular meeting thereof held on the _____ day of _____, 2002, by the following vote:

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

Alan B. Carlson, Mayor
 Town of Atherton

ATTEST:

Sharon Barker, City Clerk



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
CITY MANAGER, JAMES ROBINSON**

FROM: CLIFF TEMPS, PUBLIC WORKS DIRECTOR

DATE: FOR THE MEETING OF APRIL 17, 2002

**SUBJECT: APPROVAL OF AN AGREEMENT BETWEEN THE TOWN OF
ATHERTON AND WEST BAY SANITARY DISTRICT FOR MIDDLEFIELD
ROAD PAVEMENT AND STORM DRAINAGE IMPROVEMENTS RAISING
THE SANITARY MANHOLE COVERS TO GRADE**

RECOMMENDATIONS

Approve the agreement between the Town of Atherton and West Bay Sanitary District for Middlefield Road Pavement and Storm Drainage Improvements raising the sanitary manhole covers to grade.

INTRODUCTION

As part of the Middlefield Road Project, the road will be overlaid. This will require raising manhole covers to meet the new street grade. Each utility company is responsible for raising its own manholes. West Bay Sanitary District has 31 manholes that need to be raised, and has asked that the Town take care of raising them, at the District's expense, through its contract. The Town included a bid item in its contract for raising sanitary sewer manholes.

ANALYSIS

The attached agreement provides for the Town's contractor to raise Sewer manholes for the unit price included in the bid, and for the Sanitary District to reimburse the town for the full cost.

FISCAL IMPACT

There is no fiscal impact to the Town.

CONCLUSION:

Approval of the agreement will facilitate coordination of sanitary sewer manhole raising work with street work.

Respectfully submitted:

Reviewed/Approved:

Cliff Temps
Public Works Director

James Robinson
City Manager

Attachment: Agreement



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
CITY MANAGER JAMES H. ROBINSON**

FROM: MICHAEL A. HOOD, BUILDING OFFICIAL

DATE: FOR THE COUNCIL MEETING APRIL 17, 2002

**SUBJECT: APPROVAL OF PLANS AND SPECIFICATIONS FOR REPAIR OF WATER
TOWER**

RECOMMENDATION:

It is recommended that the City Council approve the plans and specifications for the repair of the Water Tower structure in Holbrook-Palmer Park.

ANALYSIS:

The Water Tower structure in Holbrook-Palmer Park is a one hundred year old Town asset. Various repairs have been made to the structure over the years including the replacement of portions of the foundation and the replacement of damaged framing. The second story catwalk portion of the structure is currently in need of serious repair. Per the attached plans and specifications, the existing wooden catwalk is to be removed and rebuilt with steel framing. The replacement should extend the life of this portion of the structure another 100 years.

FISCAL IMPACT:

Funds for this project are to be provided by the Holbrook-Palmer Foundation. The engineer's estimate for the work is approximately \$50,000. No Town funds are necessary.

Respectfully submitted:

Reviewed/Approved:

Michael A. Hood
Building Official

s/James H. Robinson

James H. Robinson
City Manager

CONTRACT DOCUMENT
FOR
WATER TOWER REPAIR PROJECT IN
HOLBROOK-PALMER PARK

Engineer's Attest:

The following contract documents have been prepared under the supervision of the undersigned, who hereby certifies that he is a Registered Engineer in the State of California.

MICHAEL A. HOOD, R.C.E. 24,770
BUILDING OFFICIAL

TOWN OF ATHERTON

INSTRUCTIONS TO BIDDERS

1. QUESTIONS.

All questions regarding the Invitations for Bids shall be directed to the Building Official Michael Hood at (650) 752-0523, at the Town of Atherton, 91 Ashfield Road, Atherton, California, 94027; or FAX to (650) 614-1224.

2. CONDITIONS AFFECTING THE WORK.

Bidders should visit the work site and take such other steps as may be reasonably necessary to ascertain the nature and location of the work, and the general and local conditions which can affect the work or the cost thereof. Failure to do so will not relieve bidders from responsibility for estimating properly the difficulty or cost of successfully performing the work. In no event will a failure to inspect the site constitute grounds for a claim after Award of the Contract. The Town will assume no responsibility for any understanding or representations concerning conditions made by any of its officers or agents prior to the execution of the contract, unless included in the Invitation for Bids, the specifications, or related documents.

3. PREPARATION OF BIDS.

Bidders are expected to examine the drawings, specifications, and all instructions. Failure to do so will be at the bidder's risk.

4. SUBMISSION OF BIDS.

Bids must be sealed, marked, or addressed to Michael Hood, Building Official. Failure to do so may result in a premature opening of, or a failure to open, such bid. If the bid is mailed, the sealed envelope containing such bid in duplicate should be enclosed in another envelope directed to Michael Hood.

5. LATE BIDS.

Any bids received after 2:00 P.M., Thursday, May 16, 2002 will not be considered.

6. PUBLIC OPENING OF BIDS.

Bids will be publicly opened on or after 2:00 P.M. Thursday, May 16, 2002. Their content will be made public for the information of bidders and other interested parties who may be present.

TOWN OF ATHERTON

INSTRUCTIONS TO BIDDERS

7. AWARD OF CONTRACT.

The contract will be awarded to that responsible bidder whose bid, conforming to the Invitation for Bids, is most advantageous to the Town, price and other factors considered. The Town reserves the right to reject any of all bids or waive informalities and minor irregularities in bids received.

8. WARRANTY.

The bidder to whom the contract is awarded shall warranty their workmanship and materials to be free of defects for a period of one year from completion and acceptance of the work.

BID FORM



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
CITY MANAGER, JAMES ROBINSON**

FROM: LISA COSTA SANDERS, SENIOR PLANNER

DATE: FOR THE CITY COUNCIL MEETING OF APRIL 17, 2002

**SUBJECT: PUBLIC HEARING - 291 STOCKBRIDGE AVE (APN 070-012-020)
TENTATIVE PARCEL MAP**

RECOMMENDATION:

For the reasons outlined in this staff report, Planning Staff recommends that the City Council conduct the public hearing and approve the Tentative Parcel Map for the division of one parcel into two parcels based on the following findings:

1. The Tentative Parcel Map is in conformance with the Subdivision Map Act and the Atherton Subdivision Ordinance.
2. The size and shape of the proposed subdivision is in general conformance with Town requirements and the general pattern of the neighborhood and will not cause traffic, health or safety hazards
3. The proposed subdivision will have proper and sufficient access to a public street.
4. The proposed map and the design or improvement of the proposed subdivision is consistent with the Atherton General Plan.
5. The site is physically suitable for the proposed type of development.
6. The site is physically suitable for the proposed density of development.
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
8. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.
9. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision, or that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to those previously acquired by the public.
10. Discharge of waste from the proposed subdivision will not result in violation of existing water quality requirements prescribed by the regional water quality control board.

INTRODUCTION:

This item was reviewed at the February 27, 2002 Planning Commission meeting. At that time, Staff recommended denial, as the proposed plan did not meet the minimum lot size and shape requirements. At that meeting, the Planning Commission continued the item to allow the applicant time to work with Staff on a revised plan.

The applicant has prepared a revised plan that meets Atherton Municipal Code requirements for minimum lot size and shape and results in an improved configuration over the previous proposal. At their March 27, 2002 meeting, the Planning Commission unanimously approved the proposed tentative parcel map and designated the west property line of Parcel A as the front property line.

The subject site is just under two acres in area and currently contains a residence and a barn. The existing site contains approximately 265’ of frontage along Stockbridge Avenue and is approximately 328’ deep. The lot is fairly level and contains a few heritage trees.

ANALYSIS:

The applicant is proposing to subdivide the property into two parcels. Parcel A is proposed with 245’ of frontage along Stockbridge Avenue. Parcel B is proposed as a flag lot with a 20’ wide access strip from Stockbridge Avenue. The existing residence and barn would be required to be removed prior to recordation of a final parcel map. To meet the minimum lot size requirement for proposed Parcel B, the applicant is acquiring approximately 100 square feet from Parcel C to add to proposed Parcel B. Parcel C is an existing flag lot located just to the east of proposed Parcel B.

The proposed subdivision and the minimum R-1A zoning district requirements are as follows:

	Lot area	Width	Depth
Minimum Required	43,560 sq. ft.	175.00’	200.00’
Proposed Parcel A	43,602 sq. ft.	175.00’	210.36’
Proposed Parcel B	43,588 sq. ft.	175.00’	265.00’

The lot width is defined as the “width measured at right angles to its depth at the front line of the building area”. The depth of a lot is defined as the “the mean distance between the front lot line and the rear lot line measured in the main direction of the side lines of the lot”. Staff finds that the proposed subdivision meets both the required lot width and depth requirement. The proposed subdivision also meet the minimum lot area requirement of 43,560 square feet. In addition, flag lots must be a minimum of 40,000 square feet in area when the access strip is removed from the calculation. Proposed Parcel B meets this requirement.

In order to meet the above listed requirements, the applicant requested that the west property line of Parcel A be designated as the front property line. The applicant is then able to meet the lot width requirement of 175’ at this side rather than the lot depth requirement of 200’. This allows for more space at Parcel B. The lot depth requirement for both parcels is measured from west to east and the lot width requirement is measured from north to south. The property line along Stockbridge Avenue

would become the side property line for Parcel A. By designating the west property line as the front property line, the applicant is able to configure the lots in a more rectangular shape. At the Planning Commission meeting, the Commission requested that the required side yard setback along Stockbridge Avenue for Parcel A be increased to 60'. This is the standard front yard setback requirement and the Commission felt that this would maintain more consistent front yards when viewed from Stockbridge Avenue. The applicant has agreed to this condition and has modified the parcel map to reflect this requirement.

The tentative parcel map designates all trees on the site. There appears to be three trees within the building area of Parcel A (12" eucalyptus, 10" olive and 18" tree), and no trees within the building area of Parcel B.

CONCLUSION:

It is Planning Staff's professional opinion the proposed subdivision is consistent with the existing pattern of development and that the proposal is consistent with the purposes and intent of the General Plan and Zoning Code.

FISCAL IMPACT:

All costs covering the processing of this application are paid for by the applicants.

ENVIRONMENTAL IMPACT:

The proposal has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Sections 15315 Minor Land Division involving four or fewer parcels.

FORMAL MOTION:

I move that the City Council approve the Tentative Parcel Map allowing the subdivision of one parcel into two parcels and designate the west property line as the front property line for Parcel A, based on the findings and for the reasons incorporated in the Staff Report.

s/Lisa Costa Sanders
Lisa Costa Sanders, Senior Planner

James Robinson, City Manager

Attachments:

1. Draft Tentative Parcel Map Certificate
2. Tentative Parcel Map dated 03/29/02, prepared by Bohley Consulting

DRAFT

**TOWN OF ATHERTON
CITY COUNCIL
TENTATIVE PARCEL MAP CERTIFICATE**

THIS IS TO CERTIFY THAT the Atherton City Council at a regular meeting thereof, held on April 17, 2002 did approve a Tentative Parcel Map pursuant to Chapter 16.16 of the Atherton Municipal Code to allow the division of one parcel into two parcels at 291 Stockbridge Avenue in Atherton (Assessor's Parcel Number 070-012-020). This approval requires substantial compliance with the map entitled, "Tentative Parcel Map, 291 & 283 Stockbridge Avenue, Atherton, CA" dated March 29, 2002 consisting of one sheet. The application was approved with the following conditions:

1. The west property line of Parcel A shall be designated as the front property line. The required side yard setback for Parcel A shall be 60' along Stockbridge Avenue. This designation shall be recorded against the property with the San Mateo County Recorders Office.
2. The Parcel Map and Improvement Plans shall conform to all town Ordinances, standards and fee requirements.
3. Improvement plans, maps and construction shall be to the satisfaction of the Public Works Director/City Engineer.
4. Any tree removal necessitated by subdivision design or improvement construction shall be done in accordance with the Atherton Tree Ordinance, Municipal Code Chapter 8.10.
5. Per Chapter 16 of the Atherton Municipal Code, the subdivider shall provide preliminary and final drainage reports for the site satisfactory to the Public Works Director/City Engineer, showing a plan for drainage of the lots.
6. All fill material and its compaction must conform to the Town of Atherton Municipal Code standards.
7. The applicant shall follow all San Mateo County Storm Water Pollution Prevention (STOPPP) recommended "Construction Materials Handling and Disposal" and "Construction Practices" and prohibit the occurrence of any non-storm water discharges into the storm drain system.
8. The existing residence and barn structure shall be removed. All other structures and any improvements shall comply with Atherton Municipal Code Requirements.
9. The subdivision shall be accomplished by the recording of a Parcel Map that is based on a field survey, and all property corners shall be staked and tagged.

Michael Hood,
Zoning and Building Official

Effective Date: _____
Atherton, CA



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
CITY MANAGER, JAMES ROBINSON**

FROM: SHARON BARKER, CITY CLERK

DATE: FOR THE CITY COUNCIL MEETING OF APRIL 17, 2002

SUBJECT: COMMITTEE APPOINTMENTS

RECOMMENDATION:

Approve the recommendations of the Screening Committee for the following appointments:

General Plan Committee: Vivian Kral
(Two-year term)

Audit Committee: Robert Jenkins (reappointment)
(Three-year term)

ANALYSIS:

Each April the City Council Screening Committee makes recommendations to the City Council to fill the vacancies created when terms expire on Town Commissions and Committees. This year, the Screening Committee, consisting of Vice Mayor Janz and Council Member Fisher, has recommended the residents listed above to fill vacancies that will occur April 30.

Respectfully submitted by:

Reviewed/Approved by:

Sharon Barker
City Clerk

James Robinson
City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
CITY MANAGER, JAMES ROBINSON**

FROM: CLIFF TEMPS, PUBLIC WORKS DIRECTOR

DATE: FOR THE MEETING OF APRIL 17, 2002

**SUBJECT: ADOPTION OF RESOLUTION STATING INTENT TO CONSIDER THE
VACATION OF A PORTION OF MC CORMICK LANE RIGHT-OF-WAY,
WITH RESERVATION OF EASEMENTS FOR BICYCLES, PEDESTRIANS
PUBLIC UTILITIES AND SANITARY SEWERS, AND SETTING A PUBLIC
HEARING FOR JUNE 19, 2002.**

RECOMMENDATION

Adopt a resolution stating intent to consider the vacation of a portion of McCormick Lane right-of-way, with reservation of easements for public utilities and sanitary sewers, and setting a public hearing for June 19, 2002.

INTRODUCTION

The Council considered this request for vacating a portion of McCormick Lane last December and declined to take action because of neighborhood concern regarding loss of bicycle and pedestrian access from the area of McCormick Lane lying northwest of the area proposed for vacation. The Anderson's, the party requesting the vacation, have contacted and discussed the abandonment with the majority of their neighbors, indicating their willingness to preserve an easement for bikes and pedestrians. In doing this they appear to have assuaged neighborhood concerns. Significant documentation of their efforts is attached.

Nearly 4 years ago the Transportation Committee and last year the Planning Commission reviewed this request to vacate the section of McCormick Lane street right-of-way between Burns Avenue and the barricade across McCormick Lane that separates Villa Oaks and Mariana Park Subdivisions. The Transportation Committee approved the vacation and the Planning Commission found the vacation to not be inconsistent with the General Plan.

ANALYSIS

The area proposed to be vacated is shown on the attached Exhibit "B." Number 65 McCormick Lane is the only property that gets access from this section of street. All utilities were previously contacted to determine if they have facilities in the area proposed for vacation, and reservations will be provided for easements to accommodate their present and future needs. These reservations are described in Exhibit "A." Additional reservations for bicycle and pedestrian use of the area proposed to be vacated have been included. The vacation requires a new public hearing, with notices posted physically on the property to be vacated. The resolution recommended for Council adoption sets the date of the hearing for June 19, 2002.

If the Council approves the vacation in June, the resolution ordering it will be recorded at the County. After this happens, the two property owners adjacent to the abandoned section of street will have the ability to file quiet title actions to acquire title to the portions of vacated right-of-way lying between their respective McCormick Lane frontages and the center of the former street. Any removal or change in existing improvements within the vacated area will thereafter be the responsibility of its new owners and will need to accommodate access by utilities with rights to the reservations.

FISCAL IMPACT

There is no direct fiscal impact to the Town. Removal of the short section of paved street from the Town's responsibility for maintenance will not be noticeable in the street maintenance budget.

CONCLUSION:

Adoption of the resolution setting a public hearing is appropriate to bring this street vacation to its overdue conclusion.

Respectfully submitted:

Reviewed/Approved:

Cliff Temps
Public Works Director

James Robinson
City Manager

EXHIBIT "A"
MC CORMICK LANE VACATION
LEGAL DESCRIPTION

A portion of McCormick Lane shown on that certain subdivision map entitled "Villa Oaks, Atherton, San Mateo County, California, Being a Resubdivision of Lots 9, 10, and 11 of Villa Lots at Fair Oaks" Recorded February 25, 1954 in San Mateo County Records File Number 38670L, Volume 39 of Maps, Page 20.

BEGINNING at the most westerly corner of Lot 4 of said Villa Oaks, said point being a point on the northeast street right-of-way Line of McCormick Lane, thence along said McCormick Lane right-of-way line south 45E 40' east, 30.00 feet, thence along a curve to the right with a radius of 280.00 feet, through an angle of 9E 07' 40", a distance of 44.61 feet, thence along a curve to the left with a radius of 30.00 feet, through an angle of 79E 43' 06" a distance of 42.26 feet, thence, leaving the right-of-way line of McCormick Lane and proceeding south 62E44'35" west a distance of 59.36 feet along a line parallel to and 20.00 feet northwest of the center line of Burns Avenue, to a point on the southwest street right-of-way line of McCormick Lane, thence in a generally northwest direction, along the said McCormick Lane right-of-way line, on a curve with a center that lies south 57E 57' 46" west 240.00 feet, with a radius of 240.00 feet, through and angle of 13E 37' 46" a distance of 57.09 feet, thence north 45E 40" west to the most northerly corner of Lot 5 of said Villa Oaks, thence leaving the southwest street right-of-way line of McCormick Lane north 31E23'40" east to the point of beginning and containing 3925.59 square feet, and

RESERVING therefrom bicycle, pedestrian and Public Utility Easements over the entire area of the parcel described above, and also

RESERVING therefrom an easement 10 feet wide for sanitary sewers lying immediately adjacent to and southeast of the line connecting the most northerly corner of Lot 5 and the most westerly corner of Lot 4 of said Villa Oaks.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JAMES H. ROBINSON, CITY MANAGER

DATE: FOR THE MEETING OF APRIL 17, 2002

**SUBJECT: DISCUSSION AND POSSIBLE ACTION – RESIDENT PARTICIPATION/
ADVISORY STATUS TO CITY COUNCIL COMMITTEES**

RECOMMENDATION

It is recommended that the City Council discuss and consider the possible addition of resident members to current Council subcommittees.

BACKGROUND

The City Council has periodically created subcommittees of the City Council to study certain issues and make recommendations. Generally, the subcommittees consist of two members, hold properly posted meetings as necessary, maintain minutes and make recommendations to the City Council. The current version of the City Council Rules of Procedure (Section 9.3) provides “that each subcommittee is comprised of two Councilmembers appointed by the Mayor,” and staffed by appropriate staff members. Current Council subcommittees are as follows:

- Finance Committee
- Transportation/Traffic Committee
- Screening Committee
- Waste Reduction & Recycling Committee
- General Plan Committee
- Atherton Channel Drainage District Committee
- Buildings and Facilities Committee



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JAMES H. ROBINSON, CITY MANAGER

DATE: FOR THE MEETING OF APRIL 17, 2002

SUBJECT: DISCUSSION AND POSSIBLE ACTION – SCOPE OF THE ATHERTON CHANNEL DRAINAGE DISTRICT COMMITTEE AND MEMBERSHIP OF THE CHANNEL DRAINAGE DISTRICT COMMITTEE AND THE TRANSPORTATION COMMITTEE

RECOMMENDATION

It is recommended that the City Council discuss and possibly take action regarding the appointment of residents to certain City Council subcommittees, including the Atherton Channel Drainage District Committee and Transportation Committee. It is also recommended that the City Council consider the possible expansion of the scope of the Atherton Channel Drainage District Committee.

BACKGROUND

The existing City Council Rules of Procedure provide for the creation of Committees, Commissions, and City Council Subcommittees. The Rules of Procedure state that Commissions and Committees shall be created/appointed in accordance with the Atherton Municipal Code. The current Atherton Channel Drainage District Committee and Transportation Committee are Council subcommittees and are comprised of two Council Members.

It has also been requested that the scope of the Atherton Channel Drainage District Subcommittee be expanded to evaluate and make recommendations to the City Council on citywide drainage issues in addition to those of the Atherton Channel. Currently, less than half of the Town of Atherton is within the Atherton Channel Drainage District.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JAMES H. ROBINSON, CITY MANAGER

DATE: FOR THE MEETING OF APRIL 17, 2002

SUBJECT: ACCEPT RECOMMENDATION OF THE TRANSPORTATION COMMITTEE TO EXPAND SCOPE OF THE MIDDLEFIELD ROAD IMPROVEMENTS AND SET DATE FOR SPECIAL MEETING OF THE CITY COUNCIL TO APPROVE BIDS AND SPECIFICATIONS FOR THIS PROJECT EXTENSION

RECOMMENDATION

It is recommended that the City Council accept the recommendation of the Transportation Committee to extend the Middlefield Road project north of Fair Oaks to the Town limits and set a date for approval of the bids.

BACKGROUND

In its review of the Middlefield project, the City Council Transportation Subcommittee has recommended that the project be extended beyond Fair Oaks to the city limit to provide for patching that is not within the current contract. The estimated costs for the project is \$50,000-\$60,000. Bids are scheduled to be received and opened at 3:00 p.m. on Tuesday, April 30, 2002. The timing of this project extension, if approved by the City Council, will require a special meeting of the City Council immediately following the opening of the bids. It is suggested that a brief meeting of the City Council be held on the morning of either May 1, 2 or 3, 2002.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JAMES ROBINSON, CITY MANAGER

DATE: FOR THE CITY COUNCIL MEETING OF APRIL 17, 2002

SUBJECT: REVIEW AND CONSIDER ADOPTION OF UPDATED CITY COUNCIL RULES OF PROCEDURE

RECOMMENDATION:

It is recommended that the Council review the updated City Council Rules of Procedure and adopt if the Council so desires.

DISCUSSION:

At the March 20, 2002 City Council meeting, staff was directed to meet with Council Member Fisher who volunteered to meet with staff to review and make proposed changes to update the Council Rules of Procedure. The updated document, with tracking changes, is attached for Council consideration.



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
JAMES H. ROBINSON, CITY MANAGER**

FROM: SHARON BARKER, CITY CLERK

DATE: FOR THE MEETING OF APRIL 17, 2002

**SUBJECT: SAN MATEO COUNTY CITY SELECTION COMMITTEE
APPOINTMENT OF COUNCIL REPRESENTATIVE**

RECOMMENDATION:

Appoint a Town of Atherton City Council Member to attend the San Mateo County City Selection Committee meeting on April 26, 2002, if the Mayor is unable to attend, and authorize said Council Member to vote for city representatives to certain county commissions.

BACKGROUND/ANALYSIS:

Council Member Duane Bay, Chair of the San Mateo County City Selection Committee, has called a special meeting of the Committee on April 26, 2002. The purpose of the meeting is to nominate a city representative for possible appointment by the Speaker of the Assembly to serve on the California Coastal Commission. If the Mayor is unable to attend this meeting, a letter authorizing another Council Member to vote, must be submitted to the Secretary of the City Selection Committee.

Prepared by:

Approved by:

Sharon Barker
City Clerk

James H. Robinson
City Manager