



AGENDA
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

- 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. National Public Safety Dispatcher Week - April 14 –20, 2002
B. Arbor Day Proclamation - April 20, 2002
- 7:10 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)
- Atherton Arts Committee
- 7:55 P.M. **CONSENT CALENDAR** (Items 8 - 14)
8. **APPROVAL OF MINUTES OF SPECIAL MEETINGS OF
FEBRUARY 13, 2002 AND MARCH 6, 2002, AND REGULAR
MEETING OF FEBRUARY 13, 2002**
9. **APPROVAL OF BILLS AND CLAIMS FOR FEBRUARY 8, 2002
THROUGH FEBRUARY 22, 2002 IN THE AMOUNT OF \$528,245.67**
10. **ACCEPTANCE OF MONTHLY FINANCIAL REPORT FOR
FEBRUARY 2002**

11. **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**

Recommendation: Adopt two resolutions approving the Town of Atherton's application for grant funds for the Per Capita Grant Program and for the Roberti-Z'Berg-Harris Urban Open Space and Recreation Program.

12. **ACCEPTANCE OF STATE ALLOCATION FOR UPGRADE TO 911 SYSTEM EQUIPMENT**

Recommendation: Approve State funding to upgrade the Public Safety Answering Point 911 equipment in the amount of \$72,800.

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

Recommendation: Refer to the General Plan Committee the issue of addressing building setback requirements in the R-1B zone.

14. **LEGISLATIVE ACTION LETTERS IN SUPPORT OF SUSTAINED FUNDING LEVEL FOR PUBLIC LIBRARY FOUNDATION**

Recommendation: Authorize Mayor to sign letters on behalf of City Council, urging members of Senate and Assembly Budget Subcommittees to reject the Governor's proposal to cut Public Library Foundation funding by \$11.1 million.

REGULAR AGENDA (Items 15 - 21)

~~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~~

- 8:00 P.M. 15. **AUTHORIZATION FOR ATHERTON HERITAGE ASSOCIATION TO USE THE TOWN HALL CONFERENCE ROOM FOR RESEARCH AND STORAGE**

Recommendation: Consider request by Atherton Heritage Association to use the Town Hall Conference Room for research and storage of historic materials.

- 8:15 P.M. 16. **DISCUSSION AND POSSIBLE ACTION – CONSIDERATION OF TOWN GOALS AND OBJECTIVES**
- Recommendation: Consider the rankings of potential goals and objectives to establish priorities for the Town.**
- 8:45 P.M. 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**
- Recommendation: Introduce Ordinance authorizing an amendment to the contract between the California Public Employees’ Retirement System and the Town of Atherton, and waive further reading.**
- 8:55 P.M. 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**
- Recommendation: Adopt a resolution approving an amendment to the contract between the California Public Employees’ Retirement System and the Town of Atherton to provide Section 21362.2 (3% @ 50 full formula) for local safety members.**
- 9:05 P.M. 19. **INTRODUCTION OF AN ORDINANCE AMENDING ATHERTON MUNICIPAL CODE SECTION 6.04.040 TO PROVIDE FOR THREE YEAR LICENSES FOR DOGS**
- Recommendation: Introduce Ordinance to provide for three-year licenses for dogs, and waive further reading.**
- 9:15 P.M. 20. **ADOPTION OF RESOLUTION SUPPORTING LEGISLATION TO REPAIR THE BAY AREA REGIONAL WATER SYSTEM AND PROTECT OUR RESIDENTS FROM CATASTROPHIC WATER OUTAGES**
- Recommendation: Adopt a resolution in support of State Legislation to repair the Bay Area Regional Water System.**
- 9:25 P.M. 21. **DISCUSSION AND POSSIBLE ACTION – CITY COUNCIL ATTENDANCE (RULES OF PROCEDURE)**
- Recommendation: Consider Atherton City Council Rules of Procedure (attendance policy).**

9:35 P.M. 22. **PUBLIC COMMENTS**

9:45 P.M. 23. **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)



Draft Minutes
Town of Atherton
CITY COUNCIL
February 13, 2002
6:00 P.M.

Meeting Room
Town Administrative Offices
91 Ashfield Road
Atherton, California
Special Meeting

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

City Manager Jim Robinson mentioned that Mayor Carlson was out of Town and his work commitments would not allow him to participate in the scheduled teleconference for both the closed and open sessions, and he sends his regrets.

ROLL CALL

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

ABSENT: Alan B. Carlson

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

PUBLIC COMMENTS

There were no members of the public in attendance.

CLOSED SESSION

The Council adjourned to Closed Session at 6:05 p.m. on the following subjects:

- A. **CONFERENCE WITH LABOR NEGOTIATOR – Labor Negotiations pursuant to Government Code Section 54957.6**

Agency Negotiator: James H. Robinson, City Manager
Employee Organization: Local Union 856
Non-management miscellaneous employees

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

- D. LIABILITY CLAIM – pursuant to Government Code Section 54956.95**

**Claimant: Sarah Roberts
Agency claimed against: Town of Atherton**

RECONVENE TO OPEN SESSION

At the Regular City Council Meeting of February 13, 2002 at 7:00 p.m., City Attorney Marc Hynes reported out of closed session the following actions relative to each closed session item:

- A. Directions were given to the City Manager.**
- B. Directions were given to the City Attorney.**
- C. Directions were given to the City Attorney.**
- D. Directions were given to the City Attorney.**

ADJOURN

The meeting adjourned at 7:00 p.m.

Respectfully submitted,

Linda Kelly, Acting City Clerk



Draft Minutes
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT
February 13, 2002
7:00 p.m.
TOWN COUNCIL CHAMBERS
94 Ashfield Road
Atherton, California

REGULAR MEETING

Vice Mayor Janz called the meeting to order at 7:00 p.m.

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**

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

ABSENT: Alan B. Carlson

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

3. **PRESENTATIONS**

American Cancer Society Relay for Life – Linda Frasch, Redwood City/Menlo Park American Cancer Society Relay for Life Volunteer, requested the citizens of Atherton and Town staff to participate in the Relay for Life on May 18-19, 2002.

4. **COUNCIL REPORTS**

- Council Member Conwell reported that the Criminal Justice Council meeting will be held next week and that the C/CAG meeting is tomorrow night. He reported that at the San Francisco Airport Roundtable meeting it was reported that progress has been made in keeping noise levels down, and that traffic at SFO is down 18%.
- Council Member Fisher reported that the Waste Reduction Committee met and the BFI proposal is on tonight's agenda.

- Councilmember McKeithen reported that the Office of Emergency Services meeting was held on January 17. It was reported that the requests for hazardous materials investigations and fire mutual aid were up as a result of September 11th. Also discussed was the improved training for suspicious packages investigation, and an update on the advanced microwave radio system the County operates. Council Member McKeithen further reported that the General Plan Committee met this week and discussed what constituted a heritage tree and related definitions. Also discussed was a draft of tree preservation guidelines and possible penalties for violations of the tree ordinance. She also reported on the Valparaiso Corridor Study meeting held.
- Council Member Fisher added that the Valparaiso Corridor Study meeting was successful even though the notices had not been delivered in a timely manner due to an error on the part of the consulting engineering firm. Another meeting will be held but no date has been set yet.
- Council Member McKeithen continued that as part of the new Channel District Committee of the Council, she has asked the City Manager to gather all documents related to the history of the Atherton Channel District. She is meeting this Saturday with Assemblymember Simitian to discuss the Channel.
- Vice Mayor Janz reported that at the last City Council meeting, he reported on apparent discrepancies with recent ABAG population figures, and that Neal Martin, City Planner, is to prepare a report on this.
- City Attorney Marc Hynes reported out of the closed session held at 6:00 p.m. this evening as follows:
 - A. **CONFERENCE WITH LABOR NEGOTIATOR – Labor Negotiations pursuant to Government Code Section 54957.6**

 Agency Negotiator: James H. Robinson, City Manager
 Employee Organization: Local Union 856
 Non-management miscellaneous employees

 Directions were given to the City Manager.
 - 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

 Directions were given to the City Attorney.
 - C. **CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation pursuant to Government Code Section 54956.9(b): Two potential cases.**

Directions were given to the City Attorney.

E. LIABILITY CLAIM – pursuant to Government Code Section 54956.95

Claimant: Sarah Roberts

Agency claimed against: Town of Atherton

Directions were given to the City Attorney.

- **City Manager Jim Robinson reported that the comments from Philips Brooks School on their Environmental Impact Report will be available for review on February 25, 2002. He also stated that regarding the Menlo School Agreement which is on tonight's Consent Calendar as Item No. 14, Menlo School is not prepared to accept the agreement at this time and they will be considering it at a Board meeting on March 19. It is staff's recommendation that the Council not adopt the agreement tonight, pending approval of the School. The Item should be removed from the Consent Calendar.**
- **City Manager Jim Robinson further reported that Marion Oster of the Heritage Association sent a letter to the Town requesting to use the Council Chamber conference room for storage of some historical books and documents. She is requesting that some shelving be installed. This item will be on the next Council agenda.**
- **City Manager Jim Robinson reported on items on the warrant register, and stated that the Employee Recognition Program referred to in the MOU (Item No. 13), is a no-cost item, and if funds are requested at a later time, a request will be brought to the Council for consideration.**

5. PUBLIC COMMENTS

The following members of the audience spoke:

Joan Sanders, President, Friends of the Atherton Library, displayed a trophy recently won by elementary school-age members of the Chess for Fun Club.

Shirley Carlson of the Tree Committee announced the Town's Arbor Day celebration on April 20.

Bob Simonds, 26 Wilburn, asked about the whereabouts of "Henry's Bench" and commented on Mayor Carlson's absence.

Vice Mayor Janz commented that Mayor Carlson was unable to participate in the meeting because of a work commitment.

City Attorney Marc Hynes explained the Government Code rule on excused absences for Council Members.

Janet Simonds, 26 Wilburn, commented on Mayor Carlson's absences.

Robin Russell Gibson, Atherton Arts Committee, explained a proposed community stone sculpture project. Council Member Conwell suggested that this be referred to the Park and Recreation Commission.

6. COMMUNITY ORGANIZATION ROUNDTABLE REPORT

Mindy Perez Rubio, President of the Atherton Dames, explained recent activities of the Atherton Dames and reported on the increase in their membership.

CONSENT CALENDAR

Vice Mayor Janz stated that Item No. 14 would be removed and continued to the next Council meeting. Regarding this issue, Fran Eastman spoke from the audience.

MOTION – to continue Item No. 14, Arts Agreement with Menlo School, to the next City Council meeting in order that Menlo School may consider and approve the agreement.

M/S Janz/Conwell Ayes: 4 Noes: 0 Abstain: 0 Absent: 1

7. **APPROVED MINUTES OF SPECIAL MEETINGS OF JANUARY 10, 2002 AND JANUARY 16, 2002 AND THE REGULAR MEETING OF JANUARY 16, 2002**
8. **APPROVED BILLS AND CLAIMS FOR JANUARY 9, 2002 THROUGH JANUARY 31, 2002 IN THE AMOUNT OF \$633,874.18**
9. **ACCEPTED MONTHLY FINANCIAL REPORT FOR JANUARY 2002**
12. **ADOPTED ORDINANCE NO. 530, AMENDING CHAPTER 3.16.120 OF THE ATHERTON MUNICIPAL CODE, PROVIDING FOR INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT (SECTION 22000, ET SEQ. OF THE PUBLIC CONTRACT CODE)**
11. **AUTHORIZED CITIZEN DONATION TO POLICE DEPARTMENT IN THE AMOUNT OF \$5,000, AND APPROVED AUGMENTATION OF THE POLICE DEPARTMENT BUDGET**
12. **APPROVED THE PURCHASE OF SPECIMEN TREES FOR THE CHILDREN’S PLAYGROUND PROJECT FROM INTERNATIONAL PLANT BROKERS AS THE SOLE-SOURCE VENDOR FOR AN AMOUNT NOT TO EXCEED \$20,600**
13. **ADOPTED MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN FREIGHT CHECKERS, CLERICAL EMPLOYEES AND HELPERS, LOCAL UNION NO. 856 (TEAMSTERS REPRESENTING MISCELLANEOUS TOWN EMPLOYEES) AND TOWN OF ATHERTON FOR THE PERIOD JULY 1, 2001 THROUGH JUNE 30, 2003, AND AUTHORIZED THE MAYOR TO EXECUTE AN AGREEMENT ON BEHALF OF THE TOWN**

15. APPROVED THE APPOINTMENT OF JOAN ADDICOTT TO THE
ATHERTON ART COMMITTEE AS RECOMMENDED BY THE
SCREENING COMMITTEE

REGULAR AGENDA (Items 16-25)

~~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~~

16. DISCUSSION AND POSSIBLE ACTION – REFLECTIVE STREET CENTERLINE
MARKINGS

Public Works Director Cliff Temps summarized the staff report, and recommended that Council review the application of reflective pavement markers on recently center line striped streets and give staff direction regarding retention or removal of the markers on all or specified streets.

Police Chief Robert Brennan and Sergeant Steve Snider presented a report on a three-year history of traffic accidents on streets where new striping and reflectors were installed.

The following members of the public spoke on this item:

Alicia Seebold, President of Lindenwood Homes Association

Bill Burrows, Lindenwood Homes Association, 154 Greenoaks

Virginia Ruggerio, 10 Stockbridge

Rita Gado, 91 Stockbridge

John Ruggerio, 10 Stockbridge

Jim Dobbie, 124 James Avenue, read letter from Bob Huber who could not be present

Frank Sebastian, 50 Lilac Drive

Kent Kaiser, 82 Elena Avenue

Ed Pausa, 72 Manzanita Road

Jan Simonds, 26 Wilburn

Jack Doran, 218 Oak Grove

Jean Schaaf, 29 Stockbridge

Judd Riddle, 97 Frederick Avenue

Doug Holland, 45 Frederick Avenue

Pat Dobbie, 124 James Avenue

Byrne Bernhard, 199 Toyon Road

MOTION -

(a) Remove all reflectors and double lines and replace with single lines on Oak Grove, Stockbridge, James, and Elena.

(b) On James, leave the reflectors in the area 75 feet leading up to the James Gate.

(c) For Selby Lane, Atherton Avenue, Watkins, Fair Oaks, and Glenwood, replace the double lines with single lines and reduce the reflectors to 45 feet apart.

M/S McKeithen/Janz Ayes: 4 Noes: 0 Abstain: 0 Absent: 1

18. APPROVAL OF CONSTRUCTION MANAGEMENT AND QUALITY ASSURANCE CONTRACTS – MIDDLEFIELD ROAD PROJECT

Public Works Director Cliff Temps requested that Council approve the Middlefield Road Rehabilitation contracts for construction management professional services with Wilsey Ham in the amount of \$102,020, and quality assurance testing services with Parikh Consultants, Inc. in the amount of \$49,417.20.

MOTION – (1) Approve a contract for an estimated \$102,020 with Wilsey Ham for construction management services for Middlefield Road Rehabilitation, contingent upon the award of a construction contract for Middlefield Road Reconstruction; and (2) Approve a contract for an estimated \$49,417.20 with Parikh Consultants, Inc. for quality assurance testing services for Middlefield Road Rehabilitation, contingent upon the award of a construction contract for Middlefield Road Reconstruction.

M/S Conwell/McKeithen Ayes: 4 Noes: 0 Abstain: 0 Absent: 1

19. DISCUSSION AND POSSIBLE ACTION – WATER TOWER STABILIZATION PROJECT

Sandy Crittenden, Treasurer of the Holbrook-Palmer Park Foundation, requested that Council consider the approval of a stabilization project of the Water Tower, and authorize the preparation of plans and solicitation of bids. Mr. Crittenden explained reasons why the restoration of the catwalk is needed as well as patching, repair, and trimwork. The work would be about an \$80,000 project paid for by the Foundation. Authorization for Town staff to prepare the plans and bids is requested.

Mike McPherson of the Park and Recreation Commission stated that this project went through the Commission.

MOTION – Authorize the project to proceed, with Town authorization for supplemental funding not to exceed \$2,500 to \$3,000 in the value of staff time and materials to prepare the plans and manage the bid process.

M/S McKeithen/Conwell Ayes: 4 Noes: 0 Abstain: 0 Absent: 1

21. CONSIDER ADOPTION OF FEE RESOLUTION ADJUSTING REFUSE COLLECTION RATES

Finance Director John Johns presented the staff report, and requested that Council approve a resolution adjusting rates for municipal solid waste collection services performed under franchise agreement by Browning Ferris Industries.

John Zirelli, General Manager of BFI, answered questions on this item.

MOTION – Adopt Resolution No. 02-05, rescinding all previous resolutions approving rate schedules for Browning-Ferris Industries refuse, recyclable material and plant material collection service fees and approving a new rate schedule for same, retroactive to January 1, 2002.

M/S Fisher/McKeithen Ayes: 4 Noes: 0 Abstain: 0 Absent: 1

22. CONSIDER MODIFICATION TO FEE SCHEDULE FOR TREE REMOVAL PERMITS

Town Arborist Kathy Hughes Anderson presented the staff report and requested that Council consider adopting a resolution amending the fee resolution to include a lower fee for the removal of dead or dangerous Heritage trees.

MOTION – Adopt Resolution No. 02-06, amending Resolution No. 00-13 relating to charges for public services, as amended as follows:

(a) the first sentence of the resolution, replace “a dead or dangerous tree” with “any tree approved for removal at staff level.”

(b) Section 1 of the resolution shall read, “The fee charged to issue a permit for the removal of a dead or dangerous tree will hereby be established at the rate of \$100 per permit for the first tree and \$50 for each tree thereafter.”

M/S McKeithen/Conwell Ayes: 4 Noes: 0 Abstain: 0 Absent: 1

23. CONSIDER ADDITION OF PUBLIC MEMBERS TO TRANSPORTATION COMMITTEE

MOTION - Authorize the Transportation and Traffic Committee to agendize for their next meeting the request for consideration of adding public members on the Committee.

M/S Fisher/Conwell Ayes: 4 Noes: 0 Abstain: 0 Absent: 1

24. ACCEPTANCE OF MID-YEAR BUDGET REVIEW REPORT

Finance Director John Johns presented the staff report, and requested that Council review and accept the Mid-Year Budget Review Report.

The following members of the audience spoke regarding this item:

Bob Jenkins, Atherton Audit Committee

Jerry Carlson, Atherton Audit Committee

MOTION – Accept the Mid-Year Budget Review Report.

M/S Fisher/McKeithen Ayes: 4 Noes: 0 Abstain: 0 Absent: 1

25. DISCUSSION AND POSSIBLE ACTION - TOWN GOALS AND OBJECTIVES

City Manager Jim Robinson stated that this item was to request that Council adopt a procedure for establishing Town goals and objectives and capital project priorities each year, but that due to the lateness of the hour, that this might be better considered at a special meeting.

MOTION – to use the methodology presented in the City Manager’s staff report for formulating Town priorities, and add this item to the Special City Council Meeting of Wednesday, March 6, 2002 at 8:00 a.m.

M/S Fisher/McKeithen Ayes: 4 Noes: 0 Abstain: 0 Absent: 1

26. PUBLIC COMMENTS

There were no public comments.

27. ADJOURN

The meeting adjourned at 12:05 a.m.

Respectfully submitted,

Linda Kelly, Acting City Clerk



Draft Minutes
CITY COUNCIL MEETING
March 6, 2002
8:00 A.M.
City Council Chambers
94 Ashfield Road
Atherton, California
Special Meeting

Mayor Carlson called the meeting to order at 8:03 a.m.

1. 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.

2. PUBLIC COMMENTS

- **City Manager Jim Robinson informed the Council that the Holbrook-Palmer Park surveys were mailed out Friday, March 1st. Staff intends to send a letter to community groups asking them for support in encouraging residents to respond to the survey.**
- **The City Manager announced that a letter was received from Menlo Park School District inviting an Atherton Council Member to serve on a committee for selecting a new school superintendent. Council Member Fisher volunteered to serve.**
- **Council Member McKeithen asked for clarification on Council Members attending the ACIL Town Meeting. City Attorney Marc Hynes informed Council of the requirements of the Brown Act. Mayor Carlson will confirm with ACIL what is expected from the Council.**
- **Council Member Janz referred to a letter from Senator Barbara Boxer providing information on the federal grant application process. The City Manager will follow up with a response.**
- **Council Member McKeithen announced a meeting of the Atherton Channel Drainage District Committee on Thursday, March 14, at 5:00 p.m. in the Conference Room of the Town Administrative Offices.**

REGULAR AGENDA

3. AWARD OF CONSTRUCTION CONTRACT FOR MIDDLEFIELD ROAD REHABILITATION

Public Works Director Cliff Temps introduced this item. The Middlefield Road Rehabilitation project consists of correcting pavement and trench failures, and resurfacing and drainage in Middlefield Road from Fair Oaks Lane to Ravenswood Avenue. The bid from the low bidder, El Camino Paving, Inc., is in compliance with Town, State and Federal bid requirements. Staff recommended that the Council authorize the expenditure of \$1,847,461, which would exceed the original bid by \$241,463, to provide for additional work as stated in the Staff Report.

Construction work is scheduled to begin in April and planned to be completed by the start of school in September.

Discussion ensued regarding the expenditure of Atherton Channel Drainage District funds on Middlefield Road work. The Council directed staff to use Measure A and Road Impact funds instead of Channel District funds for the project, and to retain Channel District funds for projects having more of a direct impact on the Channel.

MOTION – to award the construction contract for Middlefield Road Rehabilitation to El Camino Paving Inc., and authorize spending of up to \$1,847,461 for construction work.

M/S Fisher/McKeithen

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

4. DISCUSSION AND POSSIBLE ACTION – TOWN GOALS AND OBJECTIVES

City Manager Jim Robinson provided the Council with a proposed method of identifying and prioritizing Town goals and objectives, and a list of potential goals and objectives currently in progress or that have been identified this fiscal year. He noted the need for development of each year's budget to be driven by established goals and objectives. The establishment of goals and objectives would include consideration of community and staff input. Work sessions would be held periodically to review progress to date. The Council agreed to review the list provided in the staff report and contact the City Manager by Friday regarding any changes. A revised list will be prioritized by Council Members and returned to the City Manager by Wednesday, March 13 for inclusion in the March 20th agenda.

John Sisson spoke from the audience.

5. ADJOURN

The meeting adjourned at 9:24 a.m.

Respectfully submitted,

Sharon Barker, City Clerk

TOWN OF ATHERTON

Item No. 9

CLAIMS LIST

February 8 through February 22, 2002

Payroll Checks	231-248; 290-310	\$ 66,378.57
Electronic Transfers		256,458.09
A/P Checks	11934-12157	<u>205,409.01</u>
TOTAL		\$ 528,245.67

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 231 through 248 and 290 through 310 (Payroll) 12160 through 12277 (Accounts Payable), and Electronic Transfers for Employees Federal Payroll Taxes and fees, inclusive, amount to \$528,245.67 are true and correct, and that there are funds for payment.

James H. Robinson
City Manager

The above claims, Payroll check numbers 231 through 248 and 290 through 310, Accounts Payable check numbers 11934 through 12157 and Electronic Transfers for employees federal payroll taxes and fees, amount to \$528,245.67; and are hereby approved for payment.

Mayor, Town of Atherton

SOURCE OF FUNDS

101	General Fund	\$495,706.24
105	Tennis Fund	-
201	Special Parcel Tax	325.00
202	Transportation	
203	Gas Tax Fund	
210	Road Construction Impact Fees	
401	General Capital Projects	-
402	Storm Drainage	-
403	Atherton Channel District	-
404	Park Playground Improvement	20,600.00
610	Vehicle Replacement	1,475.84
611	Computer Maint. & Replacement	4,727.39
612	Administrative Services	2,468.02
614	Workers Compensation Insurance	2,623.18
715	Evans Estate	320.00
730	H-P Park Improvement	-
731	Tree Committee	-
TOTAL		\$528,245.67

Item No. 10



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOHN P. JOHNS, FINANCE DIRECTOR

DATE: FOR THE MEETING OF MARCH 20, 2002

SUBJECT: MONTHLY FINANCIAL REPORT, FEBRUARY. 2002

RECOMMENDATION:

Receive and file Monthly Financial Report for February, 2002.

INTRODUCTION:

The attached schedules show revenues and expenditures and fund balance for all funds as of February 28, 2002.

HIGHLIGHTS

As of February 28, 2002 the General Fund has received \$3.9 million in revenues from external sources while \$6.1 has been budgeted for the entire year. (The remaining \$450,000 if the \$6,645,070 in estimated General Fund revenues are to be realized in the form of operating transfers from the Special Municipal and Gas Tax special revenue funds). Additionally, nearly \$1 million in property tax revenues will be receipted in April. Hence, we remain confident that total General Fund revenues will meet or exceed current year budgetary estimates. Revenues for all funds were reduced by \$219,000 in the month of February due to the discovery of a journal entry which had been prepared in July of 2001 incorrectly posting revenues to the current year for revenues that had already been recognized in the previous fiscal year. The reversal of this accounting entry will not adversely affect our current year revenue projections .

With 67 percent of the year elapsed, General Fund expenditures total approximately 62 percent of funds that have been allotted. As such, General Fund expenditures are on track to remain within appropriation limits established at the beginning of FY 2001-02.

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 Eight Months Ended February 28th, 2002

Fund	Revenue Source	2001-02 Estimate	Current Period Revenues	Year to Date Revenues	% Received
	Property Tax	\$ 2,624,563	30,263	\$ 1,996,819	76%
	Sales and Use Tax	306,000	(17,163)	88,605	29%
	Other Taxes	481,133	(45,163)	146,292	30%
	Licenses & Permits	1,316,200	73,493	824,955	63%
	Fines & Forfeitures	110,000	8,544	60,834	55%
	Investment & Rental Income	358,200	39,017	306,817	86%
	Revenue from Other Agencies	484,124	16,705	302,208	62%
	Charges for Services	502,700	(44,214)	190,104	38%
	Other Revenues	12,150	5,090	1,607	13%
	Total General Fund Revenues	6,195,070	66,572	3,918,241	63%
	Interfund (Operating) Transfers In	450,000		-	0%
101	General Fund Total	6,645,070	66,572	3,918,241	59%
Special Revenue Funds:					
105	Tennis	9,000	1,500	5,009	56%
201	Special Parcel Tax	1,600,000	(325)	798,098	50%
202	Transportation	270,000	(18,356)	115,900	43%
203	Street Improvement (Gas Tax)	200,000	(43,223)	84,725	42%
206	SLESF				
208	Police on the Street	-	-	23,500	> 100%
209	Law Enforcement	100,000	100,000	100,000	100%
210	Road Construction Impact Fees	450,000	23,074	190,749	42%
211	State Park Grants Fund	89,910	-	-	0%
	Total	2,718,910	62,670	1,317,981	48%
Capital Project Funds:					
401	Capital Improvement	10,000	-	-	0%
402	Storm Drainage	10,000	-	230	2%
403	Channel Drainage District	38,000	436	25,908	68%
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	436	55,430	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	129,678	\$ 5,542,595	49%
Trust and Agency Funds:					
715	Evans Creative Design	53,040	100	55,741	0%
720	Library Extension	-	-	-	0%
727	Colley Trust Fund	-	-	1,000	>100%
730	H-P Park Improvement	-	-	-	0%
731	MA Little League	-	-	-	0%
740	Tree Committee	-	-	-	0%
	Total	53,040	100	56,741	107%
Total Revenues		11,323,950	129,778	5,599,336	49%

TOWN OF ATHERTON
Expenditure Summary
As of February 28th 2002

Fund	Description Department	2001-02 Budget	Current Period Expenditures	Year to Date Expenditures	% Spent
101	General Fund				
	11 City Council	\$ 21,739	\$ 756	\$ 17,498	80%
	12 City Manager	442,706	30,167	268,462	61%
	16 City Attorney	196,199	8,200	96,477	49%
	18 Finance	362,600	44,154	318,146	88%
	25 Building	713,814	44,502	480,243	67%
	40 Police	3,268,584	220,281	2,064,062	63%
	50 Public Works	1,632,102	129,478	951,749	58%
	Contingency	100,000	-	-	0%
	Total General Fund Expenditures	<u>6,737,744</u>	<u>477,538</u>	<u>4,196,637</u>	<u>62%</u>
	Interfund (Operating) Transfers Out	320,000	-	-	0%
101	General Fund Total	<u>\$ 7,057,744</u>	<u>\$ 477,538</u>	<u>\$ 4,196,637</u>	<u>7%</u>
Special Revenue Funds:					
105	Tennis	7,500	-	370	5%
201	Special Parcel Tax	1,600,000	-	136,336	9%
202	Transportation	267,950	-	218,835	82%
203	Street Improvement (Gas Tax)	430,700	-	332,197	77%
208	SLESF	-	-	-	
208	Police on the Street	-	-	-	
209	Law Enforcement	199,424	18,897	87,690	44%
210	Road Impact Fees	450,000	-	187,500	42%
211	State Park Grants	89,910	-	37,463	42%
	Total	<u>3,045,484</u>	<u>18,897</u>	<u>1,000,391</u>	<u>33%</u>
Capital Project Funds:					
401	Capital Improvement	-	-	472	
402	Storm Drainage	162,409	-	6,250	4%
403	Channel Drainage District	251,000	-	9,516	4%
404	Park Playground Fund	325,000	20,600	102,499	32%
405	Middlefield Road Grants	600,000	-	-	0%
	Total	<u>1,338,409</u>	<u>20,600</u>	<u>118,737</u>	<u>9%</u>
Internal Service Funds:					
610	Vehicle Replacement	106,041	1,476	80,039	75%
611	Information Technology	90,166	4,727	20,425	23%
612	Administrative Services	233,756	2,468	235,235	101%
614	Workers Compensation Insurance	135,000	-	61,691	46%
	Total	<u>564,963</u>	<u>8,671</u>	<u>397,390</u>	<u>70%</u>
Total Expenditures and Transfers -- All Funds		<u>\$ 12,006,600</u>	<u>\$ 525,706</u>	<u>\$ 5,713,155</u>	<u>48%</u>
Trust and Agency Funds:					
715	Evans Creative Design	54,010	2,943	58,599	
727	Colley Reward Fund	-	-	-	
730	H-P Park Improvement	-	-	583	
731	MA Little League	-	-	-	
740	Tree Committee	-	-	-	
	Total	<u>54,010</u>	<u>2,943</u>	<u>59,182</u>	
Total Expenditures		<u>12,060,610</u>	<u>528,649</u>	<u>5,772,337</u>	<u>48%</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 COUNCIL MEETING OF MARCH 20, 2002

SUBJECT: RESOLUTIONS APPROVING THE TOWN OF ATHERTON TO APPLY FOR GRANT FUNDS FOR THE PER CAPITA GRANT PROGRAM AND THE ROBERTI-Z'BERG-HARRIS URBAN OPEN SPACE AND RECREATION PROGRAM UNDER THE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COSTAL PROTECTION BOND ACT OF 2000

RECOMMENDATION

Adopt Resolutions (two) 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 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.

INTRODUCTION

The State Park Bond Act of 2000 provides three sums of money for park improvement use in Atherton:

Per Capita I	\$47,031
Per Capita II	\$20,318
Roberti-Z' Berg-Harris (RZH)	\$21,910

Per Capita I and II are intended to “meet the urgent needs for safe, open and accessible local park and recreational facilities for increased recreational opportunities that provide positive alternatives to social problems.” These grants require no local matching funds. Projects cannot be started until they are covered by contracts with the State which must be executed by June 30, 2003, and must be

completed by June 30, 2008.

The RZH funds can be used for “acquiring new park land or historic sites, preservation, rehabilitation or restoration of historic sites or structures within park areas and rehabilitation of park, recreation or historical facilities that are no longer fully serviceable, and that when rehabilitated will provide expanded or additional recreation or historic opportunities.” At least 30% of the project cost must be funded with local money, and at least one-third of that money must be from donations. Projects cannot be started until they are covered by contracts executed with the State no later than June 2004, and the final project paperwork must be closed out by March 1, 2009.

The first step in the process for all three grants is to adopt resolutions approving applying for grants and naming a person (by position) to act as contact with the State. Entering into contracts and submitting applications for specific projects are steps that follow.

ANALYSIS

The Town has identified two park projects which qualify for Per Capita funding: the Main House Handicapped Lift for \$50,000, and the Landscape Screening between the Wedding Area and the path to the Play Structure for \$15,000. Fifty percent of the cost of the Handicapped Lift may be covered by a Community Development Block Grant. The Town plans to proceed with both these projects this year. Projects to use the remaining park grant funds have not yet been determined.

FISCAL IMPACT

Adopting the recommended resolutions is the first step in applying for State Park Grant money which can be used to meet needs that would otherwise require Town funding.

CONCLUSION

The Council should adopt the two attached resolutions.

Submitted by

Approved By

Cliff Temps
Public Works Director

James H. Robinson
City Manager

RESOLUTION NO. 02-__

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
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**

The City Council of the Town of Atherton hereby resolves as follows:

WHEREAS, the people of the State of California have enacted the Per Capita Grant Program which provides funds to meet the urgent need for safe, open and accessible local park and recreational facilities for increased recreational opportunities that provide positive alternatives to social problems; and

WHEREAS, the California Department of Parks and Recreation has been delegated the responsibility for the administration of the grant program, setting up necessary procedures; and

WHEREAS, said procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Applicant to apply for the Per Capita Allocation, and

WHEREAS, the Town of Atherton will enter into a Contract with the State of California;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the Town of Atherton:

1. Approves the filing of an Application for local assistance funds from the Per Capita Grant Program under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000; and
2. Certifies that The Town of Atherton has or will have sufficient funds to operate and maintain the projects; and
3. Certifies that The Town of Atherton has reviewed, understands and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
4. Appoints the City Manager as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for completion of the projects.

* * * * *

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 the ___ day of _____, 2002, by the following vote:

*AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:*

Alan B. Carlson
Mayor, Town of Atherton

ATTEST:

Sharon Baker, City Clerk

RESOLUTION NO. 02-__

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
APPROVING THE TOWN OF ATHERTON 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 BOND ACT OF 2000**

The City Council of the Town of Atherton hereby resolves as follows:

WHEREAS, the people of the State of California have enacted the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 which provides funds for the Roberti-Z' Berg-Harris Open Space and Recreation Program; and

WHEREAS, the Legislature of the State of California has enacted the Roberti-Z' Berg-Harris Open Space and Recreation Program, which provides funds to certain political subdivisions of the State of California for acquiring lands and for developing facilities to meet urban recreational needs; and

WHEREAS, the California Department of Parks and Recreation has been delegated the responsibility for the administration of the grant program, setting up necessary procedures; and

WHEREAS, said procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Applicant to apply for the Roberti-Z' Berg-Harris allocation, and

WHEREAS, the Town of Atherton will enter into a Contract with the State of California;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the Town of Atherton:

5. Approves the filing of an Application for local assistance funds from 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; and
6. Certifies that The Town of Atherton has or will have sufficient funds to operate and maintain the projects; and
7. Certifies that The Town of Atherton has reviewed, understands and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
8. Appoints the City Manager as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for completion of the projects.

* * * * *

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 the ___ day of _____, 2002, by the following vote:

<i>AYES:</i>	<i>Councilmembers:</i>
<i>NOES:</i>	<i>Councilmembers:</i>
<i>ABSENT:</i>	<i>Councilmembers:</i>
<i>ABSTAIN:</i>	<i>Councilmembers:</i>

Alan B. Carlson
Mayor, Town of Atherton

ATTEST:

Sharon Baker, City Clerk



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ROBERT BRENNAN, CHIEF OF POLICE

DATE: FOR THE MEETING OF MARCH 20, 2002

SUBJECT: 911 EQUIPMENT UPGRADE - ACCEPT STATE FUNDING

RECOMMENDATION:

Approve State funding to upgrade the Public Safety Answering Point (PSAP) 911 equipment, funded by the State 9-1-1 Program through the State of California, Department of General Services. Based on the Town's emergency call traffic, the Police Department is eligible for funding in the amount of \$72,800 (see attached letter).

INTRODUCTION:

The current PSAP system, (Maarsview), was installed through the same program in 1997. At that time a five-year installation contract for services and maintenance was entered with GTE (now Verizon).

Based on technology currently available, and demands caused by growth over the past five years, the current system has become obsolete. Because the State is aware of these advances, they allow and fully-fund equipment upgrades every five years. Additionally, an advance in technology has made it possible for public agencies to better serve and protect the communities they serve.

ANALYSIS:

Maarsview is a computer based phone system working in conjunction with the positron phone equipment for answering 911 calls. Business lines are not a part of the Maarsview system. The dispatcher must access the calls through positron manually to retrieve the calls. Maarsview provides Pacific Bell information on 911 incoming calls; other features include storing of phone numbers. The dispatcher must still open a phone line through positron before clicking on a phone number stored in Maarsview, which causes a delay when initiating a call or transferring one.

"Intelligent Works Stations" currently available for PSAPS, would fully integrate the entire phone system into an automated computer system. The dispatcher would then be able to retrieve an incoming call through the computer system, and with the click of a mouse, transfer the call to the proper source without delay, (i.e. medics, fire, streets division, etc). The new system would also be capable of instant recall with the click of the mouse and has the ability to produce statistical reports for 911 or business lines, along with many other features.

CONCLUSION:

This upgrade will allow the Police Department to better serve the community in a more expedient and efficient manner. The dispatcher would no longer have to manually dial numbers or utilize two systems at two separate locations. All contact information from county numbers to city employees is readily available without the dispatcher having to physically look for it. Dialing is automated, allowing the dispatcher to move on to the next incoming call. These benefits are most critical during life/death situations such as fire and medical calls, or when the dispatcher must immediately contact a list of agencies and individuals during a critical incident. Several of our dispatchers have experience with other departments utilizing the new system, which they strongly endorse.

FISCAL IMPACT:

None. There is no matching funds requirement for the State funding program. The selected vendor will directly invoice the State of California for this equipment and installation costs.

Prepared by:

Approved by:

Robert Brennan
Chief of Police

James Robinson
City Manager

Attachments:

1. DGS Letter
2. Chapter III, DGS Telecommunications



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 CITY COUNCIL MEETING OF MARCH 20, 2002

**SUBJECT: AUTHORIZE GENERAL PLAN COMMITTEE TO ADDRESS BUILDING
SETBACKS IN THE R-1B ZONE**

RECOMMENDATION:

Refer to the General Plan Committee the issue of addressing building setback requirements in the R-1B zone.

ANALYSIS:

At the last Planning Commission meeting a variance was applied for regarding the building sideyard setback requirements for a 100 foot wide lot in the R-1B zone. The Commission was unable to make the variance finds and, therefore, denied the variance.

The Chair of the Commission, Mr. Phil Lively, did however, feel that the issues raised during the variance proceeding were sufficiently significant that the City Council would wish to refer the matter to the General Plan Committee for a possible text change to the Atherton Municipal Code.

The specific issue is the fact that the building sideyard setbacks for a 100 foot wide lot are 60% of the lot width. All other lots have smaller building sideyard setbacks as a percentage of lot width.

FISCAL IMPACT:

The cost related to General Plan activities is funded from the General Fund. Staffing to the General Plan Committee is provided by Neal Martin and Associates. It is estimated that approximately \$500 will be expended regarding this issue.

Respectfully submitted:

Reviewed/Approved:

Michael A. Hood
Building Official

James H. Robinson
City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JAMES H. ROBINSON, CITY MANAGER

DATE: FOR THE MEETING OF MARCH 20, 2002

SUBJECT: LEGISLATIVE ACTION LETTERS IN SUPPORT OF SUSTAINED FUNDING LEVEL FOR PUBLIC LIBRARY FOUNDATION

RECOMMENDATION

It is recommended that the City Council authorize the 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 Public Library Foundation funding by \$11.1 million.

DISCUSSION

During the months of March and April, the Assembly and Senate Budget Subcommittees on Education Finance will begin hearings on various aspects of the Governor's Education Budget. Within the purview of these two committees is the budget for the Public Library Foundation (PLF).

In November of 2001, the Governor had recommended that the PLF be cut by \$7.9 million, and due to a bi-partisan concerted effort on the part of the Budget Subcommittees, the PLF was saved from this round of cuts. The Governor is now proposing to cut the PLF in the 2002-03 Budget by \$11.1 million. According to Susan Negreen, Executive Director of the California Library Association, this year the State Legislature is strongly conflicted as to whether or not programs should be slashed to avoid a tax increase, or whether solutions such as a tax increase and creative financing proposals should be considered. Consequently, since all special interest groups affected in this year's budget will be facing the same challenges for maintaining existing funding, the subcommittee members will need to receive hundreds of letters on the PLF in order to elevate it above other competing interests. Thus, the libraries are asking cities for help in this lobbying effort. Ms. Negreen is also recommending that letters be sent to our local State Legislators representing Atherton.

FISCAL IMPACT

According to Thom Ball, Library Branch Manager for Atherton, Portola Valley and Woodside, the proposed cuts would result in a 1% to 2% loss to the Atherton Branch Library. The impact to the residents could be a reduction in book purchases and hourly library staff to backfill for absences.

While the loss may not seem significant, Atherton Library management is most concerned with the precedent that this budget cut would represent. It is important that the PLF funding level be sustained and that it not be viewed as a potential source to be raided as part of the State’s budget strategy.

CONCLUSION

In order that the Town may show support for the sustained funding level of the Public Library Foundation, for its impact on the funding of our local library (both now and in the future), it is recommended that the attached letter be sent to urge members of Senate and Assembly Budget Subcommittees to reject the Governor's proposal to cut Public Library Foundation funding by \$11.1 million. The attached letter is based on a sample letter provided by the Atherton Branch Library.

Prepared by:

Approved by:

Linda Kelly
Assistant to the City Manager

James H. Robinson
City Manager

Attachment: Sample Letter to Members of Budget Subcommittees
List of Subcommittee Members and Local Legislators



Alan B. Carlson
Mayor

91 Ashfield Road
Atherton, California 94027
Phone: (650) 752-0500
Fax: (650) 688-6528

March 20, 2002

SAMPLE LETTER

The Honorable Joe Simitian, Chair
Assembly Budget Subcommittee No. 2 on Education Finance
State Capitol
Sacramento, CA 95814

SUBJECT: Support of Sustained Public Library Foundation Funding

Dear Assemblymember Simitian:

Thank you for your support in maintaining the Public Library Foundation (PLF) funding in light of the Governor's November 2001 proposal to cut \$7.9 million from the PLF's budget.

As you are aware, Governor Davis has now proposed to cut \$11.1 million from the Public Library Foundation program (Budget Item 6120-221-0001). The Public Library Foundation already suffered an unanticipated round of cuts in the 2001-2002 budget, which totaled \$6 million (the removal of a \$2.1 COLA and the \$3.9 million reduction in the July Budget).

This totals a reduction from last January of \$17.1 million. Clearly, this amount represents a disproportionate blow to an already hard-hit segment of local library services. Locally, this amounts to an overall reduction of over 28% from last year. The Public Library Foundation loss further exacerbates the ERAF loss which, for 2001-02, is \$2,637,585. Since 1992-93, the ERAF loss has been \$19,028,655, which has resulted in a major loss of local library services.

The PLF funding is a source of revenue which helps maintain our local Atherton library in providing needed services to our residents. We urge you to reject the recent proposals by Governor Davis to reduce the funding for the Public Library Foundation program.

Sincerely,

Alan B. Carlson
Mayor

cc: Members of the Assembly Budget Subcommittee No. 2 on Education Finance
Members of the Senate Budget Subcommittee No. 1 on Education Finance
Senator Byron Sher

Proposed Recipients of Public Library Foundation Letter

Assembly Budget Subcommittee No. 2 on Education Finance

Assemblymember Joe Simitian, Chair
Assemblymember Dennis Cardoza
Assemblymember Lynn Daucher
Assemblymember Jerome Horton
Assemblymember Bill Leonard

Senate Budget Subcommittee No. 1 on Education Finance

Senator Jack O'Connell, Chair
Senator Bob Margett
Senator John Vasconcellos

State Legislative Representatives for Atherton

Senator Byron Sher
Assemblymember Joe Simitian (Chair of Subcommittee—see above)



Town of Atherton

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JAMES H. ROBINSON, CITY MANAGER

DATE: FOR THE MEETING OF MARCH 20, 2002

SUBJECT: AUTHORIZATION FOR ATHERTON HERITAGE ASSOCIATION TO USE THE TOWN HALL CONFERENCE ROOM FOR RESEARCH AND STORAGE

BACKGROUND

The City Council has received a request from Marion Oster, President of the Atherton Heritage Association, requesting use of the Conference Room in the Atherton Town Hall. The request from the Heritage Association is to utilize and store/display research and historical materials in book cases in the conference room. The Heritage Association's use of the conference room would supplement the space they are currently utilizing within the Heritage Room.

RECOMMENDATION

It is recommended that the Heritage Association be authorized to utilize and store historic materials within the Conference Room. Staff would also recommend that the volume of materials stored still allow for use of the conference room for Town functions and that dates for use of the conference room by the Heritage Association be cleared through the City Clerk, who maintains a schedule of meetings within Town Hall.

Attachment: Letter from Atherton Heritage Association



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JAMES H. ROBINSON, CITY MANAGER

DATE: FOR THE MEETING OF MARCH 20, 2002

SUBJECT: DISCUSSION AND POSSIBLE ACTION – CONSIDERATION OF TOWN GOALS AND OBJECTIVES

RECOMMENDATION

It is recommended that the City Council consider the rankings of potential goals and objectives to establish priorities for the Town.

DISCUSSION

As was discussed at the Special Meeting of March 6, the Council has been asked to individually rank potential Town goals and objectives identified by Council Members and staff. On March 8, Council was provided a list of potential goals and objectives, and asked to rank each goal on a priority basis and return the rankings by March 13. All five Council Members returned their rankings to the City Manager, and the rankings were tabulated and are presented below in order of priority.

Council Members were asked to rank items as follows: High priority (3 points); Medium priority (2 points); Low priority (1 point). The points were added to formulate the total score for each item.

The following table represents the results of the City Council's composite ranking of identified goals and objectives.

City Council Ranking of Goals and Objectives

Score	Proposed Goal/Objective
15	Establish Objectives and Identify Funding Sources for El Camino Real and Other Local Drainage Improvements
15	Establish a Strategy for the Atherton Channel – Upgrade, Repairs and Long-Term Maintenance
15	Complete Valparaiso Study and Implement Appropriate Recommendations
14	Housing Element – Completion of Certification Process
14	Develop a Long-Term Financial Plan
11	Review and Revise Strategic Park and Recreation Plan
11	Establish Strategy for Maintaining the Full Staffing of the Police Department (that currently exists)
11	Complete a Needs Assessment for Town Facilities
10	Maintenance and Possible Improvements to Town Home and Landscaping
10	Establish a Policy for Town-wide Street Striping Improvements
9	General Plan – Review and Update
8	Evaluate Methodology for Expediting Building Plan Review
8	Establish a Formal Policy for Recognition of Volunteers (Planning Commission, General Plan Committee, Tree Committee, etc.)
8	Develop a Strategic Plan for the Town’s Computer and Information Technology Needs
7	Update Atherton Resident Handbook
7	Revise and Update Commission and Committee Member Handbook
7	Evaluate Construction Noise Control Techniques
7	Develop Revised Employee Personnel Rules and Procedures
6	Review and Revise City Council Rules and Procedures
5	Update Municipal Code

CONCLUSION

The City Council rated 20 goals and objectives with 10 receiving a rating of “10” or more. It is recommended that the Council reiterate their ranking of these “top” goals and objectives and direct staff to develop some time lines, develop cost estimates, and proceed to incorporate these goals and objectives into the fiscal process for the Draft 2002-03 Budget.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOHN P JOHNS, FINANCE DIRECTOR

DATE: FOR THE MEETING OF MARCH 20, 2002

SUBJECT: ORDINANCE FOR PERS CONTRACT AMENDMENT, PUBLIC SAFETY EMPLOYEES

RECOMMENDATION

Introduce an Ordinance authorizing an amendment to the contract between the California Public Employees' Retirement System and the Town of Atherton, and waive further reading.

DISCUSSION

In Fiscal Year 2000-01, the Council approved a memorandum of understanding with the Atherton Police Officers' Association (POA). This MOU included an enhancement in retirement benefits afforded to POA members.

The staff report prepared in support of Council Agenda Item Number 21 describes the changes to be made to the Town's contract with PERS and provides an estimate of its fiscal impact.

In order to effect the contract change with PERS, the Town must both approve a resolution of intention to amend the contract (Council Agenda Item number 21) and must approve an ordinance authorizing an amendment to the contract.

Included as attachment 1 to this staff report is the proposed ordinance.

Prepared by:

Approved by:

John P. Johns, CPA
Finance Director

Jim Robinson
City Manager

Attachment 1: Ordinance authorizing an amendment to the contract between the Town of Atherton and PERS.

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: JOHN P. JOHNS, FINANCE DIRECTOR

DATE: FOR THE MEETING OF MARCH 20, 2002

SUBJECT: RESOLUTION FOR PERS CONTRACT AMENDMENT, PUBLIC SAFETY EMPLOYEES

RECOMMENDATION

Adopt a resolution approving an amendment to the contract between the California Public Employees’ Retirement System and the Town of Atherton to provide Section 21362.2 (3% @ 50 full formula) for local safety members.

DISCUSSION

In Fiscal Year 2000-01, the Council approved a memorandum of understanding with the Atherton Police Officers’ Association (POA). This MOU included an enhancement in retirement benefits afforded to POA members. Effective July 1, 2002 Atherton police officers are entitled to receive three percent of their annual salary for each year of qualifying service, rather than 2% of their annual salary for each year of qualifying service. The following table provides an illustration of the effect of this change.

Years of Service Upon retirement	Retirement Income as a Percentage of Final Salary under Old formula (2% @50)	Retirement Income as a Percentage of Final Salary under New formula (3% @50)
15	30%	45%
20	40%	60%
25	50%	75%

As part of the contract amendment process, the City Manager requested an actuarial study from PERS. This actuarial study provided an estimate of the additional cost to the Town, based upon a

PERS' best estimate regarding a variety of factors which ultimately affect the Town's pension benefit obligation. These include:

- Employee salary growth;
- Number of years of service remaining until retirement;
- Post-retirement longevity;
- Public Safety employee turnover; and
- Income on retirement funds invested.

PERS has provided its estimate of the additional costs to the Town in the form of an actuarial study. The actuarial study consists of two elements, (1) an estimate of the one-time impact from the change in the pension plan, and (2) an estimate of the incremental ongoing costs of the plan amendment. The one-time cost is expressed as an increase in the Town's pension benefit obligation (the total funds to be paid out pursuant to the provisions of the plan) and is reported in present value terms¹. The PERS report is summarized as follows:

- The increase in the present value of the benefits due to the proposed change is equivalent to \$1,951,597.
- In FY 2002-03, the proposed change will result in an increased cost of 14.7%, an increase of \$226,000.

To initiate the change in the Town's contract with PERS, two actions of Council are required. The first is to approve an ordinance authorizing an amendment to the contract and to waive further reading. (This action is the subject of a separate staff report). The second is to adopt a resolution of intention to approve an amendment to the contract. The proposed resolution and sample contract are incorporated within this staff report as attachments 2 and 3.

Prepared by:

Approved by:

John P. Johns, CPA
Finance Director

Jim Robinson
City Manager

Attachment 1: PERS Contract Amendment Contract Cost Analysis

Attachment 2: No. 02-____ approving an amendment to the contract between the Town of Atherton and PERS

Attachment 3: Contract Amendment

RESOLUTION NO. 02-__
RESOLUTION OF INTENTION

¹ Present value analysis is used to determine the amount of funds that would have to be deposited today in order to have sufficient funds available to make a specified stream of payments in the future.

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

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Section 21362.2 (3% @ 50 Full formula) for local safety members.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as "Exhibit A" and by this reference made a part hereof.

By: _____
Alan B. Carlson, Mayor
Town of Atherton

Date adopted and approved

* * * * *

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 the ___ day of ____, 2002, by the following vote:

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

Alan B. Carlson, Mayor
Town of Atherton

ATTEST:

Sharon Barker, City Clerk

ATKINSON • FARASYN, LLP

ATTORNEYS AT LAW

LEONARD J. SIEGAL
HAROLD S. TOPPEL
STEVEN G. BAIRD
MARC G. HYNES

660 WEST DANA STREET
P.O. BOX 279
MOUNTAIN VIEW, CALIFORNIA 94042
TELEPHONE (650) 967-6941
FACSIMILE (650) 967-1395

J.M. ATKINSON (1892-1982)
L.M. FARASYN (1915-1979)

MEMORANDUM

TO: Honorable Mayor and City Councilmembers, Town of Atherton
FROM: Marc G. Hynes, City Attorney
RE: Amendment to Dog Licensing Provisions
DATE: March 14, 2002

The County Environmental Services Agency has requested that the Town revise its licensing ordinances to conform with revisions which have recently been enacted to the County Animal Ordinance. Since the County currently provides animal control services to the Town, the Town's ordinances mirror applicable County regulations.

The amendment here will provide for dog licenses which can be issued for as long as three years, provided that rabies information which supports this time period is produced along with the application for the three year license. Charges for the three year license require revisions to the schedule of fees and charges in Section 6.04.240. Additional changes which the County has adopted include a senior discount, and the surcharge on all licenses for the Animal Population Trust Fund. These charges are also reflected in the new rates.

Respectfully,

s/Marc G. Hynes
MARC G. HYNES

MGH:cwb

Attachment

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	

<u>Wolf Hybrid Registration Fees</u>	
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 _____ day of _____, 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

FROM: JAMES H. ROBINSON, CITY MANAGER

DATE: FOR THE MEETING OF MARCH 20, 2002

SUBJECT: RESOLUTION IN SUPPORT OF LEGISLATION TO REPAIR THE BAY AREA REGIONAL WATER SYSTEM

RECOMMENDATION

Adopt the resolution supporting State legislation to repair the Bay Area regional water system.

DISCUSSION

In a recent report of the San Francisco Public Utilities Commission Water System, certain issues arose regarding the system's ability to provide water to Bay Area communities, including Atherton, during a catastrophic event. It has been reported that in the event of a catastrophe, the Bay Area may experience a loss of water for up to 60 days resulting in significant exposure to health, safety, and economic risks. By adopting the attached resolution, the Town of Atherton would be joining other concerned Bay Area communities in supporting legislation that addresses the need for state oversight of the Bay Area water system, and that will ensure that the necessary repairs to the system are completed without delay.

RESOLUTION NO. 02-__

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
SUPPORTING STATE LEGISLATION TO REPAIR THE BAY AREA
REGIONAL WATER SYSTEM AND PROTECT OUR RESIDENTS
FROM CATASTROPHIC WATER OUTAGES**

WHEREAS, the Town of Atherton and its citizens depend on the Bay Area regional water system operated by the San Francisco Public Utilities Commission (AFPUC) for all of their water supply; and

WHEREAS, the 70 year-old Bay Area regional water system is subject to catastrophic damage in the event of an earthquake on the San Andreas, Calaveras or Hayward faults, which could expose our residents and other Bay Area communities, including San Francisco, to the loss of water for up to 60 days and to unacceptable health, safety and economic risks; and

WHEREAS, the SFPUC has delayed for several years approving a multi-billion dollar construction program to repair the regional water system and has not acted to obtain financing to pay for the necessary work; and

WHEREAS, even if the SFPUC raises the required financing, it has not demonstrated an ability to manage and complete a construction program which will be ten times larger than any construction program for the water system that it has undertaken; and

WHEREAS, the Town of Atherton believes the legislative approaches of state lawmakers in Alameda, San Mateo and Santa Clara Counties at this time contain the types of incentives, oversight, and action at the state level, which are needed to ensure that the Bay Area water system is fixed as soon as possible, without calling for a change in the system's ownership; and

WHEREAS, these legislative approaches address other concerns of Bay Area communities with the regional water system, including the need to secure back-up supplies for drought-years protection, equitable distribution of available water in the event of a catastrophe, and a commitment to deliver water meeting federal and state drinking water standards; and

WHEREAS, the Town of Atherton is prepared to contribute its fair share of the cost to repair the system as determined by the Atherton City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the Town of Atherton supports these state legislative approaches and urges the Legislature and the Governor to approve the legislation, which contains incentives, oversight and actions at the state level to ensure that the Bay Area regional water system is repaired without further delay.

* * * * *

I HEREBY CERTIFY that the foregoing Resolution was regularly introduced and adopted at a Regular Meeting of the City Council of the Town of Atherton held on the ____ day of _____, 2002 by the following vote:

Ayes: Councilmembers:
Noes: Councilmembers:
Absent: Councilmembers:
Abstain: Councilmembers:

Alan B. Carlson, Mayor
Town of Atherton

ATTEST:

Sharon Barker, City Clerk



Town of Atherton

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JAMES H. ROBINSON, CITY MANAGER

DATE: FOR THE MEETING OF MARCH 20, 2002

SUBJECT: COUNCIL MEMBER ATTENDANCE AT MEETINGS

BACKGROUND

Staff has received a request to place on tonight's agenda a discussion about attendance by Council Members at scheduled City Council meetings. To assist in that discussion, staff has attached a copy of the Atherton City Council "Rules of Procedure" that were adopted in March of 1994.

The Rules of Procedure Section 2.4 - Compelling Attendance, provides a process for notifying the Mayor if Members are unable to attend. If notification does not occur, it will be noted in the minutes as an unexcused absence.

If there is a desire to modify the existing attendance policy, staff should be given direction as to which amendments are to be made to the existing policy.